

Siskiyou County Planning Commission
Regular Meeting
December 20, 2023

The Siskiyou County Planning Commission meeting of December 20, 2023, was called to order by Chair Lindler at approximately 9:00 a.m. in the Board of Supervisors Chambers, 311 Fourth Street, 2nd Floor, Yreka, California.

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

Absent: CDD Director Rick Dean, Commission Clerk Janine Rowe

Also Present: Hailey Lang, Deputy Director of Planning; Rachel Jereb, Senior Planner; Bernadette Cizin, Associate Planner; Coleman Fitzgerald, Environmental Health Specialist; William Carroll, Deputy County Counsel

Minutes:

October 18, 2023: It was moved by Commissioner Melo, seconded by Commissioner Hart, to approve the Minutes from the October 18, 2023, Planning Commission meeting.

Voted upon and the Chair declared the motion carried unanimously by those Commissioners present, with Commissioner Veale recusing himself because he was absent from that meeting.

November 15, 2023: It was moved by Commissioner Melo, seconded by Commissioner Veale, to approve the Minutes from the November 15, 2023, Planning Commission meeting.

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

Unscheduled Appearances: None

Conflict of Interest Declaration: Chair Lindler stated she will have a conflict of interest with the Weed Berean Church Use Permit project (UP-11-02-2M) and would be recusing herself. A brief discussion was held that the project would be rescheduled for a future meeting.

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

Protocol: The Chair asked those members of the public attending the meeting to review these items on the Agenda.

Rights of Appeal Statement: The Chair directed those present to review the Right of Appeal Statement contained in the Agenda.

Changes to the Agenda:

1. Weed Berean Church Use Permit Modification (UP-11-02-2M)

Ms. Jereb requested that this project be continued to the February 21, 2024, Planning Commission meeting. A brief discussion was held regarding whether or not there would be a quorum since Chair Lindler is recusing herself from hearing this project and Vice Chair Fowle said he would not be present at the February meeting. It was determined that the project

would be scheduled for the February meeting and the Commission would determine if there would be a quorum in February during the January 17, 2024, meeting.

Motion: It was moved by Commissioner Melo, and seconded by Commissioner Hart, to continue the Weed Berean Church Use Permit Modification (UP-11-02-2M) project to the February 21, 2024, Planning Commission meeting.

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

2. Golden Eagle Charter School Use Permit (UP-23-08)

Ms. Lang requested that this project be continued to the January 17, 2024, Planning Commission meeting.

Motion: It was moved by Commissioner Veale, and seconded by Commissioner Fowle, to tentatively continue the Golden Eagle Charter School Use Permit (UP-23-08) project to the January 17, 2024, Planning Commission meeting.

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

New Business:

Agenda Item 1: McCloud Partners, LLC / Zone Change (Z-23-02) and Tentative Parcel Map (TPM-23-02) / Categorically Exempt

The project site is located southeast of the community of McCloud, off Mill Road on APN 028-530-070; Township 39N, Range 2W, Section 1 & 6, M.D.M; Latitude 41.257°, Longitude -122.133°. The project proposes a rezone of approximately 23.8 acres from Heavy Industrial District (M-H) to Rural Residential Agricultural, 2.5-acre minimum parcel size (R-R-B-2.5), and a Tentative Parcel Map application proposing the creation of four new parcels including the following parcel sizes: 6.79 acres, 6.57 acres, 3.95 acres, 3.75 acres and a remainder parcel of 2.72 acres.

**Categorically Exempt
Tentative Parcel Map
Zone Change**

**Recommending Adoption
Tentatively Approved
Recommending Approval**

Staff Report:

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

Ms. Lang told the Commission that the project proponents are seeking to subdivide 23.8 acres into four parcels and a remainder with the intent to facilitate the development of the project site in a manner that would be consistent and compatible with the surrounding land uses.

The project site is located southeast of the community of McCloud near Mill Road and East Colombero Drive. The subject parcel is a legal parcel that was legally created as Parcel 4 of Parcel Map Book 7, page 192, for Champion International Corporation. The parcel was subsequently modified by a boundary line adjustment which was recorded in August of 1986. The current project

site is currently undeveloped and no development is planned as part of this tentative parcel map or zone change.

Environmental Health reviewed the project and determined that all lots conform to Environmental Health's density standards. A requirement that the approved locations for onsite disposal systems be identified on the recorded map has been included as Condition of Approval No. 8. Additionally, any future road improvements must meet Cal Fire 4290 standards, and that requirement is included as Condition of Approval No. 5.

Ms. Lang said that the California Department of Fish & Wildlife (CDFW) recommended that biological surveys be conducted on site, but since there is no development currently being proposed as part of this project, staff did not feel that recommendation was necessary. Should the project site be developed in the future, staff may require biological surveys take place before the development.

Ms. Lang said staff found that the project to be consistent with both the General Plan and the Zoning Code. This project is also exempt from CEQA pursuant to the common sense exemption. She said no public comments have been submitted or received.

Through the Chair, Ms. Jereb added that the name of the road that is proposed to part of this project is planned to be Parkside Court.

Agency Input: None

The Chair opened the Public Hearing.

Public Comments: None

There being no comments, the Chair closed the Public Hearing

Commission Questions/Discussion:

Chair Lindler expressed concern about the fact that Cal Fire's form comment letter does not include the rules for timberland conversion under 14 CCR 1100(g) which states if there is a clear intent to divide timberland into ownerships of less than three acres, a Timberland Conversion Plan (TCP) is necessary and an exemption can be had as long as the criteria has been satisfied. Ms. Lang said the conditions can be modified to include the requirements of a TCP which would not delay the project should the Commission approve it. Through the Chair, Ms. Jereb said the applicant has been working with Cal Fire and has done some clearing on the property which was approved.

