# Supplemental Staff Report

Meeting Date: December 13, 2022

To: Siskiyou County Board of Supervisors

From: Bernadette Cizin, Assistant Planner

Subject: Proposed Matthew & Audrey Parsons Trust Agricultural Preserve Amendment, Williamson Act Rescission and Re-entry (APA-22-02) and CEQA Determination

## Background and Discussion

On June 14, 2022, staff brought before the Board a proposed Agricultural Preserve amendment to bring approximately 525 acres, owned by Matthew & Audrey Parsons Trust, under one individual preserve and a single Williamson Act contract. Staff recommended that the board not approve the request as there is an open code compliance case on one of the subject parcels. After Board discussion and comment by the applicant, the public hearing was continued to August 2, 2022.

At the August hearing, staff provided the board with options for the owners that would allow them to continue their business, none of which the property owners considered to be feasible.

After Board discussion and comment by the applicant, the public hearing was continued to October 4, 2022, with direction from the Board for staff to provide the cost of the most efficient and cost-effective solution for the applicant to continue the business on their property.

At the October hearing staff provided the board with the most efficient and lowest cost path for the applicant to continue their business at the current location on their property, which the property considered not be feasible.

After Board discussion and comment by the applicant the public hearing was continued to December 13, 2022, to give the applicant additional time to return to compliance with County Code.

**Code Enforcement Case**
Since the code complaint was received the property owners have continued to remove the commercially produced wood pellets, logs and processed firewood from their property. On December 8, 2022, Code Enforcement staff notified the Planning Division that the business has removed advertisements of firewood and wood pellet sales from their website and has removed the wood pellets and the majority of the wood and logs from the property. Code Enforcement will issue a letter to the property owners that the Code Enforcement Case is closed.

## Comments

No public comments were received as of the preparation of this staff report.

## Analysis

Upon closure of the Code Case, the property is in compliance with County Code and Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts. The property historically has been used for and continues to be used for growing row crops, alfalfa hay and sod. The property meets the soils, acreage and use requirements for Agricultural Preserves and Williamson Act Contracts.

## Environmental Review

Staff is proposing that the proposed project be considered categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15317, *Open Space Easements or Contracts.* A Categorical Exemption implies that the project will not result in any significant adverse environmental effects. CEQA Guidelines Section 15317 specifically exempts the making and renewing of open space contracts under the Williamson Act, which is applicable to the subject action.

The Board of Supervisors must consider the proposed CEQA exemption together with any comments received during the public review process. Further, the exemption can only be approved if the Board finds, based on the whole record before it, that there is not substantial evidence that the project will have a significant effect on the environment. Accordingly, a finding to this effect has been incorporated into both draft resolutions prepared for the Board’s consideration.

Recommended Action

Should the Board of Supervisors concur with staff’s analysis, staff recommends that the Board of Supervisors find that the proposed modifications to the Williamson Act contracts, and Agricultural Preserves are exempt from CEQA and approve said modifications.

A draft motion to this effect is provided below.

Recommended Motions

I move to take the following actions:

1. Determine the project exempt from CEQA in accordance with Section 15317, Open Space Easements or Contracts; and
2. Adopt the attached resolution approving the rescission and reentry of the applicable Williamson Act contract; and
3. Adopt the attached resolution approving amendment to the existing Agricultural Preserves and establishment of a new preserve.

Exhibits to the Staff Report

1. Draft Resolution Approving the Rescission of the subject property from the existing contracts and Reentry into a new Williamson Act Contract
2. Draft Resolution amending the existing Agricultural Preserves and establishing a new preserve
3. Draft Williamson Act Contract