

**RESOLUTION NO. 2023-004**

**A RESOLUTION OF THE SHASTA COUNTY PLANNING COMMISSION  
RECOMMENDING THAT THE SHASTA COUNTY BOARD OF SUPERVISORS  
APPROVE ZONE AMENDMENT 22-0004 (LAKEY)**

WHEREAS, the Planning Commission of the County of Shasta has considered Zone Amendment 22-0004, initiated by the Lakey Family 2008 Trust and the Thompson Family Trust et al., to change the zoning from the Limited Agriculture combined with Building Site 27-Acre Minimum Lot Area (A-1-BA-27) zone district to the Limited Agriculture combined with Building Site 20-Acre Minimum Lot Area (A-1-BA-20) and Limited Residential combined with Mobile Home (R-L-T) zone districts for a 25.08-acre parcel located at 41397 Opdyke Road, Hat Creek, CA 96040, being a portion of Sections 15 and 22 of T.34N., R.4E., and further described as Parcel A of Property Line Adjustment 33-94 (3204 O.R. 446) (Assessor's Parcel Number (APN) 031-580-010 as that APN is assigned for purposes of the 2022 Regular 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 amendment and recommends a specific environmental finding; and

WHEREAS, a duly noticed public hearing was held on February 9, 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 find the ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15061(b)(3) and is exempt from CEQA pursuant to State CEQA Guidelines section 15301, that each exemption stands as a separate and independent basis for determining that the ordinance is exempt from CEQA, and there are no unusual circumstances under State CEQA Guidelines section 15300.2(c); and
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 22-0004, attached hereto as Exhibit A and incorporated herein, to change the zoning from the Limited Agriculture combined with Building Site 27-Acre

Minimum Lot Area (A-1-BA-27) zone district to the Limited Agriculture combined with Building Site 20-Acre Minimum Lot Area (A-1-BA-20) and Limited Residential combined with Mobile Home (R-L-T) zone districts for a 25.08-acre parcel located at 41397 Opdyke Road, Hat Creek, CA 96040 (Assessor's Parcel Number (APN) 031-580-010 as that APN is assigned for purposes of the 2022 Regular Assessment Roll).

DULY PASSED AND ADOPTED this 9<sup>th</sup> day of February 2023, by the following vote:

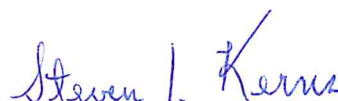
AYES: MACLEAN, KERNS, ROSS, WALGAMUTH

NOES:

ABSENT: CHAPIN

ABSTAIN:

RECUSE:



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STEVEN J. KERNS, Vice Chair  
Planning Commission  
County of Shasta, State of California

ATTEST:



