

RESOLUTION NO. 2023-014

A RESOLUTION OF THE SHASTA COUNTY PLANNING COMMISSION RECOMMENDING THAT THE SHASTA COUNTY BOARD OF SUPERVISORS APPROVE ZONE AMENDMENT 05-009 (TATOM 2001 TRUST)

WHEREAS, the Planning Commission of the County of Shasta has considered Zone Amendment 05-009, initiated Palo Cedro Park Investments, Inc. and carried forward by the Tatom 2001 Trust, to change the zoning from the Rural Residential (R-R) zone district to the Community Commercial combined with Design Review (C-2-DR) zone district for a 2.38-acre property located at the southeast corner of the intersection of Old Forty-Four Drive and Cedro Lane, Palo Cedro, CA 96073, further described as Lot 1 of Palo Cedro Park Subdivision Tract No. 1886 (23RM60) (Assessor's Parcel Number (APN) 059-090-043 as that APN is assigned for purposes of the 2023 Regular Assessment Roll); and

WHEREAS, said zone amendment was previously 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 zone amendment and recommends a specific environmental finding; and

WHEREAS, a duly noticed public hearing was held on August 24, 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. That the statements and facts set forth in the Recitals herein are true and correct.
2. Makes the following environmental review findings:
 - A. Based on substantial evidence in light of the whole of the record makes the following environmental findings:
 - i. There have been no substantial changes proposed in the project which would require major revisions to the Negative Declaration previously adopted for Zone Amendment 05-009 in accordance with the California Environmental Quality Act (CEQA) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
 - ii. There have been no substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions to the Negative Declaration previously adopted for Zone Amendment 05-009 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
 - iii. There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Negative Declaration for Zone Amendment 05-009 was adopted.

- B. Pursuant to State CEQA Guidelines section 15162, Zone Amendment 05-009 does not warrant recirculation of the previously adopted Negative Declaration, preparation of a subsequent Negative Declaration, or preparation of an addendum to the previously adopted 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 ordinance amending the Zoning Plan of the County of Shasta, identified as Zone Amendment 05-009, attached hereto as Exhibit A and incorporated herein, to change the zoning from the Rural Residential (R-R) zone district to the Community Commercial combined with Design Review (C-2-DR) zone district for a 2.38-acre property located at the southeast corner of the intersection of Old Forty-Four Drive and Cedro Lane, Palo Cedro, CA 96073, further described as Lot 1 of Palo Cedro Park Subdivision Tract No. 1886 (23RM60) (Assessor's Parcel Number (APN) 059-090-043 as that APN is assigned for purposes of the 2023 Regular Assessment Roll).

DULY PASSED AND ADOPTED this 24th day of August 2023, by the following vote:

AYES: MACLEAN, ROSS, WALGAMUTH
ABSENT: CHAPIN
ABSTAIN:
RECUSE: KERNS



TIM MACLEAN, Commissioner
Planning Commission
County of Shasta, State of California

ATTEST:



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

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 05-009 – TATOM 2001 TRUST)**

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

SECTION 1. The following described real property is hereby rezoned from the Rural Residential (R-R) zone district to the Community Commercial combined with Design Review (C-2-DR) zone district as shown on Exhibit A, attached hereto, and incorporated herein.

Palo Cedro Area – A 2.38-acre property located at the southeast corner of the intersection of Old Forty-Four Drive and Cedro Lane, Palo Cedro, CA 96073, further described as Lot 1 of Palo Cedro Park Subdivision Tract No. 1886 (23RM60) (Assessor's Parcel Number (APN) 059-090-043 as that APN is assigned for purposes of the 2023 Regular Assessment Roll).

SECTION 2. The Board of Supervisors of the County of Shasta makes the following environmental review findings:

- A. Based on substantial evidence in light of the whole of the record makes the following environmental findings:
 - i. There have been no substantial changes proposed in the project which would require major revisions to the Negative Declaration previously adopted for Zone Amendment 05-009 in accordance with the California Environmental Quality Act (CEQA) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
 - ii. There have been no substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions to the Negative Declaration previously adopted for Zone Amendment 05-009 due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
 - iii. There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Negative Declaration for Zone Amendment 05-009 was adopted.
- B. Pursuant to State CEQA Guidelines section 15162, Zone Amendment 05-009 does not warrant recirculation of the previously adopted Negative Declaration, preparation of a subsequent Negative Declaration, or preparation of an addendum to the previously adopted Negative Declaration.

SECTION 3. 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 4. The following regulations shall apply to this Design Review (DR) district:

- A. Intent: The standards of this DR district are intended to ensure compatibility with surrounding land uses, and to promote development that features a variety of amenities and design features and to encourage creative approaches to the use of land and related physical development.
- B. Specific Development Standards: The DR Specific Development Standards are designed to augment and exceed General Development Standards listed in Chapter 17.84 of the Shasta County Zoning Plan where applicable. All other development standards provided by Chapter 17.84 of the Shasta County Zoning Plan remain in full force and effect.

LANDSCAPING:

- 1) The parking area abutting the public streets shall be landscaped to a depth of fifteen feet, measured from the abutting street right-of-way line with openings for walkway and/or driveway purposes, in accordance with county standards.
- 2) A minimum of ten percent of the gross lot area used for off-street parking and access thereto shall be landscaped, exclusive of any landscaped strip abutting the street right-of-way or area used for walkways or driveways. This required landscaping shall include one tree of a species suited to the area climate zone for every four parking spaces. Said trees shall provide shading over 30 percent or more of parking and pedestrian areas within the project at tree maturity.
- 3) A minimum five-foot-wide landscaped strip shall be planted and maintained along the edge of the parking area that abuts the adjoining residential district. This shall be counted as a part of the required ten percent landscaped area described above in section B.2.
- 4) Except where abutting a sidewalk, all required landscaped areas shall be enclosed by a concrete curb having a minimum height of six inches.

