

## **RESOLUTION NO. 2023-019**

### **A RESOLUTION OF THE SHASTA COUNTY PLANNING COMMISSION RECOMMENDING THAT THE SHASTA COUNTY BOARD OF SUPERVISORS APPROVE ZONE AMENDMENT 22-0008 (BAR OVER HEART ENTERPRISES, LLC)**

WHEREAS, the Planning Commission of the County of Shasta has considered Zone Amendment 22-0008, filed by Bar Over Heart Enterprises, LLC, to change the zoning from the Light-Industrial combined with Design Review (M-L-DR) zone district to the General Industrial combined with Design Review (M-DR) zone district for an approximately 55-acre portion of an approximately 65-acre project site located on the east side of Black Ranch Road, at the intersection of Black Ranch Road and State Highway 299 East, in Burney, CA 96013 (Assessor's Parcel Numbers (APN's) 028-370-028 and 030-390-070 as these APN's are assigned for purposes of the 2023 Assessment Roll); and

WHEREAS, said zone amendment was referred to various affected public and private agencies, County departments and the referral agencies for review and comment; and

WHEREAS, the Shasta County Environmental Review Officer has reviewed the project and recommends a specific environmental finding; and

WHEREAS, a duly noticed public hearing was held on September 28, 2023, at which time all interested persons were given an opportunity to comment and those comments were considered by the Planning Commission; and

WHEREAS, the Shasta County Planning Commission has considered public comments and a report from the Planning Division.

NOW, THEREFORE BE IT RESOLVED, by the Shasta County Planning Commission:

1. The foregoing recitals are true and correct.
2. Recommends that the Shasta County Board of Supervisors make the following environmental findings:
  - A. An Initial Study (IS) has been conducted by the Shasta County Department of Resource Management, Planning Division, to evaluate the potential for significant adverse environmental effects and there is no substantial evidence in light of the whole record before the agency that the project as revised and mitigated may have a significant adverse impact on the environment; and
  - B. A Mitigated Negative Declaration (MND) has been prepared and circulated to the State Clearinghouse (SCH# 2023070441) pursuant to the California Environmental Quality Act (CEQA). The environmental documentation as considered for this project reflects the independent judgment of the approving authority; and
  - C. Mitigation monitoring provisions have been considered by the approving authority pursuant to County Mitigation Monitoring and Reporting Procedures. Feasible mitigation measures have been specifically identified in the IS/MND and Mitigation Monitoring and Reporting Program. The Mitigation Monitoring and Reporting Program represents the program designed to ensure environmental compliance during project implementation. This program, as required by Public

Resources Code Section 21081.6, is based on those documents and materials referred to in the IS/MND, and incorporated therein by reference, which are maintained at the County Planning Division's office located at 1855 Placer Street, Suite 103, Redding, California.

- D. Revised mitigation measure MM-BIO2 is equivalent in mitigating or avoiding potential impacts from the project on special status plant species and will not cause any potentially significant effects on the environment.
  - E. Revisions to the IS/MND are not substantial and recirculation is not required pursuant to State CEQA Guidelines sections 15073.5 and 15074.1.
- 2. Recommends that the Shasta County Board of Supervisors adopt the CEQA determination of a Mitigated Negative Declaration.
  - 3. Recommends that the Shasta County Board of Supervisors make the following findings for the zone amendment:
    - A. The proposed zoning allows for uses consistent with the General Plan for this area; and
    - B. The proposed zoning is compatible with the existing land uses in the area.
  - 4. Recommends that the Shasta County Board of Supervisors introduce, waive the reading of, and enact an amendment of the Zoning Plan of the County of Shasta, identified as Zone Amendment 22-0008, attached hereto as Exhibit A and incorporated herein, to change the zoning from the Light-Industrial combined with Design Review (M-L-DR) zone district to the General Industrial combined with Design Review (M-DR) zone district for an approximately 55-acre portion of an approximately 65-acre project site located on the east side of Black Ranch Road, at the intersection of Black Ranch Road and State Highway 299 East, in Burney, CA 96013 (Assessor's Parcel Numbers (APN's) 028-370-028 and 030-390-070 as these APN's are assigned for purposes of the 2023 Assessment Roll).

