



**Siskiyou County
Planning Commission Staff Report
October 19, 2022**

Agenda Item Number 1

**Blais Zone Change (Z-22-01) and
Boundary Line Adjustment (BLA-22-02)**

Applicant: Ryan Blais

Property Owners: Robert A. Blais &
Caryn A. Blais, Trust ETAL
2135 Terra Nova Drive
Redding, CA 96003

Rhonda Kalantari
4176 Shawnee lane
Bookhaven, GA 30319

Ryan F. Blais &
Clair Blais
22150 Delightful Way
Redding, CA 96003

Representatives: Ryan Blais
Blais Consulting
22150 Delightful Way
Redding, CA 96003

Project Summary The project is a proposed rezone of 1.7 acres of a 316.50-acre parcel, 15 acres of a 41.87-acre parcel; and 1.1 acres of a 59.95-acre parcel 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 316-acre parcel.

Location: The project site is located at 3745 Hurds Gulch Road, approximately four miles southeast of the Town of Fort Jones, and approximately one mile east of the intersection of Eastside Road and Hurds Gulch Road on APNs 023-270-110, 023-270-310, 023-270-390, and 024-190-140; Sections 25 and 30, Township 43N, Range 8W, MDB&M; Latitude 41.545°, Longitude -122.816°.

General Plan: Soils: Erosion Hazards; Wildfire Hazard; Prime Agricultural Soils; Building Foundation Limitations: High Shrink-Swell Behavior Soils; Deer Wintering Area; and Excessive Slope.

- Scott Valley Area Plan:** Prime Agricultural Lands; Deer Wintering Area; and Excessive Slope
- Zoning:** Prime Agricultural, 80-acre minimum parcel size (AG-1-B-80);
Rural Residential Agricultural, 40-acre minimum parcel size (R-R-B-40)
- Exhibits:**
- A. Resolution PC-2022-020, a Resolution of the Planning Commission of the County of Siskiyou, State of California, Conditionally Approving the Blais Boundary Line Adjustment (BLA-22-02) and recommending that the Board of Supervisors Approve the Blais Zone Change (Z-22-01)
 - A-1. Notations and Recommended Conditions of Approval
 - A-2. Recommended Findings
 - B. Comments
 - C. Airport Land Use Compatibility Plan, Table 2A
 - D. Airport Land Use Compatibility Plan, Table 2B
 - E. USDA Natural Resources Conservation Service Soils Mapping and Data Sheets
 - F. Soils Evaluation by James A. Bianchin, C.E.G., Principal Engineering Geologist at Bajada Geosciences, Inc.
 - G. Soils Evaluation by Giuliano Carneiro Galdi, UC Cooperative Extension Advisor
 - H. BLA and Zone Change Exhibit Maps

Background

Ryan Blais of Blais Consulting has applied for a boundary line adjustment to reconfigure three parcels and request a zone change to convert a portion of the land from Prime Agricultural, 80-acre minimum parcel size (AG-1-B-80) to Rural Residential Agricultural, 40-acre minimum parcel size (R-R-B- 40) in order to consolidate all lands improved for agricultural production onto a single 316-acre parcel. The parcels are located at 3745 Hurds Gulch Road, approximately one mile east of the intersection of Eastside Road and Hurds Gulch Road.

