



# PLANNING DEPARTMENT COUNTY OF TEHAMA

## STAFF REPORT

**DATE:** April 20, 2017

**TO:** Tehama County Planning Commission

**FROM:** Kristen Maze, Director of Planning

**SUBJECT:** **CONSIDER RECOMMENDING THE APPROVAL OF REZONE #17-01 (TEHAMA COUNTY GENERAL PLAN IMPLEMENTATION PHASE 3-COPPER RANCH RD.) TO THE BOARD OF SUPERVISORS FOR ADOPTION**

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### **PREVIOUS WORKSHOP(S) AND PLANNING COMMISSION DIRECTION:**

At the January 19, 2017 Phase 3 Workshop, the Planning Commission requested that staff separate the two properties that total approximately 27.13 acres on Copper Ranch Road from the rest of the Phase 3 projects, which allows these two properties to move forward as a standalone project. Staff has completed and circulated the necessary CEQA documents with the state agencies for review and comment. Therefore, this project after noticing the public hearing on April 8, 2017 is ready for your consideration.

### **BACKGROUND:**

In 2009 Tehama County completed its 2009-2029 General Plan Update. Pursuant to the provisions of state law, the zoning code must be amended as necessary within a reasonable time after adoption or amendment of a General Plan. This is to ensure consistency of the zoning code with the direction and intent of the General Plan. Therefore, staff rezoned most of the agriculturally related properties in 2012 resulting in the adoption of General Plan Implementation Phase 1 (Rezone #11-03). Following the adoption of Rezone #11-03 (General Plan Implementation Phase 1), staff began the development of a second phase of rezoning to address other General Plan policies including those affecting residential, industrial, and commercially zoned properties, as well as timber resource lands, and other areas. The preparation for the next series of revisions was expected to commence near the end of 2012, contingent upon adequate staffing and budget resources. Despite various staff turnover, the Planning Department has completed Rezone #15-07 which removed the MH; Mobile Home Combining District from Rancho Tehama Reserve and Rezone #16-03 (General Plan Implementation Phase 2). Rezone #15-07 was adopted by the Board of Supervisors on April 26, 2016, and Rezone #16-03 was adopted by the Board of Supervisors on August 2, 2016. Following Rezone #16-03, Phase 2.5 of the Countywide Rezone was adopted by the Board of Supervisors on October 25, 2016.

As indicated above, staff is now working on the General Plan Implementation Phase 3 component of the process, which has now lead to said Rezone #17-01 on Copper Ranch Rd.

### **PROJECT DESCRIPTION:**

This is a Tehama County Planning Department project that consists of a portion of General Plan Implementation Phase 3 known as Copper Ranch Road Rezone #17-01. The General Plan Implementation Phase 3-Copper Ranch Rd. project includes two parcels (APN's: 009-540-055 approximately 22.24 acres & 009-470-026 approximately 4.89 acres) that total approximately 27.13 acres, located in a Rural Residential Small Lot General Plan Land Use Designated area. The Copper Ranch Rd. project area is part of Tehama County's General Plan Implementation Phase 3 process, which has not yet been brought into conformance with the intent of the 2009-2029 General Plan update. The intent of the proposed Rezone Map Amendment #17-01 is to address the policies and implementation measures of the Tehama County 2009-2029 General Plan. Pursuant to the provisions of state law, the zoning code must be amended as necessary within a reasonable time after adoption or amendment of a General Plan, to ensure consistency of the zoning code with the direction and intent of the General Plan. This Rezone will change the current zoning, which is UA-AP; Upland Agriculture-Agriculture Preserve or with the implementation of Phase 1 is considered AG-1; Agriculture/Upland Zoning District to a R1-A-B:86; One-Family Residence; Special Animal Combining; Special Building Site Combining (86,000 sq. ft., 2 acre minimum) Zoning District. If this Rezone is approved the combination of the two parcels could be potentially developed into approximately 12 parcels with 12 single-family dwelling units. However, an application for a subdivision and approved CEQA process would be required.

### **PROJECT LOCATION:**

The project is located in the Jelly's Ferry Bend area on the north side of Copper Ranch Road approximately 1,280 feet east of Jelly's Ferry Road. Described as portions of Sections 20, Township 28N, Range 3W, M.D.B.&M. APN's: 009-540-055 & 009-470-026 (See Attachment A, Vicinity Map).

### **GENERAL PLAN:**

RS; Rural Small Lot Residential

### **ZONING:**

This Rezone will change the current zoning, which is UA-AP (160 Acre Minimum); Upland Agriculture-Agriculture Preserve or with the implementation of Phase 1 is considered AG-1; Agriculture/Upland Zoning to a R1-A-B:86; One-Family Residence; Special Animal Combining; Special Building Site Combining (86,000 sq. ft., 2 acre minimum) Zoning District.

