

Resolution PC 2022-005

A Resolution of the Planning Commission of the County of Siskiyou, State of California, Conditionally Approving the Menne Boundary Line Adjustment (BLA-21-31) and Recommending that the Board of Supervisors Determine the Project Exempt from the California Environmental Quality Act and Approve the Menne Zone Change (Z-22-02) by Adopting a Draft Ordinance Rezoning 4 acres of APN: 014-361-420 and 014-130-490 from AG-1-B-80 to R-R-B-10.

Whereas, an application has been received from Tom Menne to rezone approximately 4 acres (approximately 2 acres of APN 014-361-420 and approximately 2 acres of APN 014-130-490) from Prime Agricultural, 80-acre minimum parcel size (AG-1-B-80) to Rural Residential Agricultural, 10-acre minimum parcel size (R-R-B-10); and

Whereas, the applicant concurrently submitted a boundary line adjustment application (BLA-21-31) to adjust the boundary between two legal parcels (APN 014-130-370, 014-130-390, 014-130-490, 014-361-380, 014-361-460, and 014-361-470) in order to consolidate all lands improved and utilized for agricultural uses on one large parcel; and

Whereas, the proposed boundary line adjustment was evaluated along with the proposed rezone pursuant to the California Environmental Quality Act (CEQA); and

Whereas, a Notice of Public hearing was published in the Siskiyou Daily News on March 2, 2022; 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 presented its oral and written staff report on the Menne Zone Change (Z-22-02) and Boundary Line Adjustment (BLA-21-31) at a regular meeting of the Planning Commission on March 16, 2022; and

Whereas, the Planning Division recommended that the project be determined exempt from the California Environmental Quality Act (CEQA) based on the “common sense” that CEQA only applies to projects with the potential to result in a significant impact on the environment in accordance with CEQA Guidelines Section 15061(b)(3); and

Whereas, the Planning Division recommended that the project be determined exempt from the California Environmental Quality Act (CEQA) pursuant to *Existing Facilities* (Section 15301), which includes the operation of existing public or private

structures, facilities, or mechanical equipment involving negligible or no expansion of existing or former use; and

Whereas, the Planning Division recommended that the project be determined exempt from CEQA pursuant to the *Minor Alterations in Land Use Limitations* (Section 15305(a)), which includes minor lot line adjustments not resulting in the creation of any new parcel; and

Whereas, the Planning Division recommended approval of Boundary Line Adjustment BLA-21-31 and Zone Change Z-22-02 subject to the conditions of approval included in Attachment A-1 to this resolution; and

Whereas, on March 16, 2022, the chair of the Planning Commission opened the duly noticed public hearing on the Menne Zone Change (Z-22-02) and Boundary Line Adjustment (BLA-21-31) to received 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; 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, hereby takes the following actions on the Menne Zone Change (Z-22-02) and Boundary Line Adjustment (BLA-21-31):

1. Conditionally approves Boundary Line Adjustment BLA-21-31 based on the recommended findings and subject to the recommended conditions of approval contained in Attachment A-1 to this resolution; and
2. Recommends that the Board of Supervisors of Siskiyou County determine the project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), Section 15301, and Section 15305(a); and
3. Recommends that the Board of Supervisors of Siskiyou County approve Zone Change (Z-22-02), subject to the conditions of approval contained in Attachment A-1 to this resolution.

It is Hereby Certified that the foregoing Resolution PC-2022-005 was duly adopted on a motion by Commissioner MeLo and seconded by Commissioner Hart at a regular meeting of the Siskiyou County Planning Commission held on the 16th day of March 2022 by the following vote:

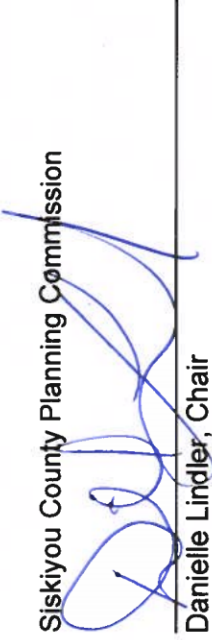
Ayes: Commissioners Hart, Melo, Veale and Lindler

Noes:

Absent: Commissioner Fowle

Abstain:

Siskiyou County Planning Commission



Danielle Lindler, Chair

Witness, my hand and seal this 16th day of March 2022



Hailey Lang, Secretary of the Commission

Exhibit A-1 to Resolved PC-2022-005
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 adoption of the categorical exemption, 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 is to be commercially harvested as part of the zone change, the conditions set forth in the California Forest Practice Rules pertaining to Conversion of Timberland (Title 14, CCR, Article 7, Section 1104.02) shall be adhered to.
4. If any timber operations (as defined by PRC Section 4527) are involved with a project, they must be approved by Cal Fire prior to undertaking operations. A Timber Harvesting Plan (THP) may be required. A Timberland Conversion Permit (TCP) may also be required.
5. If a proposed project will result in the conversion of greater than three (3) acres of timberland to non-timber use, a TCP is 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 14CCR 1104.

