



County of Lassen
Department of Planning and Building Services

- Planning • Building Permits • Code Enforcement • Surveyor • Surface Mining

August 28, 2019

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TO: Lassen County Planning Commission
Agenda Date: September 3, 2019

Zoning & Building
Inspection Requests
Phone: 530 257-5263

FROM: Maurice L. Anderson, Director MJA Fol:

RE: Draft Cargo Container Ordinance (File #318.01.53)

This memorandum follows similar memoranda that were part of the packet for both the June 17, 2019, special meeting of the Planning Commission, and its August 6, 2019, regular meeting. The Planning Commission took no action at the former meeting, however, because of a lack of a quorum, and continued its public hearing from its regular August meeting to the current date. At its August 6, 2019, meeting, staff was directed to meet with Mr. Terry Mallery.

Department of Planning and Building Services' staff met with Mr. Terry Mallery on Thursday, August 22, 2019, following his comments at the Planning Commission's August 6, 2019, meeting, to listen to any additional comments Mr. Mallery might have. Amongst other comments, Mr. Mallery stated that CC&Rs (covenants, conditions, and restrictions) already can address any issues with cargo containers, and that he is opposed to any ordinance to regulate cargo containers in Lassen County, as his business depends on the sale and rental of cargo containers. Attached with this packet are flyers from Mr. Mallery's business, Lassen Rents, Inc.

BACKGROUND:

In an attempt to address potentially noxious visual impacts, the draft ordinance requires that cargo containers meet the pertinent zoning and fire safety setback requirements, and in certain cases, (such as in "D" Design Combining Districts and scenic highway corridors) the draft ordinance requires that cargo containers be painted to match existing buildings or be painted dark green or dark brown. Also per the draft ordinance, cargo containers are only allowed temporarily in "R" residential districts. The draft ordinance also allows for "portable moving containers," which are defined differently than "cargo containers," for a maximum 30-day period, only in certain districts.

Staff also contacted Plumas and Modoc County to discuss their regulations for cargo containers. Although neither county has any zoning regulations for cargo containers (except that they meet the required zoning setbacks), both counties require that a building permit be secured for any cargo container.

SUMMARY:

The Planning Commission will make a recommendation to the Board of Supervisors in regard to the draft ordinance. The Planning Commission may suggest any changes it deems fit to any of the components of the draft ordinance, including any recommended deletions or further additions. Alternatively, the Planning Commission may direct staff to incorporate changes to the draft ordinance and return to the Planning Commission for an additional hearing prior to making a recommendation to the Board. Supervisors.

MLA:smr

Enclosures: Draft Ordinance  
Lassen Rents, Inc. Flyer

S:/PLA/Admin/FILES/318.01.53/PC Memo (for 3<sup>rd</sup> Meeting)

ORDINANCE NO. \_\_\_\_\_

Ordinance to Regulate the Placement of Cargo Containers throughout Lassen County

The following ordinance, consisting of three sections, was duly and regularly passed and adopted by the Board of Supervisors of the County of Lassen, State of California, at a regular meeting of the Board of Supervisors held on the \_\_\_\_th day of \_\_\_\_\_, 2019, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
JEFF HEMPHILL  
Chairman of the Board of Supervisors,  
County of Lassen, State of California

Attest:  
JULIE BUSTAMANTE  
Clerk of the Board

By: \_\_\_\_\_  
MICHELE YDERRAGA, Deputy Clerk of the Board

I, MICHELE YDERRAGA, Deputy Clerk of the Board of the Board of Supervisors, County of Lassen, do hereby certify that the foregoing ordinance was adopted by the said Board of Supervisors at a regular meeting thereof held on the \_\_\_\_th day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Deputy Clerk of the County of Lassen Board of Supervisors

**THE BOARD OF SUPERVISORS OF THE COUNTY OF LASSEN  
ORDAINS AS FOLLOWS:**

**SECTION ONE:** This ordinance shall take effect thirty (30) days from the date of its passage, and before the expiration of fifteen (15) days after its passage a summary shall be published with the names of the members voting for and against the same, once in a local newspaper of the County of Lassen, State of California.

