



Siskiyou County Planning Commission Staff Report November 17, 2021

Agenda Item Number 3

Michigan-California Timber Company, LP Boundary Line Adjustment (BLA-21-22)

Applicant:	Chris Chase Michigan-California Timber Company, LP
Property Owners:	Michigan-California Timber Company, LP P.O. Box 269 Springfield, OR 97477-0055
Representatives:	Bob Amesbury Michigan-California Timber Co. P.O. Box 766 Yreka, CA 96097 Gregg Neitsch North State Land Surveying 1511 Kylynn Court Mt. Shasta, CA 96067
Project Summary	The applicant requests approval of a minor boundary line adjustment to reconfigure two existing legal parcels.
Location:	The project site is located south of Scott River Road, approximately 10 miles west of the City of Fort Jones, on APNs 015-420-200 and 015-420-230; T44N, R10W, S29 and S30, MDB&M; Latitude 41.635°, Longitude -122.036°.
General Plan:	Geologic Hazard: Landslide Area; Erosion Hazard; Building Foundation Limitations: Severe Pressure Limitations Soils; Severe Septic Tank Limitations; Surface Hydrology: Scott River; Wildfire Hazard; and Woodland Productivity
Scott Valley Area Plan:	Excessive Slope; Flood Plain; and Landslide Area
Zoning:	Timberland Production (TPZ)
Current Use:	Growing and Harvesting Timber
Exhibits:	A. Draft Resolution PC-2021-026 A Resolution of the Planning Commission of the County of Siskiyou, State of California, recommending that the Siskiyou County Board of Supervisors Approve the Michigan-California Timber Company, LP Boundary Line Adjustment (BLA-21-22). A-1. Notations and Recommended Conditions of Approval A-2. Recommended Findings B. Exhibit Map C. Joint Timber Management Plan D. Comments

Background

Michigan-California Timber Company, LP has applied for a boundary line adjustment for two existing parcels zoned Timberland Production (TPZ). The proposed boundary line adjustment would reconfigure the existing parcels with the Scott River as the dividing line between the parcels.

Scott River bisects the northern section of the project site. The site is prominently developed for timber production that is stocked with a mixture of firs, conifers, and pines. The project site has relatively steep slopes south of the Scott River with relatively gentler slopes north of the river.

Surrounding parcels are predominately zoned TPZ with some Rural Residential Agricultural (R-R) zoning northwest of the site that follows the Scott River to the east. Properties to the north and northeast are smaller in size (5-11 acres) and are zoned for R-R uses and are developed with single-family dwellings.

Owner	APN	Original Acreage	Adjustment	Final Acreage
Michigan-California Timber Co. LP	015-420-230 (portion)	634	-556	78
Michigan-California Timber Co. LP	015-420-200	40	+556	596

Parcel Creation

APN 015-420-230 is a legal parcel originally created by Patent Number 24, which was filed for record in the Siskiyou County Recorder's Office on October 19, 1896 (Vol 14, Pages 144-159, inclusive). APN 015-420-200 is a legal parcel originally created by a Grant Deed, which was filed for record in the Siskiyou County Recorder's Office on October 16, 1975 (Vol. 743, Page 240) as the Southeast quarter of the Northeast quarter of Section 30, Township 44 North, Range 10 West, M.D.M.

