



## Siskiyou County Planning Commission Staff Report January 17, 2024

### **New Business Agenda Item No. 1 Thamer Tentative Parcel Map (TPM-21-01-1M) Time Extension Request**

|                                |  |
|--------------------------------|--|
| <b>Applicant:</b>              | Peter Thamer   |
| <b>Property Owners:</b>        | Peter D. Thamer<br>10415 S. Highway 3<br>Callahan, CA 96014<br><br>William B. & Anne E. Hilton<br>10703 S. Highway 3<br>Callahan, CA 96014   |
| <b>Representatives:</b>        | Dan Wallace<br>Cascade Land Survey<br>11239 Ball Mountain Road<br>Montague, CA 96064   |
| <b>Project Summary:</b>        | The applicant is requesting approval of the following: <ul style="list-style-type: none"><li>• 12-month time extension to the Thamer Tentative Parcel Map (TPM-21-01).</li></ul>   |
| <b>Location:</b>               | The project site is located north of the community of Callahan on Highway 3; T40N, R8W, Section 7 and Township 40N, Range 9W, Section 12; MDB&M; APNs: 031-020-360, 031-020-420, 031-220-370, 031-220-490, 031-220-510, and 031-220-520.   |
| <b>General Plan:</b>           | Soils: Erosion Hazard; Building Foundation Limitations – High Shrink-Swell Behavior Soils; Slope; Flood Hazard; Surface Hydrology; Deer Wintering Area; Wildfire Hazard; Woodland Productivity; Prime Agricultural Soils   |
| <b>Scott Valley Area Plan:</b> | Prime Agricultural Land; Critical Deer Wintering Range; Flood Plain; Excessive Slope Area  |
| <b>Zoning:</b>                 | Rural Residential Agricultural (R-R), Rural Residential Agricultural, 40-acre minimum parcel size (R-R-B-40), Rural Residential Agricultural, 80-acre minimum parcel size (R-R-B-80), Prime Agricultural, 80-acre minimum parcel size (AG-1-B-80)  |
| <b>Exhibits:</b>               | A. Draft Resolution PC 2024-001<br>A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Project Exempt from the California Environmental Quality Act and Extending the Thamer Tentative Parcel Map Time (TPM-21-01).<br>B. December 15, 2021, Planning Commission Staff Report Packet<br>C. Signed Resolution PC 2021-030 |

## **Planning Commission Staff Report January 17, 2024**

### **Background**

The Thamer Tentative Parcel Map (TPM-21-01) is a proposed tentative map to create two parcels of 134 acres and 116 acres from an existing 250-acre parcel. TPM-21-01 was approved by the Planning Commission on December 15, 2021.

At this time, the project has not been completed. The applicant cites the financial burden of meeting the conditions of approval, road widening for Fire Safe regulations, and finalizing the map as the reason for the delay in filing the final map. The applicant is requesting a twelve-month time extension in order to complete this project. Once all work has been completed and conditions of approval have been met, the applicant would be able to move forward with recording the parcel map.

### **Analysis**

The Thamer Tentative Parcel Map (TPM-21-01) was approved by the Planning Commission on December 15, 2021, with an expiration date of December 15, 2023.

Siskiyou County Code Section 10-4.401.8.2(a) states a subdivider may request an extension of the expiration date of the approved tentative map by a written application. An extension request was received by the Planning Division on December 7, 2023. Pursuant to Government Code Section 66463.5(c), upon application by the subdivider to extend the approved map, the map shall be automatically extended for 60 days or until the application is approved, conditionally approved, or denied, whichever comes first. Because the applicant filed an extension request prior to the expiration date of December 15, 2023, the expiration date was automatically extended. At this time, the current expiration date of TPM-21-01 is February 13, 2024. Should the Planning Commission approve the twelve-month extension request, authorized under SCC 10.4.401.8.2.(c), on January 17, 2024, the new expiration date would be January 17, 2025.

### **Environmental Review**

The proposed project requests an extension of time for a previously approved Tentative Parcel Map (TPM-21-01). Potential environmental impacts were analyzed, and the project was determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15301(c) of the CEQA Guidelines. The setting for the project has not significantly changed and there have been no changes to the land use designations in the area since approval of the original project. Additionally, the extension of time for a tentative map does not involve any physical changes in the environment and hence does not have the potential for causing an effect on the environment.

Therefore, staff is recommending that the Planning Commission determine the proposed time extension does not constitute a "project" pursuant as defined in CEQA Guidelines Section 15378 and is therefore not subject to CEQA pursuant to CEQA Guidelines Section 15060(c)(3).

### **Planning Staff Recommendations**

- Adopt Resolution PC-2024-001 taking the following actions:
  - Determine the project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) and 15301(c); and
  - Approve the Thamer Tentative Parcel Map (TPM-21-01-1M) Time Extension Request and establish a new expiration date of January 17, 2025.

**Planning Commission Staff Report  
January 17, 2024**

**Suggested Motion**

I move to adopt Resolution PC 2024-001, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Project is Not Subject to the California Environmental Quality Act and Extend the Thamer Tentative Parcel Map (TPM-21-01) to January 17, 2025.

**Preparation**

Prepared by the Siskiyou County Planning Division.

For project specific information or to obtain copies for your review, please contact:

Bernadette Cizin, Associate Planner  
Siskiyou County Planning Division  
806 S. Main Street  
Yreka, California 96097

## Resolution PC 2024-001

### **A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determine the Project Not Subject to the California Environmental Quality Act and Extending the Thamer Tentative Parcel Map (TPM-21-01-1M) to January 17, 2025.**

**Whereas**, Tentative Parcel Map TPM-21-01 was originally approved by the Planning Commission on December 15, 2021 with an expiration date of December 15, 2023; and

**Whereas**, Siskiyou County Code Section 10-4.401.8.2 provides for extension to subdivision maps; and

**Whereas**, Peter Thamer has applied for a 12-month extension pursuant to Siskiyou County Code Section 10-4.401.8.2; and

**Whereas**, pursuant to Government Code Section 66463.5(c), the extension request automatically extended TPM-21-01 for 60 days (until February 13, 2024) or until the application is approved, conditionally approved, or denied, whichever comes first; and

**Whereas**, a Notice of Public Hearing was published in the Siskiyou Daily News on January 3, 2024; and

**Whereas**, public hearing notices were provided pursuant to Siskiyou County Code Section 10-6.2805 *et seq.*; and

**Whereas**, the Planning Division recommended that the project be determined not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(3) and 15378; and

**Whereas**, the Planning Division presented its oral and written staff report on the Thamer Tentative Parcel Map (TPM-21-01-1M) Time Extension Request at a regular meeting of the Planning Commission on January 17, 2024; and

**Whereas**, there have been no significant changes in the project, no significant changes in the circumstances under which the project will be undertaken, and no new information has come to light regarding new or significant environmental effects; and

**Whereas**, on January 17, 2024, the Planning Commission discussed the CEQA exemptions and Tentative Parcel Map (TPM-21-01-1M); and

**Whereas**, on January 17, 2024, the chair of the Planning Commission opened the duly noticed public hearing on the Thamer Tentative Parcel Map (TPM-21-01-1M) Time Extension Request to receive testimony both oral and written, following which the Chair closed the public hearing and the Commission discussed the project prior to reaching its decision.

**Now, Therefore, Be It Resolved** that the Planning Commission, based on the evidence in the record, hereby takes the following actions on the Thamer Tentative Parcel Map (TPM-21-01-1M) Time Extension Request:

1. Determines that the project to not be subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(3) which states that an activity is not subject to CEQA if the activity is not a project as defined in CEQA Guidelines Section 15378; and
2. Approves the Thamer Tentative Parcel Map (TPM-21-01-1M) Time Extension Request, pursuant to SCC Section 10-4.401.8.2(c), and establishes a new expiration date of January 17, 2025.

**It is Hereby Certified** that the foregoing Resolution PC-2024-001 was duly adopted on a motion by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_ at a regular meeting of the Siskiyou County Planning Commission held on the 17<sup>th</sup> day of January 2024 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Siskiyou County Planning Commission

\_\_\_\_\_  
\_\_\_\_\_, Chair

Witness, my hand and seal this 17<sup>th</sup> day of January 2024

\_\_\_\_\_  
Hailey Lang, Secretary of the Commission



**Siskiyou County  
Planning Commission Staff Report  
December 15, 2021**

**New Business Agenda Item No. 2  
Thamer Tentative Parcel Map (TPM-21-01)**

**Applicant:** Peter Thamer

**Property Owners:** Peter D. Thamer  
10415 S. Highway 3  
Callahan, CA 96014

William B. & Anne E. Hilton  
10703 S. Highway 3  
Callahan, CA 96014

**Representatives:** Dan Wallace  
Cascade Land Survey  
11239 Ball Mountain Road  
Montague, CA 96064

**Project Summary** The applicant is requesting approval of a tentative parcel map to create two parcels of 134-acres and 116-acres from an existing approximately 250-acre parcel.

**Location:** The project site is located on State Highway 3, north of the community of Callahan on APNs 031-020-360, 031-020-420, 031-220-370, 031-220-490, 031-220-510, and 031-220-520, Township 40N, Range 8W, Section 7 and Township 40 N, Range 9 W, Section 12 MDBM, Latitude 41.329, Longitude -122.823.

**General Plan:** Soils: Erosion Hazard; Building Foundation Limitations – High Shrink-Swell Behavior Soils; Slope; Flood Hazard; Surface Hydrology; Deer Wintering Area; Wildfire Hazard; Woodland Productivity; Prime Agricultural Soils

**Scott Valley Area Plan:** Prime Agricultural Land; Critical Deer Wintering Range; Flood Plain; Excessive Slope Area

**Current Zoning:** Rural Residential Agricultural (R-R), Rural Residential Agricultural, 40-acre minimum parcel size (R-R-B-40), Rural Residential Agricultural, 80-acre minimum parcel size (R-R-B-80), Prime Agricultural, 80-acre minimum parcel size (AG-1-B-80)

- Exhibits:**
- A. Draft Resolution PC-2021-030  
A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Project Exempt from the California Environmental Quality Act and Approving the Thamer Tentative Parcel Map (TPM-21-01).
    - A-1. Notations and Recommended Conditions of Approval
    - A-2. Recommended Findings
  - B. Comments
  - C. Parcel Map
  - D. Botanical Survey

## **Background**

The property owner, Peter Thamer, has applied for a tentative parcel map to subdivide an approximately 250-acre parcel into one 134-acre parcel and one 116-acre parcel. The subject parcel is developed with single-family residences and accessory structures, roads, and tail water ponds as this is a historical mining site.

The property is located 2.5 miles north of the community of Callahan (see Figure 1). The subject parcel is a legal parcel created as Parcel 2 of Boundary Line Adjustment 98-09, recorded in Siskiyou County Official Records on June 11, 1998 as Document Number 1998-0006833.

The project site is sloped easterly and is developed for residential and agricultural uses. Soils consist primarily of Duzel gravelly loam, 9 to 15 percent slopes in the farmed areas and Duzel-Jilson-Facey complex, 15 to 50 percent slopes that is not prime farmland. Vegetation in the non-cultivated areas consists of pine, fir and oak trees, grasses and shrubs. Animals found on-site include small mammals, birds, deer, and coyote. There are several small tail water ponds in the flood plain of proposed Parcel B and an irrigation ditch that runs through the southern portion of proposed Parcel A and the west corner of proposed Parcel B (see Figure 2). There is an existing road, which is proposed to be named South Valley Drive, that runs through project site. A second existing road, runs directly from State Highway 3 west through proposed Parcel A, which is proposed to be named Sugarcat Drive. Access to the property is from the east on the existing roads.

The project location is zoned Rural Residential Agricultural (R-R, R-R-B-40, and R-R-B-80) and Prime Agricultural, 80-acre minimum parcel size (AG-1-B-80). It is surrounded by parcels 5 acres or larger in size and also zoned for rural residential and non-prime agricultural uses (see Figure 3). The majority of the neighboring parcels are developed with single-family dwellings and agricultural uses.

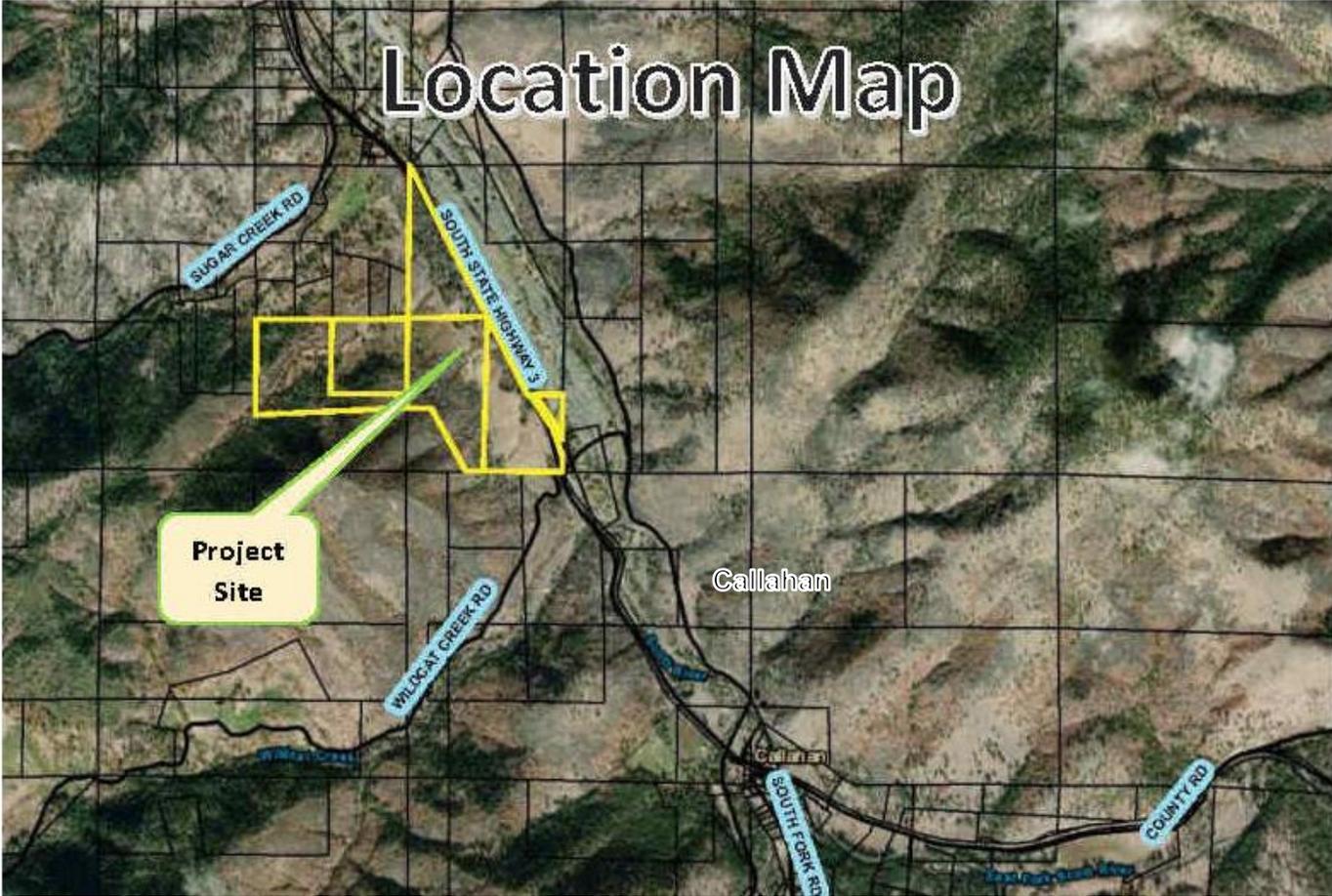


Figure 1: Project Location

# TENTATIVE PARCEL MAP

APPLICANT: THAMER/HILTON

TERRAIN  
IRRIGATED LAND

 INDICATES FLOOD IRRIGATION OR WHEEL LINE

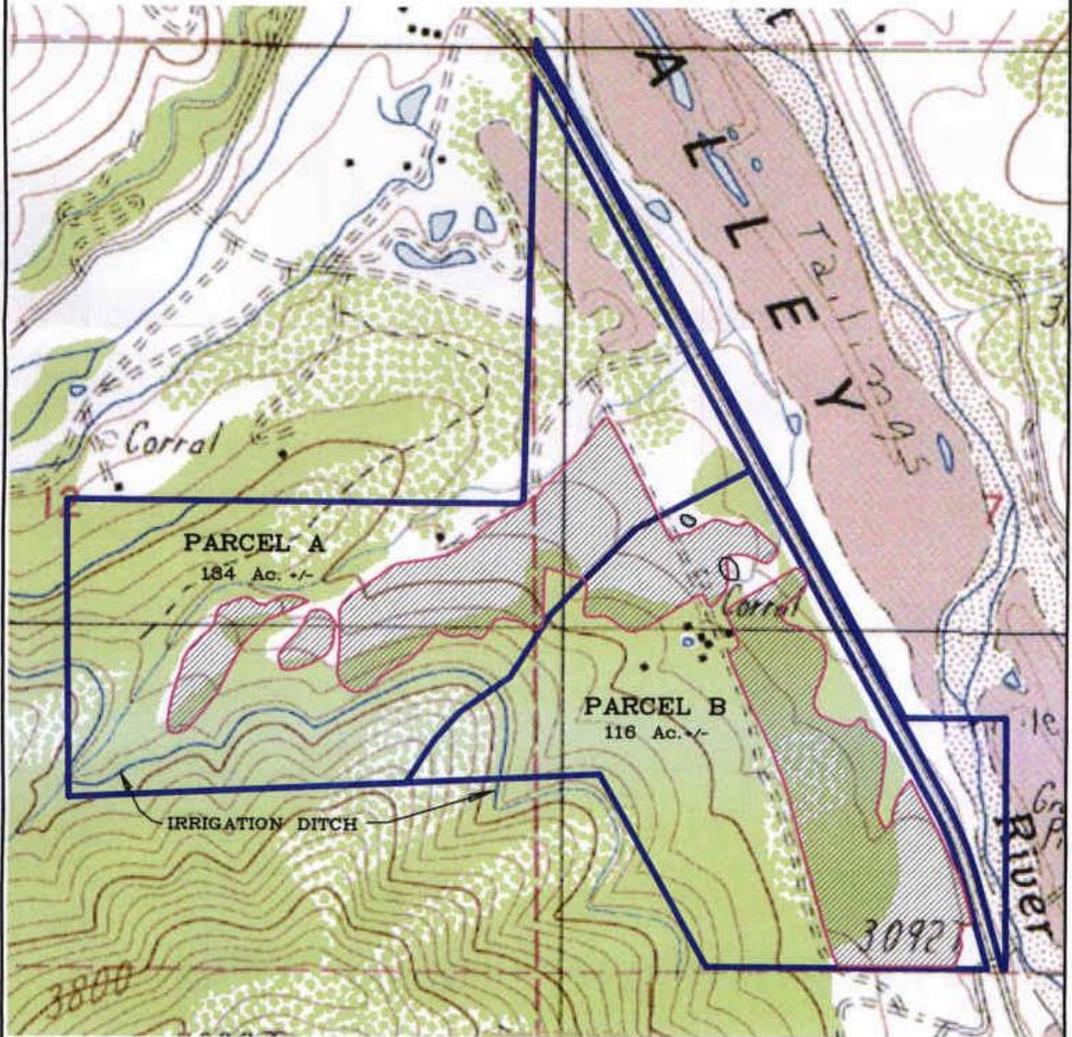


Figure 2 : Terrain and Irrigated Land Map

# TENTATIVE PARCEL MAP

APPLICANT: THAMER/HILTON

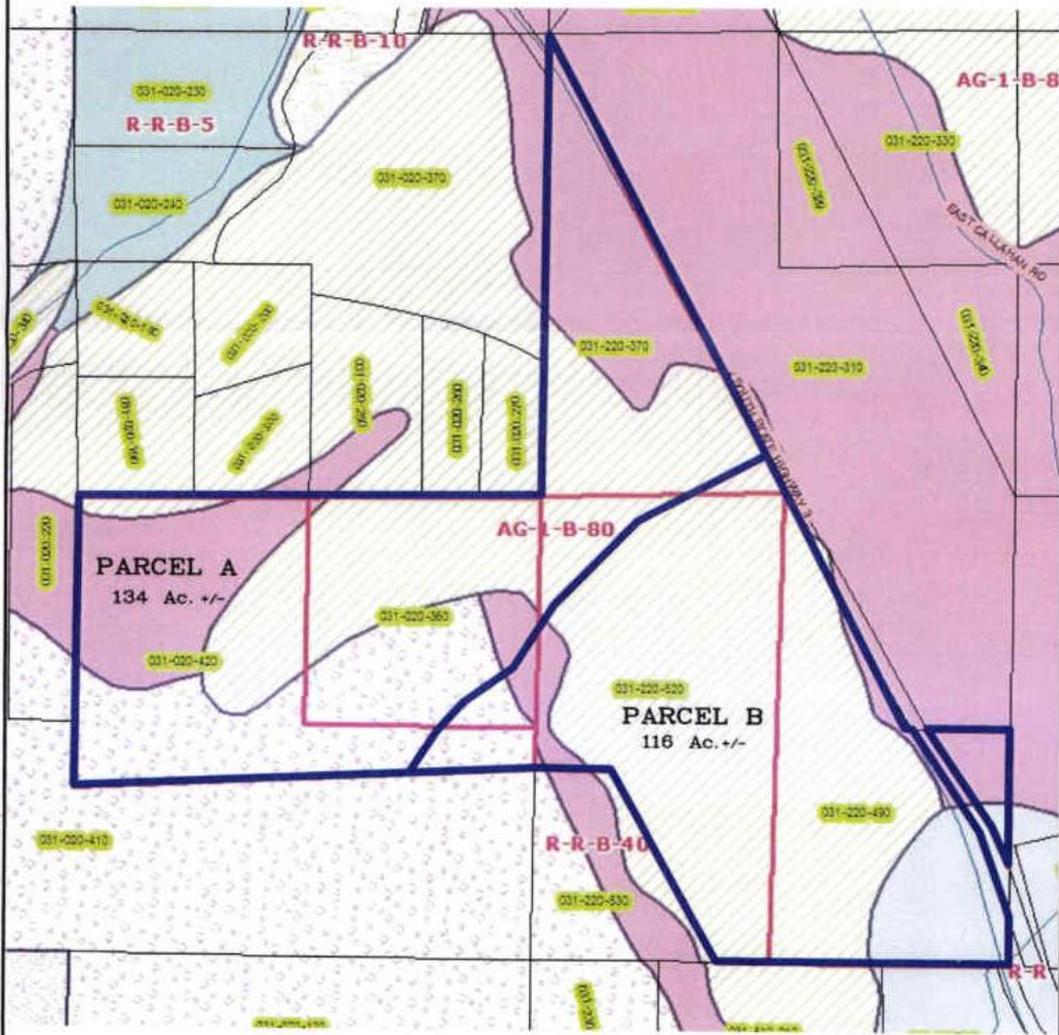
*ZONING*

## PARCEL A

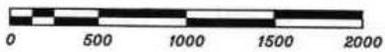
|        |                 |  |
|--------|-----------------|--|
| AG1-80 | 56 Ac           |  |
| RRB-40 | 42 Ac (3 PARTS) |  |
| RRB-80 | 36 Ac           |  |

