



## Siskiyou County Planning Division

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[Siskiyou County Planning Division](#)

### Use Permit Application Guide

#### What is a Use Permit?

The Use Permit process allows the County to review new development and uses within all zoning districts to ensure that the proposal is consistent with the County's General Plan and zoning ordinance and is compatible with the surrounding neighborhood.

#### Which Zoning Districts Require a Use Permit?

The zoning ordinance defines the various zoning districts and the uses that are allowed within each zone. These uses are divided into either a permitted or a conditional use. Permitted uses are land uses that have been determined to be the primary land use in a particular zone. For example, in a RES-1 (Single-Family Residential) zone, the primary and therefore permitted land use is a single-family home. Conditional uses are land uses in a particular zone district that may be compatible with the permitted land uses subject to approval of a use permit. When a proposed use is not specifically listed in the zoning ordinance, the Planning Director may make a determination as to whether a use qualifies as a permitted or a conditional use.

#### How Do I Learn the Zoning District for My Property?

The County Board of Supervisors establishes the various zoning districts and the land uses allowed in each district. The County Planning Division is charged with administration of the zoning laws and will provide you with zoning information. It is helpful to know your Assessor's Parcel Number which you can obtain from the Assessor's office.

#### How Do I Obtain a Use Permit?

To begin the process, a completed application form must be submitted to the Siskiyou County Planning Division. Application forms are available at the Planning Division office, 806 South Main Street, Yreka, or online at [Siskiyou County Planning Division Applications and Permits](#). The application must be completed by the property owner or a Registered Civil Engineer, Licensed land Surveyor or Licensed Architect. The property owner(s) must sign the application. The application is reviewed by the Planning Division and other agencies prior to a County determination.

#### What Information is Required for a Use Permit Application?

Applicants will be asked to provide a written statement to accompany the application. The written statement should detail the characteristics of the proposed use including the type of business; major activities; number of employees, clients or customers; days and hours of operation, and any outdoor activities. Additional information to be provided with the application includes the Environmental Information Form, Water/Sewer Clearance Form, Development Plans (i.e. site plans, elevations, cross-sections, etc.), photographs, and a list of names & addresses of adjacent property owners within a 300 foot radius of the project site along with current assessor's maps showing the 300' radius plot lines.

## **What are the Fees to Process this Application?**

**Planning:** The Siskiyou County Planning fees can be obtained from the page 5 of the Department's Application for Development Review form. Also, Section 10-6.1601 of the County Code provides additional information on development fees. Checks for Planning Division fees should be made payable to Siskiyou County.

**California Department of Fish & Wildlife:** Pursuant to Fish and Wildlife Code Section 711.4, the Department imposes and collects a filing fee to defray the costs of managing and protecting California's fish and wildlife resources. This fee applies regardless of whether the Department participates in the review of your project or not. Unless this fee is paid, your project will not be valid. In order to minimize the impact of collecting this fee, the fee is not paid until the project is approved. Under the same Fish & Game Code Section 711.4, the Siskiyou County Clerk collects a fee in order to offset the cost for the posting of the Notice of Determination or Notice of Exemption for your project. It is the applicant's responsibility to pay the County Clerk (check made payable to the Siskiyou County Clerk) directly for both of these current fees immediately upon project approval and before the Notice of Determination or Notice of Exemption is filed.

**California Northeast Information Center for Cultural Resources:** Your project may be subject to this fee (made payable to the CSU Chico Research Foundation) should the project potentially impact historic or cultural resources.

**Siskiyou County Environmental Health Division:** Most projects are required to obtain Environmental Health Division sewer and water clearance prior to filing the Planning Division application. Please contact the Siskiyou County Environmental Health Division to determine the fee and obtain the application requirements.

**Siskiyou County Public Works Department:** In order to defray the cost of the Public Works engineering review, the Planning Division will collect a fee set by application type. This fee can be obtained from page 5 of Planning's Application for Development Review form. Please note that the fee has been set to cover the cost of the average application. Certain applications will require additional review and an additional deposit will be required against which the costs of the additional review will be billed. Section 10-6.1601 of the County Code provides additional information on how this is calculated. The initial fee can be included in your payment for the Planning Division application fees (check made payable to Siskiyou County).

**Siskiyou County Counsel:** In order to defray the cost of reviewing applications that will go before the Planning Commission or Board of Supervisors, County Planning will collect a fee to cover review costs of a typical application by County Counsel. This fee can be obtained from the fee schedule on page 5 of Planning's Application for Development Review form. Certain applications will require additional review, and in that case, an additional deposit will be required against which the costs of the additional review will be billed. Section 10-6.1601 of the County Code provides additional information on how this is calculated. The initial fee can be included in your payment for Planning's application fees (check made payable to Siskiyou County).