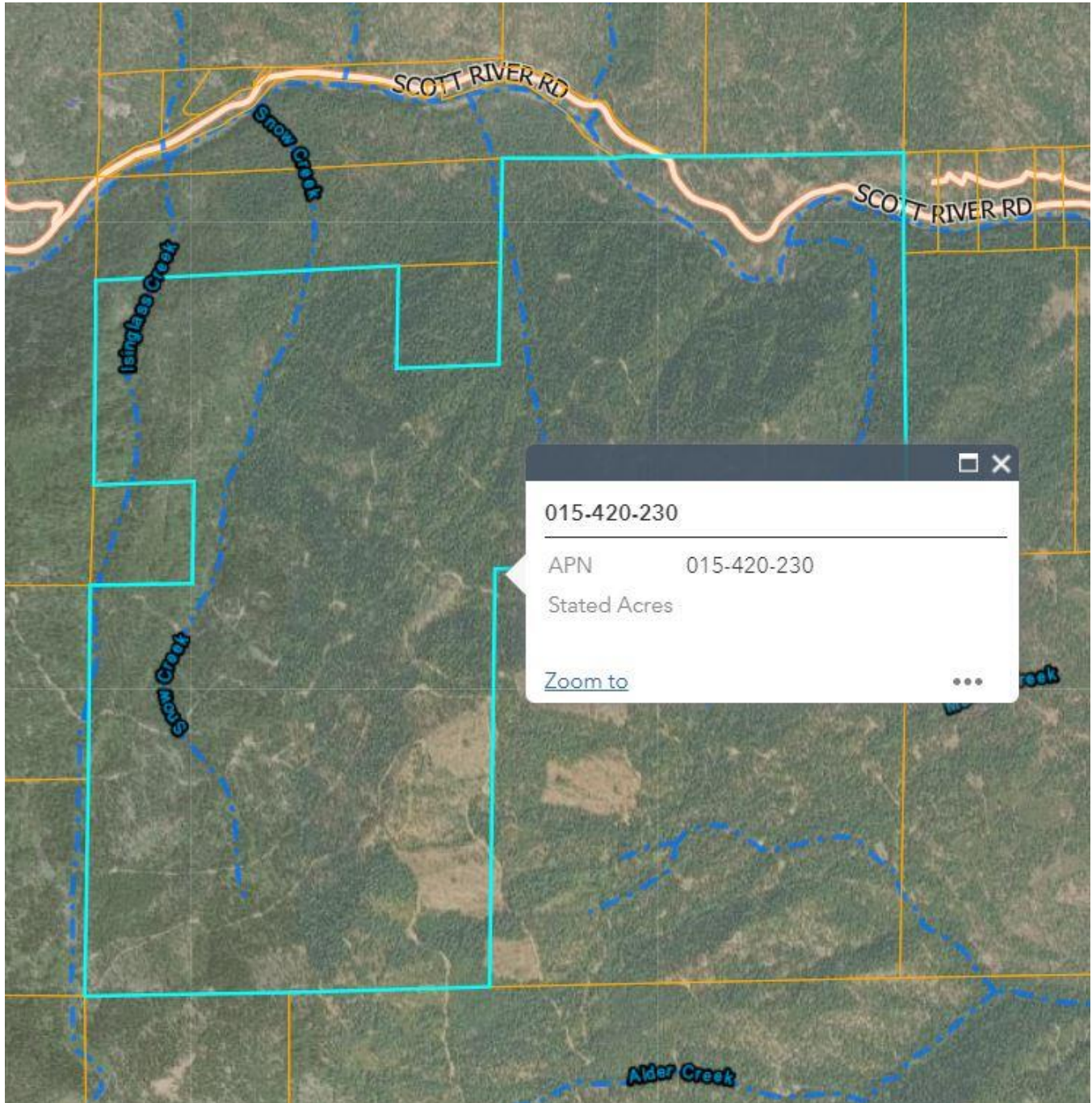


Figure 1: Project Location



Figure 2: Topographic Map

Discussion

Approval of the Michigan-California Timber Company, LP Boundary Line Adjustment (BLA-21-22) would reconfigure two parcels and result in one 78-acre parcel and one 596-acre parcel.

Pursuant with Section 10-6.5108 of the Siskiyou County Code, a parcel zoned TPZ may be divided into parcels containing less than 160 acres if each parcel to be created is divided in accordance with the provisions of Section 51119.5 of the Government Code. Government Code Section 51119.5 states that parcels zoned TPZ may not be divided into parcels containing less than 160 acres unless the original owner prepares a joint timber management plan prepared or approved by a registered professional forester. The joint timber management plan shall provide for the management and harvesting of timber by the original and any subsequent owners and shall be recorded with the County Recorder as a deed restriction on all newly created parcels. The deed restriction shall run with the land rather than with the owners and shall remain in force for a period of not less than 10 years from the date division is approved by the Board of Supervisors. The division shall be approved only by a four-fifths vote of the full Board, and only after recording of the deed restriction.