## PARCEL B

|        |                |  |
|--------|----------------|--|
| AG1-80 | 86 Ac          |  |
| RRB-40 | 11 Ac(2 PARTS) |  |
| RRB-80 | 6 Ac           |  |
| R-R    | 13 Ac          |  |



SCALE 1"=600'



SHEET 2 OF 3

Figure 3: Zoning Map

Exhibit B

## Analysis

### Subdivision and Zoning Consistency

Pursuant to Siskiyou County Code Section 10-4.105.3 and 10-6.5501, the proposed lots are consistent with all County lot design standards.

The subject property is zoned Rural Residential Agricultural (R-R, R-R-B-40 and R-R-B-80) and Prime Agricultural, 80-acre minimum parcel size (AG-1-B-80). Proposed Parcels A, as designed, would be zoned R-R-B-40, R-R-B-80 and AG-1-B-80 and at 134-acres, exceed the minimum required 80-acre parcel size. Proposed Parcels B, as designed, would be zoned R-R, R-R-B-40, R-R-B-80 and AG-1-B-80 and at 116-acres, exceed the minimum required 80-acre parcel size.

Table 1: Proposed Parcel Size and Resultant Zoning

| Proposed Parcel | Resultant Zoning  | Resultant Parcel Size |
|-----------------|---|-----------------------|
| A               | Prime Agricultural, 80-acre minimum<br>Rural Residential Agricultural, 40-acre minimum<br>Rural Residential Agricultural, 80-acre minimum                                   | 134 +/-               |
| B               | Prime Agricultural, 80-acre minimum<br>Rural Residential Agricultural, 40-acre minimum<br>Rural Residential Agricultural, 80-acre minimum<br>Rural Residential Agricultural | 116 +/-               |

Access for the newly created parcels would be from the existing private road proposed to be named Sugarcat Drive. Newly created parcel B would also have access from the existing private road proposed to be named South Valley Drive, a private road.

### General Plan Consistency

The Land Use Element of the Siskiyou County General Plan identifies the project site as being within the mapped resource overlay areas for Soils: Erosion Hazard Area, Building Foundation Limitations, Excessive Slope, Flood Hazard, Surface Hydrology, Deer Wintering Area, Wildfire Hazard, Woodland Productivity and Prime Agricultural Soils. Planning staff has identified that Composite Overall Policies 41.3(e), 41.3(f), 41.5 through 41.9 and 41.18, also apply to the proposed project.

### Scott Valley Area Plan Consistency

The Scott Valley Area Plan identifies this site as being within the mapped natural resources and physical hazard areas for Prime Agricultural Land, Critical Deer Wintering Areas, Flood Plain, Excessive Slope and the Callahan Community Plan. Planning staff has identified that Comprehensive – Composite Plan Policies 34, 35, 36 and 41, also apply to the proposed project.

Staff has conducted a detailed analysis of each of the required findings and has found that the proposed project is consistent with the applicable General Plan and Scott Valley Area Plan policies governing the subject site. Additionally, the use would be compatible with the surrounding land uses and existing zoning designations, would have adequate roadway access for transportation and public health and safety provisions, and would not create adverse environmental impacts to on- or off-site resources. The recommended findings are detailed in the General Plan Consistency Findings and Scott Valley Area Plan Consistency Findings sections of Exhibit 2 of PC Resolution 2021-030 attached to this staff report and are submitted for the commissioner's review, consideration, and approval.

Based on staff's analysis of the proposed use, staff believes that the necessary findings can be made for the approval of this application.

## **Environmental Review**

Staff evaluated the project's potential for environmental impacts by reviewing the project relative to Appendix G of the CEQA Guidelines. Based on this review, it was determined that the subdivision of the property, as proposed, would not adversely impact the environment.

The project site is currently developed with two single-family dwellings with accessory structures, two private roads and several man-made ponds. The proposed tentative parcel map would potentially result in development of single-family dwellings and accessory structures.

Because there is not substantial evidence, in light of the whole record before the County, that the proposed tentative parcel map may have a significant effect on the environment, staff recommends that the Planning Commission find the project exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Sections 15061(b)(3) and 15301(c). Section 15301(c) exempts the minor repair, maintenance, and minor alteration of existing public or private roads. CEQA Section 15061(b)(3) states that "CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

## **Comments**

A Preliminary Project Review was circulated to Siskiyou County Reviewing Agencies and State Responsible Agencies. A Notice of Public Hearing was published in the Siskiyou Daily News on December 1, 2021. No public comments have been received at the time this staff report was published.

### ***Siskiyou County Environmental Health Division – March 2, 2021***

Environmental Health has reviewed the proposed tentative parcel map regarding on-site sewage disposal, water supply, and sewage density standard for the resultant parcels, and has no objections as proposed.

Resultant parcels A and B both contain existing single-family dwellings, septic systems, and ground water wells.

Planning Response: No Response necessary.

***California Department of Forestry and Fire Protection (Cal Fire) – March 16, 2021***

Cal Fire provided comments regarding Public Resources Code 4290 as it relates to this project. The comment specifically mentioned Road and Street Networks, Road Signing and Fuel Modification. In addition, Cal Fire noted that if timber is to be commercially harvested, the conditions set forth in the California Forest Practice Rules pertaining to Conversion of Timberland (Title 14, CCR, Article 7, Section 1104.02) must be adhered to. During subsequent building permit applications, additional requirements must be met: Driveway Design and Surface Requirements, Addresses for Building, and Fuel Modification and Standards.

Planning Response: Condition of Approval No. 7 has been added, that requires the applicant to comply with, and provide verification of compliance, with all applicable statutory requirements of the Public Resources Code 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning Division.

***Siskiyou County Treasurer-Tax Collector – March 18, 2021***

The Treasurer-Tax Collector provided comments related to tax bill due dates.

Planning Response: A requirement that a Taxes and Assessments Certificate shall be obtained from the County Assessor's Office, signed by the County Tax Collector, and submitted with the legal descriptions for recording has been added as Condition of Approval No. 3.

***California Department of Fish and Wildlife – May 4, 2021***

Fish and Wildlife provided comments regarding activities that would require a Lake or Streambed Alteration Agreement and a recommendation that a Botanical Survey be conducted in the areas impacted by proposed road widening.

Planning Response: The requested study was performed in the Spring of 2021 and provided to Fish and Wildlife. No new comments were received. Condition of Approval No. 6 has been added that requires the applicant to comply with and provide verification of compliance with all applicable requirements of the Lake or Streambed Alteration Agreement pursuant to section 1600 et seq. of the FGC.

## **Planning Staff Recommendations**

- Adopt Resolution PC-2021-030 taking the following actions:
  - Determine the project exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15301(c) of the CEQA Guidelines; and
  - Approve the Tentative Parcel Map based on the recommended findings and subject to the recommended conditions of approval.

## **Suggested Motion**

I move that we adopt Resolution PC-2021-030, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Project Exempt from the California Environmental Quality Act and Approving the Thamer Tentative Parcel Map (TPM-21-01).

## **Preparation**

Prepared by the Siskiyou County Planning Division.

For project specific information or to obtain copies for your review, please contact:

Bernadette Cizin, Assistant Planner  
Siskiyou County Planning Division  
806 S. Main Street  
Yreka, California 96097

## Resolution PC 2021-030

### **A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Project Exempt from the California Environmental Quality Act and Approving the Thamer Tentative Parcel Map (TPM-21-01).**

**Whereas**, an application has been received from Peter Thamer to subdivide an existing 250-acre legal parcel (APNs 031-020-360, 031-020-420, 031-220-370, 031-220-490, 031-220-510 and 031-220-520) into one 134-acre parcels and one 116-acre parcel; and

**Whereas**, a tentative parcel map was prepared for the project as required by Section 10-4.501.1 of the Siskiyou County Code; and

**Whereas**, the project site is currently developed with residential and accessory structures, private roads and agricultural uses; and

**Whereas**, a Notice of Public Hearing was published in the Siskiyou Daily News on December 1, 2021; and

**Whereas**, public hearing notices were provided pursuant to Siskiyou County Code Section 10-6.2805 *et seq.*; and

**Whereas**, comments received on the project resulted in conditions of approval being recommended by staff; and

**Whereas**, the Planning Division recommended that the project be determined exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15301(c); and

**Whereas**, the Planning Division presented its oral and written staff report on the Thamer Tentative Parcel Map (TPM-21-01) at a regular meeting of the Planning Commission on December 15, 2021; and

**Whereas**, there is no substantial evidence, in light of the whole record before the County, that the proposed tentative parcel map would have a significant effect on the environment; and

**Whereas**, on December 15, 2021, the chair of the Planning Commission opened the duly noticed public hearing on the Thamer Tentative Parcel Map (TPM-21-01) to receive testimony both oral and written, following which the Chair closed the public hearing and the Commission discussed the project prior to reaching its decision.

**Now, Therefore, Be It Resolved** that the Planning Commission adopts the recommended findings set forth in Exhibit A-2 of the written staff report referenced hereto and incorporated herein; and

**Be It Further Resolved** that the Planning Commission, based on the evidence in the record and the findings set forth in Exhibit A-2 referenced hereto and incorporated herein, hereby takes the following actions on the Thamer Tentative Parcel Map (TPM-21-01):

1. Determines the project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15301(c); and
2. Approves the Thamer Tentative Parcel Map (TPM-21-01), subject to the notations and conditions of approval contained in Exhibit A-1 to this resolution referenced hereto and incorporated herein.

**It is Hereby Certified** that the foregoing Resolution PC-2021-030 was duly adopted on a motion by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_ at a regular meeting of the Siskiyou County Planning Commission held on the 15<sup>th</sup> day of December 2021 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Siskiyou County Planning Commission

\_\_\_\_\_  
Tony Melo, Chair

Witness, my hand and seal this 15<sup>th</sup> day of December 2021

\_\_\_\_\_  
Hailey Lang, Secretary of the Commission

**Exhibit A-1 to Resolution PC-2021-030**  
**Notations and Recommended Conditions of Approval**

**Notations**

1. Within ten (10) days following the date of the decision of the Siskiyou County Planning Commission, the decision may be appealed to the Siskiyou County Board of Supervisors. The appeal shall be filed with the Clerk of the Board of Supervisors.
2. Upon determination of the categorical exemption(s), a check in the amount of \$50 made payable to the Siskiyou County Clerk and submitted to the Siskiyou County Planning Division is necessary in order to file the Notice of Exemption. Failure to file the Notice of Exemption extends the statute of limitations for legal challenges to the categorical exemption from 35 days to 180 days.
3. If timber operations (as defined by PRC Section 4527) are involved with a project, they must be approved by Cal Fire prior to undertaking operations. Further, a Timber Harvest Plan (THP) and/or Timber Conversion Permit (TCP) may be required.
4. If a proposed project will result in the conversion of greater than three (3) acres of timberland to non-timber use, a TCP will be required prior to undertaking any conversion operations. Provisions and procedures for filing an application for a TCP are found in Article 9, Division 4, Chapter 8 of the Public Resources Code. If the area to be converted is less than three acres, the project may qualify for a "Less Than 3-acre Conversion Exemption" under 14 CCR 1104.
5. Section PRC 1104.2 (Exemption for Conversion of Non-TPZ Land for Subdivision Development) allows exemption from the TCP rules if timber operations are conducted as a means to convert Non-TPZ land, three acres or larger, to subdivision development. A Notice of Exemption from the Timber Conversion Permit for Subdivision form will be required. Please reference this section of code for the particulars of the exemption.

**Conditions of Approval**

1. The project shall substantially conform to the project description and tentative parcel map as approved by the Planning Commission on December 15, 2021. Any proposed amendment(s) shall be submitted to the Deputy Director of Planning. Minor amendments shall be considered by the Community Development Director. Major amendments shall be considered by the Planning Commission.
2. The final parcel map(s) shall be developed in accordance with the submitted tentative parcel map dated February 10, 2021.

3. A Taxes and Assessments Certificate shall be obtained from the County Assessor's Office, signed off by the County Tax Collector, and submitted with the legal descriptions for recording.
4. The engineer or surveyor for the applicant shall submit two copies of the final parcel map to the Planning Division to the satisfaction of the Planning Director and Environment Health Director for review and processing along with the applicable review fees as required by the adopted fee schedule.
5. The applicant shall comply with all adopted rules and regulations of the Siskiyou County Public Works Department, Environmental Health Division, Community Development Department, and all other local and state regulatory agencies.
6. The applicant shall comply with and provide verification of compliance with all applicable requirements of the Lake or Streambed Alteration Agreement pursuant to section 1600 et seq. of the FGC.
7. The applicant shall comply with, and provide verification of compliance, with all applicable statutory requirements of the fire safe standards enacted pursuant to Public Resources Code Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning Division.
8. Future development shall be required to comply with all applicable statutory requirements of the fire safe standards enacted pursuant to Public Resources Code Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, as they exist at the time the development is proposed.
9. Final Parcel Map shall be recorded within 24 months of the date of approval unless a request for a time extension is made prior to the expiration date pursuant to Section 10-4.401.8.2 of the Siskiyou County Code.
10. The applicant shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding (collectively, "Action") against the County, its agents (including consultants), officers, or employees to attack, set aside, void, or annul the approvals, or any part thereof, or any decision, determination, or Action, made or taken approving, supplementing, or sustaining the project or any part thereof, or any related approvals or project conditions imposed by the County or any of its agencies, departments, commissions, agents (including consultants), officers, or employees, concerning the project, or to impose personal liability against such agents (including consultants), officers, or employees resulting from their non-negligent involvement in the project, which action is brought within the time period provided by law, including any claim for private attorney general fees claimed by or awarded to any party from the County. Said responsibilities shall be pursuant to the County's standard Agreement for Indemnification in effect at the time of application approval or Agreement for Indemnification if signed and

effective prior to the date the application is approved. In the event that the applicant fails to comply with the terms of the applicable agreement, the applicant does hereby consent and agree to all remedies in said agreement and does hereby agree and consent to the County rescinding all applicable project approvals.

## Findings

### Tentative Parcel Map / Subdivision Map Act

In accordance with Government Code Sections 66412.3, the Planning Commission finds:

1. Local agencies shall consider the effect of the approval or denial on the housing needs of the region in which the local jurisdiction is situated and balance these needs against the public service needs of its residents and available fiscal and environmental resources.

*The project site is located in the Rural Residential Agricultural, (R-R), Rural Residential Agricultural, 40-acre minimum parcel size, (R-R-B-40), Rural Residential Agricultural, 80-acre minimum parcel size, (R-R-B-80) and Prime Agricultural, 80-acre minimum parcel size, (AG-1-B-80) zoning districts where rural residential uses can be compatibly mixed with commercial agricultural activities, and prime commercial agricultural activities can include single-family dwellings and farm labor housing. One single-family dwelling unit and one accessory dwelling unit is allowed per parcel. Therefore, the proposed subdivision will potentially have a positive net effect on the local housing supply by potentially adding two dwelling units, with the additional possibility of farm labor housing. Adequate groundwater exists in the area for new dwelling units, and the sites have already developed septic systems. Fire and police service are within 10 miles of the project site and the project will not detrimentally impact available fiscal resources.*

2. The design of the subdivision shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

*The resultant parcels would be a minimum of 113-acres in size and would feasibly allow the use of future solar passive heating and cooling with appropriate site design.*

In accordance with Government Code Section 66424.6 and 66452, the Planning Commission finds:

1. The tentative parcel map was submitted as required pursuant to the above sections and included the required information.

In accordance with Government Code Section 66473.5, the Planning Commission finds:

1. The subdivision is consistent with the General Plan and Scott Valley Area Plan.

*The subdivision is consistent with all General Plan policies as set forth in the section titled General Plan Consistency Findings below and is consistent with all Scott Valley Area Plan policies as set forth in the section titled Scott Valley Consistency Findings below.*

In accordance with Government Code Section 66474, the Planning Commission finds:

2. That the proposed map is consistent with applicable general and specific plans.

*The map and project are consistent with the General Plan as set forth in the section titled General Plan Consistency Findings below and detailed by the Staff Report dated December 15, 2021. The map and project are consistent with the Scott Valley Area Plan as set forth in the section titled Scott Valley Area Plan Consistency Findings below and detailed by the Staff Report dated December 15, 2021.*

3. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

*The subdivision does not include new improvements which are inconsistent with the General Plan and Scott Valley Area Plan.*

4. That the site is physically suitable for the type of development.

*The project is designed within the density limits of the R-R, which allows for parcels with a minimum of 2.5 acres, R-R-B-40, which allows for parcels with a minimum of 40 acres, R-R-B-80, which allows for parcels with a minimum of 80 acres and AG-1-B-80 zoning districts, which*

*allows for parcels with a minimum of 80 acres. The property slopes easterly. The predominant soils located on the project site are Duzel gravelly loam, 9-15% slopes in the farmed areas and Duzel-Jilson-Facey complex, 15-50% slopes that is not prime farmland, and the potential for erosion hazards has been evaluated as slight. Therefore, the site is physically suitable for the type of development that would be allowed.*

5. That the site is physically suitable for the proposed density of development.

*There are no existing physical conditions on the site that appear to prohibit the already-entitled rural residential agricultural and prime agricultural zoning districts density requirement.*

6. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

*The design of the subdivision proposes to create two parcels from one parcel. The site is already improved with roads for ingress and egress to the two proposed parcels. The property is already developed with single family and accessory dwellings and no new development is proposed as part of this project. Should additional development occur in the future, it would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat due to the size, scale, and intensity of this project.*

7. That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

*The subdivision will not cause serious public health problems in that any future development will be served by private sewer and water, the access to and circulation within the site is acceptable to the Department of Forestry and Fire Protection (Cal Fire), and any future development will be required to comply with the California Building Code.*

In accordance with Siskiyou County Code Section 10-4.105.3, and Section 10-6.5501, the Planning Commission finds:

1. That the minimum lot size shall be two and one-half acres when water from an approved system is provided.

*The two proposed parcels are designed with acreages of 113 and 134 acres. Both exceed the minimum parcel sizes for their zoning districts.*

2. That the depth of any lot shall not exceed three (3) times the width on lots of 300 feet or less in width nor exceed four (4) times the width on lots exceeding 300 feet in width.

