

**ORDINANCE NO. 378-XXXX**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SHASTA  
AUTHORIZING COMPLIANCE WITH A PREEMPTORY WRIT OF MANDATE  
ISSUED IN SHASTA COUNTY SUPERIOR COURT CASE # 23CV-0203713  
(ANDERSON/MILLVILLE RESIDENTS V. COUNTY OF SHASTA; SHASTA COUNTY  
BOARD OF SUPERVISORS AND PATRICK JONES), AND REPEALING  
ORDINANCE NO. 378-2074**

**WHEREAS**, on April 13, 2023, the Planning Commission of the County of Shasta (Commission) adopted Resolution 2023-010 recommending that the Board of Supervisors of the County of Shasta: (1) Make certain environmental findings pursuant to the California Environmental Quality Act (CEQA) and the Shasta County Environmental Review Procedures; (2) adopt a CEQA determination of a Mitigated Negative Declaration; (3) make certain findings regarding the subject zone amendment; and (4) introduce, waive the reading of, and adopt an amendment of the Zoning Plan of the County of Shasta, identified as Zone Amendment 13-007, to change the zoning of a 151.78-acre property located at the northeast end of Leopard Drive, approximately 0.5-miles north of the Dersch Road and Leopard Drive intersection, Anderson, CA 96007 (Assessor's Parcel Number (APN) 060-010-016 as that APN is assigned for purposes of the 2023 Regular Assessment Roll), from the Limited-Residential combined with Mobile Home and Building Site 40-Acre Minimum Lot Area (R-L-T-BA-40) zone district to the Commercial Recreation (C-R) zone district. Zone Amendment 13-007 did not change the limits of the Restrictive Flood (F-2) combining district within the eastern portion of the property for the development of an outdoor gun range complex and gun club; and

**WHEREAS**, on October 24, 2023, the Board of Supervisors of the County of Shasta adopted a California Environmental Quality Act determination of a Mitigated Negative Declaration (State Clearinghouse Number (SCH#) 2023030114), adopted the recommended findings listed in Planning Commission Resolution 2023-010, and introduced, waived the reading of, and enacted "*An Ordinance of the Board of Supervisors of the County of Shasta Amending Ordinance No. 378, The Zoning Ordinance of the County of Shasta, a Portion of the Zoning Plan (Zone Amendment 13-007 Patrick Jones)*," (Ordinance No. 378-2074) to amend the zoning of a 151.78-acre property located at the northeast end of Leopard Drive, approximately 0.5-miles north of the Dersch Road and Leopard Drive intersection, Anderson, CA 96007 (Assessor's Parcel Number (APN) 060-010-016 as that APN is assigned for purposes of the 2023 Regular Assessment Roll), from the Limited-Residential combined with Mobile Home and Building Site 40-Acre Minimum Lot Area (R-L-T-BA-40) zone district to the Commercial Recreation (C-R) zone district. Zone Amendment 13-007 does not change the limits of the Restrictive Flood (F-2) combining district within the eastern portion of the property for the development of an outdoor gun range complex and gun club ("Zone Amendment"); and

**WHEREAS**, Ordinance 378-2074 was effective on November 24, 2023; and

**WHEREAS**, on November 21, 2023, the Anderson/Millville Residents, an unincorporated association, ("Petitioner") filed a timely petition with the Court for a writ of administrative mandate directing the Respondents to vacate and set aside their approval of the Initial

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Study/Mitigated Negative Declaration ("IS/MND") for the Project, that the Court set aside various county ordinances and resolutions related to the approval of the project, and that the Court order preparation of an Environmental Impact Report ("EIR") for the Zone Amendment rather than the currently existing IS/MND (Petition); and

**WHEREAS**, on March 10, 2025, the Court granted the Petitioner's Petition for a Writ of Administrative Mandate ("Preemptory Writ"); and

**WHEREAS**, on April 21, 2025, a Preemptory Writ was served on the County of Shasta ("County") directing the County to, among other things:

