

ORDINANCE NO. 378-_____

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF
SHASTA AMENDING ORDINANCE NUMBER 378, THE ZONING ORDINANCE OF THE
COUNTY OF SHASTA, A PORTION OF THE ZONING PLAN
(ZONE AMENDMENT 21-0002 – PLANNED DEVELOPMENT – GREG AND NIKOLA
HAWES)**

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

SECTION 1. The following described real property is hereby rezoned from an existing Planned Development (PD) zone district to a revised PD zone district as shown on Exhibits A, C1.0, and C2.0 attached hereto, and incorporated herein.

Anderson Area - Located at the southeast corner of the intersection of Deschutes Road and Dersch Road at 21923 and 21945 Dersch Road, Anderson, CA 96007, being a portion of Section 7 of T.30N., R.3W (Assessor's Parcel Number (APN) 057-190-031 as that APN is assigned for purposes of the 2025 Regular Assessment Roll).

SECTION 2. The Board of Supervisors adopts the California Environmental Quality Act (CEQA) determination of a Negative Declaration based upon the following 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 may have a significant adverse impact on the environment; and
- B. A Negative Declaration (ND) has been prepared and circulated to the State Clearinghouse (SCH# 2023070442) pursuant to CEQA. The environmental documentation as considered for this project reflects the independent judgment of the approving authority.
- C. This ordinance includes certain specific modifications which in some instances represent a revision of the Project Description analyzed in the IS/ND circulated for public review, and as revised on September 22, 2023, as described in and attached to that certain Planning Commission Staff Report for ZA21-0002 dated March 13, 2025. The modifications have been incorporated in the provisions of this ordinance as set forth below and are hereby incorporated in the IS/ND by reference to said staff report. The requested modifications would not result in any new, avoidable significant effects. Therefore, the impacts of the project would remain less-than-significant.

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- D. Revisions to the IS/ND are not substantial and recirculation is not required pursuant to State CEQA Guidelines section 15073.5.

SECTION 3. The following regulations and development standards shall apply to the revised PD zone district:

- A. Intent: The regulations and development standards of the PD zone district are intended to promote:
1. The development and operation of uses consistent with the Mixed Use (MU) general plan land use designation to facilitate the development of retail/wholesale sales of agricultural products; and
 2. To promote and support agriculture-related recreational/amusement recreational/amusement buildings, structures, installations, and activities for families and the public at large, that combine primary elements and characteristics of Shasta County and surrounding agriculture and tourism opportunities as both a place and destination, that provide experiences for visitors that stimulate interest in agricultural properties, participation in agricultural activities, and enjoyment of agricultural lands in Shasta County.
- B. Uses permitted:
1. All permitted uses in the MU zone district (Shasta County Code Section 17.54.020).
 2. Parking for patrons of the recreational/amusement-type activities conducted within the adjoining Commercial Recreation (C-R) zone district.
- C. Uses permitted with a Zoning Permit:
1. Those uses allowed with a Zoning Permit in the MU zone district (Shasta County Code Section 17.54.025).
- D. Uses permitted with an Administrative Permit:
1. Those uses allowed with an Administrative Permit in the MU zone district (Shasta County Code Section 17.54.030).
- E. Uses permitted with a Use Permit:
1. Those uses allowed with a Use Permit in the MU zone district (Shasta

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County Code Section 17.54.040).

F. Other permitted uses:

1. The uses allowed by, and subject to the provisions of, Shasta County Code Sections 17.88.010 through 17.88.110, excepting those that would require modification of the PD conceptual development plan.
2. Other uses found to be similar in character and impact to those listed in PD Section 2; Subsections B. through F., and Shasta County Code Sections 17.054.020 and 17.54.040, as determined in accordance with Shasta County Code Section 17.94.030, excepting those that would require modification of the PD conceptual development plan.
3. Signs as allowed by and subject to the provisions of Shasta County Code Sections 17.84.060 through 17.84.069, where consistent with the corresponding MU general plan land use designation, except that, notwithstanding Shasta County Code Sections 17.84.064(a) and (b), animated and/or changeable signs shall not be a prohibited sign type.

G. Development standards:

1. All site development standards of the MU zone district (Shasta County Code Section 17.54.060) and the general development standards of Shasta County Code Chapter 17.84 shall be met, except as otherwise provided herein.

H. Outdoor storage:

1. No outdoor storage of junk or wrecked vehicles or equipment is allowed within the PD zone district.

I. Building design:

1. All buildings and outdoor storage facilities shall complement and/or promote an agricultural theme.

J. Signage:

1. Prior to erecting any sign, a sign plan shall be submitted to the Shasta County Department of Resource Management Planning Division for review and approval.
2. The reader board sign shown on the PD conceptual development plan shall

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not exceed 12-feet in height.

