

SPECIAL BULLETIN 2008-07

April 28, 2008

TO: Northern California Manufacturers, Retailers and
Developers

FROM: Billie Tribbett



CC: Jess Maxcy

SUBJECT: Lassen County Revises Housing Ordinance #467-AE

The Lassen County Board of Supervisors has approved amendments to their architectural requirements and zoning placement of manufactured homes, mobilehomes and park models. There are several changes that should be noted:

- Sections 18.14.766 and 18.14.770 regarding definitions of manufactured and mobilehomes has been revised.
- A new section 18.102.011 regarding the placement of mobilehomes has been added and 18.102.015 has been repealed.
- Sections 18.102.013 and 18.102.014 regarding foundation systems and skirting have been added. Sections 12.18.040 and 12.18.050 have been repealed.
- Sections 18.102.016 and 18.102.017 regarding free-standing roofs and the use of recreational vehicles (including park models) as temporary living quarters have been added. Section 18.102.030(2) has been repealed.
- Section 18.108.270 regarding second units has been amended.

(over)

CMHI has reviewed this ordinance and contacted the building official prior to adoption. We requested two considerations which were approved by the Board.

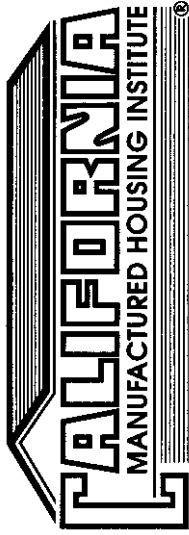
- First -- park models will be included as acceptable temporary living quarters by definition
- Second -- cement fiberboard will be acceptable siding

In addition, we reviewed the zoning amendments and there are no changes to current land use zoning.

These changes are effective May 15, 2008. Please review the attached ordinance.

If you have any questions, please contact the Lassen County Department of Community Development at (530) 251-8269.

* Attachments



County of Lassen, Department of Community Development
Steve Fuller, Building Official
707 Nevada Street, Suite 5
Susanville, CA 96130-3912

Dear Steve,

The purpose of this letter is to respond to the proposed revisions to Title 18 of Lassen County Zoning Ordinance and Lassen County Building Code 12 revising mobilehome placement criteria for specific zoning districts and, for amending the maximum size for second dwelling units.

As we discussed, after careful review, the California Manufactured Housing Institute (CMHI) has two concerns and recommendations for this proposal:

First – expressly include park models as acceptable temporary living quarters (Section 18.102.017, 2.), and

Second – we would ask for clarification within the Ordinance that cement fiberboard siding is acceptable as a “concrete” siding, (Section 18.102.016, 1, v, E).

The California Manufactured Housing Institute (CMHI) is an association of more than 250 companies founded to advance the availability and ownership of quality, high-value homes by promoting the purchase of factory constructed homes and the development of desirable sites and communities in California.

Reorganized in 1986, CMHI is one of the nation’s oldest continuous professional and trade associations representing the factory constructed housing industry. We have evolved with the industry to become an all-industry association of manufacturers, retailers, finance companies, developers, housing authorities, community owners and many others involved in the industry.

One of CMHI’s highest priorities is to provide liaison to legislative bodies, such as, State Legislature, Board of Supervisors and City Councils and, to work with regulatory bodies, such as, the Department of Housing and Community Development, the Department of Transportation, and local planning officials regarding actions affecting housing construction and land development.

CMHI’s President, Jess Maxcy brings over 46 years experience in the factory constructed housing industry. Mr. Maxcy has spent considerable time working with local government and industry in developing guidelines that improve the architectural compatibility of factory constructed housing with site built.

As Director, Local Government Relations, I have worked with industry members, consumers and local governments for over 24 years. I strive to provide assistance to local governments and CMHI members that will encourage the development of affordable housing, promote compatibility with surrounding homes and make home ownership more than just a dream for California families.

Together we offer ourselves and CMHI as your *primary resource* regarding factory constructed housing. We hope that you will call on us whenever we can be of assistance.

Best regards,

A handwritten signature in cursive script that reads "Billie A. Tribbett".

Billie Tribbett, Director
Local Government Relations

* 4-15-08
adoption

ORDINANCE NO. 467-AE

Ordinance Revising Title 12 and Title 18 of the Lassen County Code Related to Mobile Home Placement Criteria for Specific Zoning Districts; Maximum Size for Second Dwelling Units; and Architectural Requirements for Buildings within Residential Zoning Districts.