Conditions of Approval

1. The project shall substantially conform to the project description, boundary line adjustment map, and zone change map reviewed by the Planning Commission on March 16, 2022, and subsequently approved by the Siskiyou County Board of Supervisors. Any proposed amendment(s) shall be submitted for consideration to the Deputy Director of Planning to determine the review process pursuant to the Siskiyou County Code.
2. Development of the subject property shall comply with all adopted rules and regulations of the Siskiyou County Code and all other local and state regulatory agencies.
3. The applicant shall provide a legal description of the parcel that is to exist. The legal description must be typed on plain white paper with one-inch borders. The legal description must be prepared and submitted by either a Registered Civil Engineer that is licensed to practice land surveying (registered in California prior to 1982) or a Licensed Land Surveyor and be accompanied by a map showing the parcel as depicted by the legal description. The legal description and exhibit map shall be made to the satisfaction of the Deputy Director of Planning, whereupon they shall be recorded along with the other required boundary line adjustment documents.
4. The applicant shall provide the Planning Division with the name of the local title company that will complete all title documents and record the final approval. Upon recordation, the Planning Division shall be provided with copies of all documents including a "dated down" title report reflecting completion of all requirements.

**Exhibit A-1 to Resolution PC-2022-005
Notations and Recommended Conditions of Approval**

5. A notation shall be included on the recorded boundary line adjustment stating as follows:

“This approved boundary line adjustment relates only to issues of compliance or non-compliance with the Subdivision Map Act and local ordinances enacted pursuant thereto. The parcels described herein may be sold, leased, or financed without further compliance with the Subdivision Map Act or any local ordinances enacted pursuant thereto. Development of the parcels may require issuance of a permit or permits, or other grant or grants of approval.”
6. The boundary line adjustment shall become null and void if the boundary line adjustment documents and any required deed(s) have not been recorded within one (1) year of the date of approval. A twelve (12) month extension of the expiration date may be obtained upon the submittal of a written application and fee to the Planning Division, prior to the expiration of the approved boundary line adjustment.
7. The approval of the boundary line adjustment does not guarantee that said parcel: (1) can be built upon; (2) has legal access; (3) has water and sewer to support development; or (4) there is the ability to obtain the necessary permits or other grant or grants of approval to allow development.
8. The existing Williamson Act contracts shall be rescinded and reissued and recorded simultaneously with the boundary line adjustment and in compliance with the Siskiyou County’s “Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts”.
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.

Exhibit "A-2"
Recommended Findings – March 16, 2022
Menne Zone Change (Z-22-02) and Boundary Line Adjustment (BLA-21-31)

Findings

Zoning Consistency Findings

1. The proposed zone change is consistent with the applicable elements and policies of the Siskiyou County General Plan and Scott Valley Area Plan, as documented herein above.
2. The proposed zone change application is consistent with Siskiyou County Code Title 10, Chapter 6, Article 28.
3. The proposed zone change to Rural Residential Agricultural (R-R) is consistent with existing and permitted land uses surrounding the project site.
4. The proposed zone change is compatible with the surrounding zoning of Rural Residential Agricultural (R-R), Non-Prime Agricultural (AG-2) and Prime Agricultural (AG-1)
5. The proposed Resultant Parcel A is consistent with Rural Residential Agricultural, 10-acre minimum (R-R-B-10) zoning districts.

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 uses presently allowed and established on the project site are compatible with the surrounding area and would remain the same.

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 uses presently allowed and established on the project site are not disruptive or damaging to mapped resources and would remain the same.

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.

The project site contains existing residential uses 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.

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.

Proposed parcel B has an existing onsite sewage disposal system. Proposed Parcel A and APN 014-361-420 have been reviewed and approved for conventional sewage disposal.

Exhibit "A-2"
Recommended Findings – March 16, 2022
Menne Zone Change (Z-22-02) and Boundary Line Adjustment (BLA-21-31)

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

Proposed Parcel has an existing water well. Prior to development of Proposed Parcel A and APN 014-361-420, evidence of water quality and quantity is required.

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.

Both proposed parcel configurations have access to Scott River Road, a public road capable of handling traffic generated by the parcels. APN 014-361-420 has access to Scott River Road by way of an undeveloped Deeded Easement. No new development is proposed as part of this 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.

Map 2 Soils: 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).