ZONE WALL

- 1) At the time of development, and prior to final inspection of the building, construct a solid masonry concrete zone wall, placed along the rear lot line and the south lot line (but not the north lot line) six feet in height, except for the fifteen feet nearest the lot line adjacent to Old Forty-Four Drive and the fifteen feet nearest the lot line adjacent to Cedro Lane where the wall shall be three feet in height. Facing materials such as stucco, stone, tile and/or similar materials shall cover both sides of the masonry concrete zone wall.

BUILDING DESIGN

- 1) Any proposed building shall incorporate building materials of stucco, stone, tile and similar materials. Non-glare roofing materials are required.
- 2) Any proposed building shall incorporate a parapet wall on the back, sides, and front of the building, designed to screen roof-mounted equipment such as air conditioning units and vents from all views.

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.

DULY PASSED AND ADOPTED this XX day of XXXX, 2023, by the Board of Supervisors of the County of Shasta by the following vote:

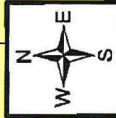
AYES: X
NOES: X
ABSENT: X
ABSTAIN: X
RECUSE: X

PATRICK JONES, CHAIR
Board of Supervisors
County of Shasta
State of California

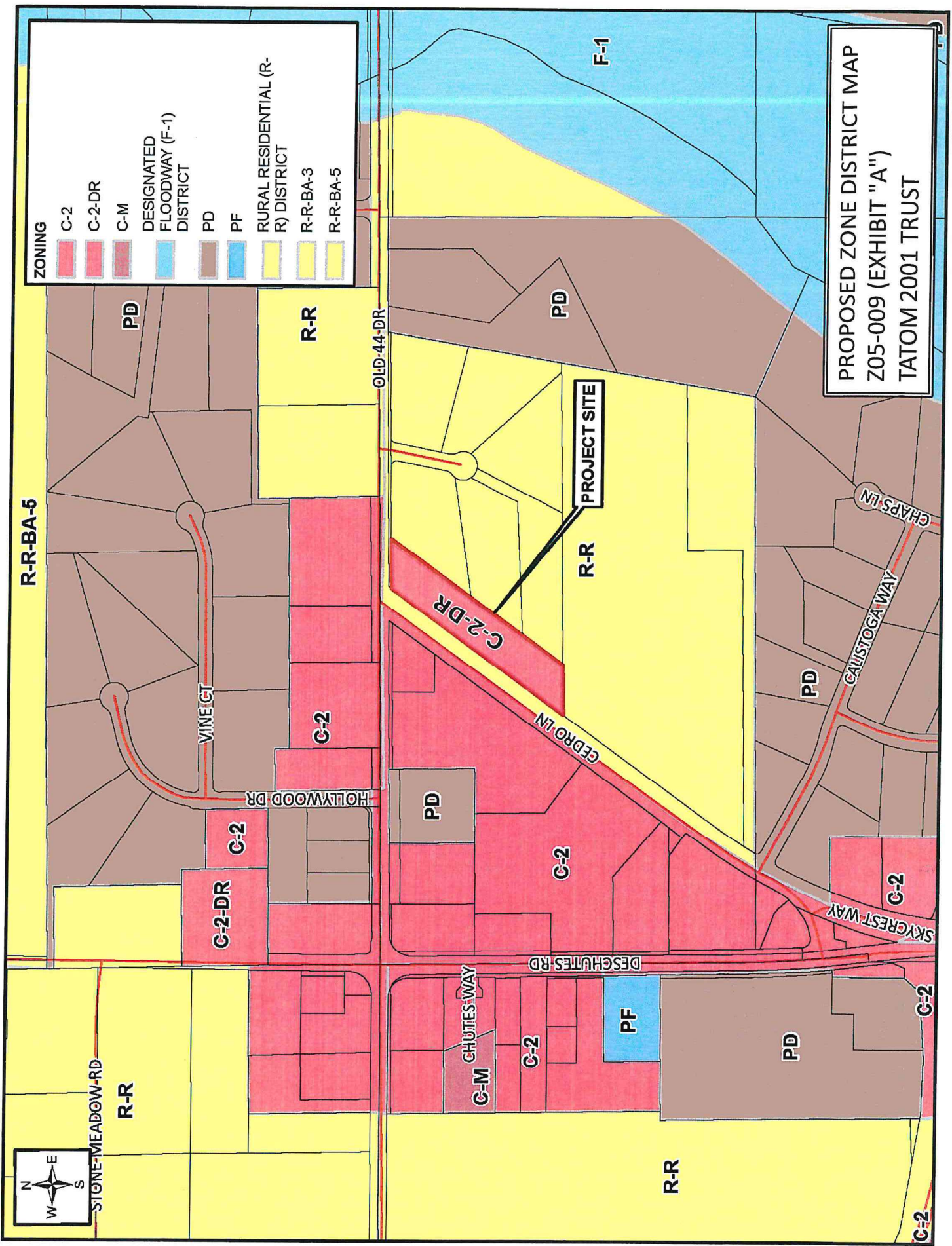
ATTEST:

DAVID J. RICKERT
Clerk of the Board of Supervisors

By: _____
Deputy



ZONING	
	C-2
	C-2-DR
	C-M
	DESIGNATED FLOODWAY (F-1) DISTRICT
	PD
	PF
	RURAL RESIDENTIAL (R-R) DISTRICT
	R-R-BA-3
	R-R-BA-5



PROPOSED ZONE DISTRICT MAP
Z05-009 (EXHIBIT "A")
TATOM 2001 TRUST