

**Siskiyou County Planning Commission**  
**Regular Meeting**  
**March 16, 2022**

The Siskiyou County Planning Commission meeting of March 16, 2022 was called to order by Chair Lindler at 9:00 a.m. in the Board of Supervisors Chambers, 311 Fourth Street, Yreka, California.

**Present:** Commissioners Hart, Melo, Veale and Lindler

**Absent:** Commissioner Fowle

**Also Present:** Rick Dean, Director, Community Development Department; Hailey Lang, Deputy Director of Planning; Rachel Jereb, Senior Planner; Bernadette Cizin, Assistant Planner; Shelley Gray, Assistant Planner; William Carroll, Deputy County Counsel; Janine Rowe, Clerk

**Minutes:** It was moved by Commissioner Melo, seconded by Commissioner Veale, to approve the Minutes from the January 20, 2022, Planning Commission meeting as presented.

**Voted** upon and the Chair declared the motion carried unanimously by those Commissioners present, with Chair Lindler abstaining because she was absent from that meeting.

Approval of the Minutes from the December 15, 2021, Planning Commission meeting was postponed due to lack of a quorum at today's meeting of Commissioners who were present at the December meeting.

**Unscheduled Appearances: None**

**Conflict of Interest Declaration: None**

**Presentation of Documents, Availability of Public Records, and Public Hearing**

**Protocol:** The Chair asked those members of the public present in the meeting room as well as to those present via teleconference to review these items on the Agenda.

**Rights of Appeal Statement:** The Chair advised that projects heard at this Planning Commission meeting may be subject to appeal within ten calendar days of today's meeting (if the 10<sup>th</sup> day falls on a weekend, the appeal must be received the following business day). She directed interested individuals to contact the County Clerk's Office for information. She advised that if you challenge the environmental review or the project proposal in court, you may be limited to raising only those issues raised at the public hearing or in written correspondence delivered to the Planning Department at, or prior to the public hearing. The Chair apprised the Commissioners and audience that appeals must be submitted to the County Clerk's Office together with the appeal fee of \$1,250.

**Changes to the Agenda:** Staff requested, and was granted, a continuance of the Mount Shasta Ski Park Zone Change (Z-21-10) and Use Permit (UP-21-30) project to the April 20, 2022, Planning Commission meeting.

**Old Business: None**

**New Business:**

**Agenda Item 1: New Look Realty Company Use Permit (UP-21-21) / Categorically Exempt**

The project is a proposed Conditional Use Permit to allow a short-term vacation rental use within an existing single-family dwelling. The project site is located at 201 South First Street, Dunsmuir, CA on APN 030-521-040; Township 39N, Range 4W, Section 36, M.D.M.; Latitude 41.201°, Longitude - 122.273.

**Categorically Exempt  
Use Permit**

**Adopted  
Approved**

**Staff Report:**

The previously circulated Staff Report was reviewed by the Commission, and a presentation of the project was provided by Ms. Gray.

Ms. Gray told the Commission that the applicant requested approval of a use permit to operate a vacation rental in an existing single-family dwelling. The 1,296-square-foot dwelling is located on an approximately .22-acre parcel within the rural residential zoning district which allows short-term rentals upon the issuance of a use permit. Two bedrooms will be used for sleeping quarters, and based on the square footage, up to seven guests can be accommodated. The three required parking spaces are available on the north side of the residence.

Ms. Gray said the project is consistent with the General Plan and zoning for its area. The dwelling passed inspections by both the Building Division and Environmental Health. The project is proposed to be exempt from CEQA pursuant to Section 15301 as it is an existing facility and there are no unusual circumstances or future activities which might reasonably result in the project having a significant effect on the environment.

Comments were received from Environmental Health, the Building Division, Cal Fire and the Tax Collector regarding their requirements. One comment was received from a member of the public and was included in the staff report. Subsequent to the staff report being published, the owner responded to the public comment and a copy was provided to the Commissioners prior to the meeting.

Ms. Gray said that Staff recommended determining the project categorically exempt from CEQA and approving the use permit.

**Agency Input: None**

**Commission Questions: None**

The Chair opened the Public Hearing.

**Public Input: None**

There being no comments, the Chair closed the Public Hearing.

**Commission Discussion:**

Discussion was held regarding one of the conditions of approval being that the applicant must include and reference their use permit number in advertisements of their vacation rental, including online. Staff said the major reason they started including that requirement was to save staff time and make it easier to ensure compliance.

**Motion:** Following discussion, it was moved by Commissioner Melo, seconded by Commissioner Veale, to Adopt Resolution PC-2022-002 A Resolution of the Planning Commission of the County of Siskiyou, State of California, Approving the New Look Realty Use Permit (UP-21-21) and Determining the Project Exempt from CEQA.

**Voted** upon and the Chair declared the motion carried unanimously by those Commissioners present.

**Agenda Item 2: Correa Use Permit (UP-21-26) / Categorically Exempt**

The project is a proposed Conditional Use Permit to allow a short-term vacation rental use within an existing single-family dwelling. The project site is located at 16204 Klamath View Drive, Montague, CA on APN 004-460-301; Township 48N, Range 4W, Section 36, M.D.M.; Latitude 41.4964°, Longitude -122.258.