1. Within 30 days of service of the Peremptory Writ of Mandate, vacate and set aside the October 24, 2023, approval of the Initial Study/Mitigated Negative Declaration for the Zone Amendment 130-007 Project - High Plains Shooting Sports Center ("Project") and the approval of the Project.
2. Within 30 days of service of the Peremptory Writ of Mandate vacate and set aside approval and/or adoption of Shasta County Planning Commission Resolution 2023-010.
3. Within 30 days of service of the Peremptory Writ of Mandate vacate and set aside the Shasta County Board of Supervisors' enactment of Ordinance 378-024.
4. Within 30 days of service of the Peremptory Writ of Mandate withdraw the Notice of Determination for the subject project; and

**WHEREAS**, the Zone Amendment that is the subject of this ordinance is the same "Project" described in the Preemptory Writ of Mandate; and

**WHEREAS**, the Board of Supervisors of the County Shasta, by this ordinance, seeks to comply with the Preemptory Writ by vacating and setting aside adoption of the Initial Study/Mitigated Negative Declaration for the Project and repealing Ordinance No. 378-2074.

**The Board of Supervisors of the County of Shasta ordains as follows:**

**SECTION 1.** The Board of Supervisors vacates and sets aside the October 24, 2023, adoption of the Initial Study/Mitigated Negative Declaration for the approval of the Project.

**SECTION 2.** The Commercial Recreation (C-R) zone district for the following described real property is hereby repealed and reverted to the prior Limited-Residential combined with Mobile Home and Building Site 40-Acre Minimum Lot Area (R-L-T-BA-40) zone district zone district adopted pursuant to Ordinance No. 1530.

Millville Plains Area – Located generally at the northeast end of Leopard Drive, approximately 0.5-miles north of the Dersch Road and Leopard Drive intersection,

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Anderson, CA 96007, being within a portion of Section 36 of T.31N., R.3W and more specifically described as a portion of the subject parcel of Certificate of Compliance No. 17-003, filed in the County Clerk Recorder's Office as Document No. 2017-0017575, and further described as Assessor's Parcel Number (APN) 060-010-016 as that APN is assigned for the purposes of the 2023 Regular Assessment Roll.

**SECTION 3.** The Board of Supervisors finds the ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA section 21080(b) and State CEQA Guidelines section 15060(c).

**SECTION 4.** Ordinance No. 378-2074 is hereby repealed, vacated, and set aside.

**SECTION 5.** If any section, subsection, sentence, clause, phrase, or provision of this ordinance or its application to any person or circumstance is held invalid for any reason, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause, phrase, or provision thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or provisions be declared unconstitutional or invalid.

**SECTION 6.** All former ordinances and resolutions, or parts thereof, conflicting or inconsistent with the provisions of this ordinance are hereby superseded by this ordinance. The adoption of this ordinance shall not in any manner affect any action or prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, be construed as a waiver of any license, fee, or penalty required by or resulting from any such ordinance, or affect the validity of any bond (or cash deposit in lieu thereof) required to be posted, filed, or deposited pursuant to such ordinance.

**SECTION 7.** This ordinance shall be in full force and effect from and after thirty (30) days after its passage. The Clerk shall cause this ordinance to be published as required by law.

***SIGNATURE PAGE FOLLOWS***

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**DULY PASSED AND ADOPTED** this 13th day of May, 2025, by the Board of Supervisors of the County of Shasta by the following vote:

AYES: X  
NOES: X  
ABSENT: X  
ABSTAIN: X  
RECUSE: X

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KEVIN W. CRYE, CHAIR  
Board of Supervisors  
County of Shasta  
State of California

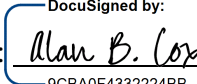
ATTEST:

DAVID J. RICKERT  
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

JOSEPH LARMOUR  
County Counsel

By: \_\_\_\_\_

By:  \_\_\_\_\_  
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