DULY PASSED AND ADOPTED this 28<sup>th</sup> day of September, 2023, by the following vote:

AYES: CHAPIN, KERNS, MACLEAN, ROSS

NOES:

ABSENT: WALGAMUTH

ABSTAIN:

RECUSE:

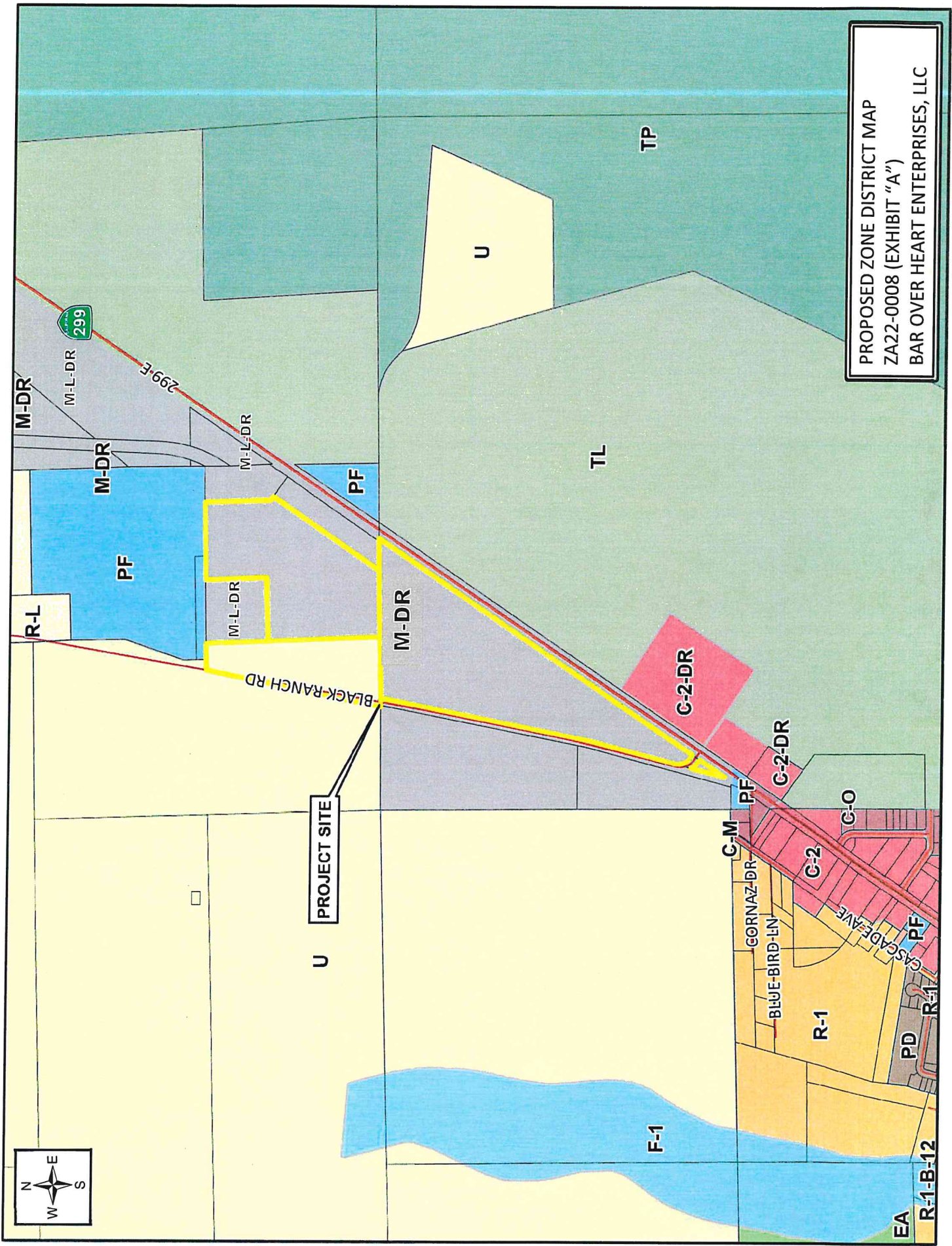


JAMES CHAPIN, Chair  
Planning Commission  
County of Shasta, State of California

ATTEST:



PAUL A. HELLMAN, Secretary  
Planning Commission  
County of Shasta, State of California



PROJECT SITE

PROPOSED ZONE DISTRICT MAP  
ZA22-0008 (EXHIBIT "A")  
BAR OVER HEART ENTERPRISES, LLC