*All resultant parcels are within the required depth to width ratio.*

3. That the lot side lines shall be at approximately right angles or radial to street or road lines.

*The two proposed parcels are designed with lot side lines that are at approximate right angles to State Highway 3.*

4. No lot shall have double frontage unless otherwise approved by the Planning Commission.

*No resultant parcels would have double frontage.*

5. That no lot shall be divided by city, County, school district, or other taxing agency lines.

*The existing lot is divided by two separate tax rate areas. It has been determined that these two tax rate areas have the same tax structure concerning the taxing agencies, therefore the proposed lots will not be divided by city, county, school district or other taxing agency lines.*

### **Zoning Consistency Findings**

1. The proposed tentative parcel map, as recommended for approval, is in conformance with the applicable policies of the Siskiyou County General Plan and County Code as documented herein.

2. The Planning Commission has considered all written and oral comments received and based on its analysis of the public testimony and staff's analysis, the Commission has determined that the project as designed and conditioned would be compatible with existing and planned uses of the area.

## **General Plan Consistency Findings**

### **Composite Overall Policies**

Policy 41.3(e) All proposed uses of the land shall be clearly compatible with the surrounding and planned uses of the area.

*The neighboring parcels are zoned for rural residential agricultural and prime agricultural uses and are partially developed. The project site is also zoned for the same rural residential and prime agricultural uses and no new uses are proposed as part of this project. As such, this project is clearly compatible with the surrounding and planned uses of the area.*

Policy 41.3(f) All proposed uses of the land may only be allowed if they clearly will not be disruptive or destroy the intent of protecting each mapped resource.

*The existing rural residential and prime agricultural use of the land is not proposed to change as part of this project, and as such will clearly not be disruptive or destroy the intent of protecting each mapped resource.*

Policy 41.5 All development will be designed so that every proposed use and every individual parcel of land created is a buildable site, and will not create erosion, runoff, access, fire hazard or any other resource or environmentally related problems.

*No new development is proposed as part of this project, however the creation of two new parcels could allow the possibility of a higher density of development. Both proposed parcels have existing septic systems and there is adequate groundwater in the area to serve the proposed parcels. Any future development is required to meet Building Code requirements for erosion and runoff. The project site has access from Highway 3, a public road, via an existing private road and the existing private road running south to north from Wildcat Road, a public road, through both proposed parcels to Sugar Creek Road, a public road. All future development would be required to meet fire safe standards enacted pursuant to Public Resources Code (PRC) Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning.*

Policy 41.6 There shall be a demonstration to the satisfaction of the Siskiyou County Health Department and/or the California Regional Water Quality Control Board that sewage disposal from all proposed development will not contaminate ground water.

*Each proposed parcel has approved on-site sewage disposal systems.*

Policy 41.7 Evidence of water quality and quantity acceptable to the Siskiyou County Health Department must be submitted prior to development approval.

*Each proposed parcel has private water wells.*

Policy 41.9 Buildable, safe access must exist to all proposed uses of land. The access must also be adequate to accommodate the immediate and cumulative traffic impacts of the proposed development.

*The two new proposed parcels have direct access to the existing private roads. The existing private roads and any future development, including driveways, are required to be built or upgraded to comply with fire safe standards enacted pursuant to Public Resources Code (PRC) Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning. Upon compliance with the condition of approval, the access will be adequate to accommodate the immediate and cumulative traffic impacts of the project.*

Policy 41.18 Conformance with all policies in the Land Use Element shall be provided, documented, and demonstrated before the County may make a decision on any proposed development.

*Staff has reviewed all Land Use Element policies and has determined that the project is consistent with the Siskiyou County General Plan as documented herein.*

## **Map 2 Erosion Hazard**

Policy 7 – Specific mitigation measures will be provided that lessen soil erosion, including contour grading, channelization, revegetation of disturbed slopes and soils, and project timing (where feasible) to lessen the effect of seasonal factors (rainfall and wind).

*All future development will be required to meet California State Building Code Standards and Best Management Practices related to erosion.*

## **Map 3 Building Foundation Limitations**

Policy 8 – Enforce building construction standards (uniform building code) and public works requirements.

*Any future development will be required to meet building code standards.*

## **Map 5: Excessive Slope**

Policy 11 – All areas with 30% or greater natural slope shall not be developed with facilities requiring septic tanks for sewage disposal.

*No new development is proposed as part of this project.*

Policy 16 – Single family residential, light industrial, light commercial, open space, non-profit and non-organization in nature recreational uses, commercial/recreational uses, and public of quasi-public uses only may be permitted, if the area is proven to be less than 30% slope.

The permitted uses will not create erosion or sedimentation problems.

*No new development is proposed as part of this project. The proposed new parcels would remain in the Rural Residential Agricultural and Prime Agricultural districts, for which the allowed uses are permitted per Policy 16 and will not create erosion or sedimentation problems.*

## **Map 7: Flood Hazard**

Policy 21 - Primary and secondary flood plains are defined as follows:

1. Primary flood plains are the designated flood ways.

2. Secondary flood plains are the areas located within the 100 year flood hazard boundaries but located outside the designated floodways.

Policy 22 – No development may be allowed within the designated floodways, and any development proven to be outside the designated floodways and within the 100-year flood hazard boundary shall be in accordance with the requirements of the County’s flood plain management ordinance.

*No new construction is planned for the site at this time. This policy would be enforced with the review of any development application(s) for future construction purposes.*

Policy 24 – Single family residential, light commercial, light industrial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted if the requirements of Policy 22 have been met.

The permitted uses will not create erosion or sediment problems.

*The proposed tentative parcel map will allow single-family residential uses, which are permitted uses per Policy 24, and will not create erosion or sedimentation problems.*

Policy 25 – A minimum parcel size of one acre on 0-15% slope, and 5 acres on 16-29% slope only may be permitted if the requirements of Policy 22 have been met.

The permitted density will not create erosion or sedimentation problems.

*Both proposed parcels have variable slopes that range from 9% to 50% slope. The proposed parcel sizes exceed the one acre required for slopes between 0-15% and the five acres required for slopes between 16-29%.*

*No new construction is planned for the site at this time. Policy 22 would be enforced with the review of any development application(s) for future construction purposes.*

Policy 26 – All flood plain requirements of the Federal Government shall take precedence to Policies 21-23.

#### **Map 8 : Surface Hydrology**

Policy 27 No residential or industrial development shall be allowed on water bodies. Exceptions may be considered for water supply, hydroelectric power generation facilities, public works projects necessary to prevent or stabilize earth movement, erosion, and the enhancement of migratory fish and other wildlife, light commercial, open space, non-profit and non-organization in nature recreational uses, and commercial/recreational uses.

*No new construction is planned for the site at this time. This policy would be enforced with the review of any development application(s) for future construction purposes.*

#### **Map 9: Deer Wintering Area**

Policy 28 – Single-family residential, light commercial, light industrial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted.

The permitted uses will not create erosion or sedimentation problems.

*The proposed new parcels would remain in the Rural Residential Agricultural and Prime Agricultural districts, for which the allowed uses are permitted per Policy 28. This project will not create erosion or sedimentation problems.*

Policy 29 – The minimum parcel also permitted shall only be those as designated on the critical deer wintering area map.

The permitted density will not create erosion or sedimentation problems.

*The minimum parcel size permitted, as designated on the critical deer wintering area map is 40 acres. The project site is located on an approximately 250-acre parcel, from which a 116-acre and 134-acre parcel are proposed. The proposed project will not create erosion or sedimentation problems.*

#### **Map 10: Wildfire Hazard**

Policy 30 - All development proposed within a wildfire hazard area shall be designed to provide safe ingress, egress, and have an adequate water supply for fire suppression purposes in accordance with the degree of wildfire hazard.

*An ISO 5 rated fire station, Etna Fire Department, is within 10 miles of the project site and Scott Valley Volunteer Fire in Callahan, an ISO rated 8B, is within 3.5 miles. Additionally, as a condition of approval, the project and any future development must comply with fire safe standards enacted pursuant to Public Resources Code (PRC) Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning.*

#### **Map 11: Woodland Productivity**

Policy 31 – The minimum parcel size shall be one acre on 0-15% slope, and 5 acres on 16-29% slope.

*Both proposed parcels have variable slopes that range from 9% to 50% slope. The proposed parcel sizes exceed the one acre required for slopes between 0-15% and the five acres required for slopes between 16-29%.*

Policy 32 – Single family residential, light commercial, light industrial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted.

The permitted uses will not create erosion or sedimentation problems.

*The proposed tentative parcel map will allow single-family residential uses, which are permitted uses per Policy 32, and will not create erosion or sedimentation problems.*

Policy 33 – All land uses and densities shall be designed so as not to destroy timber productivity on large parcels of high suitability woodland soils. (Class I and II.)

*The existing residential and agricultural land use is not proposed to change. The proposed parcels sizes are above 100 acres, which are large enough to not destroy timber productivity due to the change in density.*

#### **Map 12: Prime Agricultural Soils**

Policy 34 – All Class I, II, and III soils, and the soils that become Class III under irrigation, with the

exception of Class III soils determined to be non-irrigable, are defined as prime agricultural land.

Policy 35 – The minimum parcel size on prime agricultural land shall be 40 acres.

The permitted density will not create erosion or sedimentation problems.

*The proposed parcels exceed the forty-acre minimum area and will not create erosion or sedimentation problems.*

Policy 37 – Only agricultural uses are permitted on prime agricultural land.

*Existing use is agricultural and no changes to the use are proposed.*

Policy 40 – All development proposals within an irrigation district shall conform to all rules, regulations, and policies of the applicable irrigation district. The intent of this policy is not to permit district regulation of land use or density – it is intended to prohibit any interference of the district’s functions, such as keeping checks and irrigation ditches free and clear of any disturbance.

*No new development is proposed as part of this project.*

### **Scott Valley Area Plan Consistency Findings**

#### **Prime Agricultural Land**

Policy 1 Only agricultural and public uses may be permitted on prime agricultural land.

*The parcel that is a part of this project contains prime agricultural land. Both proposed parcels are developed with single-family dwellings and accessory structures. There is no development proposed as part of this project and thus would not create erosion or sedimentation problems.*

Policy 2 The minimum parcel size that is permitted to be created on prime agricultural land is 80 acres.

*The two proposed parcels that are a part of this project both contain prime agricultural land. Both exceed the 80-acre minimum parcel size. There is no development proposed as part of this project and thus would not create erosion or sedimentation problems.*

#### **Critical Deer Wintering Areas**

Policy 5 The minimum parcel size permitted are those as specified on the deer wintering area map (Map IV)

*The project site is located within the 40-acre and 80-acre minimum parcel size designated areas. As designed, both proposed parcels exceed the 40 and 80-acre minimum parcel size restriction.*

Policy 6 Only agricultural, residential, open space, and small-scale commercial, industrial, recreation uses, and public or quasi-public uses may be permitted.

*No new development is proposed as part of this project and the two proposed parcels are already developed with single-family dwellings and accessory structures, which are appropriate uses outlined in this Policy.*

Policy 7 Residential, small-scale commercial, industrial, recreation uses and public or quasi-public uses may only be permitted when they are clearly compatible with the surrounding

and existing uses of the land and will not create adverse effects to the areas utilization as a critical deer wintering area.

*No new development is proposed as part of this project and the two proposed parcels are already developed with single-family dwellings and accessory structures, which are appropriate uses outlined in this Policy and will not create adverse effects to the deer wintering area.*

### **Flood Plain**

Policy 8 No development shall be allowed within the designated floodways, and any development within the 100-year flood hazard boundary outside the designated floodways shall be in accordance with the requirements of the county's flood plain management ordinance. Proof that land is not within a designated floodway can only be made when so indicated by the county engineer. The county engineer must make this determination prior to any action by the county on any proposed development.

*No new development is proposed as part of this project; any future development will be required to meet building code standards including any local, state, or federal applicable floodplain requirements for development.*

Policy 9 Only agricultural, residential, open space, and small-scale commercial, industrial, recreation uses, and public or quasi-public uses may be permitted.

*No new development is proposed as part of this project and the two proposed parcels are already developed with single-family dwellings and accessory structures, which are appropriate uses outlined in this Policy.*

Policy 10 Residential, small-scale commercial, industrial, recreation uses and public or quasi-public uses may only be permitted when they are clearly compatible with the surrounding and existing uses of the land.

*No new development is proposed as part of this project and the two proposed parcels are already developed with single-family dwellings and accessory structures, which are appropriate uses outlined in this Policy .*

Policy 11 In all secondary flood plains the minimum parcel size shall be 10 acres.

*Both resultant parcels exceed 10 acres in size.*

### **Excessive Slope**

Policy 16 Reducing the percentage of slope below 30% by grading or other man related activities is strictly prohibited and not considered acceptable as a means of conforming to this density requirement. This policy is specifically intended to prohibit the grading of excessive slope areas to create buildable sites for any proposed use of the land.

*No new development is proposed as part of this project.*

Policy 17 Only agricultural, residential, open space, and small-scale commercial, industrial, recreation uses, and public or quasi-public uses may be permitted.

*No new development is proposed as part of this project and the two proposed parcels are already developed with single-family dwellings and accessory structures, which are appropriate uses outlined in this Policy.*

Policy 18 Residential, small-scale commercial, industrial, recreation uses and public or quasi-public uses may only be permitted when they are clearly compatible with the surrounding and existing uses of the land.

*No new development is proposed as part of this project and the two proposed parcels are already developed with single-family dwellings and accessory structures, which are appropriate uses outlined in this Policy.*

Policy 19 In all areas proved to be 30% or greater natural slope, the minimum parcel size shall be 40 acres. It is the intent of this policy that all areas entirely within excessive slope mapped areas shall have a 40-acre minimum parcel size, regardless of site-specific slopes. This policy shall not apply to areas mapped as excessive slope, but adjacent to lands not otherwise restricted (non-resource areas), where the slope of the land is less than 30%, i.e., fringe areas between the valley floor and the mountainous areas. The fringe area density shall be the continuation of the prevalent non-resource density adjacent to the parcel.

*Both resultant parcels exceed 40 acres in size.*

### **Comprehensive - Composite Plan**

Policy 34 If more than one development policy affects the same parcel of land, the most restrictive development policy shall apply, first followed by the other policies in order of diminishing restriction.

*The project site is within several development policies. The most restrictive of these, regarding parcel size, being Prime Agricultural Land, in which the minimum parcel size permitted is 80-acres. As designed, both proposed parcels exceed the 80-acre minimum.*

Policy 35 All development will be designed so that every individual parcel of land created is a buildable site, and will not create erosion, runoff, access, fire hazard, resource proception, or any other environmentally related problems. This policy shall also apply to all proposed uses of the land.

*No new development is proposed as part of this project and the two proposed parcels are already developed with single-family dwellings and accessory structures, thus would not create erosion or sedimentation problems.*

Policy 36 Safe, buildable access must exist to all proposed uses of the land. The access must also be adequate to accommodate the immediate and cumulative traffic impacts of the proposed development.

*The two new proposed parcels have direct access to existing private roads. The existing private roads and any future development, including driveways, are required to be built or upgraded to comply with fire safe standards enacted pursuant to Public Resources Code (PRC) Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning. Upon*

*compliance with the condition of approval, the access will be adequate to accommodate the immediate and cumulative traffic impacts of the project.*

Policy 41 All development proposals within an irrigation district shall conform to all rules, regulations, and policies of the applicable irrigation district. The intent of this policy is not to permit district regulation of land use or density; it is intended to prohibit any interference of the district's functions, such as keeping checks and irrigation ditches free and clear of any disturbance.

*The project site is not within an irrigation district, however the existing easements to maintain an irrigation waterline through the northwest corner of APN031-020-420 will not be within the proposed property division line.*

### **California Environmental Quality Act (CEQA) Findings**

1. Because there is not substantial evidence, in light of the whole record before the County, that the tentative parcel map would have a significant effect on the environment, Staff is recommending the "common sense exemption" be adopted in accordance with Section 15061(b)(3) of the CEQA Guidelines.
2. Section 15301(c), Class 1 projects consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing streets involving negligible or no expansion of use are categorically exempt from the provisions of CEQA. Because the project involves existing private roads, any repair of the road required to meet Cal Fire 4290 standards is exempt from CEQA.
3. In making its recommendation, the Planning Commission has reviewed and considered the proposed project and all comments submitted and has determined that the record, as a whole, demonstrates that there is no evidence that the proposed project will have an individually or cumulatively significant effect.
4. The Planning Commission has determined that the custodian of all documents and material which constitute the record of proceedings shall rest with the County of Siskiyou Community Development Department.

SISKIYOU COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
LAND DEVELOPMENT REVIEW

OWNER

Peter Thamer

FILE #

APN 031-220-360,-420  
031-220-370,-490,510,-  
520

LOCATION 10415 & 10703 S Highway 3 T 40N , R 9W , SEC. 12 PD# TPM2101

REQUIREMENTS:

Sewage Disposal Test/Information:

- ( ) None Required ( ) None Required: Connection to Approved Sewage System
- ( ) Engineered Percolation Tests - Parcels # \_\_\_\_\_
- ( ) Wet Weather Testing
- ( ) Engineered Sewage Disposal System
- ( ) Other \_\_\_\_\_

Water Supply Tests/Information:

- ( ) None Required ( ) None Required: Connection to Approved Water System
- ( ) Well Logs (Existing Wells) ( ) Well Logs for Adjoining Property
- ( ) Drilled Well - Parcels # \_\_\_\_\_ ( ) Spring Source-Verification
- ( ) Pump Test (Static Level) \_\_\_\_\_ Hours
- ( ) Bacteriological Analysis ( ) Chemical Analysis ( ) Physical Analysis
- ( ) Other \_\_\_\_\_

Project Information:

- ( ) Location Map ( ) Mark Project Area ( ) Contour Map
- ( ) Food Establishment Plans ( ) Swim Pool/Spa Plans
- ( ) Waste Information (Non-Sewage)
- ( ) Other \_\_\_\_\_

Comments/Conditions:

Environmental Health has no objections to this proposed parcel split.

Resultant parcels A and B both contain existing single family dwellings septic systems and ground water wells.

REHS

DATE 3/2/2021

**ENVIRONMENTAL HEALTH ACTION**

( x ) Application Accepted ( ) Application Rejected as Incomplete (see comments)

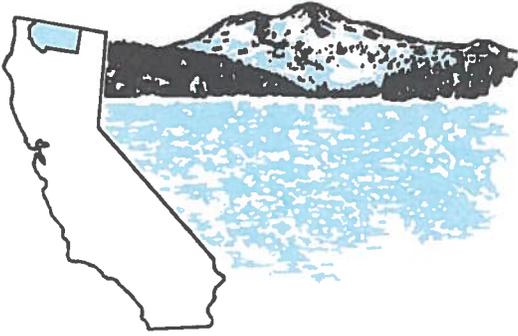
( x ) Approved ( ) Recommended for Denial

( ) Approved with conditions (see comments)

REHS

DATE 3/2/2021

Date sent to Planning:



*Siskiyou County*

DEPARTMENT OF PUBLIC WORKS

P.O. BOX 1127  
YREKA, CALIFORNIA 96097  
PHONE: (530) 842-8250  
FAX (530) 842-8288

**Scott Waite**  
Director

**Todd Lamanna**  
Deputy Director  
Roads/Bridges

March 16, 2021

Thamer/Hilton TPM-21-01

Public works has no comments on this application.

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

P.O. Box 128  
1809 Fairlane Road  
Yreka, CA 96097-0128  
(530) 842-3516  
Website: [www.fire.ca.gov](http://www.fire.ca.gov)



03/16/2021

Siskiyou County Department of Public  
Health and Community Development  
806 South Main Street  
Yreka, CA 96097-3321

Attention: Dianne Johnson, Permit Technician

Subject: Project Application Tentative Parcel Map (TPM2101)

The California Department of Forestry and Fire Protection has the following Public Resources Code 4290 requirements for the above referenced project (reference Calif. Code of Regulations Title 14, Division 1.5, Chapter 7, Article 5, Subchapter 2, SRA Fire Safe Regulations as of January 1, 2016):

**ROAD AND STREET NETWORKS**

1273.01, 1273.02, 1273.03, 1273.04, 1273.05, 1273.06, 1273.07, 1273.08, 1273.09

**ROAD SIGNING**

1274.01, 1274.02, 1274.03, 1274.04

**FUEL MODIFICATION**

1276.01, 1276.02, 1276.03

**SEE THE ATTACHED "4290 CHECKLIST" FOR SPECIFIC CODE REQUIREMENTS.**

In addition to SRA Fire Safe Regulations, if timber is to be commercially harvested as part of this subdivision creation, the conditions set forth in the California Forest Practice Rules pertaining to Conversion of Timberland (Title 14, CCR, Article 7, Section 1104.02) must be adhered to.