### **Owner:**

Helen Taufaasau  
3440 Woodlawn Dr.  
Honolulu, HI 96822

### **SURROUNDING LAND USES AND SETTING:**

The sites is located in the Jelly's Ferry Bend Area and borders the north side of Copper Ranch Road. The sites are gently sloped toward the Sacramento River, which abuts the project along the eastern side. The Sacramento River flows north to south with a Primary Flood Zoning District that bisect the eastern parcel (APN: 009-470-026; 4.89 Acres). The sites contain annual grasses and oak woodlands typical for the area. There is a significant riparian habitat corridor along the banks of the Sacramento River. The California Department of Fish and Wildlife has recommended setbacks to avoid impacts to riparian resources along with a biological resource

assessment prior to subdivision. The Mitigations for protecting the riparian areas along the Sacramento River are discussed in the Biological section of Mitigated Negative Declaration (Attachment F). The parcels within the project boundaries are void of any structures, there is one single family dwelling unit located on the south side of Copper Ranch Road and a small number of residential structures adjacent to the Sacramento River located on the south side of Bend Ferry Road by the bridge. The land contained in this rezone project consists of two parcels, the first parcel is approximately 22.24 acres (APN: 009-540-055) and the second parcel is approximately 4.89 acres (APN: 009-470-026). The surrounding land uses include single-family homes consistent with Rural Small Lot General Plan Densities and open grazing land.

| <b>Direction</b> | <b>Zoning</b>   | <b>General Plan</b>                                  | <b>Current Land Use</b>                    |
|------------------|-----------------|--|--|
| <b>North</b>     | AG-2/R1-A-B:435 | Valley Floor<br>Agriculture/Residential Large<br>Lot | Agricultural/Single-Family<br>Residences   |
| <b>South</b>     | R1-A-B:86/AG-2  | Residential Large Lot/ Valley<br>Floor Agriculture   | Single- Family<br>Residences/ Agricultural |
| <b>East</b>      | AG-2            | Valley Floor Agriculture                             | Single-Family<br>Residences/Agricultural   |
| <b>West</b>      | R1-A-B:435      | Residential Large Lot                                | Single-Family Residences                   |

**ENVIRONMENTAL ASSESSMENT:**

The Tehama County Planning Department determined that the proposed project would not have any significant impacts on the environment with the incorporation of four mitigation measures (Section IV. Biological Resources Mitigation Measures IV.a.1. Biological Resource Assessment & IV.b.1. Non-Disturbance Buffer, and Section VIII. Hazardous and Hazardous Materials Mitigation Measures VIII.h.1. Future Emergency Access & VIII.h.2. Future Development). Through the CEQA process it was determined that this project would not substantially increase the demand for County services. Planning staff evaluated the proposed project based on the use of the Tehama County Environmental Impact Checklist. Therefore, a proposed notice of intent to adopt a Mitigated Negative Declaration was circulated for public review and comments from March 17, 2017 to April 17, 2017 (See Attachment F, Mitigated Negative Declaration).

**General Plan Consistency:**

The proposed project will be consistent with the Rural Small Lot Residential General Plan Designation if Rezone #17-01 is approved with the proposed R1-A-B:86; One-Family Residence; Special Animal Combining; Special Building Site Combining (86,000 sq. ft., 2 acre minimum) Zoning District designation. Currently the parcels are zoned UA-AP; Upland Agriculture-Agriculture Preserve or with the implementation of Phase 1 is considered AG-1; Agriculture/Upland Zoning District in a Rural Residential Small Lot General Plan Land Use Designated area, which is not a consistent.

**PUBLIC NOTICE:**

On March 17, 2017 notification of the Mitigated Negative Declaration for Rezone #17-01 (Tehama County General Plan Implementation Phase 3-Copper Ranch Rd.) was circulated for its 30 day comment period. Notices including the NOI and MND were mailed to all property owners within a 1,000 foot radius of the project site. In addition, a Public Hearing Notice was published on April 8, 2017 with the distribution of said notice mailed to property owners with a 1,000 ft. radius of the project on April 7, 2017.

**RECOMMENDATION:**

Staff respectfully recommends that the Planning Commission take one of the following actions:

- A. PUBLIC HEARING - Conduct Public Hearing to consider recommending to the Board of Supervisors approval of Rezone #17-01;**
- B. Request to recommend the Board of Supervisors adopt the Findings and Subfindings relative to CEQA as contained in Attachment “B” of the Staff Report;**
- C. Request to recommend the Board of Supervisors adopt the Mitigated Negative Declaration (Attachment F) as meeting the requirements of CEQA and its Guidelines for Rezone #17-01;**
- D. Request to recommend the Board of Supervisors adopt the Findings and Subfindings relative to the Project as contained in Attachment “B” of the Staff Report;**
- E. Request to recommend the Board of Supervisors adopt the Ordinance contained in Attachment “E” of the Staff Report and approve Rezone #17-01 with the Zoning Ordinance Map (Exhibit 1) that will add to the Tehama County Zoning Map, which will further implement the 2009-2029 Tehama County General Plan.**

OR

- F. Continue as directed by the Planning Commission.**

**ATTACHMENTS**

|                     |  |
|---------------------|--|
| <b>Attachment A</b> | <b>Vicinity Map</b>                                  |
| <b>Attachment B</b> | <b>Findings/Subfindings</b>                          |
| <b>Attachment C</b> | <b>Land Use Map</b>                                  |
| <b>Attachment D</b> | <b>Zoning Map</b>                                    |
| <b>Attachment E</b> | <b>Ordinance and Associated Zoning Ordinance Map</b> |
| <b>Attachment F</b> | <b>Mitigated Negative Declaration</b>                |