**SECTION TWO:** Add Section 18.108.300 to the Lassen County Code to read as follows:

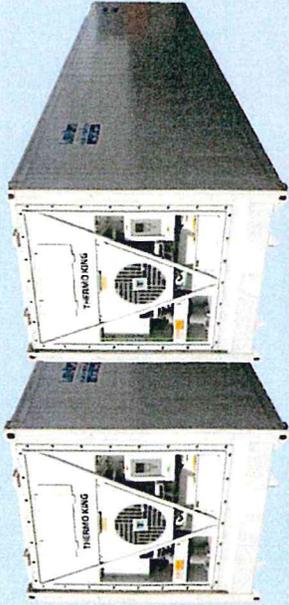
- (a) In any district except “R” residential districts, the “P.U.D.” Planned Unit Development District, the “P-C” Planned Community District, the “R-S” Resort District, the “O-C-B” Public Campground/Boating/Beach District, the “O-H” Historical Site District, the “O-D” Primitive Area, the “O-S” Open Space District, the “T-P-Z” Timber Production Zone District, the “F-R” Forest Recreation District, the “A-F” Agricultural Forest District, the “H-R” Hydroelectric District, or the “Y-C” Airport Commercial District, cargo containers are allowed subject to all of the following requirements:
- 1) On parcels that are less than two acres in size, cargo containers are allowed only if there is a legally established primary use on the subject parcel, except during the period of time that there is an active building permit for the construction of a main building, or an active building permit for the construction of a building dedicated to the storage of property, equipment, or goods, such as a garage or a shop. Any cargo container shall be removed prior to expiration of the building permit or issuance of a certificate of occupancy.
  - 2) Any cargo container placed shall meet all setback requirements, including but not limited to the zoning and fire safety setback.
  - 3) Any alteration of a cargo container (i.e., in the case that it is used for occupancy other than storage or if any utilities will be connected to it) shall require that a building permit first be secured.
  - 4) Cargo containers shall not be “stacked” (i.e., be placed on top of one another) unless a building permit is secured for said purpose.
  - 5) Any cargo container placed within a scenic highway corridor or “D” Design Combining District shall be painted to match the existing building(s) on the property or dark green or dark brown.
- (b) Cargo containers are prohibited in any “R” residential district, except during the period of time that there is an active, issued building permit for the construction of a main building, or an active building permit for the construction of a building dedicated to the storage of property, equipment, or goods, such as a garage or a

shop. Any cargo container shall be removed prior to expiration of the building permit or issuance of a certificate of occupancy.

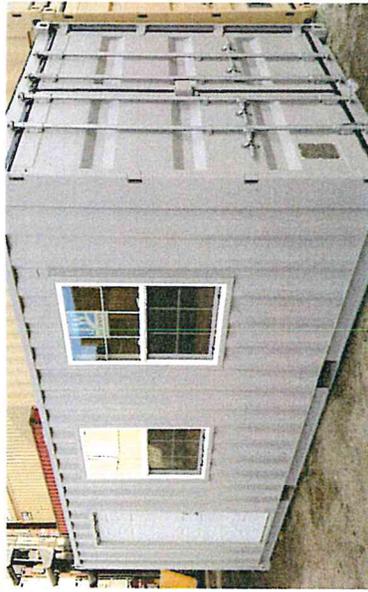
- (c) Portable moving containers may be allowed in any district except for the “P.U.D.” Planned Unit Development District, the “P-C” Planned Community District, the “R-S” Resort District, the “O-C-B” Public Campground/Boating/Beach District, the “O-H” Historical Site District, the “O-D” Primitive Area, the “O-S” Open Space District, the “T-P-Z” Timber Production Zone District, the “F-R” Forest Recreation District, the “A-F” Agricultural Forest District, the “H-R” Hydroelectric District, or the “Y-C” Airport Commercial District. Portable moving containers are allowed in any of the districts not identified above in this subsection for a period of not more than 30 days in any six-month period. This 30-day limitation includes both consecutive days and discrete days.
- (d) Any cargo container or portable moving container placed in violation of this section shall be deemed a nuisance pursuant to Lassen County Code Section 1.18.020. This section may be enforced through Lassen County Code Chapter 1.18 or through any other applicable laws.
- (e) For the purposes of this section, “cargo container” is defined as a portable shipping container made of metal that is used for the onsite storage of property, equipment, or goods.

“Portable moving containers” are containers that are normally rented by a user for a short period of time for the purpose of moving personal goods. “Portable moving containers” include Portable on Demand Storage (PODS) containers or similar containers. A “cargo container” is not a “portable moving container,” nor is a “portable moving container” a “cargo container,” for the purposes of this section.

**SECTION THREE:** If any section, subsection, sentence, clause, or phase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.



Forklift Service Available for the guys that need them stacked or placed into a tight area.



Delivery with Tiltbed Trailers for accurate placement. Drive away room is required for delivery equipment.

Lassen Rents, Inc. does not offer a rent to own option. Rentals are available on a month to month basis. Cash-Check-Visa M/C

Compliance with Local Ordinances is Responsibility of Buyer.