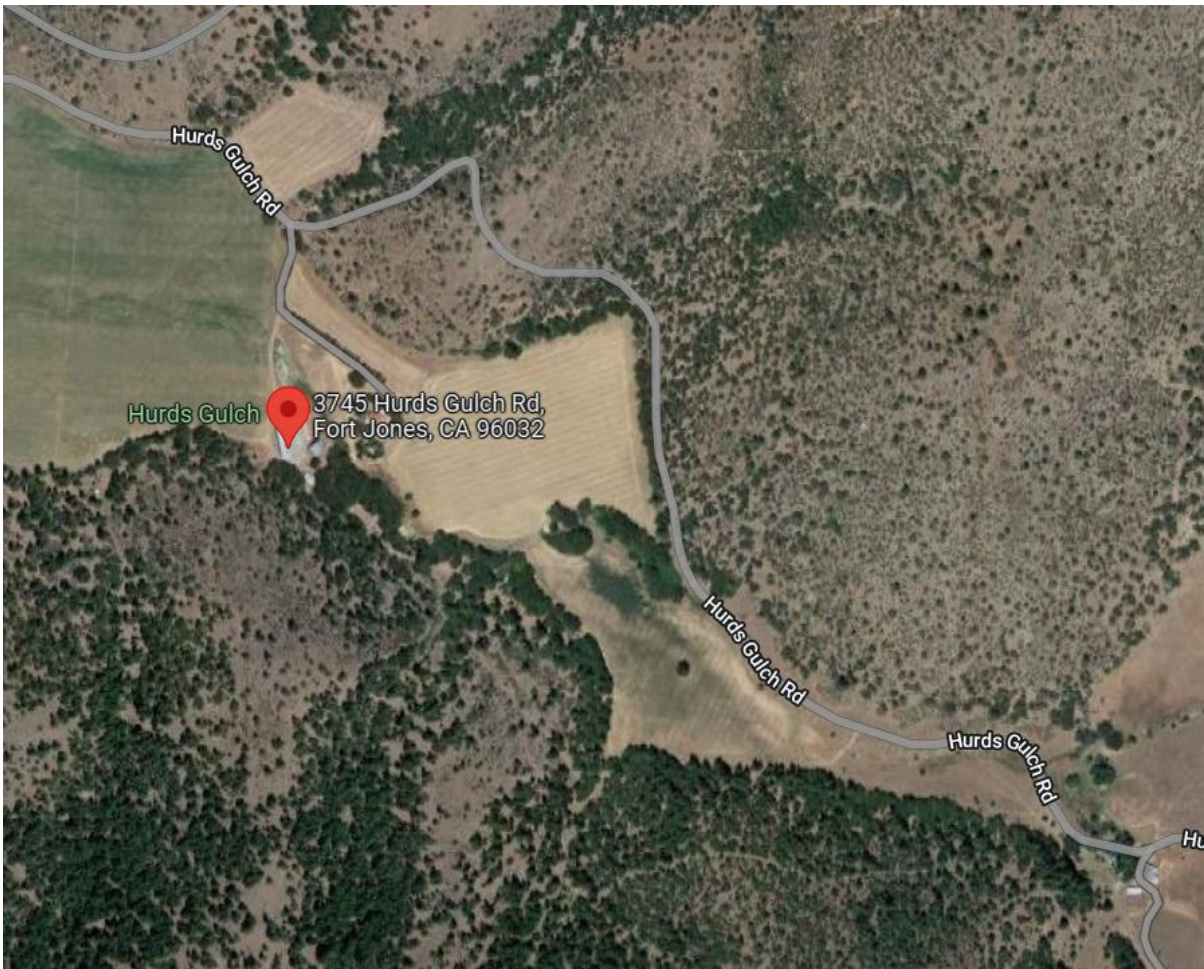


Figure 1: Project Location

APNs 023-270-110 and 023-270-310 are together a single legal parcel created as Parcel I of a Grant Deed, which was filed for record in the Siskiyou County Recorder's Office on April 29, 1953, (Volume 315, Page 542). The parcel was later modified by Boundary Line Adjustment (BLA-94-06), Document Number 95-0006197, which was filed for record in the Siskiyou County Recorder's office on May 24, 1995.

APN 024-190-140 is a legal parcel created as Parcel 1 in Grant Deed, which originally was filed for record in the Siskiyou County Recorder's office on April 29, 1953, (Volume 488, Page 673). The parcel was later modified by Boundary Line Adjustment (BLA-05-21), Document No. 06-00026388, which was filed for record on February 24, 2006.

APN 014-130-390 is a legal parcel created as Parcel 2 in Grant Deed, Document Number 95-015509, which originally was filed for record in the Siskiyou County Recorder's office on November 30, 1995. The parcel was later modified by Boundary Line Adjustment (BLA-05-21), Document No. 06-0002638, which was filed for record in the Siskiyou County Recorder's office on February 24, 2006.

Much of the proposed Resultant Parcel 1 is developed for alfalfa production. Proposed Resultant Parcel 2 is steeply sloped with scattered trees and shrubs and is not developed for agricultural production. Proposed Resultant Parcel 3 contains low yield fields, which is attributed to the non-prime soil quality.

During drought years, these fields are not irrigated to ensure adequate water supply is available for the high yielding fields.

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.

Discussion

Approval of the Blais Boundary Line Adjustment (BLA-22-02) would reconfigure three parcels and result in one 316.5-acre parcel, one 41.87-acre parcel, and one 59.95-acre parcel. The boundary line adjustment proposes to increase acreage for two of three parcels in order to consolidate the land capable of sustaining agricultural production onto a single agricultural parcel.