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 requirements for development. Because on-site soils consist of well drained, very gravelly loam and the terrain is without slopes exceeding 50%, the potential for erosion hazards has been evaluated as minimal and is consistent with Policy 7.

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 designate floodway 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 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.

Exhibit "A-2"
Recommended Findings – March 16, 2022
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Policy 24 – Single family residential, light commercial, light industrial, open space non-profit and non-organizational in nature recreation 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.

No new development is proposed as part of this project and proposed Parcel B is already developed with a single-family dwelling and accessory structures, which are appropriate uses outlined in Policy 24.

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 parcels exceed the minimum parcel size of one acre.

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

Any flood plain requirements of the Federal Government take precedence over the County's flood plain management ordinance and are enforced by the Building Division as part of the building application review process.

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 proposed for the site at this time. This policy would be enforced with the review of any development application(s) for future construction purposes.

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.

No new development is proposed as part of this project. However, this project is on Scott River Road, which is a public road that provide safe ingress and egress. Scott River and multiple wells on the property, domestic and agricultural, provide an adequate water supply for fire suppression purposes. All future development would be required to meet ingress and egress standards to ensure wildfire safety, and future development would be reviewed to ensure there are no impact to existing water supply.

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Recommended Findings – March 16, 2022
Menne Zone Change (Z-22-02) and Boundary Line Adjustment (BLA-21-31)

Map 12: Prime Agricultural Soils

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

The permitted uses will not create erosion or sedimentation problems.

The applicant has provided supporting documentation consistent with Scott Valley Area Plan Policy 4 as proof that the area proposed to be rezoned from AG-1-B-80 to R-R-B-10 was mapped incorrectly and is not prime agricultural land. The project proposes to consolidate the prime agricultural land on one 393-acre parcel and consolidate the non-farmable land for residential uses on one 52-acre parcel. There is no development proposed as part of this project and thus would not create erosion or sedimentation problems.

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 agriculture, and at the same time retaining a residential density in the major agricultural areas of the county that is compatible with agricultural interests.

The applicant has provided supporting documentation consistent with Scott Valley Area Plan Policy 4 as proof that the area proposed to be rezoned from AG-1-B-80 to R-R-B-10 is not prime agricultural land.

The primary objective of the policies applied to prime agricultural land is that of allowing only agricultural uses and not permit a density that will interfere with agricultural production. The 20-acre density requirement has not been applied to properties within the immediate area currently zoned Rural Residential Agricultural therefore, the 20-acre restriction should not be applied to the small portion of the two parcels proposed to be rezoned. They should each be entirely zoned Rural Residential Agricultural with a 10-acre minimum parcel size.

The project includes rezoning four acres from AG-1-B-80 to R-R-B-10, which would ensure both resultant parcels are compliant with the proposed zoning designations of the resultant parcels.

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

No new uses are proposed as part of this project. The applicant has provided supporting documentation consistent with Policy 4 as proof that the area proposed to be rezoned from AG-1-B-80 to R-R-B-10 was mapped incorrectly and is not prime agricultural land. The project proposes to consolidate the prime agricultural land on one 393-acre parcel and consolidate the non-farmable land for residential uses on one 23-acre parcel. The project includes rezoning four acres from AG-1-B-80 to R-R-B-10, which would ensure all parcels proposed as part of this project are compliant with the proposed zoning designations of the resultant parcels.

Exhibit "A-2"
Recommended Findings – March 16, 2022
Menne Zone Change (Z-22-02) and Boundary Line Adjustment (BLA-21-31)

Scott Valley Area Plan Consistency Findings
Prime Agricultural Land

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

The applicant has provided supporting documentation consistent with Policy 4 as proof that the area proposed to be rezoned from AG-1-B-80 to R-R-B-10 was mapped incorrectly and is not prime agricultural land. The project proposes to consolidate the prime agricultural land on one 393-acre parcel and consolidate the non-farmable land for residential uses on one 23-acre parcel. The project includes rezoning four acres from AG-1-B-80 to R-R-B-10, which would ensure all parcels proposed as part of this project are compliant with the proposed zoning designations of the resultant parcels.

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

The applicant has provided supporting documentation consistent with Policy 4 as proof that the area proposed to be rezoned from AG-1-B-80 to R-R-B-10 was mapped incorrectly and is not prime agricultural land. The project proposes to consolidate the prime agricultural land on one 393-acre parcel and consolidate the non-farmable land for residential uses on one 23-acre parcel. The project includes rezoning four acres from AG-1-B-80 to R-R-B-10, which would ensure all parcels proposed as part of this project are compliant with the minimum parcel size for the resultant parcels.