The following ordinance, consisting of eight 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 _____ day of _____, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Chairman of the Board of Supervisors, County of Lassen, State of California

Attest: JULIE BUSTAMANTE
Clerk of the Board

By: _____
SUSAN OSGOOD, Deputy Clerk of the Board

I, SUSAN OSGOOD, Deputy Clerk 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 _____ day of _____, 2008.

Deputy Clerk of the County of Lassen Board of Supervisors

THE BOARD OF SUPERVISORS OF THE COUNTY OF LASSEN, STATE OF CALIFORNIA DOES ORDAIN 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 within the County of Lassen, State of California.

SECTION TWO: Amend Sections 18.14.766 and 18.14.770 manufactured and mobile home definitions to Chapter 18.14 to read as follows:

18.14.766 Manufactured Home: "Manufactured home" means a structure transportable in one or more sections, which, in the traveling mode, is eight feet or more in width, or 40 body feet or more in length, or, when erected on site, is of a gross area of 320 square feet or more and which is built on a permanent chassis and designed to be used with or without a permanent foundation as a permanent dwelling and certified by the manufacturer as meeting the standards of the National Housing Construction and Safety Act of 1974. Manufactured home does not include a recreational vehicle, park model or mobile home. (Ord. 493, 1989).

18.14.770 Mobile Home: A structure transportable in one or more sections, designed and equipped to be used with or without a foundation system, which is not certified as meeting the standards of the National Manufactured Housing Construction and Safety Act of 1974. A mobile home does not include a recreational vehicle, park model or manufactured home. (Ord. 467-AC, 2003).

SECTION THREE: Add Sections 18.102.011 regarding the placement of mobile homes and repeal Section 18.102.015.

18.102.011 Placement of Mobile Homes.

1. Notwithstanding anything to the contrary contained in this title, no person shall place a manufactured or mobile home upon a lot within an R-1, R-2, R-3, A-2 zoning district, D combining district or within any area designated as a scenic highway corridor, whether occupied or unoccupied, if more than 10 years have elapsed between the date of manufacture of the home and the date of application for the issuance of a permit for its placement on the property.

No person shall place a manufactured or mobile home upon a lot within any other zoning district in the county, whether occupied or unoccupied, if more than 20 years have elapsed between the date of manufacture of the home and the date of application for the issuance of a permit for its placement on the property.

a) This section shall not apply within mobile home parks or state licensed farm labor housing facilities.

2. Any manufactured or mobile home in place and not legally established prior to May 11, 1989 may be legalized with the issuance of all applicable permits from the Lassen County Department of Community Development and Health Department provided the manufactured or mobile home has not been moved from its precise location on the property.

This sub-section shall only apply to manufactured or mobile homes which could have legally been established, by right, within the zoning district it was placed, at the time of placement.

SECTION FOUR: Add Section 18.102.013 and Section 18.102.014 regarding foundation and skirting requirements for mobile homes and repeal Section 12.18.040 and Section 12.18.050.

18.102.013 Foundation Required.

Any mobile home or manufactured home to be placed on a lot in an R-1, R-2, R-3, A-2 zone, D combining district or within an area designated as a Scenic Highway Corridor, and which is not within a mobile home park shall be set on a conventional concrete or concrete block perimeter foundation system designed by a California registered professional engineer or architect, or on a foundation system approved as such by the State of California. (Ord. 493 sec. 6, 1989)

18.102.014 Skirting Required.

Any mobile home or manufactured home placed outside of a mobile home parks and not on a conventional concrete or concrete block perimeter foundation shall have approved skirting. (Ord. 493 sec. 7, 1989)

SECTION FIVE: Add Section 18.102.016 and Section 18.102.017 regarding free-standing roofs and the use of recreational vehicles as temporary living quarters and repeal Section 18.102.030(2).

18.102.016, Free-standing Roofs.

1. A manufactured or mobile home may be placed under a free-standing roof with Design Review approval except that a free-standing roof may not cover a manufactured or mobile home in an R-1, R-2, R-3, A-2 zoning district. D combining district or within areas designated as Scenic Highway Corridors.

