



POLICY CONFIRMING SETBACKS
DEPARTMENT OF PLANNING AND BUILDING SERVICES
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PURPOSE:

Setback compliance is a necessary consideration of any proposed development project because it is essential that improvements not encroach onto adjoining lands or be placed within any designated setback areas. The setback distance from a proposed improvement to a feature requiring protection (i.e. property line, right-of-way line, septic leach field, etc.) varies depending on the type of improvement and the level of protection needed. It is therefore important that the required setback distance be correctly identified *prior* to the initial inspection and that it be verified in the field *during* the initial inspection to avoid potential issues.

PROCEDURE:

Prior to issuance of a permit for development, the setback requirements will need to be identified for all improvements that are proposed. There are a variety of sources that are utilized by the County to determine setback requirements and these are dependent upon what type of improvement is proposed. The setback requirements for a specific project can best be identified by consulting with Department staff *prior* to an initial inspection, specifically with either a Planner or the Environmental Health Manager, depending on the type of improvement that is proposed.

It is important to understand that the property owner or applicant is responsible for demonstrating the physical location of any boundary lines to inspection staff. This includes the recovery of any monuments marking the property corners. County staff *may* be able to provide limited assistance (note that this does *not* include surveying the property), however the responsibility for clearly demonstrating the location of the boundary lines lies with the property owner or applicant. It is also important to recognize that physical improvements, such as fences or walls, may not necessarily be constructed along the actual boundary lines.

In order to accurately determine if the location of a proposed improvement satisfies the applicable setback requirements, the following procedures listed below shall be utilized:

1. If the setback distance from the proposed structure to the feature requiring a setback is considerable, there should generally not be an issue with the location of the proposed structure as shown on the plot plan submitted by the applicant. Distances can be field verified by measuring between the two through the use of a measurement wheel, roll-up tape or pacing.
2. If the setback distance from the proposed structure to the feature requiring a setback is moderate, property corner monuments may be recovered to assist in identifying where the property lines are located. Once located, distances can

be measured from the property line(s) to the features of concern. The County Surveyor's Office can provide copies of recorded survey maps that have been filed in the vicinity, if any. If there is any question as to the location of the proposed structure in relation to the setback area, the property owner should be informed that he or she will need to demonstrate that the proposed structure is not located within a designated setback area. This may involve hiring a private land surveying firm to provide assistance.

3. If the setback distance from the proposed structure to the feature requiring a setback is small (i.e. less than five feet), property corner monuments may again be recovered to assist in identifying where the property lines are located. If these are unable to be recovered or do not exist, the property owner should be informed that he or she will need to clearly demonstrate that the proposed structure is not located within a designated setback area. This will likely involve hiring a private land surveying firm to provide assistance.

The importance of accurately locating improvements in relation to the applicable setbacks *before* construction has begun cannot be overstated. Proper documentation and/or sketches should ultimately be prepared which accurately demonstrate that the applicable setback distances have been met.