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



PROJECT SITE

EA-AP

R-L-T

OPDYKE LN

A-1-BA-20

R-L-T

A-1-BA-20

A-1-BA-20

HAT CREEK LN

A-1-BA-15

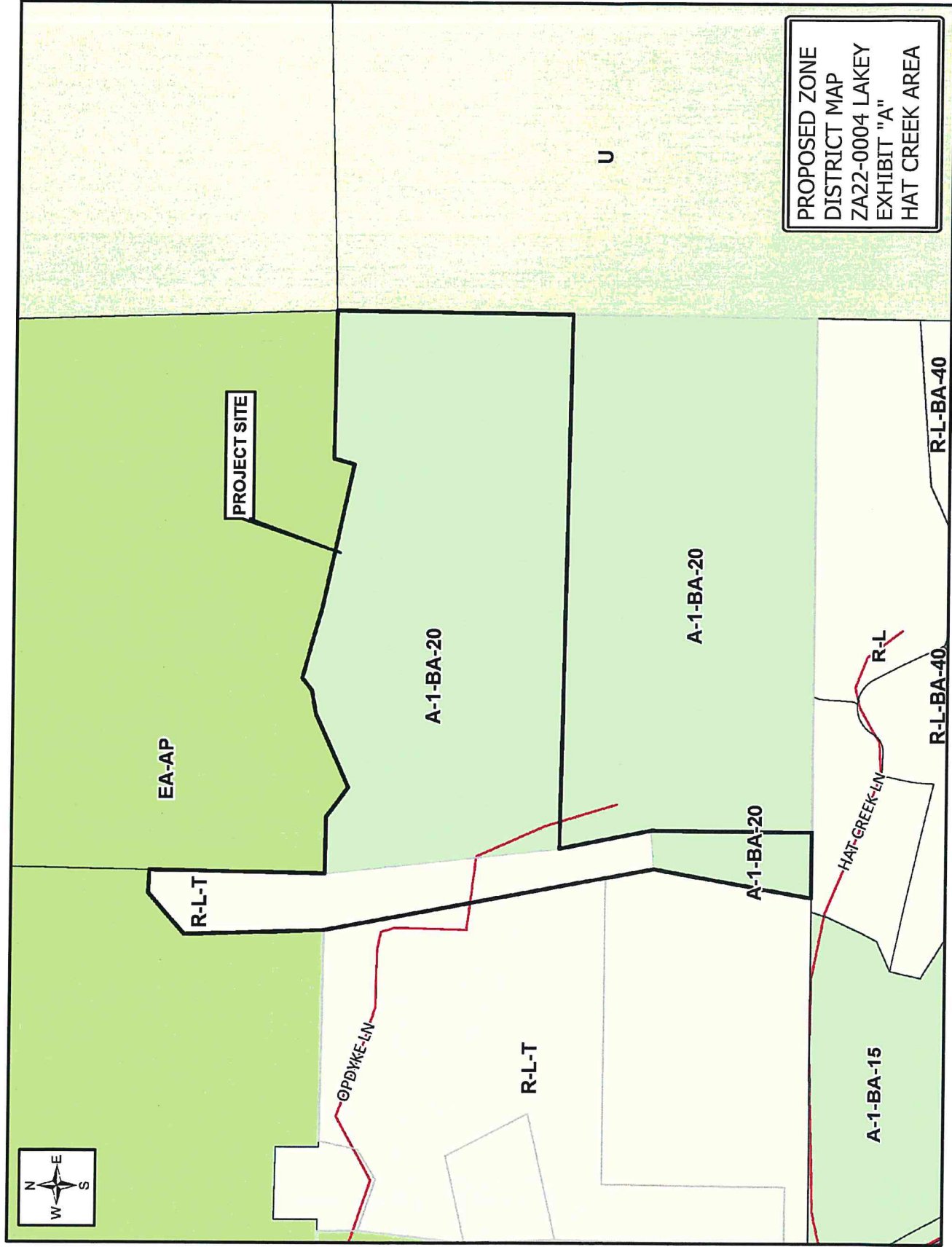
R-L

R-L-BA-40

R-L-BA-40

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PROPOSED ZONE  
DISTRICT MAP  
ZA22-0004 LAKEY  
EXHIBIT "A"  
HAT CREEK AREA



**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 22-0004 - LAKEY)**

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

SECTION 1. The following described real property is hereby rezoned from the Limited Agriculture combined with Building Site 27-Acre Minimum Lot Area (A-1-BA-27) zone district to the Limited Agriculture combined with Building Site 20-Acre Minimum Lot Area (A-1-BA-20) and the Limited Residential combined with Mobile Home (R-L-T) zone districts as shown on Exhibit A, attached hereto, and incorporated herein.

Hat Creek Area - Located approximately 0.16 miles east of the intersection of State Highway 89 and Opdyke Road at 41397 Opdyke Road, Hat Creek, CA 96040, being a portion of Sections 15 and 22 of T.34N., R.4E., and further described as Parcel A of Property Line Adjustment 33-94 (3204 O.R. 446) (Assessor's Parcel Number (APN) 031-580-010 as that APN is assigned for purposes of the 2022 Regular Assessment Roll).

SECTION 2. The Board of Supervisors finds the ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15061(b)(3) and is exempt from CEQA pursuant to State CEQA Guidelines section 15301, that each exemption stands as a separate and independent basis for determining that the ordinance is exempt from CEQA, and there are no unusual circumstances under State CEQA Guidelines section 15300.2(c).

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.
2. The applicant shall duly record Property Line Adjustment 22-0010 (the PLA), which consists of conveyance of property between APN's 031-580-010, 031-580-012, and 031-580-006 (as those APNs are assigned for purposes of the 2022 Regular Assessment Roll), with the Shasta County Recorder's Office prior to expiration of the approval by the Shasta County Director of Resource Management of the PLA application.

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. 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 5. 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 6. 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

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

ATTEST:

MARY WILLIAMS  
Acting Clerk of the Board of Supervisors

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



EA-AP

PROJECT SITE

R-L-T

OPDYKE LN

A-1-BA-20

R-L-T

U

A-1-BA-20

A-1-BA-20

HAT-GREEK LN

A-1-BA-15

R-L

R-L-BA-40

R-L-BA-40

PROPOSED ZONE  
DISTRICT MAP  
ZA22-0004 LAKEY  
EXHIBIT "A"  
HAT CREEK AREA