- a) Architectural Requirements for Free-standing Roofs
 - i) Roofs must not be elevated so high as to make the roof of the manufactured or mobile home visible and gable ends must have siding extending down far enough to conceal the existing roof at the ends;
 - ii) Roof overhangs must extend a minimum of twelve (12) inches from the

- sides of supporting members and on the gable ends;
- iii) Roof must be a minimum 4 in 12 pitch;
- iv) All plumbing and heating vents must be extended through the free-standing roof to the length required within the Building Codes and
- v) Siding must be one of the following:
 - A) wood composite siding material;
 - B) natural wood;
 - C) stucco;
 - D) masonry;
 - E) concrete; or
 - F) natural or cultured stone
 - G) metal or vinyl siding may be used in conjunction with one of the above materials provided not less than one half the structure is sided or skirted with one of the materials in (a-f) above. Any metal or vinyl siding must be treated with an oxidation inhibitor and shall have a no-glare surface.

18.102.017 Recreational Vehicle Use as Temporary Living Quarters.

- 2. A recreational vehicle may be used as temporary living quarters during a period of construction of a primary residence or other primary use structure in any District, provided such use is clearly temporary for the period of time indicated on the approved building permit for the residence-primary use structure.

SECTION SIX: Add Section 18.108.235 Architectural Requirements to Chapter 18.108 to read as follows:

18.108.235 Architectural Requirements.

- 1. The minimum architectural design criteria within this section shall apply to the following:
 - A. Residential use structures to be constructed or placed within R-1, R-2, R-3 or A-2 zoning districts;
 - B. Residential use structures within Design Review Combining Districts;
 - C. Residential use structures within areas designated as Scenic Highway Corridors;
 - D. Additional dwellings(s) which may only be allowed with the approval of a Use Permit or a Certificate of Conditional Use as set forth elsewhere in this Title:
 - i) Buildings must not be elevated above grade so far as to make the foundation or skirting appear to be disproportionately tall for the building. As an alternative, where neighboring wood-framed

buildings are in close proximity; the foundation height shall be the average of the nearest four such buildings.

- ii) Roof overhangs must extend a minimum of twelve (12) inches from the sides and on the gable ends;
- iii) Roof must be a minimum 4 in 12 pitch; and
- iv) Siding, including skirting around the base of manufactured homes, must be one of the following:
 - a) wood composite siding material;
 - b) natural wood;
 - c) stucco;
 - d) masonry;
 - e) concrete; or
 - f) natural or cultured stone.
 - g) metal or vinyl siding may be used in conjunction with one of the above materials provided not less than one half the structure is sided or skirted with one of the materials in (a-f) above. Any metal or vinyl siding must be treated with an oxidation inhibitor and shall have a no-glare surface.

Exception: Deviations from these requirements may be approved, or denied by the Architectural Review Committee through the design review process.

SECTION SEVEN: Amend Section 18.108.270 Second Housing Unit to Chapter 18.108 to read as follows:

18.108.270 Second Housing Unit. Notwithstanding any provision to the contrary in this Title, in any zone on a parcel of land where there is in existence a legally-established "Single Family Dwelling", as defined in this Title, a "Second Dwelling Unit", may be allowed by the Planning Commission, upon first securing a Use Permit pursuant to Chapter 18.112 of this Title. Such use shall be subject to, but not limited to, the following minimum criteria:

- 1. In R-1 zones development standards shall be as follows:
 - a. Maximum living area shall not exceed 1,400 square feet or 80% of the floor area of the primary dwelling, whichever is greater. Garages and

other fully enclosed areas attached to the existing and proposed dwellings shall be considered part of the floor area for purposes of establishing the 80% maximum.

- b. Architectural design of the second dwelling unit shall be visually compatible with, and complimentary to, the existing single family dwelling located on the property and others in the vicinity.
- c. One additional off-street parking space shall be required.
- d. Second dwelling unit must be connected to community water and sewer utilities for services, or must be individually approved by the County Health Department.
- e. Maximum allowable lot coverage: 45%.
- f. Design review shall be required.

2. In A-2 zones, or in other zones where a single family dwelling has been legally established, development standards shall be as follows:

- a. Maximum living area shall not exceed 1,400 square feet, or 80% of the floor area of the primary dwelling, whichever is greater. Garages and other fully enclosed areas attached to the existing and proposed dwellings shall be considered part of the floor area for purposes of establishing the 80% maximum.
- b. Architectural design of the second dwelling unit shall be visually compatible with, and complimentary to, the existing single family dwelling located on the property and others in the vicinity.
- c. One additional off-street parking space shall be required.
- d. Second dwelling unit must be individually approved by the County Health Department.
- e. Design review shall be required.

SECTION EIGHT: If any section, subsection, sentence, clause or phrase 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.