

SISKIYOU COUNTY GENERAL PLAN
LAND USE POLICIES

MAP 1: GEOLOGIC HAZARD

- Policy 1. No development will be allowed in identified and potential landslide areas unless certified by a licensed California Geologist, as reasonably safe for the development proposed.
- Policy 2. Road cuts and development near gullies, extensive fill and ponded drainage, and further road widening in slide areas shall be in accordance with the recommendation of a licensed California Geologist and a Registered Civil Engineer when deemed necessary by the Department of Public Works or the Planning Department.
- Policy 3. Proof that an area is reasonably safe from landslide, other than from a licensed California Geologist can be made by the County Planning Department or the Public Works Department if an on-site field inspection indicates that the area of concern presents no danger of landslide, i.e., obvious mapping error.
- Policy 4. Recommend that State review of Timber Harvest Plans include consideration of County identified geologic hazardous areas.
- Policy 5. If a mapped landslide area is proven reasonably safe for development, the minimum lot size shall be one acre on 0 to 15 percent slope, and five acres on 16 to 20 percent slope.
The permitted density will not create erosion or sedimentation problems.
- Policy 6. If a mapped landslide area is proven reasonably safe for development, 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.

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 less the effect of seasonal factors (rainfall and wind).

MAP 3: SOILS BUILDING FOUNDATION LIMITATIONS

- Policy 8. Enforce building construction standards (Uniform Building Code) and public works requirements.

SISKIYOU COUNTY GENERAL PLAN
LAND USE POLICIES

MAP 4: SOILS SEVERE SEPTIC TANK LIMITATIONS

Policy 9. The minimum parcel size shall be one acre on zero to 15 percent slope and five acres on 16 to 29 percent slope.

The permitted density will not create erosion or sedimentation problems.

Policy 10. Single-family residential, heavy or light industrial, heavy or light commercial, 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 density will not create erosion or sedimentation problems.

MAP 5: EXCESSIVE SLOPE

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

Policy 12. If areas designated as 30 percent or greater natural slope are proven to be less than 30 percent slope, the minimum parcel size shall be one acre on zero to 15 percent slope, and five acres on 16 to 29 percent slope.

The permitted uses will not create erosion or sedimentation problems.

Policy 13. Proof that an area is not an excessive slope area can only be made by an on-site inspection.

Policy 14. Reducing the percentage of slope below 30 percent by grading is prohibited and not acceptable as a means of conforming to the density requirement of Policy 12 for sewage disposal purposes.

Policy 15. Areas designated 30 percent or greater natural slope, but proven to be less than 30 percent slope shall only be developed when a grading plan for roads, acceptable to the Department of Public Works, has been submitted.

Policy 16. Single-family residential, light industrial, light commercial, 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 area is proven to be less than 30 percent slope.

The permitted uses will not create erosion or sedimentation problems.

MAP 6: WATER QUALITY

Policy 17. Known poor quality surface and groundwater sources shall be identified and reported to the Planning Department for future development reference.

SISKIYOU COUNTY GENERAL PLAN
LAND USE POLICIES

- Policy 18. Because of the incidence of heavy metals, including arsenic, and other known non-potable water sources throughout Siskiyou County, random sampling should be undertaken to monitor the acceptability of water supplies for development purposes.
- Policy 19. The minimum parcel size shall be one acre on zero to 15 percent slope, and five acres on 16 to 29 percent slope.
- The permitted density will not create erosion or sedimentation problems.
- Policy 20. Single-family residential, light industrial, light commercial, 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.

MAP 7: FLOOD HAZARD

- Policy 21. Primary and secondary flood plains are defined as follows:
- a. Primary flood plains are the designated flood ways.
 - b. 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 floodway and within the 100-Year Flood hazard boundary shall be in accordance with the requirements of the County's flood plain management ordinance.
- Policy 23. Proof that land is not within a designated floodway can only be made when so indicated by the County Engineer.
- Policy 24. Single-family residential, light industrial, light commercial, 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 sedimentation problems.
- Policy 25. A minimum parcel size of one acre on zero to 15 percent slope, and five acres on 16 to 29 percent slope only may be permitted if the requirements of Policy 22 have been met.
- The permitted density will not create erosion or sedimentation problems.

SISKIYOU COUNTY GENERAL PLAN
LAND USE POLICIES

- 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-organizational in nature recreational uses, and commercial/recreational uses.

MAP 9: DEER WINTERING AREAS

- Policy 28. Single-family residential, light industrial, light commercial, 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.

- Policy 29. The minimum parcel size 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.

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.

MAP 11: WOODLAND PRODUCTIVITY

- Policy 31. The minimum parcel size shall be one acre on zero to 15 percent slope, and five acres on 16 to 29 percent slope.

The permitted density will not create erosion or sedimentation problems.

SISKIYOU COUNTY GENERAL PLAN
LAND USE POLICIES

Policy 32. Single-family residential, light industrial, light commercial, 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.

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

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.

