



COUNTY OF LAKE
COMMUNITY DEVELOPMENT DEPARTMENT
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Item #6a
9:05 AM
September 24, 2026

Staff Report

TO: The Lake County Planning Commission

FROM: Susan Parker, Interim Community Development Director
Daniel Brancati, Assistant Resource Planner

DATE: September 24, 2026

SUBJECT: 9:05 A.M. - Consideration of Appeal (PL-26-330) of Planning Director's denial of a zoning clearance for the placement of a storage shed on the front half of a parcel (A-26-66). Applicant: Michael Smith located at 470 Shannon Lane, Lakeport (APN 028-222-09)

ATTACHMENTS:

1. Planning Director Denial notice dated May 21, 2026
2. Appeal Application
3. Appellants' Response to Administrative Decision
4. Public Comment

I. EXECUTIVE SUMMARY

On May 21, 2026, the Lake County Planning Director denied a Zoning Clearance request for an Accessory Structure Permit on a property located at 470 Shannon Lane, Lakeport (APN 028-222-09). In accordance with County of Lake Zoning Code Section 58.31, the appellant Michael Smith filed an appeal (PL-26-330) of the Planning Director's decision. The appeal application is included in Exhibit B. The appellant claims the project should be exempt from development standard 42.9(a) as further described in section IV. Appeal Analysis below.

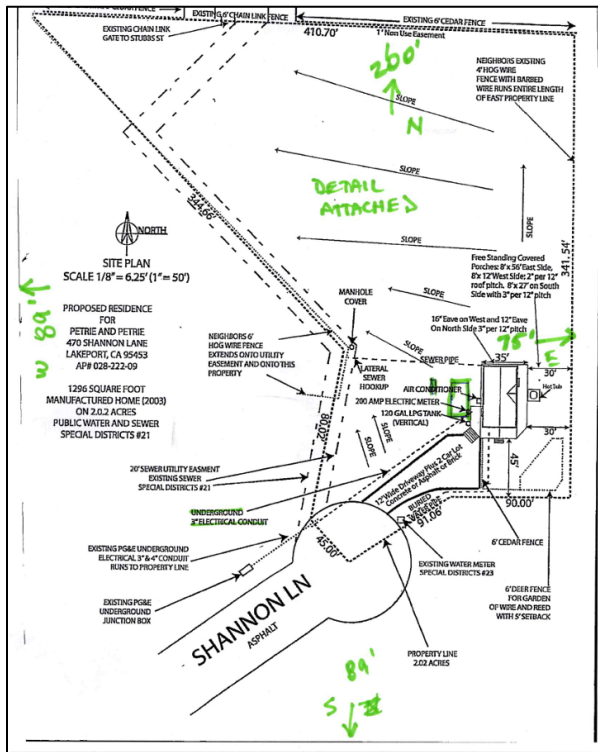
II. PROJECT SUMMARY

An application for an Accessory Structure Permit (A-26-66) was submitted to the Community Development Department on April 14, 2026, for placement of a proposed accessory structure (storage shed) on the front half of the property, adjacent to the primary residence, which is not consistent with the Lake County Zoning Ordinance.

III. BASIS FOR THE DENIAL

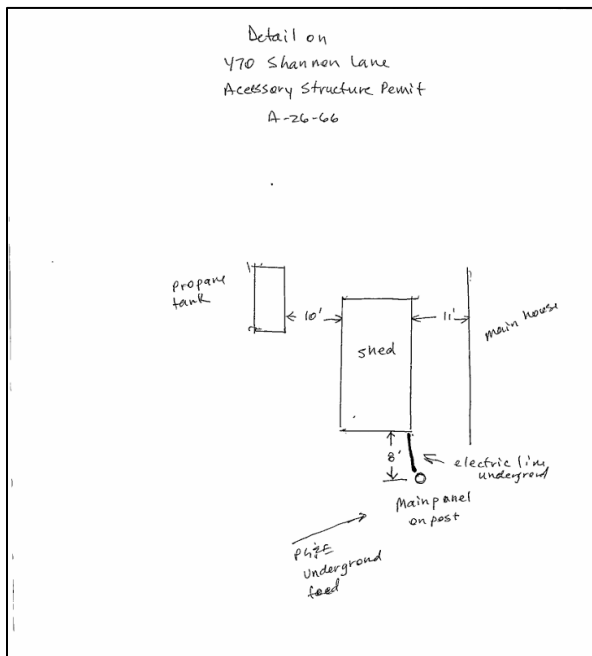
The Planning Director found that the proposed project does not meet all of the codified requirements contained within the Lake County Zoning Ordinance as accessory structures are not permitted within the front half of residential parcels in "R1" Single-Family Residential zoning.

Figure 1 – Vicinity Site Plan



Source: Submitted by applicant

Figure 2–Existing Conditions



Source: Submitted by Applicant

Figure – 3 Street View of Project of foundation for accessory shed



Source: Image provided by applicant on 5/14/2026

IV. APPEAL ANALYSIS

The appeal (PL-26-330) of the May 21, 2026, Planning Director decision was filed by the appellant Michael Smith in a timely manner on May 26, 2026, consistent with Lake County Zoning Ordinance Article 58, Appeals.