Additional SRA Fire Safe requirements that must be met during subsequent building permit applications are as follows:

**DRIVEWAY DESIGN AND SURFACE REQUIREMENTS**

1273.01, 1273.02, 1273.03, 1273.04, 1273.05, 1273.06, 1273.07, 1273.08, 1273.09

**ADDRESSES FOR BUILDING**

1274.03, 1274.04,

**FUEL MODIFICATION AND STANDARDS**

1276.01, 1276.02, 1276.03, 1276.04

SEE THE ATTACHED "4290 CHECKLIST" FOR SPECIFIC CODE REQUIREMENTS.

If you have any questions, please call me at 530-842-3516.



Nicholas Pisano  
Fire Captain Specialist – Fire Prevention  
CAL FIRE – Siskiyou Unit

For: Phillip Anzo  
CAL FIRE - Siskiyou Unit Chief

# SRA Fire Safe Regulations

## Board of Forestry and Fire Protection



FOR INFORMATIONAL USE ONLY

View the official California Code of Regulations online at  
[govt.westlaw.com/calregs](http://govt.westlaw.com/calregs)

As of July 28, 2020

California Code of Regulations  
Title 14 Natural Resources  
Division 1.5 Department of Forestry  
Chapter 7 - Fire Protection  
Subchapter 2 SRA Fire Safe Regulations  
Articles 1-5

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## Article 1 Administration

### § 1270.00. Title

These regulations shall be known as the "SRA Fire Safe Regulations," and shall constitute the basic wildfire protection standards of the California Board of Forestry and Fire Protection.

### § 1270.01. Purpose

(a) These regulations have been prepared and adopted for the purpose of establishing minimum wildfire protection standards in conjunction with building, construction and development in the State Responsibility Area (SRA).

(b) The future design and construction of structures, subdivisions and developments in the SRA shall provide for basic emergency access and perimeter wildfire protection measures as specified in the following articles.

(c) These measures shall provide for emergency access; signing and building numbering; private water supply reserves for emergency fire use; and vegetation modification. The fire protection standards which follow shall specify the minimums for such measures.

### § 1270.02. Scope

(a) These regulations shall apply to:

(1) the perimeters and access to all residential, commercial, and industrial building construction within the SRA approved after January 1, 1991 except as set forth below in subsections (b.)through (d), inclusive, and (f);

(2) the siting of newly installed commercial modulars, manufactured homes, mobilehomes, and factory-built housing, as defined in Health and Safety Code sections 18001.8, 18007, 18008, and 19971, except where being sited or installed as an accessory or junior accessory dwelling unit as set forth in subsection (d) below; (3) all tentative and parcel maps or other developments approved after January 1, 1991; and

(4) applications for building permits on a parcel approved in a pre-1991 parcel or

tentative map to the extent that conditions relating to the perimeters and access to the buildings were not imposed as part of the approval of the parcel or tentative map.

(b) These regulations do not apply where an application for a building permit is filed after January 1, 1991 for building construction on a parcel that was formed from a parcel map or tentative map (if the final map for the tentative map is approved within the time prescribed by the local ordinance) approved prior to January 1, 1991, to the extent that conditions relating to the perimeters and access to the buildings were imposed by the parcel map or final tentative map approved prior to January 1, 1991.

(c)(1) At the discretion of the local jurisdiction, and subject to any requirements imposed by the local jurisdiction to ensure reasonable ingress, egress, and capacity for evacuation and emergency response during a wildfire, these regulations shall not apply to the reconstruction or repair of legally constructed residential, commercial, or industrial buildings due to a wildfire, to the extent that the reconstruction or repair does not:

(A) increase the square footage of the residential, commercial, or industrial building or buildings that previously existed; or

(B) change the use of the building or buildings that had existed previously; or

(C) construct a new building or buildings that did not previously exist on the site.

(2) Nothing in this subsection shall be construed to alter the extent to which these regulations apply to the reconstruction or repair of a legally constructed residential, commercial, or industrial building for reasons unrelated to a wildfire.

(d) These regulations do not apply to the creation of accessory or junior accessory dwelling units that comply with Government Code sections 65852.2 or 65852.22, or any local

ordinances enacted thereunder, as applicable, including any local ordinances requiring provisions for fire and life safety.

(e) Unless otherwise exempt pursuant to this subchapter, affected activities include, but are not limited to:

- (1) permitting or approval of new parcels, excluding lot line adjustments as specified in Government Code (GC) section 66412(d);
- (2) application for a building permit for new building construction;
- (3) application for a use permit; and
- (4) road construction.

(f) EXEMPTION: Roads used solely for agricultural, mining, or the management and harvesting of wood products.

### § 1270.03. Provisions for Application of These Regulations.

This subchapter shall be applied as follows:

- (a) the local jurisdictions shall provide the Director of the California Department of Forestry and Fire Protection (CAL FIRE) or their designee with notice of applications for building permits, tentative parcel maps, tentative maps, and installation or use permits for construction or development within the SRA.
- (b) the Director or their designee may review and make fire protection recommendations on applicable construction or development permits or maps provided by the local jurisdiction.
- (c) the local jurisdiction shall ensure that the applicable sections of this subchapter become a condition of approval of any applicable construction or development permit or map.

### § 1270.04. Local Ordinances.

- (a) Nothing contained in these regulations shall be considered as abrogating the provisions of any ordinance, rule or regulation of any state or local jurisdiction provided that such ordinance, rule, or regulation is equal to or exceeds these minimum standards.
- (b) Counties may submit their local ordinances for certification via email to the Board, and the Board may certify them as equaling or exceeding these regulations when they provide the same practical effect. If the Board determines that the local requirements do not equal or exceed these regulations, it shall not certify the local ordinance.
- (c) When the Board grants certification, the local ordinances, in lieu of these regulations, shall be applied as described in 14 CCR § 1270.02 and used as the basis for inspections performed under 14 CCR § 1270.05.
- (d) The Board's certification of local ordinances pursuant to this section is rendered invalid when previously certified ordinances are subsequently amended by local jurisdictions, or the regulations are amended by the Board, without Board re-certification of the amended ordinances. The Board's regulations supersede the amended local ordinance(s) when the amended local ordinance(s) are not re-certified by the Board. Amendments made by local jurisdictions to previously certified ordinances shall be submitted for re-certification.

### § 1270.05. Inspections.

Inspections shall conform to the following requirements:

(a) Inspection shall be made by:

- (1) the Director, or
- (2) local jurisdictions that have assumed state fire protection responsibility on SRA lands, or
- (3) local jurisdictions where the inspection duties have been formally delegated by CAL FIRE to the local jurisdiction.

- (b) Nothing in this section abrogates CAL FIRE's authority to inspect and enforce state forest and fire laws even when the inspection duties have been delegated pursuant to this section.
- (c) Reports of violations shall be provided to the CAL FIRE Unit headquarters that administers SRA fire protection in the local jurisdiction.
- (d) When inspections are conducted, they shall occur prior to: the issuance of the use permit or certificate of occupancy; the recordation of the parcel map or final map; the filing of a notice of completion; or the final inspection of any project or building permit.

#### § 1270.06. Exceptions to Standards.

(a) Upon request by the applicant, exceptions to standards within this subchapter or to local jurisdiction certified ordinances may be allowed by the inspection entity listed in 14 CCR § 1270.05, where the exceptions provide the same practical effect as these regulations towards providing defensible space. Exceptions granted by the inspection entity listed in 14 CCR § 1270.05 shall be made on a case-by-case basis only. Exceptions granted by the inspection entity listed in 14 CCR § 1270.05 shall be forwarded to the appropriate CAL FIRE Unit Office that administers SRA fire protection in that county and shall be retained on file at the Unit Office.

(b) Requests for an exception shall be made in writing to the inspection entity listed in 14 CCR § 1270.05 by the applicant or the applicant's authorized representative. At a minimum, the request shall state the specific section(s) for which an exception is requested, material facts supporting the contention of the applicant, the details of the exception proposed, and a map showing the proposed location and siting of the exception. Local jurisdictions listed in 14 CCR section 1270.05 may establish additional procedures or requirements for exception requests.

(c) Where an exception is not granted by the inspection entity, the applicant may appeal such denial to the local jurisdiction. The local jurisdiction may establish or utilize an appeal process consistent with existing local building or planning department appeal processes.

(d) Before the local jurisdiction makes a determination on an appeal, the inspection authority shall be consulted and shall provide to that local jurisdiction documentation outlining the effects of the requested exception on wildfire protection.

(e) If an appeal is granted, the local jurisdiction shall make findings that the decision meets the intent of providing defensible space consistent with these regulations. Such findings shall include a statement of reasons for the decision. A written copy of these findings shall be provided to the CAL FIRE Unit headquarters that administers SRA fire protection in that local jurisdiction.

#### § 1271.00. Definitions

Agriculture: Land used for agricultural purposes as defined in a local jurisdiction's zoning ordinances.

Building: Any structure used or intended for supporting or sheltering any use or occupancy, except Utility and Miscellaneous Group U buildings.

CAL FIRE: California Department of Forestry and Fire Protection.

Dead-end road: A road that has only one point of vehicular ingress/egress, including cul-de-sacs and looped roads.

Defensible space: The area within the perimeter of a parcel, development, neighborhood or community where basic wildland fire protection practices and measures are implemented, providing the key point of defense from an approaching wildfire or defense against encroaching wildfires or escaping structure fires. The perimeter as used in this regulation is the area encompassing the parcel or parcels proposed for construction and/or development, excluding the physical structure itself. The area is characterized by the establishment and

maintenance of emergency vehicle access, emergency water reserves, road names and building identification, and fuel modification measures.

Development: As defined in section 66418.1 of the California Government Code.

Director: Director of the Department of Forestry and Fire Protection or their designee.

Driveway: A vehicular access that serves up to two (2) parcels with no more than two (2) residential units and any number of non-commercial or industrial buildings on each parcel.

**Note: Driveway standard includes up to a total of four (4) residential Units on one (1) parcel- Board of Forestry**

Distance Measurements: All specified or referenced distances are measured along the ground, unless otherwise stated.

Exception: An alternative to the specified standard requested by the applicant that may be necessary due to health, safety, environmental conditions, physical site limitations or other limiting conditions, such as recorded historical sites, that provides mitigation of the problem.

Fire valve: see hydrant.

Fuel modification area: An area where the volume of flammable vegetation has been reduced, providing reduced fire intensity and duration.

Greenbelts: A facility or land-use, designed for a use other than fire protection, which will slow or resist the spread of a wildfire. Includes parking lots, irrigated or landscaped areas, golf courses, parks, playgrounds, maintained vineyards, orchards or annual crops that do not cure in the field.

Hammerhead/T: A road or driveway that provides a "T" shaped, three-point turnaround space for emergency equipment, being no narrower than the road that serves it.

Hydrant: A valved connection on a water supply or storage system, having either one two and a half (2 1/2) inch or one four and a half (4 1/2) inch outlet, with male American National Fire Hose Screw Threads (NH), used to supply fire apparatus and hoses with water.

Local Jurisdiction: Any county, city/county agency or department, or any locally authorized district that issues or approves building permits, use permits, tentative maps or tentative parcel maps, or has authority to regulate development and construction activity.

Occupancy: The purpose for which a building, or part thereof, is used or intended to be used.

One-way road: A minimum of one traffic lane width designed for traffic flow in one direction only.

Residential unit: Any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and/or sanitation for one or more persons. Manufactured homes, mobilehomes, and factory-built housing are considered residential units for the purposes of mandatory measures required in 14 CCR § 1270.01(c), unless being sited or installed as an accessory or junior accessory dwelling unit in accordance with 14 CCR § 1270.02(d).

Road: Vehicular access to more than two (2) parcels; more than four (4) residential units; or access to any industrial or commercial occupancy. Includes public and private streets and lanes.

Road or driveway structures: Bridges, culverts, and other appurtenant structures which supplement the traffic lane or shoulders.

Same Practical Effect: As used in this subchapter, means an exception or alternative with the capability of applying accepted wildland fire suppression strategies and tactics, and provisions for fire fighter safety, including:

(a) access for emergency wildland fire equipment,

(b) safe civilian evacuation,

(c) signing that avoids delays in emergency equipment response,

(d) available and accessible water to effectively attack wildfire or defend a structure from wildfire, and

**(e) fuel modification sufficient for civilian and fire fighter safety.**

Shoulder: Vehicular access adjacent to the traffic lane.

State Board of Forestry and Fire Protection (Board): As defined in Public Resources Code section 730.

**State Responsibility Area (SRA):** As defined in Public Resources Code sections 4126-4127; and the California Code of Regulations, title 14, division 1.5, chapter 7, article 1, sections 1220-1220.5.

Structure: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Subdivision: As defined in section 66424 of the Government Code.

Traffic lane: The portion of a road or driveway that provides a single line of vehicle travel.

Turnaround: A road or driveway, unobstructed by parking, which allows for a safe opposite change of direction for emergency equipment. Design of such area may be a hammerhead/T or terminus bulb.

Turnouts: A widening in a road or driveway to allow vehicles to pass.

**Utility and Miscellaneous Group U building:** A structure of an accessory character or a miscellaneous structure not classified in any specific occupancy permitted, constructed, equipped, and maintained to conform to the requirements of Title 24, California Building Standards Code.

Vertical clearance: The minimum specified height of a bridge or overhead projection above the road or driveway.

Wildfire: As defined in Public Resources Code Section 4103 and 4104.

## **Article 2 Emergency Access and Egress**

### **§ 1273.00. Intent**

Roads and driveways, whether public or private, unless exempted under 14 CCR § 1270.02(d), shall provide for safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR §§ 1273.00 through 1273.09.

### **§ 1273.01. Width.**

(a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250.

(b) All one-way roads shall be constructed to provide a minimum of one twelve (12) foot traffic lane, not including shoulders. The local jurisdiction may approve one-way roads.

(1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for no more than ten (10) residential units.

(2) In no case shall a one-way road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road.

(c) All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six inches (13' 6").

## § 1273.02. Road Surfaces

- (a) Roads shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base.
- (b) Driveways and road and driveway structures shall be designed and maintained to support at least 40,000 pounds.
- (c) Project proponent shall provide engineering specifications to support design, if requested by the local authority having jurisdiction.

## § 1273.03. Grades

- (a) At no point shall the grade for all roads and driveways exceed 16 percent.
- (b) The grade may exceed 16%, not to exceed 20%, with approval from the local authority having jurisdiction and with mitigations to provide for same practical effect.

## 1273.04. Radius

- (a) No road or road structure shall have a horizontal inside radius of curvature of less than fifty (50) feet. An additional surface width of four (4) feet shall be added to curves of 50-100 feet radius; two (2) feet to those from 100-200 feet.
- (b) The length of vertical curves in roadways, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall be not less than one hundred (100) feet.

## § 1273.05. Turnarounds

- (a) Turnarounds are required on driveways and dead-end roads.
- (b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the "T" shall be a minimum of sixty (60) feet in length.
- (c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.
- (d) A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building.
- (d) Each dead-end road shall have a turnaround constructed at its terminus. Where parcels are zoned five (5) acres or larger, turnarounds shall be provided at a maximum of 1,320 foot intervals.
- (e) Figure A. Turnarounds on roads with two ten-foot traffic lanes.

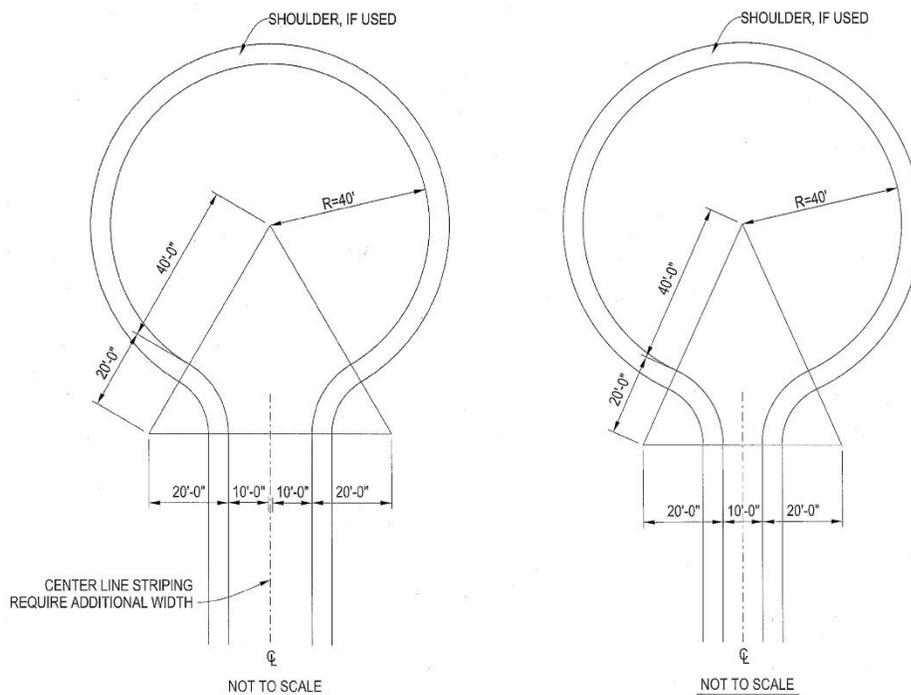


FIGURE FOR 14 CCR § 1273.05. TURNAROUND EXAMPLES

### § 1273.06. Turnouts

Turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum twenty-five (25) foot taper on each end.

### § 1273.07. Road and Driveway Structures

(a) Appropriate signing, including but not limited to weight or vertical clearance limitations, one-way road or single traffic lane conditions, shall reflect the capability of each bridge.

(b) Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with the American Association of State and Highway Transportation Officials Standard Specifications for Highway Bridges, 17th Edition, published 2002 (known as AASHTO HB-17), hereby incorporated by reference. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the local authority having jurisdiction.

(c) Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, barriers, or signs, or both, as approved by the local authority having jurisdiction, shall be installed and maintained.

(d) A bridge with only one traffic lane may be authorized by the local jurisdiction; however, it shall provide for unobstructed visibility from one end to the other and turnouts at both ends.

### § 1273.08. Dead-end Roads

(a) The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:  
 parcels zoned for less than one acre - 800 feet

parcels zoned for 1 acre to 4.99 acres - 1,320 feet  
parcels zoned for 5 acres to 19.99 acres - 2,640 feet  
parcels zoned for 20 acres or larger - 5,280 feet

All lengths shall be measured from the edge of the road surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply.

(b) See 14 CCR § 1273.05 for dead-end road turnaround requirements.

### § 1273.09. Gate Entrances

(a) Gate entrances shall be at least two (2) feet wider than the width of the traffic lane(s) serving that gate and a minimum width of fourteen (14) feet unobstructed horizontal clearance and unobstructed vertical clearance of thirteen feet, six inches (13' 6").

(b) All gates providing access from a road to a driveway shall be located at least thirty (30) feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road.

(c) Where a one-way road with a single traffic lane provides access to a gated entrance, a forty (40) foot turning radius shall be used.

(d) Security gates shall not be installed without approval. Where security gates are installed, they shall have an approved means of emergency operation. Approval shall be by the local authority having jurisdiction. The security gates and the emergency operation shall be maintained operational at all times.

## Article 3 Signing and Building Numbering

### § 1274.00. Intent

To facilitate locating a fire and to avoid delays in response, all newly constructed or approved roads and buildings shall be designated by names or numbers posted on signs clearly visible and legible from the road. This section shall not restrict the size of letters or numbers appearing on road signs for other purposes.

### § 1274.01. Road Signs.

(a) Newly constructed or approved roads must be identified by a name or number through a consistent system that provides for sequenced or patterned numbering and/or non-duplicative naming within each local jurisdiction. This section does not require any entity to rename or renumber existing roads, nor shall a road providing access only to a single commercial or industrial occupancy require naming or numbering.

(b) The size of letters, numbers, and symbols for road signs shall be a minimum four (4) inch letter height, half inch (.5) inch stroke, reflectorized, contrasting with the background color of the sign.

### § 1274.02. Road Sign Installation, Location, and Visibility.

(a) Road signs shall be visible and legible from both directions of vehicle travel for a distance of at least one hundred (100) feet.

(b) Signs required by this article identifying intersecting roads shall be placed at the intersection of those roads.

(c) A sign identifying traffic access or flow limitations, including but not limited to weight or vertical clearance limitations, dead-end roads, one-way roads, or single lane conditions, shall be placed:

(i) at the intersection preceding the traffic access limitation, and

- (ii) no more than one hundred (100) feet before such traffic access limitation.
- (d) Road signs required by this article shall be posted at the beginning of construction and shall be maintained thereafter.