**Categorically Exempt  
Use Permit**

**Adopted  
Approved**

**Staff Report:**

The previously circulated Staff Report was reviewed by the Commission, and a presentation of the project was provided by Ms. Gray.

Ms. Gray told the Commission that the applicant requested use permit approval to allow short-term rental use of his mother's single-family dwelling. The two-story dwelling is situated on an approximately one-acre parcel within the rural residential zoning district. The two-bedroom dwelling is approximately 1,686 square feet, and both bedrooms as well as the living room are proposed as sleeping quarters. Based on the septic system, a maximum of four persons can be accommodated at one time. The three required parking spaces are available on the south side of the residence.

Ms. Gray said the project is consistent with the General Plan and zoning for its area. The dwelling passed inspections by the Building Division and Environmental Health. The project is proposed to be exempt from CEQA pursuant to Section 15301, existing facility, and there are no unusual circumstances or future activities which might reasonably result in the projecting having a significant effect on the environment.

Comments were received from Environmental Health, the Building Division and Cal Fire regarding their requirements. No comments were received from the public.

Ms. Gray said that staff recommended determining the project categorically exempt from CEQA and approving the use permit.

**Agency Input: None**

**Commission Questions:**

Commissioner Hart expressed concern about the property being so far away from an urban area and wanted to know how a complaint from a neighbor would be handled. Ms. Gray said that one of the conditions of approval is that the property manager be available 24/7.

The Chair opened the Public Hearing.

**Public Input: None**

There being no comments, the Chair closed the Public Hearing.

**Commission Discussion: None**

**Motion:** Following discussion, it was moved by Commissioner Veale, seconded by Commissioner Hart, to Adopt Resolution PC-2022-003 A Resolution of the Planning Commission of the County of Siskiyou, State of California, Approving the Correa Use Permit (UP-21-26) and Determining the Project Exempt from CEQA.

**Voted** upon and the Chair declared the motion carried unanimously by those Commissioners present.

**Agenda Item 3: Robinson Use Permit (UP-21-22) / Categorically Exempt**

The project is a proposed Conditional Use Permit to allow a short-term vacation rental use within an existing single-family dwelling. The project site is located at 500 Tucci Avenue, McCloud, CA on APN 049-123-020; Township 39N, Range 3W, Section 1, M.D.M.; Latitude 41.259°, Longitude -122.141.

**Categorically Exempt  
Use Permit**

**Adopted  
Approved**

**Staff Report:**

The previously circulated Staff Report was reviewed by the Commission, and a presentation of the project was provided by Ms. Gray.

Ms. Gray told the Commission that the applicant was seeking approval of a use permit to operate a short-term rental. The two-story, three-bedroom dwelling sits on an approximately .23-acre parcel within the single-family residential zoning district which allows short-term rentals upon the issuance of a use permit. All three bedrooms are proposed as sleeping quarters, and the maximum of 10 guests allowed by Siskiyou County Code can be accommodated. The four required parking spaces are available on the east and west side of the residence.

Ms. Gray said the project is consistent with the General Plan and zoning for its area. The dwelling passed inspections by both the Building Division and Environmental Health.

This project is proposed to be exempt from CEQA per Section 15301 as it is an existing facility, and there are no unusual circumstances or future activities which might reasonably result in this project having a significant effect on the environment.

Comments were received from Environmental Health, the Building Division, Cal Fire, and the Tax Collector regarding their requirements. No public comments were received.

Staff recommended determining the project categorically exempt from CEQA and approving the use permit for this project.

**Agency Input: None**

**Commission Questions: None**

The Chair opened the Public Hearing.

**Public Input: None**

There being no comments, the Chair closed the Public Hearing.

**Commission Discussion:**

Chair Lindler said she noticed that the property initially failed its initial inspection and wanted to know if the items listed in the initial inspection were mitigated. Ms. Gray responded that the items were addressed, and measures were taken to correct the items in question.

**Motion:** Following discussion, it was moved by Commissioner Melo, seconded by Commissioner Veale, to Adopt Resolution PC-2022-004, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Approving the Robinson Use Permit (UP-21-22) and Determining the Project Exempt from CEQA.

**Voted** upon and the Chair declared the motion carried unanimously by those Commissioners present.

After the motion was passed, through the Chair, Mr. Dean remarked that the checklist Chair Lindler was referring to reflects that the items in question have been addressed.

#### **Agenda Item 4: Menne Zone Change**

The project site is located south of Scott River Road, north and west of the community of Fort Jones on APNs 014-130-490, 014-130-370, 014-130-390, 014-361-380, 014-361-420, 014-361-460 and 014-361-470: Township 44N, Range 7W, Section 30 MDB&M; Latitude 41.636°, Longitude -122.936°. The project is a proposed zone change of approximately 4 acres from Prime Agricultural (AG-1) to Rural Residential Agricultural (R-R-B-10), in order to facilitate a concurrent boundary line adjustment to distribute 288 acres from a 340-acre parcel to the 105-acre parcel. The rezone is necessary in order to effectuate the boundary line adjustment, which is proposed to consolidate all lands improved for hay production into a single 393-acre parcel.

