

ATTACHMENT F

FINDINGS

REVISED U. P. # 96-18, ROLLING HILLS PARTNERS NULL AND VOID PURSUANT TO SECTIONS 17.70.050(B) & (C) OF THE TEHAMA COUNTY ZONING CODE

FINDING 1

On April 18, 2002 Tehama County approved substantial revisions to Use Permit No. 96-18 with 29 Conditions. 16 of the Conditions were also Mitigation Measures from previous Environmental Documents adopted on the 141.14 acre project site. The project included the construction of a combination Gas Station/Mini-Mart, 100 Unit R.V. Park, 60 unit Motel, Restaurant and the associated improvements including the preliminary design for an open and closed sewer treatment facility. After reviewing all of the information submitted to the Tehama County Planning Department and County Councils Office, the Director of Planning wrote a letter to the owner's legal representative indicating that the revisions Use Permit No. 96-18 was in fact determined to be Null and Void pursuant to Tehama County Codes Sections 17.70.050(b) & (c).

FINDING 2

The project discussed within the staff report and presented at the November 16, 2017 Planning Commission hearing for an appeal on the Director of Planning's interpretation regarding the Null and Void status of Revised Use Permit No. 96-18, Rolling Hills Partners includes the following: The construct of a combination gas station/ mini-mart, 100 unit R. V. Park, 60 unit Motel and a Restaurant zoned PD; Planned Development District. The site is located approximately 2.0 miles north of Red Bluff on the south side of Jelly's Ferry Rd., just east of the Interstate 5 interchange. Portion of APN's 009-530-08 and 54 that are approximately 141.14 acres. As of the date of this hearing there is no established use or uses developed and related to the described project that are active, present and occupied on the site, as required by Tehama County Codes Section 17.70.050(B), which states "In any case where a use permit has not been used within one year after the date of granting thereof, then without action by the Planning Commission, the Use permit granted shall be null and void".

FINDING 3

On April 19, 2003 revised Use Permit No. 96-18 became null and void based on Tehama County Zoning Code Section 17.70.050(B).

FINDING 4

As indicated within the staff report and noted above there have been no established use or uses developed and related to the described project that are active, present and occupied on the site within the last six (6) months, as required by Tehama County Codes Section 17.70.050(C), which is relevant and states "In any case where an active use permit has been abandoned for a period of six months, the use permit shall be deemed null and void".

FINDING 5

The location; size, design and operating characteristic of the gas station/mini-mart, 100 unit R.V. Park, 60 unit Motel and Restaurant will not be compatible with, and will adversely affect and be materially detrimental to adjacent uses, buildings or structures, with consideration given to harmony in scale, bulk, coverage and density due to the unanalyzed and unmitigated Wastewater Treatment System that is part of the operating character that will create foul offensive odors, which will be harmful and adversely affect the adjacent neighborhood, and surrounding community's of Tehama County.