### § 1274.03. Addresses for Buildings.

- (a) All buildings shall be issued an address by the local jurisdiction which conforms to that jurisdiction's overall address system. Utility and miscellaneous Group U buildings are not required to have a separate address; however, each residential unit within a building shall be separately identified.
- (b) The size of letters, numbers, and symbols for addresses shall conform to the standards in the California Fire Code, California Code of Regulations title 24, part 9.
- (c) Addresses for residential buildings shall be reflectorized.

### § 1274.04. Address Installation, Location, and Visibility.

- (a) All buildings shall have a permanently posted address which shall be plainly legible and visible from the road fronting the property.
- (b) Where access is by means of a private road and the address identification cannot be viewed from the public way, an unobstructed sign or other means shall be used so that the address is visible from the public way.
- (c) Address signs along one-way roads shall be visible from both directions.
- (d) Where multiple addresses are required at a single driveway, they shall be mounted on a single sign or post.
- (e) Where a road provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site, or otherwise posted to provide for unobstructed visibility from that intersection.
- (f) In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter.

## Article 4 Emergency Water Standards

### § 1275.00. Intent

Emergency water for wildfire protection shall be available, accessible, and maintained in quantities and locations specified in the statute and these regulations in order to attack a wildfire or defend property from a wildfire.

### § 1275.01. Application

The provisions of this article shall apply in the tentative and parcel map process when new parcels are approved by the local jurisdiction having authority.

### § 1275.02. Water Supply.

- (a) When a water supply for structure defense is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when alternative methods of protection are provided and approved by the local authority having jurisdiction.
- (b) Water systems equaling or exceeding the California Fire Code, California Code of Regulations title 24, part 9, or, where a municipal-type water supply is unavailable, National Fire Protection Association (NFPA) 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting," 2017 Edition, hereby incorporated by reference, shall be accepted as meeting the requirements of this article.

(c) Such emergency water may be provided in a fire agency mobile water tender, or naturally occurring or man made containment structure, as long as the specified quantity is immediately available.

(d) Nothing in this article prohibits the combined storage of emergency wildfire and structural firefighting water supplies unless so prohibited by local ordinance or specified by the local fire agency.

(e) Where freeze or crash protection is required by local jurisdictions having authority, such protection measures shall be provided.

### § 1275.03. Hydrants and Fire Valves.

(a) The hydrant or fire valve shall be eighteen (18) inches above the finished surface. Its location in relation to the road or driveway and to the building(s) or structure(s) it serves shall comply with California Fire Code, California Code of Regulations title 24, part 9, Chapter 5, and Appendix C.

(b) The hydrant head shall be a two and half (2 1/2) inch National Hose male thread with cap for pressure and gravity flow systems and four and a half (4 1/2) inch for draft systems.

(c) Hydrants shall be wet or dry barrel and have suitable freeze or crash protection as required by the local jurisdiction.

### § 1275.04. Signing of Water Sources.

(a) Each hydrant, fire valve, or access to water shall be identified as follows:

(1) if located along a driveway, a reflectorized blue marker, with a minimum dimension of three (3) inches shall be located on the driveway address sign and mounted on a fire retardant post, or

(2) if located along a road,

(i) a reflectorized blue marker, with a minimum dimension of three (3) inches, shall be mounted on a fire retardant post. The sign post shall be within three (3) feet of said hydrant or fire valve, with the sign no less than three (3) feet nor greater than five (5) feet above ground, in a horizontal position and visible from the driveway, or

(ii) as specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

## Article 5 Fuel Modification Standards

### § 1276.00 Intent

To reduce the intensity of a wildfire by reducing the volume and density of flammable vegetation, the strategic siting of fuel modification and greenbelts shall provide for increased safety for emergency fire equipment and evacuating civilians by its utilization around structures and roads, including driveways, and a point of attack or defense from a wildfire.

### § 1276.01. Setback for Structure Defensible Space.

(a) All parcels shall provide a minimum thirty (30) foot setback for all buildings from all property lines and/or the center of a road.

(b) When a thirty (30) foot setback is not possible for practical reasons, which may include but are not limited to parcel dimensions or size, topographic limitations, or other easements, the local jurisdiction shall provide for same practical effect.

(i) Same practical effect requirements shall reduce the likelihood of home-to-home ignition.

(ii) Same practical effect options may include, but are not limited to, noncombustible block walls or fences; five (5) feet of noncombustible material horizontally around the

structure; installing hardscape landscaping or reducing exposed windows on the side of the structure with a less than thirty (30) foot setback; or additional structure hardening such as those required in the California Building Code, California Code of Regulations title 24, part 2, Chapter 7A.

(c) Structures constructed in the SRA are required to comply with the defensible space regulations in Title 14. Natural Resources Division 1.5. Department of Forestry and Fire Protection Chapter 7. Fire Protection Subchapter 3. Fire Hazard.

#### § 1276.02. Maintenance of Defensible Space Measures.

To ensure continued maintenance of commonly owned properties in conformance with these standards and to assure continued availability, access, and utilization of the defensible space provided by these standards during a wildfire, provisions for annual maintenance shall be provided in emergency access covenants or similar binding agreements.

#### § 1276.03 Disposal of Flammable Vegetation and Fuels

Disposal, including chipping, burying, burning or removal to a site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of a building permit.

#### § 1276.04 Greenbelts

Subdivision and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically as a separation between wildland fuels and structures. The locations shall be approved by the local authority having jurisdiction and may be consistent with the CAL FIRE Unit Fire Management Plan or Contract County Fire Plan.

**From:** [Hubbard, Kristin@Wildlife](mailto:Hubbard,Kristin@Wildlife)  
**Sent:** Tuesday, May 4, 2021 3:17 PM  
**To:** [Bernadette Cizin](mailto:Bernadette.Cizin)  
**Cc:** [McKannay, Adam@Wildlife](mailto:McKannay,Adam@Wildlife)  
**Subject:** RE: Tentative Parcel Map TPM2101

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Dear Bernadette Cizin:

The California Department of Fish and Wildlife (Department) has reviewed the consultation request for the above-referenced project (Project). As a trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and their habitat. As a responsible agency, the Department administers the California Endangered Species Act and other provisions of the Fish and Game Code (FGC) that conserve the State's fish and wildlife public trust resources. The Department offers the following comments and recommendations on this Project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act (CEQA), California Public Resources Code section 21000 et seq. The following are informal comments intended to assist the Lead Agency in making informed decisions early in the Project development and review process.

The Project, as described, is a Tentative Parcel Map to subdivide a single approximately 250-acre parcel into two parcels of 134 and 116-acres, each currently include an existing residence and access. The Project site is located north of the community of Callahan.

The Department has the following recommendations and comments as they pertain to biological resources.

#### Botanical Surveys

Due to the occurrence of multiple special status plant species in very close proximity to the Project area, botanical surveys should be conducted in areas impacted by the proposed access road widening during the appropriate blooming time prior to the approval of this Project. Botanical surveys should follow the Department's March 20, 2018 (revised February 3, 2021), *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*, available here: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959>.

If no special status plant species are found during the botanical survey no other measures will be required. However, if drought conditions exist, additional pre-construction surveys for special status plant species may be warranted. If special status plant species are found during the botanical surveys, the plants should be marked by a qualified biologist familiar with the species. If the area can be avoided, exclusionary fencing will be placed around the plants and no pedestrian or vehicular entry shall be allowed. Botanical survey results shall be emailed to the Department at [R1CEQARedding@wildlife.ca.gov](mailto:R1CEQARedding@wildlife.ca.gov).

#### Lake or Streambed Alteration Agreement

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which includes associated riparian resources) of a river or stream, or use material from a streambed, the Department will require a Lake and Streambed Alteration (LSA) Notification, pursuant to section 1600 et seq. of the FGC, from the applicant. Project activities, which would be subject to LSA Notification requirements, include construction of stormwater features that discharge on or over the streambank and modification of associated riparian resources growing on

the bank. Issuance of an LSA Agreement is subject to CEQA. The Department, as a responsible agency under CEQA, will consider the CEQA document for the Project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for completion of the agreement. To obtain information about the LSA notification process, please access our website at <https://www.wildlife.ca.gov/Conservation/LSA>.

#### Survey Results

If any special-status species are found during surveys, the Department requests that CNDDDB forms be filled out and sent to Sacramento and a copy of the form be sent to the Regional office at the address below. Instructions for providing data to the CNDDDB can be found at: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>.

If you have any questions or concerns, please feel free to contact me.

Thank you,  
Kristin

Kristin Hubbard  
Environmental Scientist  
California Department of Fish and Wildlife  
601 Locust Street  
Redding, CA 96001  
(530) 225-2138

## Bernadette Cizin

---

**From:** Hubbard, Kristin@Wildlife <Kristin.Hubbard@wildlife.ca.gov>  
**Sent:** Monday, October 18, 2021 1:14 PM  
**To:** Bernadette Cizin  
**Subject:** RE: Tentative Parcel Map TPM2101

Hi Bernadette,

Thank you for forwarding the completed Botanical Resource Survey for the Thamer Tentative Parcel Map project. Based on the survey results, CDFW has no additional concerns regarding botanical species.

Thank you,  
Kristin

---

**From:** Bernadette Cizin <bpcizin@co.siskiyou.ca.us>  
**Sent:** Friday, October 15, 2021 9:16 AM  
**To:** Hubbard, Kristin@Wildlife <Kristin.Hubbard@wildlife.ca.gov>  
**Subject:** FW: Tentative Parcel Map TPM2101

**WARNING:** This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Please see attached Botanical survey for the Thamer Tentative Parcel Map project TPM2101. I have included your original comment for reference.

Thank you,

Bernadette Cizin  
Assistant Planner  
Siskiyou County Community Development  
806 S. Main Street, Yreka, CA 96097  
530-841-2151

---

**From:** Anne Hilton <[anneehilton@gmail.com](mailto:anneehilton@gmail.com)>  
**Sent:** Thursday, October 14, 2021 7:13 PM  
**To:** Peter Thamer <[pdthamer@gmail.com](mailto:pdthamer@gmail.com)>  
**Cc:** Bernadette Cizin <[bpcizin@co.siskiyou.ca.us](mailto:bpcizin@co.siskiyou.ca.us)>; Brent Hilton <[hiltonw1@gmail.com](mailto:hiltonw1@gmail.com)>  
**Subject:** Re: Tentative Parcel Map TPM2101

Hello Bernadette,

Please find our completed Botanical Survey for the Hilton/Thamer Project Application for a Tentative Parcel Map. Let me know if you have any questions or if there is anything else we need to provide to you in order to move the project forward. Thank you for all your time and assistance.

Best,

Anne Hilton

On Sat, Sep 18, 2021 at 11:46 AM Peter Thamer <[pdthamer@gmail.com](mailto:pdthamer@gmail.com)> wrote:

Hi Bernadette,

We did have the botanical survey completed a few months ago and are still waiting on the report to be completed. I've included my sister and brother in-law in this email (co-landowners) and they will forward it onto the botanist.

PT

On Wed, Sep 15, 2021 at 11:39 AM Bernadette Cizin <[bpcizin@co.siskiyou.ca.us](mailto:bpcizin@co.siskiyou.ca.us)> wrote:

Hi Peter,

Being as it has been some time since our last correspondence I thought I would check in with you. Were you able to get the Botanical surveys done?

Bernadette Cizin

Assistant Planner

Siskiyou County Community Development

[806 S. Main Street, Yreka, CA 96097](https://www.siskiyoucounty.ca.gov/806-S-Main-Street-Yreka-CA-96097)

530-841-2151

---

**From:** Bernadette Cizin

**Sent:** Tuesday, May 4, 2021 3:40 PM

**To:** [pdthamer@gmail.com](mailto:pdthamer@gmail.com); [landsurvey@snowcrest.net](mailto:landsurvey@snowcrest.net)

**Subject:** RE: Tentative Parcel Map TPM2101

Peter,

I would recommend that you reach out to Kristin Hubbard regarding the optimal time for the survey as soon as possible.

Thank you.

---

**From:** Bernadette Cizin  
**Sent:** Tuesday, May 4, 2021 3:28 PM  
**To:** [pdthamer@gmail.com](mailto:pdthamer@gmail.com); [landsurvey@snowcrest.net](mailto:landsurvey@snowcrest.net)  
**Cc:** Dianne Johnson <[dmjohnson@co.siskiyou.ca.us](mailto:dmjohnson@co.siskiyou.ca.us)>; Rachel Jereb <[rjereb@co.siskiyou.ca.us](mailto:rjereb@co.siskiyou.ca.us)>  
**Subject:** FW: Tentative Parcel Map TPM2101

---

**From:** Hubbard, Kristin@Wildlife <[Kristin.Hubbard@wildlife.ca.gov](mailto:Kristin.Hubbard@wildlife.ca.gov)>  
**Sent:** Tuesday, May 4, 2021 3:17 PM  
**To:** Bernadette Cizin <[bpcizin@co.siskiyou.ca.us](mailto:bpcizin@co.siskiyou.ca.us)>  
**Cc:** McKannay, Adam@Wildlife <[Adam.McKannay@wildlife.ca.gov](mailto:Adam.McKannay@wildlife.ca.gov)>  
**Subject:** RE: Tentative Parcel Map TPM2101

Dear Bernadette Cizin:

The California Department of Fish and Wildlife (Department) has reviewed the consultation request for the above-referenced project (Project). As a trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and their habitat. As a responsible agency, the Department administers the California Endangered Species Act and other provisions of the Fish and Game Code (FGC) that conserve the State's fish and wildlife public trust resources. The Department offers the following comments and recommendations on this Project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act (CEQA), California Public Resources Code section 21000 et seq. The following are informal comments intended to assist the Lead Agency in making informed decisions early in the Project development and review process.

The Project, as described, is a Tentative Parcel Map to subdivide a single approximately 250-acre parcel into two parcels of 134 and 116-acres, each currently include an existing residence and access. The Project site is located north of the community of Callahan.

The Department has the following recommendations and comments as they pertain to biological resources.

Botanical Surveys

Due to the occurrence of multiple special status plant species in very close proximity to the Project area, botanical surveys should be conducted in areas impacted by the proposed access road widening during the appropriate blooming time prior to the approval of this Project. Botanical surveys should follow the Department's March 20, 2018 (revised February 3, 2021), *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*, available here: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959>.

If no special status plant species are found during the botanical survey no other measures will be required. However, if drought conditions exist, additional pre-construction surveys for special status plant species may be warranted. If special status plant species are found during the botanical surveys, the plants should be marked by a qualified biologist familiar with the species. If the area can be avoided, exclusionary fencing will be placed around the plants and no pedestrian or vehicular entry shall be allowed. Botanical survey results shall be emailed to the Department at [R1CEQARedding@wildlife.ca.gov](mailto:R1CEQARedding@wildlife.ca.gov).

#### Lake or Streambed Alteration Agreement

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which includes associated riparian resources) of a river or stream, or use material from a streambed, the Department will require a Lake and Streambed Alteration (LSA) Notification, pursuant to section 1600 et seq. of the FGC, from the applicant. Project activities, which would be subject to LSA Notification requirements, include construction of stormwater features that discharge on or over the streambank and modification of associated riparian resources growing on the bank. Issuance of an LSA Agreement is subject to CEQA. The Department, as a responsible agency under CEQA, will consider the CEQA document for the Project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for completion of the agreement. To obtain information about the LSA notification process, please access our website at <https://www.wildlife.ca.gov/Conservation/LSA>.

#### Survey Results

If any special-status species are found during surveys, the Department requests that CNDDDB forms be filled out and sent to Sacramento and a copy of the form be sent to the Regional office at the address below. Instructions for providing data to the CNDDDB can be found at: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>.

If you have any questions or concerns, please feel free to contact me.

Thank you,

Kristin

Kristin Hubbard

Environmental Scientist

California Department of Fish and Wildlife

[601 Locust Street](#)

[Redding, CA 96001](#)

(530) 225-2138

prepared by:  
**CASCADE LAND SURVEY**  
 11239 BALL MOUNTAIN RD.  
 MONTAGUE, CA 96064  
 530 340-0077



# TENTATIVE PARCEL MAP

**APPLICANT: PETER THAMER AND ANNE HILTON**

IN SECTION 7, T 40 N, R 8 W,  
 AND SECTION 12, T 40 N, R 9 W., M.D.M.  
 COUNTY OF SISKIYOU STATE OF CALIFORNIA  
 FEBRUARY, 2021 SCALE : 1" = 400'

|                        |                        |
|------------------------|------------------------|
| <b>APN 031-020-360</b> | <b>APN 031-220-370</b> |
| <b>031-020-420</b>     | <b>031-220-490</b>     |
|                        | <b>031-220-510</b>     |
|                        | <b>031-220-520</b>     |

## OWNER/APPLICANT

**PETER THAMER & ANNE HILTON**  
 10415 S. STATE HIGHWAY 3  
 CALLAHAN, CA 96014  
 Ph: (530) 598-0693

**TOTAL ACREAGE:**  
 250 ACRES

**EXISTING USE:**  
 RESIDENTIAL / AGRICULTURAL

**PROPOSED USE:**  
 RESIDENTIAL / AGRICULTURAL  
 NO BUILDING IS PROPOSED AS PART OF  
 THIS PROJECT.

**ROAD IMPROVEMENTS:**  
 SOME NARROW LOCATIONS REQUIRE ROAD WIDENING  
 PER CALFIRE PRC 4290 REGULATIONS

**WATER SUPPLY:**  
 RESIDENTIAL WATER: EACH RESIDENCE  
 HAS A WELL.

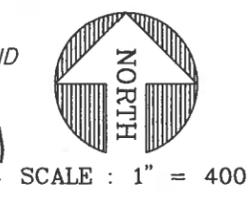
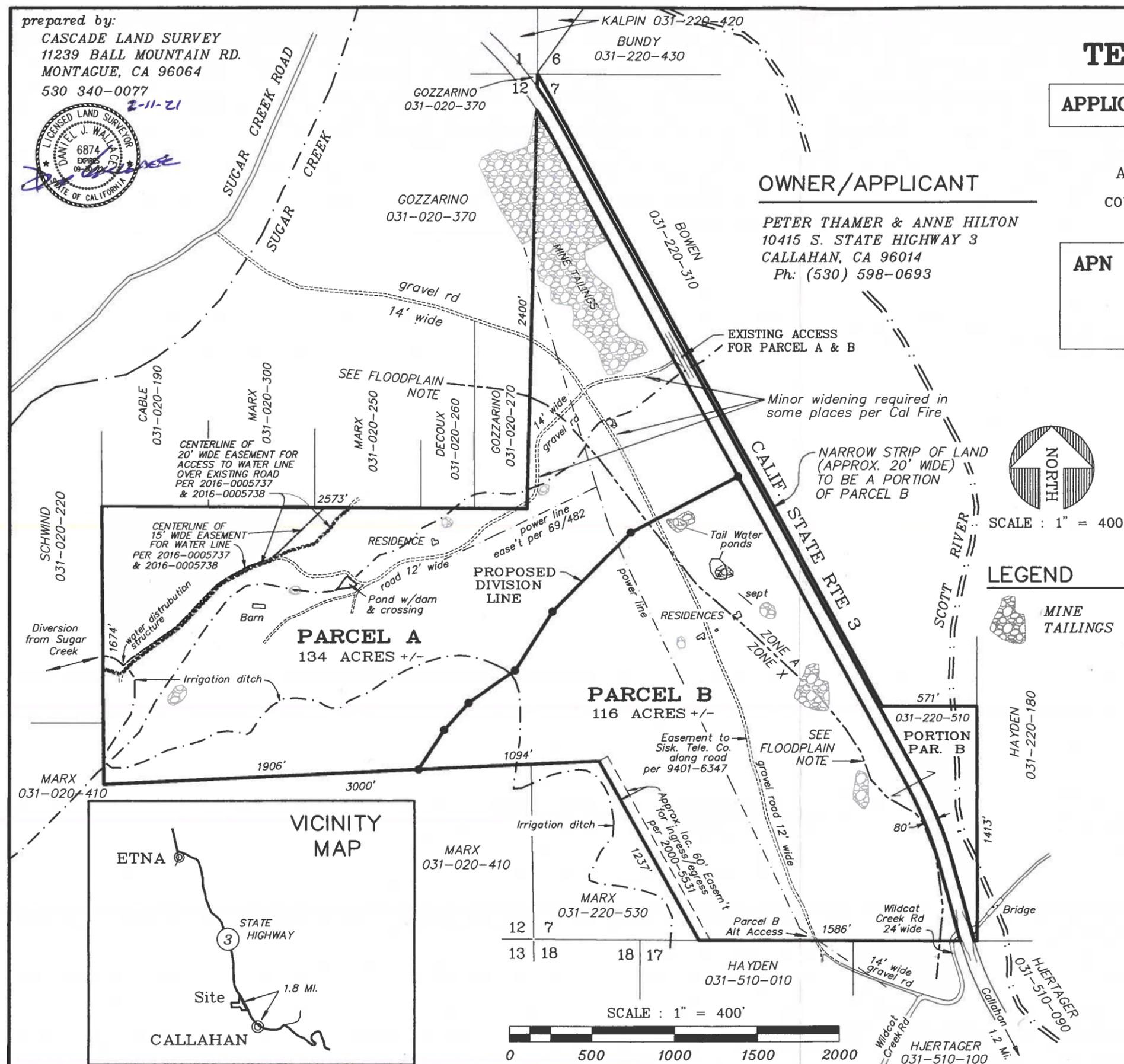
AGRICULTURAL WATER:  
 DIVERSION FROM SUGAR CREEK LOCATED OFF  
 THE PROPERTY. WATER IS SHARED AMONG 3 USERS.  
 THE WATER USERS ARE CURRENTLY WORKING  
 TO UPDATE THE 1600 PERMIT.