The land proposed to be rezoned for rural-residential uses has limitations that prevent it from being utilized as part of the agriculture operation that is established at the project site. There are limited soils ranging in depth from 0 to 36 inches that consist of stony loam to very gravelly clay which are supported by bedrock. In addition, the soils have very slow infiltration rates and very high runoff potential. Because of these and other factors, the Natural Resources Conservation Service (NRCS) has labeled the soils underlying the future building sites to be rezoned Rural Residential (R-R-B-40), as "not prime farmland". The California Department of Conservation reflects the land where the potential exists for future development of homesites as Farmland of Local Importance as noted in the attached report (Exhibit D).

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

It is due to these limitations that the property owner is requesting to relocate the boundary lines to their proposed locations, thereby separating the non-agricultural land from the portion of the property which contains lands capable of being utilized as part of a large-scale agricultural operation.

Approximately 1.7 acres of proposed Resultant Parcel 1; 15 acres of proposed Resultant Parcel 2; and 1.1 acres of proposed Resultant Parcel 3 of the Boundary Line Adjustment are currently zoned AG-1-B-80 and proposed to be rezoned to R-R-B-40. The separation between the two zoning districts follows the Scott Valley Area Plan mapping of Prime Agricultural Soils rather than the actual soil conditions and use that exist. The proposed zone change would transfer a total of 17.8 acres from AG-1-B-80 into R-

R-B-40, making the entirety of proposed Resultant Parcels 2 and 3 within the R-R zoning district. The zoning district for proposed Resultant Parcels 2 and 3 would then more accurately reflect the potential uses on the site. Although the proposed resultant parcels take into consideration the possible location for future single-family dwelling building sites, no development or change in use is proposed as part of this project.