The appellant has provided an argument for consideration of the determination body when applying the zoning standards for the parcel. The appellant claims the project should be exempt from development standard 42.9(a) which states accessory buildings in any residential district (other than a garage or carport) shall be located on the rear one-half (1/2) of the lot. The appeal application (PL-26-330) is included in Exhibit B. Appellant's exhibit includes visual effects, safety, property values, and accessibility. Staff's response to each of the points raised by the appellant is provided below. CDD Staff must analyze projects for conformance with existing code requirements and regulations.

- a) Visual Effects: the appellant states the project parcel is atypical in that there are only three houses on the cul-de-sac with no through traffic, the lot is approximately 1.98 acres in size. Neighbors have been notified of the proposal, and do not object to the proposed location of the shed (Exhibit D).
- b) Safety: The applicant states that there would be safety issues if the shed were to be placed behind the house due to the distance from the primary residence. The applicant states that the slope of the parcel would pose a threat to the structure.
- c) Property Values: The applicant proposed preservation for the rear of the parcel for potential agriculture uses in the future such as animal grazing and does not want to build permanent structures within this area to preserve the natural setting.
- d) Accessibility: Applicant raises concerns for delivery and placement of a prefabricated structure in the rear of the house due to no roadways in the rear of the parcel. An

alternative to the prefabricated metal building would consist of construction for a stick-built structure that would result in significant increase in expense for the applicant/appellant.

Conclusion. While the applicant has provided several points as to why the placement of the accessory structure should be considered, the Lake County Zoning Ordinance states contradictory information to the appellant's claim requiring that accessory buildings in any residential district (other than a garage or carport) shall be located on the rear one-half (1/2) of the lot (Article 42.9).

V. ZONING CLEARNACE FINDINGS FOR APPROVAL

The Review Authority shall only approve or conditionally approve a Zoning Clearance (LCZO Section 48.1, Zoning Clearance Permits) if all of the following findings are made:

- 1. The proposed use is a permitted use in the district where located and is consistent with the general plan.*

The proposal for the placement of an accessory structure located within the front half of the project parcel. This is not a permitted use of the Lake County Zoning Ordinance and is not consistent with the General Plan.

In reference to the General Plan, Low Density Residential designation is appropriate where the traditional neighborhood character of a single-family units prevail and where the level of services includes roads, shopping, and recreation does not justify higher densities. This designation is only located within Community Growth Boundaries.

- 2. The proposed use meets the performance and development standards of the district in which it is located.*

The project site does not meet the performance and development standards of Article 10 Single-Family Residential "R1" Zoning. The project is subject to the Development Standard Exceptions outlined in Article 42 (Development Standard Exceptions), which require accessory buildings in any residential district (other than a garage or carport) shall be located on the rear one-half (1/2) of the lot (Article 42.9).

- 3. The proposed use complies with the performance standards of Article 41.*

The project use complies with the performance standards of Article 41. The project does not pose a threat to the rural-resort character of the county set forth in Article 41. The project does not threaten the health, safety, or welfare of the community; and does not hinder the control of noise, dust, odor, smoke, vibration, danger to life and property, or similar causes likely to create a public nuisance.

- 4. Any other permit required for the proposed use by this Chapter has been issued and become effective.*

The construction/installation of a storage shed is a permitted use within the Single-Family Residential zoning district upon securing a Zoning Clearance through a Building permit, according to Article 10 of the Lake County Zoning Ordinance and the California Building Code §105.2(1).

5. That no violation of Chapters 5, 17, 21, 23 or 26 of the Lake County Code currently exists on the property, unless the purpose of the permit is to correct the violation, or the permit relates to a portion of the property which is sufficiently separate and apart from the portion of the property in violation so as not to be affected by the violation from a public health, safety or general welfare basis.

An existing violation of Chapter 5 of the Lake County Code is the unpermitted construction and preparation of the foundation for the accessory shed within the front half of the parcel. The purpose of the permit is to correct the violation.

VI. RECOMMENDATION

Staff recommend the Planning Commission:

Deny the Appeal (PL-26-330), upholding the Planning Director's denial of Zoning Clearance (A-26-66) subject to the findings in the Memorandum dated September 24, 2026.

Sample Motions:

Appeal Denial (A-26-66)

I move that the Planning Commission deny Appeal (PL-26-330), upholding the Planning Director's denial of Zoning Clearance Permit (A-26-66).

NOTE: The appellant or any interested person is reminded that the Zoning Ordinance provides for a seven (7) calendar day appeal period. If there is a disagreement with the Planning Commission, an appeal to the Board of Supervisors may be filed. The appropriate forms and applicable fee must be submitted prior to 5:00 p.m. on or before the seventh day following the Planning Commission's decision on this matter.