**SEWER DISPOSAL:**  
 EXISTING ONSITE SEPTIC DISPOSAL SYSTEMS.

**ZONING**  
 SEE DETAILS ON SHEET 2

## FLOODPLAIN NOTE

THIS LINE IS THE APPROXIMATE LIMIT OF THE SPECIAL FLOOD HAZARD  
 AREA AS SHOWN ON FEMA PANEL 06093-C2925-D. FLOOD ELEVATIONS  
 HAVE NOT BEEN DETERMINED.



Revision Date : Feb 10, 2021

# Botanical Resource Survey

For Hilton/Kramer Parcel Split



Prepared by  
Botanist Kathleen Tyler  
2824 Fairlane Road  
Yreka  
Phone: (530) 905-2492

Exhibit B

## **Introduction:**

A Botanical survey was conducted for the Hilton/Kramer parcel split specifically for where the required turnouts were going to be constructed. The project is located in the U.S.G.S. Callahan Quadrangle, Township 41N Range 9W SW ¼ of the NE ¼ Section 36 M.D.M. in Siskiyou County (**Figure 2 Map topo**) (**Figure 3 Map forth**). The botanical survey was conducted on May 14, 2021 at the location of the proposed turnouts. No special status plant species were detected. It is recommended no additional botanical surveys will be necessary for the Hilton / Kramer Parcel Split. This report was prepared as a summary of the botanical assessment required by CEQA in accordance with EPA guidelines. This Botanical Assessment/Evaluation (BA/BE) is prepared in accordance with the legal requirements set forth under the California Environmental Quality Act (CEQA) guidelines, Section 15380. A “Special Status Species” is any species that meets the definition of “endangered, rare or threatened”.

The Area of Potential Effect (A.P.E.) is approximately five acres. The botanical assessment and survey was to determine if any rare, threatened, or endangered plants would be affected by the implementation and or activity anticipated by the proposed land use changes. This survey incorporated survey protocols published by the U.S. Fish and Wildlife Service Survey Guidelines (*March 20, 2018*) as well as the botanical survey guidelines as required by CEQA, reviewed prior to the beginning of botanical surveys at the project site. The required botanical field surveys provide information used to determine the potential environmental effects of proposed projects on special status plants and sensitive natural communities as required by law (CEQA, CESA, and federal Endangered Species Act (ESA)).

Kathleen Tyler has been conducting floristic surveys for rare and sensitive plants in Siskiyou County on both public lands (BLM, USFS, and CDFG) and private lands for over 20 years. This surveyor has over fifty units of formal classes related directly to botany and the environment, additionally, workshops specific to keying out and identification of rare plant taxa, totaling over one hundred hours. This surveyor has also located new populations of rare plants and has recorded such sites to the CNDDDB (California Natural Diversity Database), on both public and private lands.

## **Methods:**

Prefield preparation began with conducting a records search on the California Natural Diversity Database (CNDDDB), and the California Native Plant Society (CNPS), using the Callahan Quadrangle as the center Quadrangle of a nine quadrangle search for California Rare Plant Rank (CRPR) 1 or 2, as well as those ranked 3 or 4. Also plants that are considered locally significant that are not rare from statewide, but rare or uncommon locally (CEQA Guidelines).

The proposed ground disturbance for the turnouts will be approximately less than 5 acres in its entirety (Figure 2 Map). Buffer acreage was included in the survey, which approximated about two acres adjacent to the project sites was also surveyed. The sensitive plant survey was for specific target species as identified as possible but unlikely present as specified from the table

generated from the CNDBB (Table 1-A) a general floristic inventory of plant species occurring on the project site. A complete and comprehensive survey was accomplished by walking throughout the designated project areas, which the landowner marked with a large white X. No reference sites were visited as it was determined (Table A-1) the plants listed by the CNDBB Database for the Callahan Quadrangle and its surrounding Quadrangle, presented only a few plants which had a low or unlikely probability of being present at the project site, based on habitat, substrate, moisture, water source, elevation, and forest type. On May 14, 2021, Kathleen Tyler completed a full botanical survey of the proposed project site. A list of plants present was compiled (Table 2).

## ENVIRONMENTAL SETTING:

The project area falls within the area described floristically in the Jepson Manual as the California Floristic Province, more specifically the Klamath Ranges. The project site is located adjacent to Highway 3, north of the community of Callahan, on APNs 031-020-360, -420, 031-220-370, -490, -510, & -520 - Township 40N, Range 8W, Section 7, and Township 40N, Range 12W, Section 7 M.D.

The NRCS Soils website classifies the soil the proposed turnouts project area as approximately 11% Dumps and Duzel gravelly loam 88%

Siskiyou County, California, Central Part (CA602)

| Map Unit Symbol                    | Map Unit Name                               | Acres in AOI | Percent of AOI |
|------------------------------------|---|--------------|----------------|
| 145                                | Dumps                                       | 1.3          | 11.6%          |
| 147                                | Duzel gravelly loam, 9 to 15 percent slopes | 9.6          | 88.4%          |
| <b>Totals for Area of Interest</b> |   | <b>10.8</b>  | <b>100.0%</b>  |

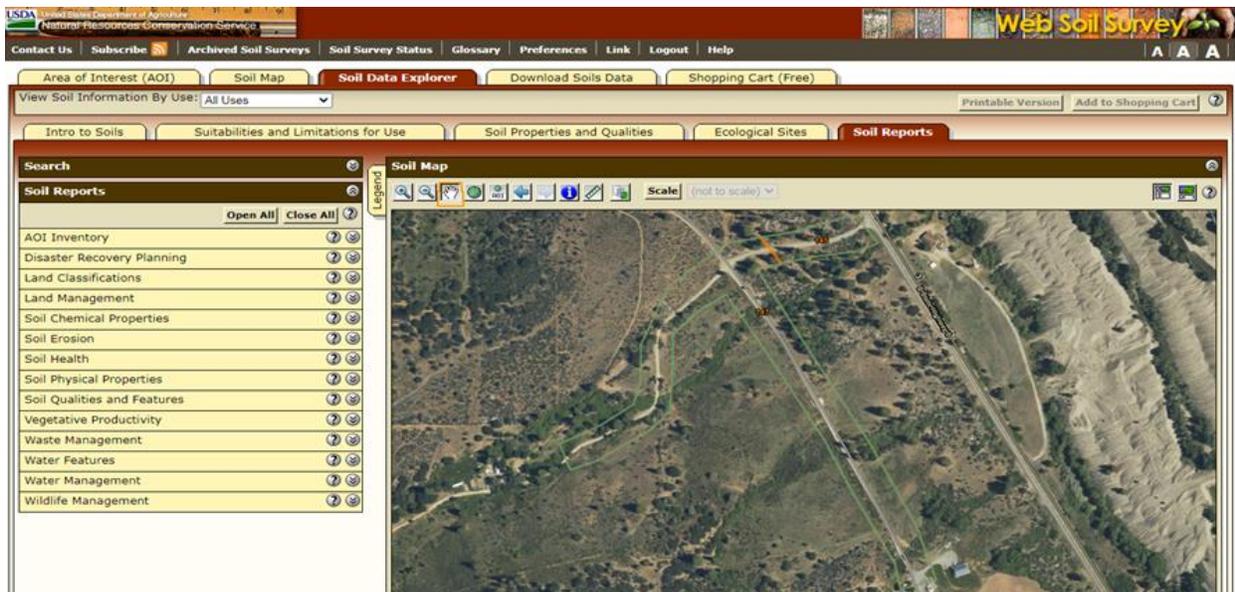


Figure 1 map from NRCS Website Soils mapping

Peter Thamer and Anne Hilton Property Split  
Botanical Survey along indicated road based on  
future construction of required road turnouts

**Township 40N, Range 8W, Section 7, and Township 40N, Range 12W, Section 7 M.D.M.;**

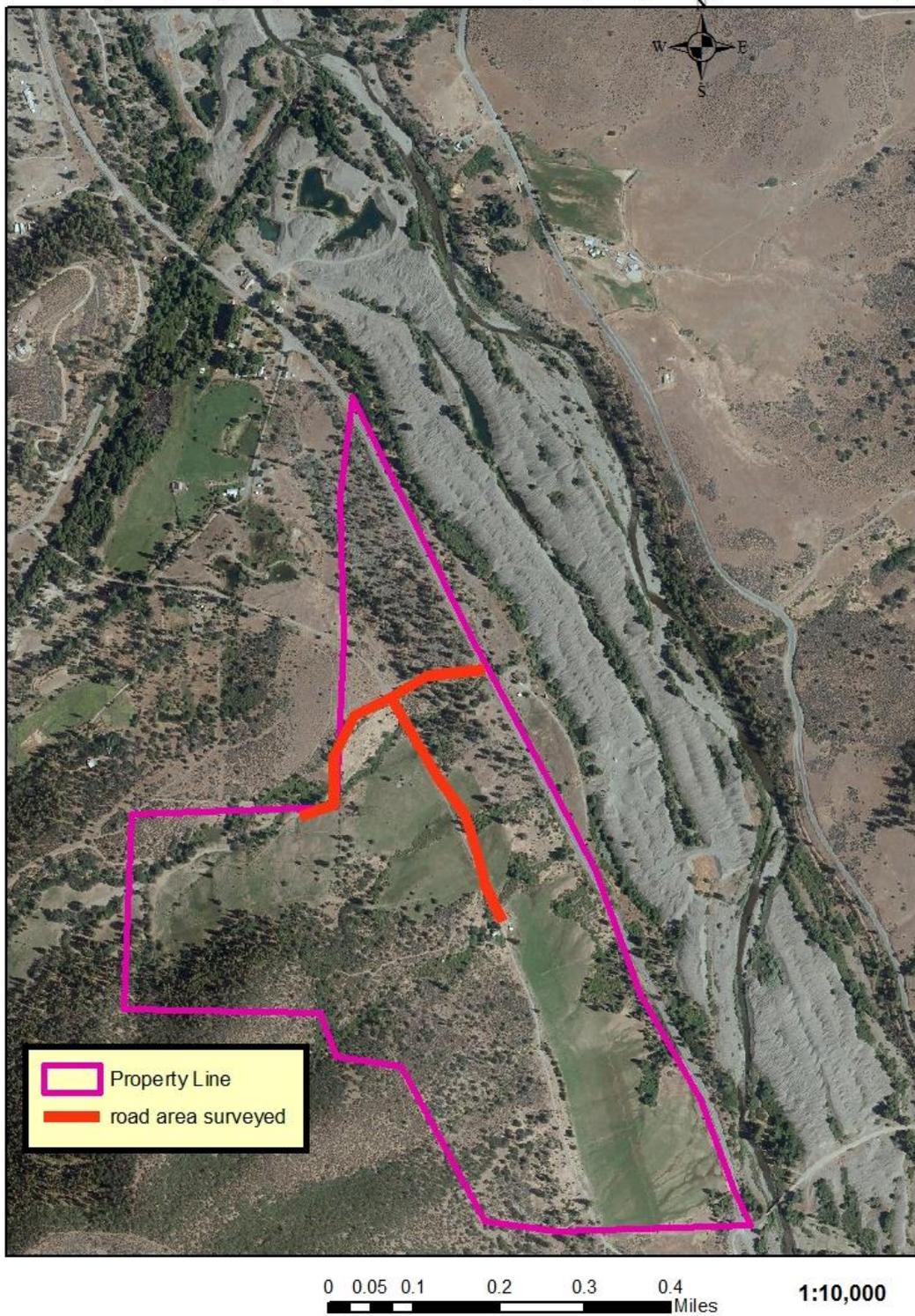


Figure 2: Ortho of Project location

Peter Thamer and Anne Hilton Property Split  
Botanical Survey along indicated road based on  
future construction of required road turnouts

Township 40N, Range 8W, Section 7, and Township 40N, Range 12W, Section 7 M.D.M.;

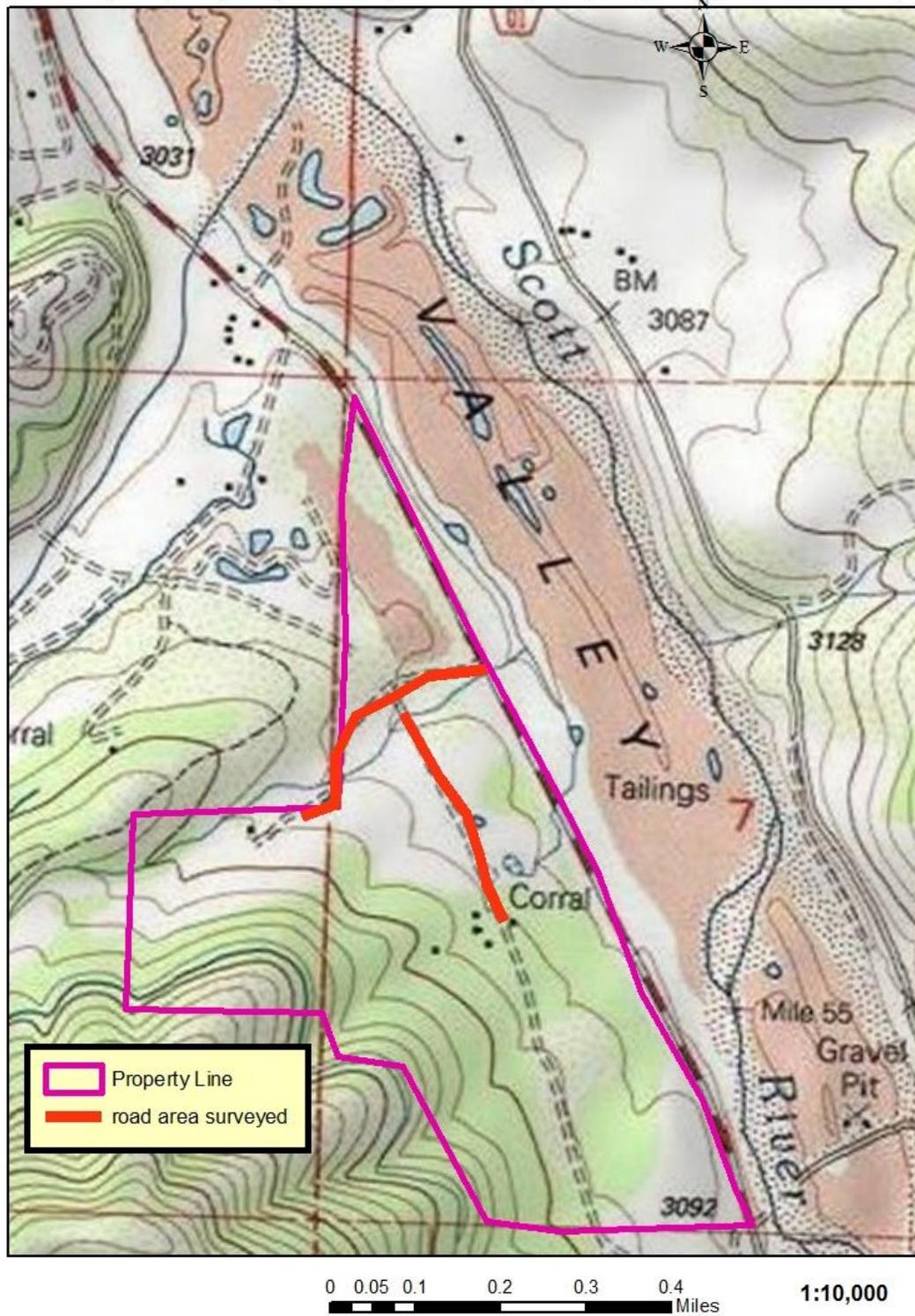


Figure 3: Topo of Project location

## RESULTS

A floristic survey was conducted on May 14th 2021 which resulted in no detection of any plant species considered a special status plant, and no species identified by California Native Plant Society (CNPS) “watch list” (List 4).

This is a botanical report documenting the floristic survey required by the State of California for the California Natural Resource Agency and the California Department of Fish and Wildlife, in reference to proposed road turnouts required for the Hilton parcel split. The botanical survey was conducted on approximately six acres which encompassed the project sites and surrounding areas bordering the project planned turnouts. Plant identification was completed with personal knowledge of local plants aided with the Jepson Manual (Hickman 1996), other botanical references (see references), a dissecting microscope, and the CalPhotos website (<https://calphotos.berkeley.edu>) and Jepson online sources.

.

## CONCLUSION:

No special status plants were found.

**RECOMMENDATION:** The project should be able to proceed, as there are no perceived threats to any special status plants.

**Kathleen Tyler**



*June 4, 2021*

**Botanist 530-905-2492**

## Plant List for Kramer / Hilton parcel split

| <b>Trees</b>       |                     |                     |                    |
|--------------------|---------------------|---------------------|--------------------|
| <b>Genus</b>       | <b>species</b>      | <b>var. or spp.</b> | <b>Common name</b> |
| <i>Pinus</i>       | <i>ponderosa</i>    |                     | Ponderosa pine     |
| <i>Juniperus</i>   | <i>occidentalis</i> |                     | western juniper    |
| <i>Populus</i>     | <i>trichocarpa</i>  |                     | black cottowood    |
| <i>Pseudotsuga</i> | <i>menziesii</i>    |                     | Douglas fir        |
| <i>Quercus</i>     | <i>garryana</i>     |                     | white oak          |
| <i>Quercus</i>     | <i>kelloggii</i>    |                     | black oak          |

| <b>Shrubs</b>       |                   |                     |                             |
|---------------------|-------------------|---------------------|-----------------------------|
| <b>Genus</b>        | <b>species</b>    | <b>var. or spp</b>  | <b>common name</b>          |
| <i>Berberis</i>     | <i>aquifolium</i> |                     | Oregon grape                |
| <i>Ceanothus</i>    | <i>cuneatus</i>   |                     | buck brush                  |
| <i>Cercocarpus</i>  | <i>betuloides</i> |                     | birchleaf mountain mahogany |
| <i>Ericameria</i>   | <i>nauseous</i>   |                     | rabbit brush                |
| <i>Philadelphus</i> | <i>lewisii</i>    |                     | mock orange                 |
| <i>Prunus</i>       | <i>virginiana</i> | <i>var. demissa</i> | western choke cherry        |
| <i>Ribes</i>        | <i>roezlii</i>    |                     | gooseberry                  |
| <i>Rosa</i>         | <i>rubiginosa</i> |                     | sweet briar                 |
| <i>Rubus</i>        | <i>armeriacus</i> |                     | Himalayan blackberry        |
| <i>Salix</i>        | <i>lasiandra</i>  |                     | Pacific willow              |
| <i>Salix</i>        | <i>lasiolepis</i> |                     | arroyo willow               |
| <i>Spiraea</i>      | <i>douglasii</i>  |                     | hardhack                    |