In addition, County Code requires that each parcel to be created must meet the minimum standards adopted by resolution of the Board for inclusion under List C for the TPZ zoning district. List C requires that the proposed parcels shall currently meet the stocking standards of the Forest Practice Rules, and that the parcels shall contain a minimum equivalency to 40 acres of Site Class III Timberland.

Consistent with the above requirements, the property owner has submitted a joint timber management plan prepared by a registered professional forester that indicates the proposed parcels meet the

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minimum standards set forth by List C. As such, the joint timber management plan would need to be recorded as a deed restriction on the property prior to the Board's approval of the proposed boundary line adjustment.

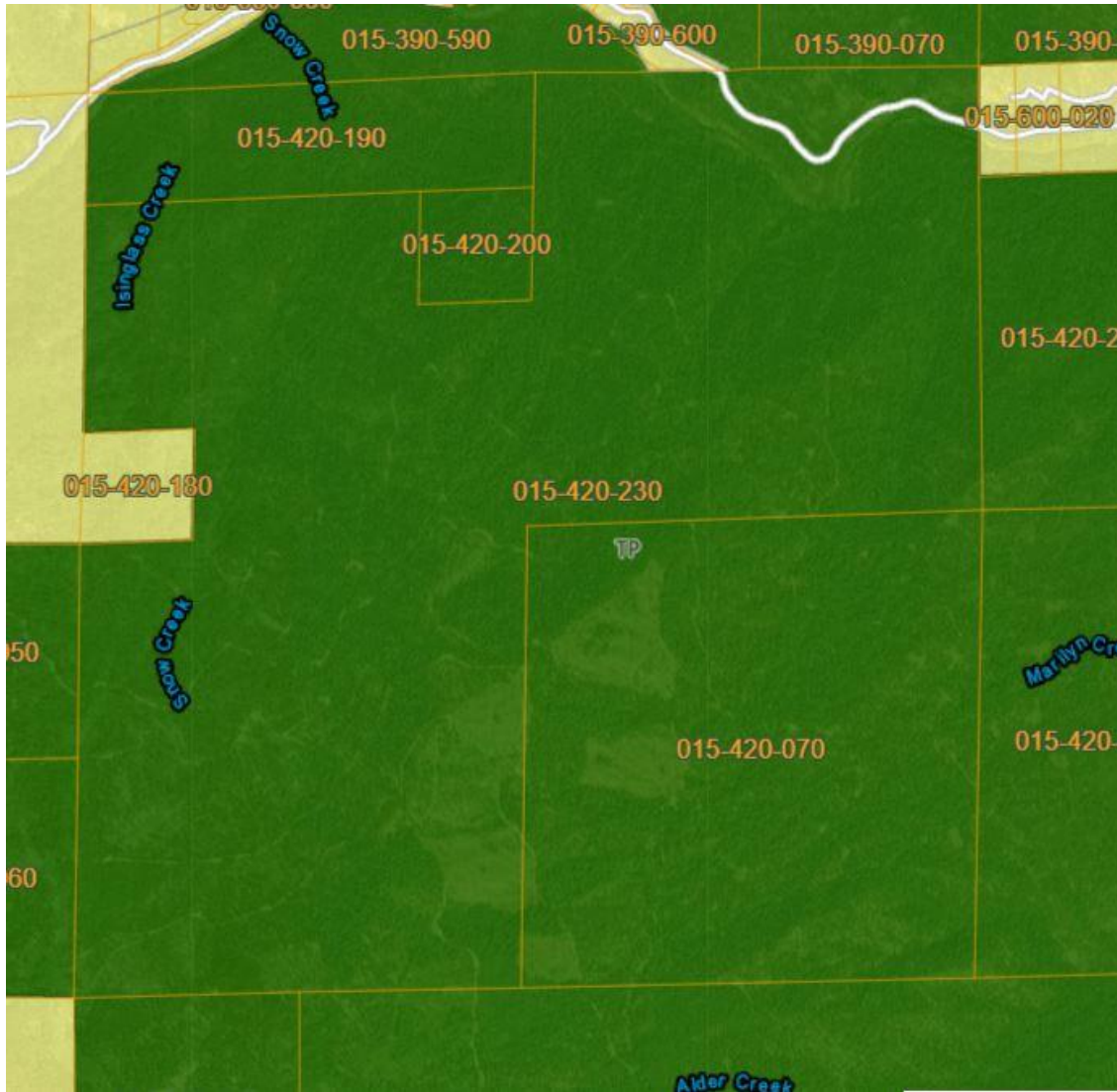


Figure 3: Zoning Map

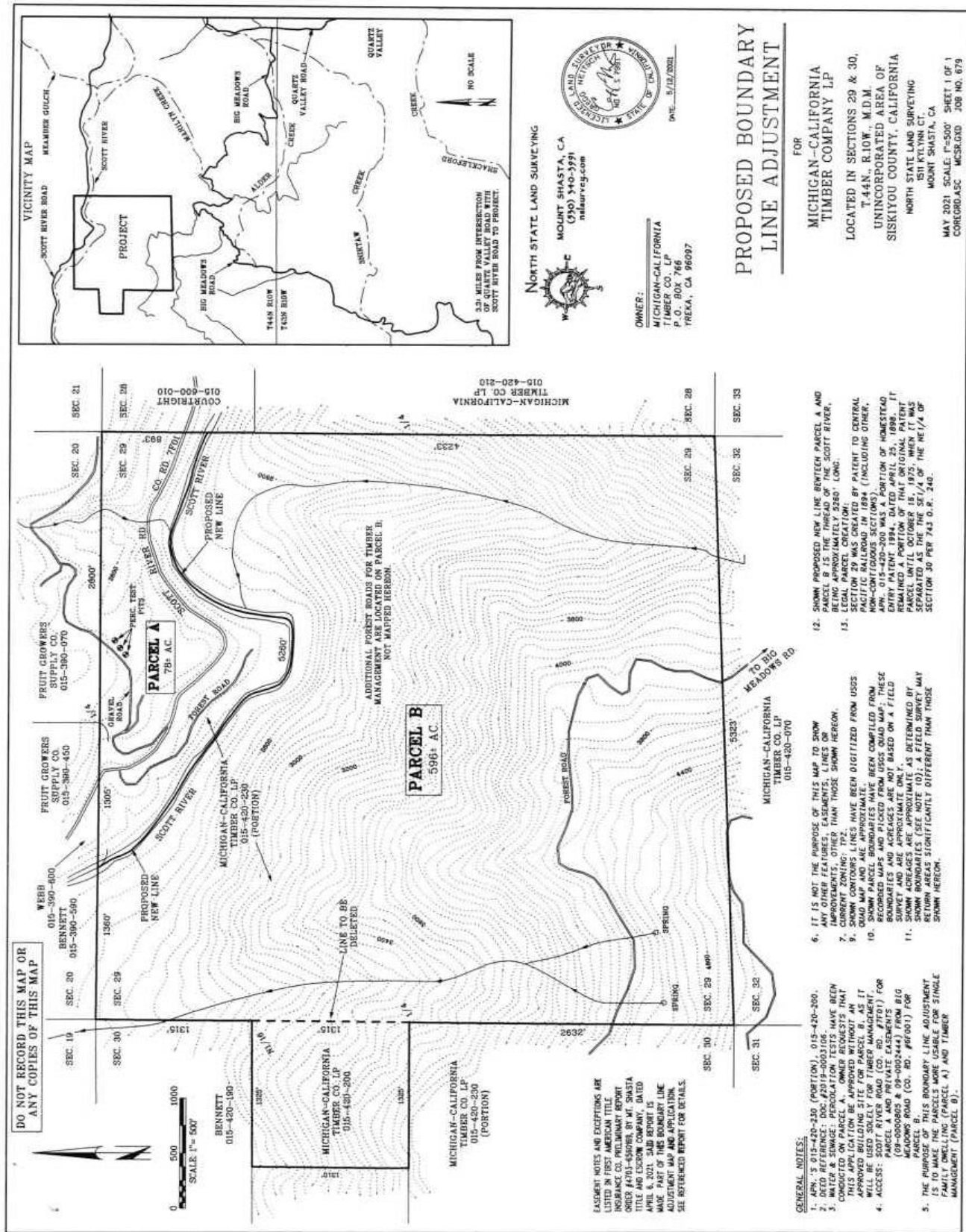


Figure 4: BLA Exhibit Map

Analysis

Zoning Consistency

Currently, the project site is zoned Timberland Production Zone (TPZ). Approval of the Michigan-California Timber Company, LP boundary line adjustment (BLA-21-22) would transfer 556 +/- from APN 015-420-230 to APN 015-420-200, resulting in a 596 +/- acre (Parcel B) and a 78 +/- acre parcel (Parcel A). Subsequent to the boundary line adjustment, proposed Parcel A would be consistent with the provisions of the County Code, Section 10-6.5108 in that a Joint Timber Management Plan would be recorded that has been prepared by a registered professional forester. Proposed Parcel B is consistent with the TPZ zoning district and meets all requirements.

General Note #5 on the proposed Boundary Line Adjustment Exhibit Map identifies the purpose of the boundary line adjustment is to build a single-family dwelling on resultant Parcel A. Pursuant to Siskiyou County Code Section 10-6-5102, permitted uses in TPZ zoning district include growing and harvesting of timber; compatible uses as defined in Government Code Section 51100, except where conditionally permitted by County Code; recreational and/or educational uses not interfering with the primary purpose of the district, which purpose is the growing and harvesting of timber; grazing; and a single-family residence provided a Joint Timber Management Plan for the property has been prepared.