**Zone Change**  
**Categorically Exempt**  
**Boundary Line Adjustment**

**Recommending Approval**  
**Recommending Adoption**  
**Conditionally Approved**

#### **Staff Report:**

The previously circulated Staff Report was reviewed by the Commission, and a presentation of the project was provided by Ms. Cizin.

Ms. Cizin told the Commissioners that the project is a proposed rezone of two acres of two adjacent parcels from AG-1-B-80 to RR-B-10. The rezone is to correct a mapping error and necessary to effectuate a proposed boundary line adjustment which is proposed in order to consolidate all lands improved for agricultural production into a single 393-acre parcel. Resultant Parcel B is being proposed to be separated from resultant Parcel A to consolidate all of the land improved and utilized for agricultural uses on one large parcel. Resultant Parcel A consists of primarily gravelly hillside and poor soils which limit the agricultural uses that are established on resultant Parcel B.

Ms. Cizin said that staff is proposing that the project be found consistent with the zoning, General Plan and Scott Valley Area Plan for the site. Because there is no substantial evidence that the proposed zone change from AG-1 to RR-B-10 may have a significant effect on the environment, Staff recommended that the project be found exempt from CEQA pursuant to Section 15301(b)(3), the common-sense exemption, and Section 15301, the Class 1 exemption, as this project includes existing facilities such as the existing agricultural operation and single-family dwelling that are on the project site. Also, Section 15305(a), minor alterations in land use limitations applies to this project because the boundary line adjustment does not propose any changes in land use and will not create any new parcels.

Comments were received from Environmental Health, Cal Fire, Treasurer-Tax Collector, and the County Ag Commissioner. No comments from members of the public have been received.

Staff recommended adopting Resolution PC2022-005 and conditionally approving the Menne Boundary Line Adjustment (BLA-21-31) and recommending that the Board of Supervisors approve the Menne Zone Change (Z-22-02).

**Agency Input: None**

**Commission Questions:**

A brief discussion was held regarding the reason the applicant was splitting his parcels.

The Chair opened the Public Hearing.

**Public Input: None**

There being no comments, the Chair closed the Public Hearing.

**Commission Discussion: None**

**Motion:** Following discussion, it was moved by Commissioner Melo, seconded by Commissioner Hart, to Adopt Resolution PC-2022-005, a Resolution of the Planning Commission of the County of Siskiyou, State of California, Conditionally Approving the Menne Boundary Line Adjustment (BLA-21-31) and Recommending that the Siskiyou County Board of Supervisors Determine the Project Exempt from the California Environmental Quality Act and Approve the Menne Zone Change (Z-22-02) by Adopting a Draft Ordinance Rezoning 4 acres of APN: 014-361-420 and 014-130-490 from AG-1-B-80 to R-R-B-10.

**Voted** upon and the Chair declared the motion carried unanimously by those Commissioners present on the following roll call vote:

**Ayes:** Commissioners Hart, Melo, Veale and Lindler

**Noes:**

**Absent:** Commissioner Fowle

**Abstain:**

**Items for Discussion/Direction: None****Miscellaneous:**

1. **Future Meetings:** The next regular meeting of the Planning Commission is scheduled for Wednesday, April 20, 2022, at 9:00 a.m.
2. **Correspondence: None**
3. **Staff Comments: None**
4. **Commission Comments:**

Commissioner Hart inquired whether the Zoom meeting concept would be continued into the future, and he was told by the Commission Clerk that the commissioners are not allowed to participate in meetings via Zoom. Mr. Carroll said that was correct. Because the Commission is no longer operating under the emergency Brown Act procedures, the commissioners must attend Planning Commission meetings in person in order to vote on projects. If a commissioner were to choose to attend a meeting via Zoom, the agenda would have to designate the physical location of that commissioner and the public would have to be allowed access to that location. Commissioners Hart and Melo stated it was their preference that the public be required to attend in person. Chair Lindler and Commissioner Veale also preferred that the public attend in person but in some cases, it may be more convenient for some people to be able to attend via Zoom. Mr. Dean said it has been his decision to follow the Board of Supervisors' practice to allow the public to participate in meetings either in person or via Zoom, and it is his understanding that the County Administrator wants to continue to allow Zoom participation.

After discussion, the Commission directed Staff to agendize the issue of continuing to allow Zoom access for the public for the April 20, 2022, meeting.

A brief discussion was held about Kidder Creek Orchard Camp and that staff will be recirculating a portion of the EIR. Chair Lindler disclosed she may have a conflict of interest with the project and may be recusing herself when it comes to the Planning Commission.

Chair Lindler wanted to let Staff know that she contacted Cal Fire regarding why they no longer comment on PRC 4291, and she will report on the outcome of her inquiry.

**Adjournment:** The meeting was concluded at approximately 9:40 a.m.

Respectfully submitted,

***Signature on file***

Hailey Lang, Secretary