| <b>Forbs</b>         |                             |                     |                             |
|----------------------|-----------------------------|---------------------|-----------------------------|
| <b>Genus</b>         | <b>species</b>              | <b>var. or ssp</b>  | <b>common name</b>          |
| <i>Achillea</i>      | <i>millefolium</i>          |                     | yarrow                      |
| <i>Amsinckia</i>     | <i>intermedia</i>           |                     | fiddleneck                  |
| <i>Arabis</i>        | <i>Boechera divaricarpa</i> |                     | spreadingpod rockcress      |
| <i>Artemisia</i>     | <i>ludoviciana</i>          |                     | mugwort                     |
| <i>Cerastium</i>     | <i>arvense</i>              |                     | chickweed                   |
| <i>Centaurea</i>     | <i>cyanus</i>               |                     | wild bachelor button        |
| <i>Cichorium</i>     | <i>intybus</i>              |                     | chicory                     |
| <i>Claytonia</i>     | <i>parviflora</i>           |                     | streambank spring beauty    |
| <i>Claytonia</i>     | <i>perforatum</i>           |                     | miner's lettuce             |
| <i>Collinsia</i>     | <i>grandiflora</i>          |                     | large maiden blue-eyed mary |
| <i>Collinsia</i>     | <i>sparsiflora</i>          | <i>var. collina</i> | spinster's blue-eyed mary   |
| <i>Collomia</i>      | <i>grandiflora</i>          |                     | Large-flowered Collomia     |
| <i>Dichelostemma</i> | <i>congestum</i>            |                     | ookow                       |
| <i>Galium</i>        | <i>aperine</i>              |                     | bedstraw                    |
| <i>Gilia</i>         | <i>capitata</i>             |                     | blue headed gilia           |
| <i>Lamium</i>        | <i>amplexicaule</i>         |                     | henbit                      |
| <i>Lomatium</i>      | <i>nudicaule</i>            |                     | barestem biscuit root       |

|                               |                      |                     |                             |
|-------------------------------|----------------------|---------------------|-----------------------------|
| <i>Lotus</i>                  | <i>wrangelianus</i>  |                     | Chilean Bird's foot trefoil |
| <i>Lupinus</i>                | <i>latifolius</i>    |                     | large leaf lupine           |
| <i>Osmorhiza</i>              | <i>chilensis</i>     |                     | sweet cicely                |
| <i>Plantago</i>               | <i>lanceolata</i>    |                     | common English plantain     |
| <i>Rumex</i>                  | <i>crispus</i>       |                     | curly dock                  |
| <i>Senecio</i>                | <i>interrimus</i>    |                     | tower butterweed            |
| <i>Stellaria</i>              | <i>media</i>         |                     | common chickweed            |
| <i>Taraxacum</i>              | <i>officinale</i>    | <i>californicum</i> | common dandelion            |
| <i>Verbena</i>                | <i>hastata</i>       |                     | blue vervain                |
| <i>Viola</i>                  | <i>glabella</i>      |                     | stream violet               |
| <i>Verbascum</i>              | <i>thapsus</i>       |                     | mullien                     |
| <b>Grasses and Grass like</b> |                      |                     |                             |
| <i>Bromus</i>                 | <i>diandrus</i>      |                     | ripgrut brome               |
| <i>Carex</i>                  | <i>sp.</i>           |                     |                             |
| <i>Elymus</i>                 | <i>elymoides</i>     |                     | squirrel tail               |
| <i>Festuca</i>                | <i>idahoneses</i>    |                     | idaho fescue                |
| <i>Festuca</i>                | <i>occidentalis</i>  |                     | western fescue              |
| <i>Festuca</i>                | <i>myuros</i>        |                     | rattail grass               |
| <i>Poa</i>                    | <i>bulbosa</i>       |                     | bulbous bluegrass           |
| <i>Poa</i>                    | <i>pratensis</i>     |                     | blue grass                  |
| <i>Typha</i>                  | <i>latifolia</i>     |                     | cattails                    |
| <b>Noxious Weeds</b>          |                      |                     |                             |
| <i>Centaurean</i>             | <i>solstitialis</i>  |                     | yellow star thistle         |
| <i>Elymus</i>                 | <i>caput-medusae</i> |                     | medusa head                 |
| <i>Isatis</i>                 | <i>tinctoria</i>     |                     | Marlahan mustard            |

|  |                        |          |
|--|------------------------|----------|
| Rare and Sensitive Plant List from CNDBB 9 quad search | Based on Callahan Quad | MAY 2021 |
|--|------------------------|----------|

|                   |  |                             |      |
|-------------------|--|-----------------------------|------|
| Plants - Vascular | <i>Allium hoffmanii</i>                            | Beegum onion                | 4.3  |
| Plants - Vascular | <i>Allium siskiyouense</i>                         | Siskiyou onion              | 4.3  |
| Plants - Vascular | <i>Lomatium engelmannii</i>                        | Engelmann's lomatium        | 4.3  |
| Plants - Vascular | <i>Lomatium tracyi</i>                             | Tracy's lomatium            | 4.3  |
| Plants - Vascular | <i>Lomatium tracyi</i>                             | Tracy's lomatium            | 4.3  |
| Plants - Vascular | <i>Tauschia glauca</i>                             | glaucous tauschia           | 4.3  |
| Plants - Vascular | <i>Anisocarpus scabridus</i>                       | scabrid alpine tarplant     | 1B.3 |
| Plants - Vascular | <i>Arnica venosa</i>                               | Shasta County arnica        | 4.2  |
| Plants - Vascular | <i>Balsamorhiza lanata</i>                         | woolly balsamroot           | 1B.2 |
| Plants - Vascular | <i>Balsamorhiza sericea</i>                        | silky balsamroot            | 1B.3 |
| Plants - Vascular | <i>Chaenactis suffrutescens</i>                    | Shasta chaenactis           | 1B.3 |
| Plants - Vascular | <i>Erigeron cervinus</i>                           | Siskiyou daisy              | 4.3  |
| Plants - Vascular | <i>Erigeron petrophilus</i> var. <i>viscidulus</i> | Klamath rock daisy          | 4.3  |
| Plants - Vascular | <i>Helianthus exilis</i>                           | serpentine sunflower        | 4.2  |
| Plants - Vascular | <i>Hulsea nana</i>                                 | little hulsea               | 2B.3 |
| Plants - Vascular | <i>Raillardella pringlei</i>                       | showy raillardella          | 1B.2 |
| Plants - Vascular | <i>Arabis rigidissima</i> var. <i>rigidissima</i>  | Trinity Mountains rockcress | 1B.3 |
| Plants - Vascular | <i>Draba howellii</i>                              | Howell's draba              | 4.3  |
| Plants - Vascular | <i>Draba pterosperma</i>                           | winged-seed draba           | 4.3  |
| Plants - Vascular | <i>Campanula scabrella</i>                         | rough harebell              | 4.3  |
| Plants - Vascular | <i>Sabulina stolonifera</i>                        | Scott Mountain sandwort     | 1B.3 |
| Plants - Vascular | <i>Sabulina stolonifera</i>                        | Scott Mountain sandwort     | 1B.3 |
| Plants - Vascular | <i>Silene salmonacea</i>                           | Klamath Mountain catchfly   | 1B.2 |
| Plants - Vascular | <i>Cornus canadensis</i>                           | bunchberry                  | 2B.2 |
| Plants - Vascular | <i>Carex geyeri</i>                                | Geyer's sedge               | 4.2  |
| Plants - Vascular | <i>Carex halliana</i>                              | Oregon sedge                | 2B.3 |
| Plants - Vascular | <i>Carex scabriuscula</i>                          | Siskiyou sedge              | 4.3  |
| Plants - Vascular | <i>Schoenoplectus subterminalis</i>                | water bulrush               | 2B.3 |
| Plants - Vascular | <i>Polystichum lonchitis</i>                       | northern holly fern         | 3    |
| Plants - Vascular | <i>Arctostaphylos klamathensis</i>                 | Klamath manzanita           | 1B.2 |
| Plants - Vascular | <i>Vaccinium scoparium</i>                         | little-leaved huckleberry   | 2B.2 |
| Plants - Vascular | <i>Lupinus croceus</i> var. <i>pilosellus</i>      | saffron-flowered lupine     | 4.3  |
| Plants - Vascular | <i>Thermopsis gracilis</i>                         | slender false lupine        | 4.3  |
| Plants - Vascular | <i>Frasera albicaulis</i> var. <i>modocensis</i>   | Modoc green-gentian         | 2B.3 |
|                   |  | Scott Mountain              |      |
| Plants - Vascular | <i>Howellanthus dalesianus</i>                     | howellanthus                | 4.3  |
| Plants - Vascular | <i>Phacelia greenei</i>                            | Scott Valley phacelia       | 1B.2 |
| Plants - Vascular | <i>Phacelia leonis</i>                             | Siskiyou phacelia           | 1B.3 |
| Plants - Vascular | <i>Iris bracteata</i>                              | Siskiyou iris               | 3.3  |
| Plants - Vascular | <i>Iris innominata</i>                             | Del Norte County iris       | 4.3  |
| Plants - Vascular | <i>Juncus dudleyi</i>                              | Dudley's rush               | 2B.3 |
| Plants - Vascular | <i>Calochortus persistens</i>                      | Siskiyou mariposa-lily      | 1B.2 |
| Plants - Vascular | <i>Erythronium citrinum</i> var. <i>roderickii</i> | Scott Mountains fawn lily   | 1B.3 |
| Plants - Vascular | <i>Fritillaria purdyi</i>                          | Purdy's fritillary          | 4.3  |

|                   |  |   |      |
|-------------------|--|---|------|
| Plants - Vascular | <i>Sidalcea oregana</i> ssp. <i>eximia</i>           | coast checkerbloom<br>Salmon Mountains      | 1B.2 |
| Plants - Vascular | <i>Trillium ovatum</i> ssp. <i>oettingeri</i>        | wakerobin                                   | 4.2  |
| Plants - Vascular | <i>Veratrum insolitum</i>                            | Siskiyou false-hellebore                    | 4.3  |
| Plants - Vascular | <i>Claytonia palustris</i>                           | marsh claytonia                             | 4.3  |
| Plants - Vascular | <i>Epilobium oreganum</i>                            | Oregon fireweed                             | 1B.2 |
| Plants - Vascular | <i>Epilobium septentrionale</i>                      | Humboldt County fuchsia                     | 4.3  |
| Plants - Vascular | <i>Epilobium siskiyouense</i>                        | Siskiyou fireweed                           | 1B.3 |
| Plants - Vascular | <i>Botrychium pinnatum</i>                           | northwestern moonwort                       | 2B.3 |
| Plants - Vascular | <i>Botrypus virginianus</i>                          | rattlesnake fern                            | 2B.2 |
| Plants - Vascular | <i>Cypripedium californicum</i>                      | California lady's-slipper                   | 4.2  |
| Plants - Vascular | <i>Cypripedium fasciculatum</i>                      | clustered lady's-slipper                    | 4.2  |
| Plants - Vascular | <i>Cypripedium montanum</i>                          | mountain lady's-slipper                     | 4.2  |
| Plants - Vascular | <i>Castilleja brevilobata</i>                        | short-lobed paintbrush                      | 4.2  |
| Plants - Vascular | <i>Pedicularis contorta</i>                          | curved-beak lousewort                       | 4.3  |
| Plants - Vascular | <i>Parnassia cirrata</i> var. <i>intermedia</i>      | Cascade grass-of-Parnassus<br>pink-margined | 2B.2 |
| Plants - Vascular | <i>Erythranthe trinitensis</i>                       | monkeyflower                                | 1B.3 |
| Plants - Vascular | <i>Abies lasiocarpa</i> var. <i>lasiocarpa</i>       | subalpine fir                               | 2B.3 |
| Plants - Vascular | <i>Picea engelmannii</i>                             | Engelmann spruce                            | 2B.2 |
| Plants - Vascular | <i>Penstemon filiformis</i>                          | thread-leaved beardtongue                   | 1B.3 |
| Plants - Vascular | <i>Veronica copelandii</i>                           | Copeland's speedwell                        | 4.3  |
| Plants - Vascular | <i>Collomia tracyi</i>                               | Tracy's collomia                            | 4.3  |
| Plants - Vascular | <i>Polemonium pulcherrimum</i> var. <i>shastense</i> | Mt. Shasta sky pilot                        | 1B.2 |
| Plants - Vascular | <i>Eriogonum alpinum</i>                             | Trinity buckwheat                           | 1B.2 |
| Plants - Vascular | <i>Eriogonum congdonii</i>                           | Congdon's buckwheat                         | 4.3  |
| Plants - Vascular | <i>Eriogonum diclinum</i>                            | Jaynes Canyon buckwheat                     | 2B.3 |
| Plants - Vascular | <i>Eriogonum siskiyouense</i>                        | Siskiyou buckwheat                          | 4.3  |
| Plants - Vascular | <i>Eriogonum strictum</i> var. <i>greenei</i>        | Greene's buckwheat                          | 4.3  |
| Plants - Vascular | <i>Eriogonum ternatum</i>                            | ternate buckwheat                           | 4.3  |
| Plants - Vascular | <i>Eriogonum umbellatum</i> var. <i>humistratum</i>  | Mt. Eddy buckwheat                          | 4.3  |
| Plants - Vascular | <i>Androsace elongata</i> ssp. <i>acuta</i>          | California androsace                        | 4.2  |
| Plants - Vascular | <i>Horkelia daucifolia</i> var. <i>indicta</i>       | Jepson's horkelia                           | 1B.1 |
| Plants - Vascular | <i>Ivesia pickeringii</i>                            | Pickering's ivesia                          | 1B.2 |
| Plants - Vascular | <i>Galium serpenticum</i> ssp. <i>scotticum</i>      | Scott Mountain bedstraw                     | 1B.2 |
| Plants - Vascular | <i>Darlingtonia californica</i>                      | California pitcherplant                     | 4.2  |
| Plants - Vascular | <i>Mitellastra caulescens</i>                        | leafy-stemmed mitrewort                     | 4.2  |
| Plants - Vascular | <i>Smilax jamesii</i>                                | English Peak greenbrier                     | 4.2  |
| Plants - Vascular | <i>Triteleia crocea</i> var. <i>crocea</i>           | yellow triteleia                            | 4.3  |

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## Resolution PC 2021-030

### **A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Project Exempt from the California Environmental Quality Act and Approving the Thamer Tentative Parcel Map (TPM-21-01).**

**Whereas**, an application has been received from Peter Thamer to subdivide an existing 250-acre legal parcel (APNs 031-020-360, 031-020-420, 031-220-370, 031-220-490, 031-220-510 and 031-220-520) into one 134-acre parcels and one 116-acre parcel; and

**Whereas**, a tentative parcel map was prepared for the project as required by Section 10-4.501.1 of the Siskiyou County Code; and

**Whereas**, the project site is currently developed with residential and accessory structures, private roads and agricultural uses; and

**Whereas**, a Notice of Public Hearing was published in the Siskiyou Daily News on December 1, 2021; and

**Whereas**, public hearing notices were provided pursuant to Siskiyou County Code Section 10-6.2805 *et seq.*; and

**Whereas**, comments received on the project resulted in conditions of approval being recommended by staff; and

**Whereas**, the Planning Division recommended that the project be determined exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15301(c); and

**Whereas**, the Planning Division presented its oral and written staff report on the Thamer Tentative Parcel Map (TPM-21-01) at a regular meeting of the Planning Commission on December 15, 2021; and

**Whereas**, there is no substantial evidence, in light of the whole record before the County, that the proposed tentative parcel map would have a significant effect on the environment; and

**Whereas**, on December 15, 2021, the chair of the Planning Commission opened the duly noticed public hearing on the Thamer Tentative Parcel Map (TPM-21-01) to receive testimony both oral and written, following which the Chair closed the public hearing and the Commission discussed the project prior to reaching its decision.

**Now, Therefore, Be It Resolved** that the Planning Commission adopts the recommended findings set forth in Exhibit A-2 of the written staff report referenced hereto and incorporated herein; and

**Be It Further Resolved** that the Planning Commission, based on the evidence in the record and the findings set forth in Exhibit A-2 referenced hereto and incorporated herein, hereby takes the following actions on the Thamer Tentative Parcel Map (TPM-21-01):

1. Determines the project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15301(c); and
2. Approves the Thamer Tentative Parcel Map (TPM-21-01), subject to the notations and conditions of approval contained in Exhibit A-1 to this resolution referenced hereto and incorporated herein.

**It is Hereby Certified** that the foregoing Resolution PC-2021-030 was duly adopted, as amended by the Planning Commission, on a motion by Commissioner Fowle and seconded by Commissioner Veale at a regular meeting of the Siskiyou County Planning Commission held on the 15<sup>th</sup> day of December 2021 by the following vote:

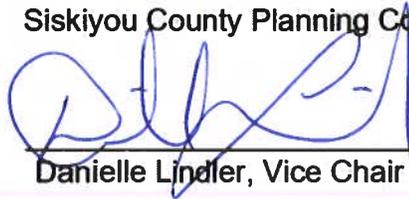
Ayes: Commissioners Fowle, Veale and Lindler

Noes:

Absent: Commissioners Hart and Melo

Abstain:

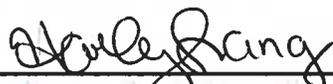
Siskiyou County Planning Commission



\_\_\_\_\_

Danielle Lindler, Vice Chair

Witness, my hand and seal this 15<sup>th</sup> day of December 2021



\_\_\_\_\_

Hailey Lang, Secretary of the Commission

**Exhibit A-1 to Resolution PC-2021-030**  
**Notations and Recommended Conditions of Approval**

**Notations**

1. Within ten (10) days following the date of the decision of the Siskiyou County Planning Commission, the decision may be appealed to the Siskiyou County Board of Supervisors. The appeal shall be filed with the Clerk of the Board of Supervisors.
2. Upon determination of the categorical exemption(s), a check in the amount of \$50 made payable to the Siskiyou County Clerk and submitted to the Siskiyou County Planning Division is necessary in order to file the Notice of Exemption. Failure to file the Notice of Exemption extends the statute of limitations for legal challenges to the categorical exemption from 35 days to 180 days.
3. If timber operations (as defined by PRC Section 4527) are involved with a project, they must be approved by Cal Fire prior to undertaking operations. Further, a Timber Harvest Plan (THP) and/or Timber Conversion Permit (TCP) may be required.
4. If a proposed project will result in the conversion of greater than three (3) acres of timberland to non-timber use, a TCP will be required prior to undertaking any conversion operations. Provisions and procedures for filing an application for a TCP are found in Article 9, Division 4, Chapter 8 of the Public Resources Code. If the area to be converted is less than three acres, the project may qualify for a "Less Than 3-acre Conversion Exemption" under 14 CCR 1104.
5. Section PRC 1104.2 (Exemption for Conversion of Non-TPZ Land for Subdivision Development) allows exemption from the TCP rules if timber operations are conducted as a means to convert Non-TPZ land, three acres or larger, to subdivision development. A Notice of Exemption from the Timber Conversion Permit for Subdivision form will be required. Please reference this section of code for the particulars of the exemption.

**Conditions of Approval**

1. The project shall substantially conform to the project description and tentative parcel map as approved by the Planning Commission on December 15, 2021. Any proposed amendment(s) shall be submitted to the Deputy Director of Planning. Minor amendments shall be considered by the Community Development Director. Major amendments shall be considered by the Planning Commission.
2. The final parcel map(s) shall be developed in accordance with the submitted tentative parcel map dated February 10, 2021.

3. A Taxes and Assessments Certificate shall be obtained from the County Assessor's Office, signed off by the County Tax Collector, and submitted with the legal descriptions for recording.
4. The engineer or surveyor for the applicant shall submit two copies of the final parcel map to the Planning Division to the satisfaction of the Planning Director and Environment Health Director for review and processing along with the applicable review fees as required by the adopted fee schedule.
5. The applicant shall comply with all adopted rules and regulations of the Siskiyou County Public Works Department, Environmental Health Division, Community Development Department, and all other local and state regulatory agencies.
- ~~6. The applicant shall comply with and provide verification of compliance with all applicable requirements of the Lake or Streambed Alteration Agreement pursuant to section 1600 et seq. of the FGC.~~
6. The applicant shall comply with, and provide verification of compliance, with all applicable statutory requirements of the fire safe standards enacted pursuant to Public Resources Code Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning Division.
7. Future development shall be required to comply with all applicable statutory requirements of the fire safe standards enacted pursuant to Public Resources Code Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, as they exist at the time the development is proposed.
8. Final Parcel Map shall be recorded within 24 months of the date of approval unless a request for a time extension is made prior to the expiration date pursuant to Section 10-4.401.8.2 of the Siskiyou County Code.
9. The applicant shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding (collectively, "Action") against the County, its agents (including consultants), officers, or employees to attack, set aside, void, or annul the approvals, or any part thereof, or any decision, determination, or Action, made or taken approving, supplementing, or sustaining the project or any part thereof, or any related approvals or project conditions imposed by the County or any of its agencies, departments, commissions, agents (including consultants), officers, or employees, concerning the project, or to impose personal liability against such agents (including consultants), officers, or employees resulting from their non-negligent involvement in the project, which action is brought within the time period provided by law, including any claim for private attorney general fees claimed by or awarded to any party from the County. Said responsibilities shall be pursuant to the County's standard Agreement for Indemnification in effect at the time of application approval or Agreement for Indemnification if signed and

effective prior to the date the application is approved. In the event that the applicant fails to comply with the terms of the applicable agreement, the applicant does hereby consent and agree to all remedies in said agreement and does hereby agree and consent to the County rescinding all applicable project approvals.