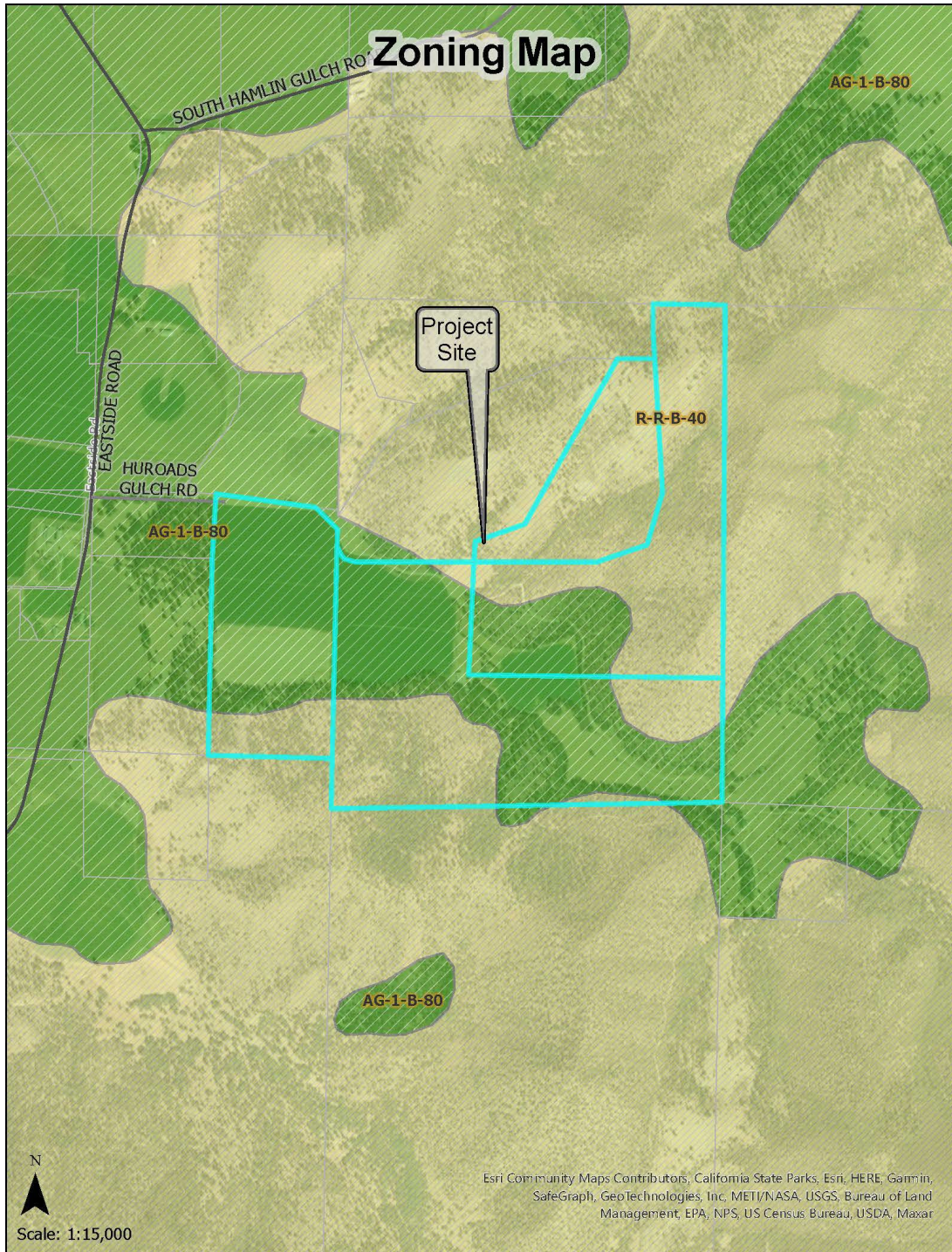


Figure 2: Zoning Map

Analysis

Zoning Consistency

Currently, the subject properties are zoned Rural Residential Agricultural, 40-acre minimum parcel size (R-R-B-40), and Prime Agricultural, 80-acre minimum parcel size (AG-1-B-80).

Subsequent to the proposed zone change, 17.8 acres will be transferred from the AG-1-B-80 zoning district to the R-R-B-40 zoning district. As shown in Figure 2, the project site is located adjacent to parcels zoned Rural Residential Agricultural, 40-acre minimum parcel size (R-R-B-40), and Prime Agricultural, 80-acre minimum parcel size (AG-1-B-80). There are no proposed changes to the existing use of the property that would make it inconsistent with the proposed zoning. Future changes would be subject to the zoning requirements in effect at the time they are proposed.

Airport Land Use Compatibility (ALUCP)

The project site is adjacent to the Scott Valley Airport which includes a portion of APN 024-190-140 within the Zone D compatibility zone. Zone D is described within the ALUCP as the area “that includes other areas within the airport vicinity which are overflowed less frequently or at a higher altitude by aircraft arriving and departing the airport”. Within the ALUCP, the Primary Compatibility Criteria matrix in Table 2A (see Exhibit C) provides guidance on compatible uses and densities. There is no density limit to residential or other uses for Zone D; however, there is prohibited uses of hazards to flight which include physical, visual, and electronic forms of interference with the safety of aircraft operations. Any land use development which may cause the attraction of birds to increase is prohibited. Objects up to 150 feet tall are permitted unless located on high ground or upon a solitary object more than 35 feet taller than other nearby objects.

Noise compatibility is delineated in the Noise Compatibility Criteria in Table 2B (see Exhibit D). Clearly acceptable land uses are those for which the activities associated with the specified land use can be carried out with essentially no interference from the noise exposure. Normally acceptable land uses are those for which noise is a factor to be considered in that slight interference with outdoor activities may occur. Agricultural land use is a “Clearly Acceptable” land use up to a Community Noise Equivalent Level (CNEL) of 70dB and is “Normally Acceptable” up to 75dB. Pursuant to the Noise Impacts map (Exhibit 8E of the ALUCP), the portion of APN 024-190-140 of the project site does not lie within the 55 to 65 CNEL area. Therefore, agricultural uses on the subject property are compatible with the noise impacts from the Scott Valley Airport.

General Plan Consistency

The Land Use Element of the Siskiyou County General Plan identifies the project site as being within the mapped resource overlay area for Soils: Erosion Hazard; Wildfire Hazard; Prime Agricultural Soils; Building Foundation Limitations; High Shrink-Swell Behavior Soils; Deer Wintering Area; and Excessive Slope. Planning staff has identified that Composite Overall Policies 41.3(e), 41.3(f), 41.5 through 41.7, 41.9, and 41.18, also apply to the proposed project. Additionally, the use of the property, which is not proposed to change, would be compatible with the surrounding land uses, would have adequate roadway access for transportation and public health and safety provisions, and would not create environmental impacts to on or off-site resources. These findings are detailed in the General Plan Consistency Findings Section of Exhibit A-2 attached to this staff report and submitted for the Commission’s review, consideration, and approval.