## **How Long Will This Process Take?**

The review, public notice, and public hearing process to bring the use permit application before the Commission may take 90 to 120 days, depending on when the application is accepted for processing by County Planning. These timelines can become considerably longer when additional information is

required from other agencies reviewing the project. Planning Commission hearings are held the third Wednesday of each month.

### **Who Reviews and Who Approves This Application?**

The Planning Division reviews the application for completeness and distributes it to various interested federal, state, and county agencies for review (including any applicable property owners' association). Planning then prepares and circulates the necessary environmental documentation, along with any comments received by the reviewing agencies, as required by state law.

It is important to note that input from various public agencies (e.g., California Dept. of Fish & Wildlife California Northeast Information Center for Archeological Resources and/or others) may necessitate further analysis of the subject site before the project may proceed. Such input often includes the requirement for an archeological and/or biological survey. Any expense incurred for these items is borne by the project applicant. When such additional information is required, applications will be deemed "incomplete" until receipt of the required information. This can create delays in the timelines to process the application.

Once the review period is completed, the application will be set for public hearing before the Planning Commission. Notice to all property owners within a minimum radius of 300 feet is required.

### **Are Incomplete Applications Returned?**

In the event that an application has not been determined to be complete and ready for processing within six (6) months after the date of the first incomplete notice, the applicant must complete all outstanding requirements within thirty (30) days of written notice to complete the application requirements. In the event that the applicant fails to complete the application submittal requirements within this time frame, the application will be considered abandoned and staff's time and costs incurred working on the project shall be charged against the application filing fees, and any remaining balance shall be refunded to the applicant.

The Planning Director may waive this requirement where this provision would represent an unreasonable time expectation in the determination of the Planning Director. Examples of such projects could include Environmental Impact Reports, projects which require the completion of complex studies, or projects where the applicant is diligently working with staff to address project-related issues.

### **When Will the Permit Be Issued? How Long Is It Valid?**

The use permit will become effective 10 days after approval by the Planning Commission, or upon approval by the Board of Supervisors in the event the application decision is appealed. However, the proposed use may not begin until such time as all of the conditions of the use permit have been completed. The applicant will have up to two (2) years to fulfill all of the mandatory conditions. If the conditions cannot be fulfilled within two (2) years, the applicant may apply for a one-time only, two (2) year extension. Once the conditions have been met and the proposed activity continues, the use permit will remain valid indefinitely, unless otherwise noted on the use permit.

### **What Is an Indemnification Agreement? Will I Need One?**

An Indemnification Agreement is an agreement where the applicant agrees to be responsible for any costs associated with any and all damage, liability or loss connected with the granting of the project. For all projects which require the approval of the Planning Commission and the Board of Supervisors, an Indemnification Agreement is required. Once you have submitted an application, the agreement will be prepared and sent to you for signature. Your application will not be considered to be complete and ready for formal processing until such time as the signed agreement has been returned, in addition to any other

application requirements. Prior to receiving the filled-in agreement, you may ask for a draft to familiarize yourself with requirements and obligations.

**Open Range Notice:** Siskiyou County is an Open Range county. You must fence livestock out! Copies of the laws affecting your property are available in the offices of the Planning Division and the Building Inspector. These laws do affect your property and you should be aware of their provisions.

**Right to Farm:** Siskiyou County has established agriculture as a priority use on productive agricultural lands, and residents of property in agricultural districts should be prepared to accept some inconvenience or discomfort from normal and necessary farm operations. It will be recognized that the property in question may be in the vicinity of property utilized for agricultural purposes and residents of the development may be subject to the inconvenience or discomfort arising from the use of agricultural chemicals including herbicides, pesticides, and fertilizers, and from the pursuit of agricultural operations including plowing, spraying, pruning, and harvesting, which occasionally generate dust, smoke, noise and odor. As part of the application approval process, a **Right to Farm Statement of Acknowledgment will be required**. Once you have submitted an application, the statement will be prepared and sent to you for your signature which must be notarized. A check payable to the Siskiyou County Recorder will be required (generally the recording fee is \$92.00 for a one-page notary acknowledgment). Your application will not be considered complete and ready for formal processing until such time as the signed and notarized notice has been completed, recorded at the County Recorder's Office, and a copy of the recordation has been submitted to the Planning Division. Prior to receiving the fill-in statement, you may ask for a draft to familiarize yourself with this notice.