Although single-family residences are permitted by right within the TPZ zoning code, that same zoning district requires a conditional use permit for the “construction and/or occupancy of any building”. Therefore, should the property owner wish to proceed with the construction or placement of a single-family residence on the subject property, they would be required to apply and be approved for a conditional use permit (Notation No. 4 of Exhibit A-1 has been added regarding this requirement).

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 Geologic Hazard-Landslide Area; Erosion Hazard, Building Foundation Limitations – Sever Pressure Limitations Soils; Severe Septic Tank Limitations; Surface Hydrology – Scott River; Wildfire Hazard, and Woodland Productivity. In addition, staff has identified that Composite Overall Policies 41.3(e), 41.3(f), 41.9, 41.18(b) and 41.19 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 policies governing the subject site. In addition, the proposed boundary line adjustment would be compatible with the surrounding land uses, has adequate roadway access for transportation, public health, and safety provisions, and would not create environmental impacts to on-or off-site resources. The recommended findings are detailed in the General Plan Consistency Findings section of Exhibit A-2 attached to this staff report and are submitted for the Commission’s review and consideration.

Environmental Review

Staff recommends that the proposed project be determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), the common-sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

The Planning Commission must consider the proposed CEQA exemption together with any comments received during the public review process. Furthermore, the exemption can only be approved if the