Policy 35.1. Within the Tulelake Basin, a one-time land division can be considered containing an existing dwelling and 2½ acres of land, provided the landowner has resided continuously within the residence since August 12, 1980, on property zoned Prime Agricultural (AG-1). This policy will allow consideration of the division, subject to the rezoning on the proposed "homestead parcel" from Prime Agricultural to Rural Residential, 2.5 acre minimum parcel size (R-R-B-2½). The balance of the farm will be required to meet the 40 acre Prime Agricultural minimum parcel size requirement as defined in Policy 35. This policy does not apply to land subject to a Williamson Act Contract. (General Plan Amendment)

Policy 35a. Exceptions to the agricultural density requirement can only be made when the division of land is necessary to allow private financing of a land use, excluding residential housing, that is strictly agricultural in nature and necessary for the operation of the farming unit. The parcel created for private financing purposes must only be as large as necessary to construct the agricultural use and still meet minimum health and safety requirements. Written documentation from the applicable financing agency or company that the land division is necessary for financing is required as proof that the proposed division of land is necessary. (General Plan Amendment)

To conform to General Plan requirements, the property must be zoned PD, with the only allowable use the specific use for which the parcel is being created.

SISKIYOU COUNTY GENERAL PLAN
LAND USE POLICIES

Policy 36. In commercial agricultural areas mapped as prime agricultural land but proven not to be prime agricultural land or land clearly committed to urbanization, but not within a city or service district sphere of influence, the minimum parcel size shall be 10-20 acres, depending on distance from major agricultural areas.

The permitted density will not create erosion or sedimentation problems.

A minimum parcel size of 20 acres is required in areas that are adjacent to or in close proximity to major commercial agricultural operations.

The intent of this policy is to allow a higher density on land that is not capable of being productive for agricultural, and at the same time retaining a residential density in the major agricultural areas of the county that is compatible with agricultural interests.

Policy 36.1. Except in Scott Valley, Prime Agricultural policies shall not apply to lands within one-quarter mile of an incorporated city in the following circumstances:

- a. The property is contiguous to lands developed as heavy commercial or heavy industrial.
- b. The land is not within a sphere of influence or not presently eligible for such designation or annexation.
- c. The land is proposed for immediate development as heavy commercial or heavy industrial.
- d. The land will be zoned Planned Development to authorize the requested specific land use.
- e. The landowner will enter into a Development Agreement with the County to ensure the prompt development as requested.
- f. This policy shall not apply to lands under a Williamson Act Contract.

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

Policy 38. In commercial agricultural areas mapped as prime agricultural land but proven not to be prime agricultural land, 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 may be permitted.

The permitted uses will not create erosion or sedimentation problems.

SISKIYOU COUNTY GENERAL PLAN
LAND USE POLICIES

- Policy 39. Proof that mapped prime agricultural soils are in fact not prime can only be done by providing the following information:
- a. Submission of a soils test prepared by a California Certified Soil Scientist.
 - b. Submission of well logs that specifically demonstrate there is not enough water available for irrigation purposes.
 - c. A letter from the applicable irrigation district stating that they will not and cannot provide water.
 - d. Any other factual, documented information that the area is not and has not been capable of supplying enough water for irrigation.
 - e. If an on-site field inspection by the Planning Department reveals that the land is not prime agricultural land, the data itemized in a, b, c, and d above may not be required; i.e., obvious mapping errors.
 - f. Submission of past financial records or statements that the agricultural operation is not economically feasible are not in any way considered to be adequate proof that the land is not prime.

- 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.

COMPOSITE OVERALL POLICIES:

The following development policies shall always apply regardless of where development is proposed.

- Policy 41.1. In all cases where one or more development policies in the Land Use Element conflict with each other, the lowest density policy and the most restrictive land use policy will apply. This policy does not imply in any way that development policies in the Land Use Element will take precedence to other policies of the eight remaining elements of the General Plan; i.e., by law all policies in all General Plan Elements must be internally consistent with each other. The sole intent of this policy is to clarify to the public which development policy(s) of the Land Use Element only will apply to their property if more than one resource map applies to their property.
- Policy 41.2. The logical combination of large amounts of permanent open space with heavy commercial, heavy industrial, and multiple family uses is an acceptable means of determining whether or not the proposed use is heavy or light,

SISKIYOU COUNTY GENERAL PLAN
LAND USE POLICIES

single family or multiple family in nature: This policy is referred to as "use intensity averaging."

- a. The intent of this policy is to permit heavy commercial, heavy industrial and multiple family uses in areas only allowing light commercial, light industrial, single family uses when it can be specifically demonstrated that the inclusion or existence of large amounts of permanent open space within or surrounding a development plan would make the proposed heavy commercial, heavy industrial, or multiple family use "light" or single family in nature and clearly compatible with surrounding land uses and intent of the applicable resource map(s). Rationale such as highest and best use of property and economics are not considered to be adequate consideration when determining conformance with this development policy.
- b. This policy is only designed to allow heavy commercial or industrial uses where there is clearly a public need for the use at the proposed location(s). The intent of this policy is to permit heavy commercial and heavy industrial uses in areas only allowing light commercial and light industrial uses in the proximity of major thoroughfares, when it is clearly demonstrated that the heavy commercial and heavy industrial uses will not interfere with surrounding land use and intent of the applicable resource map(s) development policies. Also, the intent of this policy is to allow multiple family uses in areas only allowing single family uses if it can be specifically demonstrated that the inclusion of large amounts of permanent open space would render the average density of a proposed multiple family use the same as that which would be permitted for single family uses, and not interfere with surrounding land uses and the intent of the applicable resource map(s) development policies.
- c. This policy does not apply in prime agricultural land areas.