## Findings

### Tentative Parcel Map / Subdivision Map Act

In accordance with Government Code Sections 66412.3, the Planning Commission finds:

1. Local agencies shall consider the effect of the approval or denial on the housing needs of the region in which the local jurisdiction is situated and balance these needs against the public service needs of its residents and available fiscal and environmental resources.

*The project site is located in the Rural Residential Agricultural, (R-R), Rural Residential Agricultural, 40-acre minimum parcel size, (R-R-B-40), Rural Residential Agricultural, 80-acre minimum parcel size, (R-R-B-80) and Prime Agricultural, 80-acre minimum parcel size, (AG-1-B-80) zoning districts where rural residential uses can be compatibly mixed with commercial agricultural activities, and prime commercial agricultural activities can include single-family dwellings and farm labor housing. One single-family dwelling unit and one accessory dwelling unit is allowed per parcel. Therefore, the proposed subdivision will potentially have a positive net effect on the local housing supply by potentially adding two dwelling units, with the additional possibility of farm labor housing. Adequate groundwater exists in the area for new dwelling units, and the sites have already developed septic systems. Fire and police service are within 10 miles of the project site and the project will not detrimentally impact available fiscal resources.*

2. The design of the subdivision shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

*The resultant parcels would be a minimum of 113-acres in size and would feasibly allow the use of future solar passive heating and cooling with appropriate site design.*

In accordance with Government Code Section 66424.6 and 66452, the Planning Commission finds:

1. The tentative parcel map was submitted as required pursuant to the above sections and included the required information.

In accordance with Government Code Section 66473.5, the Planning Commission finds:

1. The subdivision is consistent with the General Plan and Scott Valley Area Plan.

*The subdivision is consistent with all General Plan policies as set forth in the section titled General Plan Consistency Findings below and is consistent with all Scott Valley Area Plan policies as set forth in the section titled Scott Valley Consistency Findings below.*

In accordance with Government Code Section 66474, the Planning Commission finds:

2. That the proposed map is consistent with applicable general and specific plans.

*The map and project are consistent with the General Plan as set forth in the section titled General Plan Consistency Findings below and detailed by the Staff Report dated December 15, 2021. The map and project are consistent with the Scott Valley Area Plan as set forth in the section titled Scott Valley Area Plan Consistency Findings below and detailed by the Staff Report dated December 15, 2021.*

3. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

*The subdivision does not include new improvements which are inconsistent with the General Plan and Scott Valley Area Plan.*

4. That the site is physically suitable for the type of development.

*The project is designed within the density limits of the R-R, which allows for parcels with a minimum of 2.5 acres, R-R-B-40, which allows for parcels with a minimum of 40 acres, R-R-B-80, which allows for parcels with a minimum of 80 acres and AG-1-B-80 zoning districts, which*

*allows for parcels with a minimum of 80 acres. The property slopes easterly. The predominant soils located on the project site are Duzel gravelly loam, 9-15% slopes in the farmed areas and Duzel-Jilson-Facey complex, 15-50% slopes that is not prime farmland, and the potential for erosion hazards has been evaluated as slight. Therefore, the site is physically suitable for the type of development that would be allowed.*

5. That the site is physically suitable for the proposed density of development.

*There are no existing physical conditions on the site that appear to prohibit the already-entitled rural residential agricultural and prime agricultural zoning districts density requirement.*

6. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

*The design of the subdivision proposes to create two parcels from one parcel. The site is already improved with roads for ingress and egress to the two proposed parcels. The property is already developed with single family and accessory dwellings and no new development is proposed as part of this project. Should additional development occur in the future, it would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat due to the size, scale, and intensity of this project.*

7. That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

*The subdivision will not cause serious public health problems in that any future development will be served by private sewer and water, the access to and circulation within the site is acceptable to the Department of Forestry and Fire Protection (Cal Fire), and any future development will be required to comply with the California Building Code.*

In accordance with Siskiyou County Code Section 10-4.105.3, and Section 10-6.5501, the Planning Commission finds:

1. That the minimum lot size shall be two and one-half acres when water from an approved system is provided.

*The two proposed parcels are designed with acreages of 113 and 134 acres. Both exceed the minimum parcel sizes for their zoning districts.*

2. That the depth of any lot shall not exceed three (3) times the width on lots of 300 feet or less in width nor exceed four (4) times the width on lots exceeding 300 feet in width.

*All resultant parcels are within the required depth to width ratio.*

3. That the lot side lines shall be at approximately right angles or radial to street or road lines.

*The two proposed parcels are designed with lot side lines that are at approximate right angles to State Highway 3.*

4. No lot shall have double frontage unless otherwise approved by the Planning Commission.

*No resultant parcels would have double frontage.*

5. That no lot shall be divided by city, County, school district, or other taxing agency lines.

*The existing lot is divided by two separate tax rate areas. It has been determined that these two tax rate areas have the same tax structure concerning the taxing agencies, therefore the proposed lots will not be divided by city, county, school district or other taxing agency lines.*

### **Zoning Consistency Findings**

1. The proposed tentative parcel map, as recommended for approval, is in conformance with the applicable policies of the Siskiyou County General Plan and County Code as documented herein.

2. The Planning Commission has considered all written and oral comments received and based on its analysis of the public testimony and staff's analysis, the Commission has determined that the project as designed and conditioned would be compatible with existing and planned uses of the area.

## **General Plan Consistency Findings**

### **Composite Overall Policies**

Policy 41.3(e) All proposed uses of the land shall be clearly compatible with the surrounding and planned uses of the area.

*The neighboring parcels are zoned for rural residential agricultural and prime agricultural uses and are partially developed. The project site is also zoned for the same rural residential and prime agricultural uses and no new uses are proposed as part of this project. As such, this project is clearly compatible with the surrounding and planned uses of the area.*

Policy 41.3(f) All proposed uses of the land may only be allowed if they clearly will not be disruptive or destroy the intent of protecting each mapped resource.

*The existing rural residential and prime agricultural use of the land is not proposed to change as part of this project, and as such will clearly not be disruptive or destroy the intent of protecting each mapped resource.*

Policy 41.5 All development will be designed so that every proposed use and every individual parcel of land created is a buildable site, and will not create erosion, runoff, access, fire hazard or any other resource or environmentally related problems.

*No new development is proposed as part of this project, however the creation of two new parcels could allow the possibility of a higher density of development. Both proposed parcels have existing septic systems and there is adequate groundwater in the area to serve the proposed parcels. Any future development is required to meet Building Code requirements for erosion and runoff. The project site has access from Highway 3, a public road, via an existing private road and the existing private road running south to north from Wildcat Road, a public road, through both proposed parcels to Sugar Creek Road, a public road. All future development would be required to meet fire safe standards enacted pursuant to Public Resources Code (PRC) Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning.*

Policy 41.6 There shall be a demonstration to the satisfaction of the Siskiyou County Health Department and/or the California Regional Water Quality Control Board that sewage disposal from all proposed development will not contaminate ground water.

*Each proposed parcel has approved on-site sewage disposal systems.*

Policy 41.7 Evidence of water quality and quantity acceptable to the Siskiyou County Health Department must be submitted prior to development approval.

*Each proposed parcel has private water wells.*

Policy 41.9 Buildable, safe access must exist to all proposed uses of land. The access must also be adequate to accommodate the immediate and cumulative traffic impacts of the proposed development.

*The two new proposed parcels have direct access to the existing private roads. The existing private roads and any future development, including driveways, are required to be built or upgraded to comply with fire safe standards enacted pursuant to Public Resources Code (PRC) Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning. Upon compliance with the condition of approval, the access will be adequate to accommodate the immediate and cumulative traffic impacts of the project.*

Policy 41.18 Conformance with all policies in the Land Use Element shall be provided, documented, and demonstrated before the County may make a decision on any proposed development.

*Staff has reviewed all Land Use Element policies and has determined that the project is consistent with the Siskiyou County General Plan as documented herein.*

### **Map 2 Erosion Hazard**

Policy 7 – Specific mitigation measures will be provided that lessen soil erosion, including contour grading, channelization, revegetation of disturbed slopes and soils, and project timing (where feasible) to lessen the effect of seasonal factors (rainfall and wind).

*All future development will be required to meet California State Building Code Standards and Best Management Practices related to erosion.*

### **Map 3 Building Foundation Limitations**

Policy 8 – Enforce building construction standards (uniform building code) and public works requirements.

*Any future development will be required to meet building code standards.*

### **Map 5: Excessive Slope**

Policy 11 – All areas with 30% or greater natural slope shall not be developed with facilities requiring septic tanks for sewage disposal.

*No new development is proposed as part of this project.*

Policy 16 – Single family residential, light industrial, light commercial, open space, non-profit and non-organization in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted, if the area is proven to be less than 30% slope.

The permitted uses will not create erosion or sedimentation problems.

*No new development is proposed as part of this project. The proposed new parcels would remain in the Rural Residential Agricultural and Prime Agricultural districts, for which the allowed uses are permitted per Policy 16 and will not create erosion or sedimentation problems.*

### **Map 7: Flood Hazard**

Policy 21 - Primary and secondary flood plains are defined as follows:

1. Primary flood plains are the designated flood ways.

2. Secondary flood plains are the areas located within the 100 year flood hazard boundaries but located outside the designated floodways.

Policy 22 – No development may be allowed within the designated floodways, and any development proven to be outside the designated floodways and within the 100-year flood hazard boundary shall be in accordance with the requirements of the County's flood plain management ordinance.

*No new construction is planned for the site at this time. This policy would be enforced with the review of any development application(s) for future construction purposes.*

Policy 24 – Single family residential, light commercial, light industrial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted if the requirements of Policy 22 have been met.

The permitted uses will not create erosion or sediment problems.

*The proposed tentative parcel map will allow single-family residential uses, which are permitted uses per Policy 24, and will not create erosion or sedimentation problems.*

Policy 25 – A minimum parcel size of one acre on 0-15% slope, and 5 acres on 16-29% slope only may be permitted if the requirements of Policy 22 have been met.

The permitted density will not create erosion or sedimentation problems.

*Both proposed parcels have variable slopes that range from 9% to 50% slope. The proposed parcel sizes exceed the one acre required for slopes between 0-15% and the five acres required for slopes between 16-29%.*

*No new construction is planned for the site at this time. Policy 22 would be enforced with the review of any development application(s) for future construction purposes.*

Policy 26 – All flood plain requirements of the Federal Government shall take precedence to Policies 21-23.

#### **Map 8 : Surface Hydrology**

Policy 27 No residential or industrial development shall be allowed on water bodies. Exceptions may be considered for water supply, hydroelectric power generation facilities, public works projects necessary to prevent or stabilize earth movement, erosion, and the enhancement of migratory fish and other wildlife, light commercial, open space, non-profit and non-organization in nature recreational uses, and commercial/recreational uses.

*No new construction is planned for the site at this time. This policy would be enforced with the review of any development application(s) for future construction purposes.*

#### **Map 9: Deer Wintering Area**

Policy 28 – Single-family residential, light commercial, light industrial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted.

The permitted uses will not create erosion or sedimentation problems.

*The proposed new parcels would remain in the Rural Residential Agricultural and Prime Agricultural districts, for which the allowed uses are permitted per Policy 28. This project will not create erosion or sedimentation problems.*

Policy 29 – The minimum parcel also permitted shall only be those as designated on the critical deer wintering area map.

The permitted density will not create erosion or sedimentation problems.

*The minimum parcel size permitted, as designated on the critical deer wintering area map is 40 acres. The project site is located on an approximately 250-acre parcel, from which a 116-acre and 134-acre parcel are proposed. The proposed project will not create erosion or sedimentation problems.*

**Map 10: Wildfire Hazard**

Policy 30 - All development proposed within a wildfire hazard area shall be designed to provide safe ingress, egress, and have an adequate water supply for fire suppression purposes in accordance with the degree of wildfire hazard.

*An ISO 5 rated fire station, Etna Fire Department, is within 10 miles of the project site and Scott Valley Volunteer Fire in Callahan, an ISO rated 8B, is within 3.5 miles. Additionally, as a condition of approval, the project and any future development must comply with fire safe standards enacted pursuant to Public Resources Code (PRC) Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning.*

**Map 11: Woodland Productivity**

Policy 31 – The minimum parcel size shall be one acre on 0-15% slope, and 5 acres on 16-29% slope.

*Both proposed parcels have variable slopes that range from 9% to 50% slope. The proposed parcel sizes exceed the one acre required for slopes between 0-15% and the five acres required for slopes between 16-29%.*

Policy 32 – Single family residential, light commercial, light industrial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted.

The permitted uses will not create erosion or sedimentation problems.

*The proposed tentative parcel map will allow single-family residential uses, which are permitted uses per Policy 32, and will not create erosion or sedimentation problems.*

Policy 33 – All land uses and densities shall be designed so as not to destroy timber productivity on large parcels of high suitability woodland soils. (Class I and II.)

*The existing residential and agricultural land use is not proposed to change. The proposed parcels sizes are above 100 acres, which are large enough to not destroy timber productivity due to the change in density.*

**Map 12: Prime Agricultural Soils**

Policy 34 – All Class I, II, and III soils, and the soils that become Class III under irrigation, with the

exception of Class III soils determined to be non-irrigable, are defined as prime agricultural land.

Policy 35 – The minimum parcel size on prime agricultural land shall be 40 acres. The permitted density will not create erosion or sedimentation problems.

*The proposed parcels exceed the forty-acre minimum area and will not create erosion or sedimentation problems.*

Policy 37 – Only agricultural uses are permitted on prime agricultural land. Existing use is agricultural and no changes to the use are proposed.

Policy 40 – All development proposals within an irrigation district shall conform to all rules, regulations, and policies of the applicable irrigation district. The intent of this policy is not to permit district regulation of land use or density – it is intended to prohibit any interference of the district's functions, such as keeping checks and irrigation ditches free and clear of any disturbance.

*No new development is proposed as part of this project.*

### **Scott Valley Area Plan Consistency Findings**

#### **Prime Agricultural Land**

Policy 1 Only agricultural and public uses may be permitted on prime agricultural land.

*The parcel that is a part of this project contains prime agricultural land. Both proposed parcels are developed with single-family dwellings and accessory structures. There is no development proposed as part of this project and thus would not create erosion or sedimentation problems.*

Policy 2 The minimum parcel size that is permitted to be created on prime agricultural land is 80 acres.

*The two proposed parcels that are a part of this project both contain prime agricultural land. Both exceed the 80-acre minimum parcel size. There is no development proposed as part of this project and thus would not create erosion or sedimentation problems.*

#### **Critical Deer Wintering Areas**

Policy 5 The minimum parcel size permitted are those as specified on the deer wintering area map (Map IV)

*The project site is located within the 40-acre and 80-acre minimum parcel size designated areas. As designed, both proposed parcels exceed the 40 and 80-acre minimum parcel size restriction.*

Policy 6 Only agricultural, residential, open space, and small-scale commercial, industrial, recreation uses, and public or quasi-public uses may be permitted.

*No new development is proposed as part of this project and the two proposed parcels are already developed with single-family dwellings and accessory structures, which are appropriate uses outlined in this Policy.*

Policy 7 Residential, small-scale commercial, industrial, recreation uses and public or quasi-public uses may only be permitted when they are clearly compatible with the surrounding

and existing uses of the land and will not create adverse effects to the areas utilization as a critical deer wintering area.

*No new development is proposed as part of this project and the two proposed parcels are already developed with single-family dwellings and accessory structures, which are appropriate uses outlined in this Policy and will not create adverse effects to the deer wintering area.*

### **Flood Plain**

Policy 8 No development shall be allowed within the designated floodways, and any development within the 100-year flood hazard boundary outside the designated floodways shall be in accordance with the requirements of the county's flood plain management ordinance. Proof that land is not within a designated floodway can only be made when so indicated by the county engineer. The county engineer must make this determination prior to any action by the county on any proposed development.

*No new development is proposed as part of this project; any future development will be required to meet building code standards including any local, state, or federal applicable floodplain requirements for development.*

Policy 9 Only agricultural, residential, open space, and small-scale commercial, industrial, recreation uses, and public or quasi-public uses may be permitted.

*No new development is proposed as part of this project and the two proposed parcels are already developed with single-family dwellings and accessory structures, which are appropriate uses outlined in this Policy.*

Policy 10 Residential, small-scale commercial, industrial, recreation uses and public or quasi-public uses may only be permitted when they are clearly compatible with the surrounding and existing uses of the land.

*No new development is proposed as part of this project and the two proposed parcels are already developed with single-family dwellings and accessory structures, which are appropriate uses outlined in this Policy .*

Policy 11 In all secondary flood plains the minimum parcel size shall be 10 acres.

*Both resultant parcels exceed 10 acres in size.*

### **Excessive Slope**

Policy 16 Reducing the percentage of slope below 30% by grading or other man related activities is strictly prohibited and not considered acceptable as a means of conforming to this density requirement. This policy is specifically intended to prohibit the grading of excessive slope areas to create buildable sites for any proposed use of the land.

*No new development is proposed as part of this project.*

Policy 17 Only agricultural, residential, open space, and small-scale commercial, industrial, recreation uses, and public or quasi-public uses may be permitted.

*No new development is proposed as part of this project and the two proposed parcels are already developed with single-family dwellings and accessory structures, which are appropriate uses outlined in this Policy.*

- Policy 18 Residential, small-scale commercial, industrial, recreation uses and public or quasi-public uses may only be permitted when they are clearly compatible with the surrounding and existing uses of the land.

*No new development is proposed as part of this project and the two proposed parcels are already developed with single-family dwellings and accessory structures, which are appropriate uses outlined in this Policy.*

- Policy 19 In all areas proved to be 30% or greater natural slope, the minimum parcel size shall be 40 acres. It is the intent of this policy that all areas entirely within excessive slope mapped areas shall have a 40-acre minimum parcel size, regardless of site-specific slopes. This policy shall not apply to areas mapped as excessive slope, but adjacent to lands not otherwise restricted (non-resource areas), where the slope of the land is less than 30%, i.e., fringe areas between the valley floor and the mountainous areas. The fringe area density shall be the continuation of the prevalent non-resource density adjacent to the parcel.

*Both resultant parcels exceed 40 acres in size.*

### **Comprehensive - Composite Plan**

- Policy 34 If more than one development policy affects the same parcel of land, the most restrictive development policy shall apply, first followed by the other policies in order of diminishing restriction.

*The project site is within several development policies. The most restrictive of these, regarding parcel size, being Prime Agricultural Land, in which the minimum parcel size permitted is 80-acres. As designed, both proposed parcels exceed the 80-acre minimum.*

- Policy 35 All development will be designed so that every individual parcel of land created is a buildable site, and will not create erosion, runoff, access, fire hazard, resource proception, or any other environmentally related problems. This policy shall also apply to all proposed uses of the land.

*No new development is proposed as part of this project and the two proposed parcels are already developed with single-family dwellings and accessory structures, thus would not create erosion or sedimentation problems.*

- Policy 36 Safe, buildable access must exist to all proposed uses of the land. The access must also be adequate to accommodate the immediate and cumulative traffic impacts of the proposed development.

*The two new proposed parcels have direct access to existing private roads. The existing private roads and any future development, including driveways, are required to be built or upgraded to comply with fire safe standards enacted pursuant to Public Resources Code (PRC) Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning. Upon*

*compliance with the condition of approval, the access will be adequate to accommodate the immediate and cumulative traffic impacts of the project.*

Policy 41 All development proposals within an irrigation district shall conform to all rules, regulations, and policies of the applicable irrigation district. The intent of this policy is not to permit district regulation of land use or density; it is intended to prohibit any interference of the district's functions, such as keeping checks and irrigation ditches free and clear of any disturbance.

*The project site is not within an irrigation district, however the existing easements to maintain an irrigation waterline through the northwest corner of APN031-020-420 will not be within the proposed property division line.*

### **California Environmental Quality Act (CEQA) Findings**

1. Because there is not substantial evidence, in light of the whole record before the County, that the tentative parcel map would have a significant effect on the environment, Staff is recommending the "common sense exemption" be adopted in accordance with Section 15061(b)(3) of the CEQA Guidelines.
2. Section 15301(c), Class 1 projects consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing streets involving negligible or no expansion of use are categorically exempt from the provisions of CEQA. Because the project involves existing private roads, any repair of the road required to meet Cal Fire 4290 standards is exempt from CEQA.
3. In making its recommendation, the Planning Commission has reviewed and considered the proposed project and all comments submitted and has determined that the record, as a whole, demonstrates that there is no evidence that the proposed project will have an individually or cumulatively significant effect.
4. The Planning Commission has determined that the custodian of all documents and material which constitute the record of proceedings shall rest with the County of Siskiyou Community Development Department.