Policy 3 - On lands mapped as prime agricultural land, but proven not to be prime agricultural land, the minimum parcel size shall be 40 acres. The intent of this policy is to allow a higher density on land that is not capable of being as productive for agriculture as prime agricultural land and at the same time retaining a density in agricultural areas that is compatible with agricultural interests.

The applicant has provided supporting documentation consistent with Policy 4 as proof that the area proposed to be rezoned from AG-1-B-80 to R-R-B-10 is not prime agricultural land. This rezone addresses a mapping error that was within the Scott Valley Area Plan, which incorrectly identified a small portion of the subject parcels with prime agricultural soils. The primary objective of the policies applied to prime agricultural land is that of allowing only agricultural uses and not permitting a density that will interfere with agricultural production. The 40-acre density requirement has not been applied to properties within the immediate area currently zoned Rural Residential Agricultural. Therefore, it would be inconsistent to apply that density to the small portion of the two parcels proposed to be rezoned. To maintain consistency with the correctly mapped portion of the Plan, the 10-acre minimum parcel size is most appropriate.

Policy 4 - Proof that mapped prime agricultural soils are in fact not prime can only be accomplished by providing the following information:

1. Submission of a soils test prepared by a California Certified Soil Scientist or,
2. Submission of well logs that specifically demonstrate there is not enough water available for irrigation purposes or,
3. A letter from the applicable irrigation district stating that they will not and cannot provide water or,
4. Any other factual, documented information that the area is not and has not been capable of supplying enough water for irrigation.

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Prime Agricultural land depicted on Map III is defined as Class I, II and III soils, or class IV and above soils that are classified as Class I, II and III soils under irrigation. The prime agricultural soils were identified and mapped from the soil type classification index and location as established by the United States Department of Agriculture (USDA). The parcels that are proposed to have a portion of their zoning changed from AG-1-B-80 to R-R-B-10 are shown to contain prime agricultural land on Map III, however, the current USDA soils map identifies the soils within the proposed zone change as being Class VI and VII. It is important to note that the Siskiyou County General Plan Prime Agricultural Soils Map agrees with the USDA map in that it does not depict the area proposed for rezoning as containing prime agricultural soils. In addition, the applicant has provided an evaluation by the UC Cooperative Extension, Agronomy Advisor determining that the hillside area proposed to be zoned from AG-1 to R-R is not prime agricultural soils, consistent with the USDA Soils Mapping.

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 resultant Parcel B is developed with a single-family dwelling 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 resultant Parcel B is already developed with two 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.

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. The applicant has provided supporting documentation consistent with Policy 4 as proof

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that the area proposed to be rezoned from AG-1-B-80 to R-R-B-10 is not prime agricultural land, therefore the 80-acre minimum parcel would only apply to resultant Parcel B, which as designed, exceeds 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. Resultant Parcel B is already developed with a single-family dwelling 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.

Resultant Parcel B has direct access to an existing public road. Resultant Parcel A has direct access to existing private roads. APN 014-361-420 has a deeded easement, which gives access to an existing public road. 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 38 - None of the policies stated in this plan will apply to Boundary Line Adjustments, so long as the new parcel configuration(s) and sizes conform to the intent of the density permitted in each resource, physical hazard, and non-resource area. All new parcels configurations and sizes must conform to all requirements of the applicable zoning districts.

This policy was included for the situation whereby a landowner merely wants to change the boundary lines of existing parcels and not create any additional parcels. The Scott Valley Area Plan's (SVAP) intention was to provide flexibility for properties to reconfigure existing parcels while ensuring that the least amount of land is taken out of agricultural production. The proposed project would not result in the loss of any agricultural production land and is consistent with the intention of SVAP. Furthermore, the intention of the SVAP is to ensure the existing agricultural operations are protected from non-compatible and intensive uses. As part of the project, the 52-acre resultant parcel would be rezoned to R-R-B-10 to correct a mapping error, which would ensure the existing agricultural operations are not negatively affected by maintaining the existing character of the site and surroundings including the surrounding zoning districts and future uses.

Exhibit "A-2"
Recommended Findings – March 16, 2022
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California Environmental Quality Act (CEQA) Findings

1. Because there is not substantial evidence, in light of the whole record before the County, that the zone change and boundary line adjustment 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, Class 1 projects consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures involving negligible or no expansion of use are categorically exempt from the provisions of CEQA. This exemption applies to the project because it involves property that is already developed with an existing agricultural operation, single-family dwelling, and accessory structures.
3. Section 15305(a), Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%. The project proposes a minor lot line adjustment consolidating the commercial agriculture land on one parcel and the non-farmable sloped portion in another parcel primarily for residential uses. No new parcels will be created as part of this project.
4. The Planning Commission has determined that the custodian of all documents and other material which constitute the record of proceedings shall rest with the County of Siskiyou Planning Department.
5. 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.