Policy 41.3. The following policies shall determine the location of any proposed use of the land:

- a. All heavy commercial, and heavy industrial uses must provide or have direct access onto major thoroughfares or existing industrial/commercial streets capable of accommodating the traffic that could be generated from the proposed use.
- b. All light commercial, light industrial, multiple family residential, and commercial/recreational, public and quasi public uses must provide or have direct access to a public road capable of accommodating the traffic that could be generated from the proposed use.

SISKIYOU COUNTY GENERAL PLAN
LAND USE POLICIES

- c. All heavy commercial and heavy industrial uses should be located away from areas clearly committed to residential uses.
- d. All heavy, non-agriculturally related commercial and industrial uses should be located away from areas clearly committed to agricultural uses.
- e. All proposed uses of the land shall be clearly compatible with the surrounding and planned uses of the area.
- 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.
- g. Existing or planned industrial areas shall not be developed in a manner that will destroy industrial potential.

Policy 41.4. Policy conflict with city or special district General Plan - in areas within a city's or special district's sphere of influence, the adopted General Plan of the applicable city or special district shall be considered in relation to the County's General Plan Policies, except in cases where the applicable city's General Plan clearly does away with the intent of any applicable resource map.

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.

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.

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

Policy 41.8. All proposed development shall be accompanied by evidence acceptable to the Siskiyou County Health Department as to the adequacy of on-site sewage disposal or the ability to connect into an existing city or existing Community Services District with adequate capacity to accommodate the proposed development. In these cases the minimum parcel sizes and uses of the land permitted for all development will be the maximum density and land uses permitted that will meet minimum water quality and quantity requirements, and the requirements of the county's flood plain management ordinance.

SISKIYOU COUNTY GENERAL PLAN
LAND USE POLICIES

- 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.
- Policy 41.10. All area plans adopted by the county will take precedence to any policies of the county wide Land Use Element. Any area plan prepared for any area of the County must be geographically defined in a logical manner and contain all requirements of applicable state laws. Any plan approved by the Board of Supervisors will become a part of the County Land Use Element for that applicable portion of the county.
- Policy 41.11. Density transfer (density averaging) is an appropriate method of determining density of a proposed development so long as it meets the specific intent of each policy applied to each of the resource maps. This policy will not apply to prime agricultural land.
- Policy 41.12 All significant historic and prehistoric places and features when identified shall be preserved and protected in accordance with accepted professional practices.
- Policy 41.13 All rare and endangered plant species as identified and recognized by state and federal government shall be preserved and protected in accordance with accepted professional practices.
- Policy 41.14 In all areas of the County that may not have been covered (mapped) by development policies, the density and land use policies applicable to geologic hazard areas shall apply.
- The permitted uses will not create erosion or sedimentation problems.
- The permitted density will not create erosion or sedimentation problems.
- Policy 41.15 The intent of all development policies specified by percentage of slope is that the percentage of slope determines the density. It is the intent of this policy to not prohibit a specified density in cases whereby a very small portion of a particular site may contain a excessive slope area, or varying terrains.
- Policy 41.16 Any land that transfers from public to private ownership will be regulated under the same density and use policies of the applicable resource map(s) that applies to them.
- Policy 41.17 Any major graphical corrections or update of any resource map in this Land Use Element may only be done via the public hearing process. This is considered necessary because development policies apply directly to each resource map. Only the Board of Supervisors has the authority to determine whether any change of any resource map constitutes a major or minor change. The intent of this policy is to prevent any circumvention of the

SISKIYOU COUNTY GENERAL PLAN
LAND USE POLICIES

Government Code Sections relating to public hearing notices required for adoption or change of a General Plan and at the same time allow reasonable flexibility to correct minor drafting errors or minor updates in resource mapping information.

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.

Policy 41.19 It is the intent of all the policies in the Land Use Element to accomplish the following:

- a. Encourage intensive development near existing urban areas and away from the natural resources.
- b. Insure compatibility of all land uses.
- c. Encourage heavy industrial and heavy commercial uses near major thoroughfares, existing urban areas, other locations most suited for the particular type of heavy commercial or heavy industrial use.
- d. Recognize the need for heavy commercial and heavy industrial land uses that most logically must be located in isolated areas of the county.

Policy 41.20 Regardless of agricultural land or deer wintering range policies within or adjacent to a "Designated Community Center," minimum parcel sizes shall be 2½ acres. Further, commercial or other individual parcel zoning at these densities within the "Designated Community Center" shall be deemed consistent with all other density policies of the General Plan. (General Plan Amendment)