Chair Lindler asked the applicant if he had a licensed forester and whether they have a Timber Conversion permit or paperwork for the exemption. Mr. Bruce Berlinger, Chief Operating Officer for McCloud Partners, said they have a licensed forester helping them and that they have removed dead and dying trees from the property. He said they don't have a TCP permit but would get one and that they are working with Black Fox Timber Management Group. Chair Lindler said that Ms. Lang can provide them with the code and forest practice rules.

Commissioner Fowle brought up the comment by CDFW wherein they recommended that biological surveys be conducted on the site. Ms. Lang said staff did not accept the recommendations by CDFW and they are not included in the conditions.

Commissioner Hart asked about the proposed non-exclusive easement for ingress, egress and utilities that would create a parallel street to both East Colombero Drive and Mill Road. Ms. Jereb

responded that because it is a non-exclusive easement, it is not a publicly maintained road. Discussion was held regarding liability and snow removal.

In response to Commissioner Hart's question about the water source, Environmental Health Specialist Coleman Fitzgerld said the project proponents would have to drill wells since they are not served by the McCloud Community Services District. He said it is approved for septic, but some of the wells may be in an engineered territory depending on where the water level is.

A brief discussion was held regarding whether there is a creek on the property.

Motion: Following discussion, it was moved by Commissioner Hart, seconded by Commissioner Fowle, to Adopt Resolution PC 2023-024, a Resolution of the Planning Commission of the County of Siskiyou, State of California, conditionally approving the McCloud Partners LLC Tentative Parcel Map (TPM-23-02) and recommending that the Siskiyou County Board of Supervisors determine the Project exempt from the California Environmental Quality Act and approve the McCloud Partners LLC Zone Change (Z-23-02) by adopting a draft Ordinance, rezoning 23.8 acres (APN 028-530-070) from M-H to R-R-B-2.5.

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

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

Noes:

Absent:

Abstain:

Items for Discussion/Direction:

Ongoing Staff Update Regarding the General Plan Update

This is an ongoing agenda item pertaining to the Siskiyou County 2050 General Plan Update. Staff will be providing an update on the project schedule, deliverables, and any other updates relating to this project.

Staff Report:

Ms. Lang told the Commission that staff received Chapter 8 of the Administrative Background report, which relates to public facilities and services, and she is reviewing it. After review is completed, it will go to the internal Technical Advisory Committee (TAC). Staff will continue reviewing the chapters as they come in.

Discussion was held that the entire background report would be presented to Planning Commission for review possibly in the Spring of 2024.

Miscellaneous:

- 1. Future Meetings:** The next regular meeting of the Planning Commission is scheduled for Wednesday, January 17, 2024, at 9:00 a.m.
- 2. Correspondence: None**

3. Staff Comments: None**4. Commission Comments:**

Commissioner Hart asked about the amount of time it takes staff from the time they receive a project to present it to the Planning Commission and then pass it on to the Board of Supervisors. Ms. Lang said the Planning Division is down a planner so they are contracting some of their larger projects to SHN. It takes about six months even for them to take a look at a project.

Commissioner Hart asked if the Scott Valley Area Plan will be updated along with the General Plan, and Ms. Lang said it is not being updated at this time. Discussion followed regarding farms and ranches losing their water rights and how they would be able to make a living. Also discussed was how the Williamson Act would be affected by property owners selling off portions of their ranches and farms.

Commissioner Veale asked for the status of the JH Ranch and Kidder Creek Orchard Camp (KCOC) projects. Ms. Lang said staff has been working with JH Ranch on amending their planned development proposal. She said that KCOC is still working on meeting the Conditions of Approval which will most likely take a few years.

Commissioner Fowle said he had been contacted by an individual regarding the inconsistency between the General Plan and the Siskiyou County Building Division requirements regarding adding a breezeway to an existing residential house in order to connect the house with the garage. Ms. Lang said that is a Zoning code issue and is subject to interpretation by the Planning Director and the Building Official, but their base minimum rate is always the California Building Code. A lengthy discussion was held regarding the fact that if they want that increased height, they would have to attach it.

Ms. Jereb said the building permit was submitted over a year ago, and it was for a detached garage with an office above. In the zoning district that it's in, the maximum height was being exceeded by what they were proposing so she told them if they attached it to the house, they could use the house's maximum height for their building. They submitted a new proposal that still did not meet building code requirements for the new structure to be considered attached to the house.

Discussion turned to container (Conex) boxes. Ms. Jereb said building permits are required and very specific and strict requirements have to be met.

Chair Lindler asked staff about upcoming projects. Ms. Lang said for the January meeting, staff would be presenting the Vacation Rental ordinance for review by the Planning Commission and the Golden Eagle Use Permit project would also be presented.

Ms. Cizin said she would be presenting projects regarding a time extension for a Tentative Parcel Map, a Boundary Line Adjustment with multiple frontages, and a Reclamation Plan amendment for a mine.

Ms. Jereb will be presenting the Weed Berean Church Use Permit amendment in February.

Ms. Lang said potentially the JH Ranch project would be presented in April.

Commissioner Fowle added that parts of the General Plan would also be forthcoming.

Commissioner Fowle said that Mr. Dean and Ms. Lang need to be on the State Water Board meeting calls dealing with water, e-regs and establishing instream flows.

Chair Lindler said she would not be present for the June Planning Commission Meeting. Commissioner Fowle said he would not be present for the June meeting either.

Adjournment: The meeting was concluded at approximately 10:15 a.m.

Respectfully submitted,

Signature on File

Hailey Lang, Secretary

vjr