# Use Permit Application Requirements

## Important Notice to All Applicants for a Use Permit

This application must be prepared and submitted by the property owner or California Registered Civil Engineer, Licensed Land Surveyor, Licensed Architect or Professional Planner.

In order to assure the most rapid processing of your application, we ask for your cooperation in the following matters:

1. **Application for Development Review:** The application shall be properly filled out and signed by the applicants and all property owners. All information required in the application must be **Typed** or **Printed Neatly** in black ink. The Application for Development Review form is available on our website [Siskiyou County Planning Division Applications and Permits](#) and can be printed and filled out for submission.

All property owners shall sign the application, or a power-of-attorney shall be submitted specifically authorizing a designated person to sign the application. If the property owner is a corporation, a Resolution from the corporation authorizing this application shall be submitted. The Resolution shall indicate an individual or individuals who are authorized to sign the application on behalf of the corporation. In order to be processed, your application must be complete.

**Please note that our planners have been instructed not to accept incomplete applications. If you are unable to provide requested information, please talk to one of our planners to determine a proper course of action.**

2. **Project Narrative:** A clear and legible written narrative shall be submitted on a separate sheet of paper which details the proposed project. The narrative shall include proposed uses, number of employees, proposed hours of operation, number of occupants, types and quantities of storage of materials, any processing of materials, etc.
3. **Environmental Information Form:** The Environmental Information form must be properly filled out and signed.
4. **Water and Sewer Clearance Form:** All applications submitted to the Planning Division must include a signed verification statement from the Environmental Health Division that sewer capabilities and the water supply for the proposed project have been fully evaluated and sufficient to meet State and local requirements. This form is included in the Environmental Health inspection application packet.
5. **Site Layout Plan:** An accurate drawing of the property must be provided. Three (3) copies of the site plan must be provided. All site plans must be 24 inches by 36 inches or smaller. However, in no case shall the site plan be smaller than 8-1/2 inches by 11 inches. If plans submitted are larger than 11 inches by 17 inches, a copy of a reduced sized plan shall be provided. All site plans must be clear, legible, and contain the following information:
  - Exterior boundaries and dimensions of the property.
  - North arrow and scale (generally, a scale not to exceed 1 inch = 40 feet works the best).
  - Name and mailing address of property owner, property address, and assessor parcel number(s).

- Slope Contour Map (note the direction and percentage of slope).
  - General location of major topographic, natural and man-made features, such as rock outcrops, bluffs, streams, large trees, swales and graded areas.
  - All existing and proposed buildings and structures, including their location, size (approximate square footage), height, elevation from grade and proposed or existing use (i.e., home, shop, pump house, fence, septic system, etc.).
  - Location, name, width, and pavement type of adjacent and on-site streets/alleys.
  - Types and location of existing/proposed water supply and sewage disposal facilities.
  - Location and dimensions of all existing/proposed easements, points of access (existing and proposed), driveways and parking areas, and pavement type.
  - All areas proposed for grading and landscaping.
  - Any areas proposed to be reserved and maintained as open space.
  - Location, use and approximate dimensions of all structures within 100 feet of the site's boundaries.
  - A vicinity map showing precisely how to drive to the site (include street names and distances to help with describing how to get to the site).
6. **Grant Deed:** A current deed to the property must be provided. In some circumstances, a Preliminary Title Report may also be required).
7. **Development Plans:** If applicable, one set of building plans shall be required at the time of application submittal. The plans shall show elevations to scale which show all sides of any proposed building or structure. The plans shall also include a detailed scale drawing of the floor plan for each proposed building or structure. The floor plan shall show uses within each proposed building or structure.
8. **Lot Flagging:** A distinct flag may be required to be placed on each corner of the property if the boundaries of the property cannot be readily identifiable, and structures from adjacent properties are in close proximity to the proposed use.
9. **Additional Information:** As the applicant, you may be asked to provide more detailed information on the project as part of the application requirements, including, but not limited to, such items as soils reports, drainage plans, geologic reports, archaeological reports, biological studies, noise studies, traffic and circulation studies, etc. You are responsible for providing sufficient information to the county to allow proper review of your application. If you are unable or unwilling to supply adequate information, your application will, of necessity, be recommended for denial.

**Acceptance of your application by the Planning Division does not guarantee your application will be approved by the Planning Commission and/or the Board of Supervisors. Nothing stated to any person by any employee in County government can be construed in any way as speaking for the Planning Commission or the Board of Supervisors with regard to your application.**