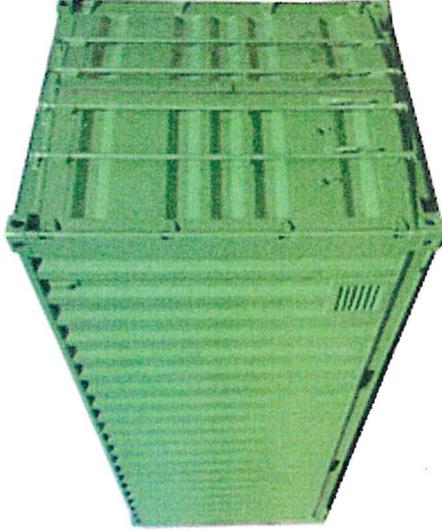


## Buy Local—Lassen Rents, Inc.

Supports Community Events:  
Susanville Little League, Elementary  
Cross-Country Team, 4-H, FFA,  
Jr. Livestock Auction.

## CUSTOM ORDER NEW & USED CONTAINERS

Customize Your Container  
With A Variety Of Options



## PAINTING & WELDING

LASSEN RENTS, INC.  
PO Box 270684  
Susanville, CA 96127

530-257-3865  
lassenrents.com  
lassenrents@gmail.com



# LASSEN RENTS, INC.

ONSITE STORAGE CONTAINER  
RENTALS & SALES



530.257.3865



NATIONAL PORTABLE  
STORAGE ASSOCIATION  
MEMBER

TRUCKING SERVICES

# "TINY-TAINERS"

# 20' & 40' CONTAINERS

# "TUNNEL-TAINERS"



Great for tack rooms. Ideal for yard tools.

6' x 7' x 9' ♦ 8' x 8' x 8' ♦ 8' x 8' x 10'

High Cube Available  
Open Side Available. Great  
For Items Needing Fork Lift

Perfect for when you just need a

little more storage room.

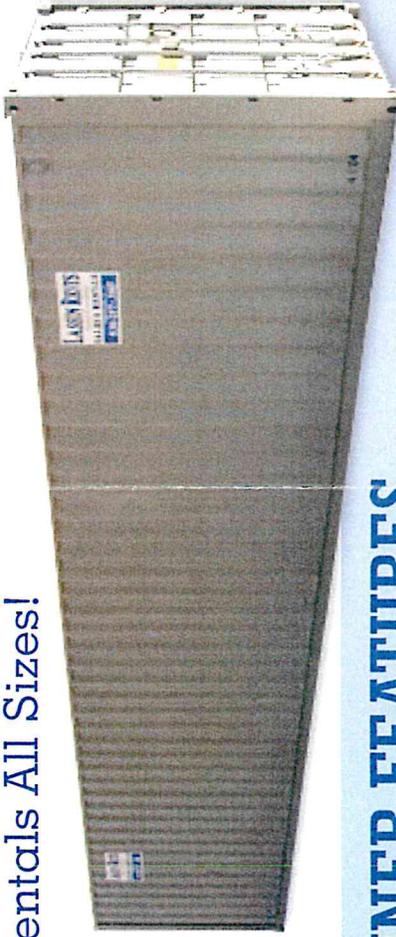
8' x 8' x 20' ♦ 8' x 9' x 20' ♦ 8' x 8' x 40' ♦ 8' x 9' x 40'

Great for Drive-Thru Garage.

Great for Easy-Access to storage.

8' x 8' x 20' ♦ 8' x 8' x 40'

## Quality Rentals All Sizes!



## CONTAINER FEATURES

- ♦ Your House ♦ Your Lock ♦ Security ♦ \*Mouse Proof ♦ Purchase New or Used  
(\*Rodent Proof as long as you close the doors.)
- ♦ All Containers are Cargo Worthy at Time of Delivery.
- ♦ All Containers have Marine Grade Plywood Floors.
- ♦ All Purchased Containers are Delivered in an "As Is" Condition.
- ♦ Preview Before you Buy of Inventory on-Hand at Time.



Ideal for AG use. Great for when large storage area is needed.

## 40' CONTAINERS

### MODIFICATIONS AVAILABLE:

- ♦ Roll-Up Doors ♦ Offices
- ♦ Whirly Birds ♦ Painting
- ♦ Man Doors ♦ Shelving
- ♦ Lock Boxes ♦ Pipe Racks
- ♦ Windows ♦ Refrigerated
- ♦ Vents ♦ Railroad Ties



Authorized Agent for  
**insta modifications**  
WINDOWS · DIVIDERS · DOORS  
SHELVING AND PIPE RACKS  
LOCK BOXES · MASTER LOCKS  
SOBO BLOCK LOCKS · VENTS



WE GLADLY ACCEPT