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Commission finds, based on the whole record before it, that there is not substantial evidence that there are unusual circumstances (including future activities), which might reasonably result in the project having a significant effect on the environment.

Comments

A Notice of Public Hearing was published in the Siskiyou Daily News on November 3, 2021 and mailed to property owners within 300 feet of the subject property. No public comments have been received at the time this staff report was written.

Siskiyou County Environmental Health Division – June 16, 2021

Environmental Health has reviewed the proposed BLA and has no objections as it is submitted. The created portion of APN 015-420-230 which lies to the north of Scott River Road has been reviewed and approved for a conventional onsite sewage disposal.

Planning Response: No response necessary.

California Department of Forestry and Fire Protection (CalFire) – June 16, 2021

CalFire has reviewed the proposed BLA and would only object to the adjustment if the new boundary line encroaches on previously permitted structures or roadways approved under the following requirements of the Public Resources Code 4290.

Planning Response: The proposed boundary line between the proposed resultant parcels would not encroach upon any previously permitted structures or roadways.

Planning Staff Recommendations

- Adopt Resolution PC-2021-026 taking the following action:
 - Recommend the Board of Supervisors to approve the Boundary Line Adjustment request based on the recommended findings and subject to the recommended conditions of approval.

Suggested Motion

I move that we adopt Resolution PC-2021-026, A Resolution of the Planning Commission of the County of Siskiyou, State of California, recommending that the Siskiyou County Board of Supervisors Approve the Michigan-California Timber Company, LP Boundary Line Adjustment (BLA-21-22).

Preparation

Prepared by the Siskiyou County Planning Division.

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

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