Scott Valley Area Plan Consistency

The Scott Valley Area Plan identifies the project site as being within the mapped natural resources and physical hazard areas for Prime Agricultural Soils, Deer Wintering Area, and Excessive Slope. Planning staff has identified that Comprehensive – Composite Plan Policies 35, 36, 37 and 38, also 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 and Scott Valley Area Plan policies governing the subject site. Additionally, the allowed uses would be compatible with the surrounding land uses and existing zoning designations, would have adequate roadway address for transportation and public health and safety provisions, and would not create adverse environmental impacts to on- or off-site resources. The recommended findings are detailed in the General Plan Consistency Findings and Scott Valley Area Plan Consistency Findings section of Exhibit A-2 of PC Resolution 2022-020 attached to this staff report and submitted for the commissioner's review, consideration, and approval.

It is staff's opinion that the proposed project is consistent with the Siskiyou County General Plan including the Scott Valley Area Plan for the following reasons:

- The project is reconfiguring three existing parcels to consolidate the land capable of commercial agricultural production onto one parcel.
- The project would not result in the loss of any agricultural production land.
- Proposed Resultant Parcel 1, a 316.50-acre parcel, would remain zoned as Prime Agricultural (AG-1-B-80), minimum parcel size of 80-acres, except for the southern and northeastern boundaries which shall remain zoned Rural Residential (R-R-B-40). The 1.7 acres to be rezoned as Rural Residential (R-R-B-40) would ensure consistency with the surrounding Rural Residential zoned properties.
- Proposed Resultant Parcel 2, a 41.87-acre parcel, would remain zoned as Rural Residential (R-R-B-40), minimum parcel size of 40-acres, with a portion of the northeastern boundary to be rezoned from Prime Agricultural (AG-1-B-80) to Rural Residential. The 15 acres to be rezoned as Rural Residential would ensure consistency with the surrounding Rural Residential zoned properties.
- Resultant Parcel 3, a 59.95-acre parcel, would remain zoned as Rural Residential (R-R-B-40), minimum parcel size of 40-acres, with a portion of the southern border to be rezoned from Prime Agricultural to Rural Residential. The 1.1 acres to be rezoned to Rural Residential would ensure consistency with the surrounding Rural Residential zoned properties.

Based on staff's analysis of the proposed use, staff believes that the necessary findings can be made for the approval of this application.