K. Parking:

1. Parking areas for use by patrons of the recreational/amusement type activities shall be in accordance with Shasta County Code Section 17.86.150.
2. Parking areas shall be maintained in a manner to control fugitive dust; methods may include, but not be limited to, the use of water, dust palliatives, gravel, paving, etc. If complaints are received about dust, the Planning Director may specify the required dust control measures.

L. Noise:

1. In the event that complaints about noise are received by the Planning Division, the Planning Director shall review each complaint and determine whether it can be verified. If so, the Director shall inform the owner/operator that a report must be submitted to the Planning Division from an acoustical engineer or other qualified professional including actual measurements of noise from project operations.

If the results of that monitoring indicate noise levels from uses within the PD zone district are in exceedance of the County noise standards (hourly Leq, dB of 55 dB from 7 a.m. to 10 p.m. or 50 dB from 10 p.m. to 7 a.m., or for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises, hourly Leq, dB of 50 dB from 7 a.m. to 10 p.m. or 45 dB from 10 p.m. to 7 a.m., and excepting existing or proposed agricultural operations conducted in accordance with generally accepted agricultural industry standards and practices) as measured immediately within the property line of adjacent lands designated as noise-sensitive that are not owned by the applicant, additional noise control measures shall be implemented as needed. Such measures could include modifications of project hours of operations, the use of localized noise barriers, portable sound attenuating blankets suspended in close proximity to the noise sources or other barrier configurations as may be appropriate.

M. Lighting:

1. Free standing lighting fixtures, such as those located in parking lots, shall not exceed 50 feet in height.
2. All on-site lighting shall be shielded from surrounding property. No use,

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including vehicles, shall create intense light or glare that causes a nuisance or hazard beyond the property line.

N. Traffic:

1. An encroachment permit from the Shasta County Department of Public Works must be obtained for any new driveway.
2. Parking areas for use by patrons of the recreational/amusement type activities shall be in accordance with all traffic related standards applicable to said activities.

O. Safety:

1. Non-residential roadways, driveways, and turnarounds shall be in accordance with Section 6.12 of the Fire Safety Standards prior to initiating the new uses.
2. The applicant shall dispose of any vegetation cleared for construction and/or land development purposes prior to the final inspection by the Shasta County Building Division. Disposal shall be in accordance with Shasta County Air Quality Management District regulations and state or local Fire Department Burning Permit Regulations.
3. Storage, use, and dispensing of hazardous materials shall be in accordance with the adopted edition of the Uniform Fire Code. Plans shall be submitted to California Department of Forestry/Shasta County Fire Department for review and approval prior to construction, storage, or use.
4. Portable fire extinguisher(s) shall be provided in accordance with the adopted edition of the California Fire Code.
5. All mobile and stationary equipment with non-turbo charged internal combustion engines shall be equipped with a properly functioning, approved spark arrester.
6. Each vehicle shall be equipped with a portable fire extinguisher.
7. Advisory note: The project is located in an area designated as a "HIGH" Fire Hazard Severity Zone under Section 4203 of the Public Resources Code of the State of California.

P. Sewage disposal:

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1. The appropriate sewage disposal facilities shall be provided as required by all applicable health and building codes, as interpreted and applied by the Shasta County Department of Resource Management Environmental Health and Building Divisions.

Q. Potable water:

1. The appropriate potable water facilities shall be provided as required by all applicable health and building codes, as interpreted and applied by the Shasta County Department of Resource Management Environmental Health and Building Divisions.

R. Food facilities:

1. The appropriate food facilities approvals and permits shall be obtained as required by all applicable health and building codes, as interpreted and applied by the Shasta County Department of Resource Management Environmental Health and Building Divisions.

SECTION 4. Exhibits C1.0 and C2.0 attached hereto, and as they pertain to the real property described in Section 1 above, are hereby designated Special Zone Maps pursuant to Shasta County Code Section 17.02.030(B).

SECTION 5. This ordinance shall be operative only upon the timely completion of the following conditions:

1. The applicant shall pay the Shasta County Clerk's document handling fee for posting a Notice of Determination (NOD) for this project pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15075, or for posting a Notice of Exemption (NOE), and shall pay the appropriate fees pursuant to Fish and Wildlife Code Section 711.4 (AB3158). All of the fees described in this section must be paid in full to the Shasta County Department of Resource Management within thirty calendar days of the passage of this ordinance.

If any one or more of the conditions set forth herein is not timely completed, then this ordinance shall have no force or effect.

SECTION 6. 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

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any one or more sections, subsections, sentences, clauses, phrases, or provisions be declared unconstitutional or invalid.

SECTION 7. 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 8. 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.

DULY PASSED AND ADOPTED this 22nd day of April, 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

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

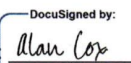
ATTEST:

DAVID J. RICKERT
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

JOSEPH LARMOUR
County Counsel

By: _____
Deputy

By:  04/03/2025 | 12:40 PM PDT
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