# Staff Report

Meeting Date: December 6, 2022

To: Siskiyou County Board of Supervisors

From: Shelley Gray, Assistant Planner

Subject: Proposed Zone Change (Z-22-01) Amending Zoning District Map 10-6.205-323 and CEQA Determination

## Background

The project is a proposed rezone of approximately 17.8 acres from Prime Agricultural (AG-1-B-80) to Rural Residential (R-R-B-40) to facilitate a boundary line adjustment that proposes to consolidate the land improved for agricultural production onto a single 302-acre parcel.

The project site is located at 3745 Hurds Gulch Road, approximately four miles southeast of the Town of Fort Jones on APNs: 023-270-110, 023-270-310, 023-270-390 and 024-190-140; Township 43 North, Range 8 and 9 West, Sections 25 and 30.

The proposed Resultant Parcel 1 is developed with an existing single-family dwelling, garage, ground water well, and outbuildings. Proposed Resultant Parcel 2 and 3 are partially developed with an approved septic area and road easement. There are a few old inactive gravel pits located on the northern section of APN 023-270-390. No records have been found of a Reclamation Plan Agreement or Use Permit. Surrounding parcels are predominately zoned Rural Residential Agricultural and Prime Agricultural in which the south, southwest, and west of the project site consist of Agricultural Preserve properties.

Resolution PC 2022-020, recommending that the Board of Supervisors adopt the CEQA Exemptions for the project and approve the proposed rezone (Z-22-01).

Notice of the project was published and posted as required prior to the Board of Supervisors meeting and no public comments were received as of the preparation of this staff report.

| **Owner** | **APN** | **Original Acreage** | **Adjustment** | **Final Acreage** | **Resultant Parcel** |
| --- | --- | --- | --- | --- | --- |
| Robert A. & Caryn A. Blais, Trust ETAL and Rhonda Kalantari | 023-270-110  023-270-310 | 166.00 +/-  121.52 +/- | +28.98 +/- | 316.50 +/- | Parcel 1 |
| Robert A. & Caryn A. Blais, Trust ETAL and Rhonda Kalantari | 024-190-140 | 80.00 +/- | -38.13 +/- | 41.87 +/- | Parcel 2 |
| Ryan F. & Clair Blais, Trustee | 023-270-390 | 50.80 +/- | +9.15 +/- | 59.95 +/- | Parcel 3 |

## Environmental Review

The project proposes to reconfigure three parcels to facilitate future building sites and a zone change to effectuate a boundary line adjustment. 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 rezone, as proposed, would not adversely impact the environment.

Because there is not substantial evidence, in light of the whole record before the County, that the proposed zone change and boundary line adjustment may have a significant effect on the environment, staff is recommending that the Planning Commission recommend to the Board of Supervisors the finding that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to the *“Common Sense Exemption”* of CEQA Guidelines Section 15061(b)(3), which states that “CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where is 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.” Additionally, staff is recommending this project be determined exempt pursuant to the Class 1 exemption that is applicable to *Existing Facilities* (CEQA Guidelines Section 15301) and the Class 5 exemption that is applicable to *Minor Alterations in Land Use Limitations* (CEQA Guidelines Section 15305(a)).

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. Class 1 applies to the project because the project includes existing facilities, such as the existing agricultural operation and single-family dwelling that are on the project site. Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes of land use or density, including minor lot line adjustments, such as the one proposed as part of this project. Class 5 applies to this project because a BLA is considered a minor lot line adjustment.

The proposed CEQA exemptions must be considered together with any comments received during the public review process. Further, the exemptions can only be approved if the finding is made, 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.

## Recommended Action

As detailed in Resolution PC 2022-020, it is the recommendation of the Planning Commission that the Board of Supervisors approve the proposed zone change. Should the Board of Supervisors concur with the recommendation of the Planning Commission, the Board of Supervisors must adopt an ordinance amending Zoning District Map 10-6.205-323. A draft motion to this effect is provided below.

## Recommended Motions

I move to take the following actions:

1. Introduce, waive, and approve the first reading of the proposed Blais rezoning to amend Zoning District Map 10-6.205-323; and
2. Direct the Clerk to schedule a continued public hearing on adoption of the CEQA exemption and a second reading of the ordinance amending Zoning District Map 10-6.205-323.

## Attachments

## Draft Ordinance No. \_\_\_\_\_\_\_, an Ordinance of the County of Siskiyou, State of California, Reclassifying Land southeast of the Town of Fort Jones from Prime Agricultural (AG-1-B-80) to Rural Residential Agricultural (R-R-B-40) on APNs: 023-270-110, 023-270-310, 023-270-390, and 024-190-140; Sections 25 and 30, Township 43N, Range 8W and 9W, MDB&M.

1. Exhibit Map(s)
2. Planning Commission Staff Report – October 19, 2022
3. Signed Resolution PC 2022-020