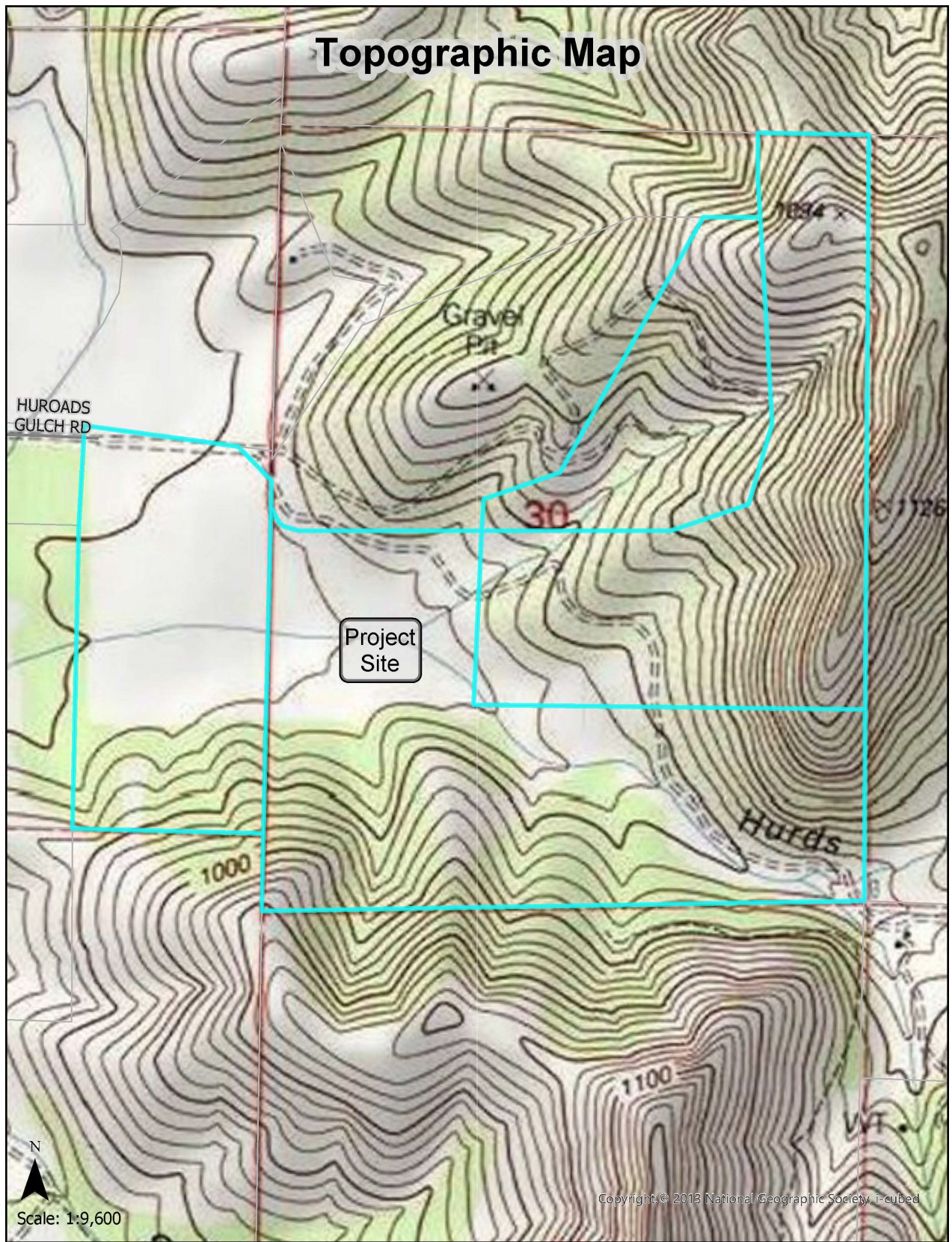


Figure 3: Topographic Map

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 and boundary line adjustment, 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 it 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.

Comments

A Preliminary Project Review was circulated to Siskiyou County Reviewing Agencies and State Responsible Agencies. A Notice of Public Hearing was published in the Siskiyou Daily News on October 5, 2022, and mailed October 3, 2022, to property owners within 300 feet of the applicant's property.

Public Comments

Fred Kraus Ranch – December 15, 2021

The letter indicates in support of the proposed boundary line adjustment and zone change as it pertains to the Scott Valley Area Plan Policy 4.

Agency Comments

Siskiyou County Environmental Health Division – February 2, 2022

Environmental Health has reviewed the proposed zone change and boundary line adjustment and has no objections as submitted.

- Resultant Parcel 2 and 3 have been reviewed and approved for conventional onsite sewage disposal.
- Resultant Parcel 1 contains the original dwelling, septic system, and ground water well (no permits on file).
- All parcels conform to Environmental Health’s sewage density standard

Planning Response: *No Response necessary.*

California Department of Forestry and Fire Protection (Cal Fire) – March 18, 2022

Cal Fire has no requirements to the boundary line adjustment and would only object to the adjustment if the new boundary line encroaches on previously permitted structures or roadways approved under the Public Resources Code 4290.

Cal Fire has no requirements to the Zone Change; however, CalFire requires future building on the parcel(s) to be compliant with the applicable code sections of the Public Resource Code 4290.

Planning Response: *No response necessary.*

Siskiyou County Agriculture Department – March 17, 2022

The Ag Department has no requirements to the Zone Change.

Planning Response: *No response necessary.*

Planning Staff Recommendations

- Adopt Resolution PC-2022-020 taking the following actions:
 - Conditionally approve the proposed Boundary Line Adjustment based on the recommended findings and subject to the recommended conditions of approval; and
 - Recommend the Board of Supervisors approve the Zone Change request based on the recommended findings and subject to the recommended conditions of approval; and
 - Recommend the Board of Supervisors determine the project exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3), Section 15301, and Section 15305(a) of the CEQA Guidelines.

Suggested Motion

Move to adopt Resolution PC-2022-020, a Resolution of the Planning Commission of the County of Siskiyou, State of California, Conditionally Approving the Blais Boundary Line Adjustment (BLA-22-02) and Recommend that the Siskiyou County Board of Supervisors Determine the Project Exempt from the California Environmental Quality Act and Approve the Blais Zone Change (Z-22-01) by Adopting a Draft Ordinance Rezoning 1.1 acres of Resultant Parcel 3, 15 acres of Resultant Parcel 2, and 1.7 acres of Resultant Parcel 1 from AG-1-B-80 to R-R-B-40.

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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