

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 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 1.7 acres of APN: 023-270-310 & 023-270-110; 15 acres of APN: 024-190-140; and 1.1 acres of APN: 023-270-390 from
AG-1-B-80 to R-R-B-40.**

Whereas, an application has been received from Ryan Blais of Blais Consulting to rezone approximately 1.7 acres of APN 023-270-310 and 023-270-110; 15 acres of APN: 024-190-140; and 1.1 acres of APN: 023-270-390 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); and

Whereas, the applicant concurrently submitted a boundary line adjustment application (BLA-22-02) to adjust the boundary between three legal parcels (APN 024-190-140, 023-270-310, 023-270-110, and 023-270-390) in order to consolidate the Prime Agricultural land improved and utilized for agricultural uses onto a single 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 October 5, 2022; and

Whereas, public hearing notices were provided pursuant to Siskiyou County Code Section 10-6.2805 *et seq.*; and

Whereas, the Planning Division presented its oral and written staff report on the Blais Zone Change (Z-22-01) and Boundary Line Adjustment (BLA-22-02) at a regular meeting of the Planning Commission on October 19, 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-22-02 and Zone Change Z-22-01 subject to the conditions of approval included in Attachment A-1 to this resolution; and

Whereas, on October 19, 2022, the chair of the Planning Commission opened the duly noticed public hearing on the Blais Zone Change (Z-22-01) and Boundary Line Adjustment (BLA-22-02) to receive 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 Blais Zone Change (Z-22-01) and Boundary Line Adjustment (BLA-22-02):

1. Conditionally approves Boundary Line Adjustment BLA-22-02 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 approve Zone Change (Z-22-01); and subject to the conditions of approval contained in Attachment A-1 to this resolution.
3. 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).

It is Hereby Certified that the foregoing Resolution PC-2022-020 was duly adopted on a motion by Commissioner Fowle and seconded by Commissioner Veale at a regular meeting of the Siskiyou County Planning Commission held on the 19th day of October 2022 by the following vote:

Ayes: Commissioners Melo, Fowle, Veale and Lindler

Noes:

Absent: Commissioner Hart

Abstain:

Siskiyou County Planning Commission



Danielle Lindler, Chair

Witness, my hand and seal this 19th day of October 2022



Hailey Lang, Secretary of the Commission

Attachments:

Exhibit A-1: Notations and Recommended Conditions of Approval

Exhibit A-2: Recommended Findings

Exhibit A-1 to Resolution PC-2022-020
Notations and Recommended Conditions of Approval
Blais Zone Change (Z-22-01) and Boundary Line Adjustment (BLA-22-02)

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.

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 October 19, 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.
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.

Exhibit A-1 to Resolution PC-2022-020
Notations and Recommended Conditions of Approval
Blais Zone Change (Z-22-01) and Boundary Line Adjustment (BLA-22-02)

8. 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 to Resolution PC-2022-020
Recommended Findings
Blais Zone Change (Z-22-01) and Boundary Line Adjustment (BLA-22-02)

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.
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-B-40) 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), and Prime Agricultural (AG-1)
5. The proposed Resultant Parcels 1 is consistent with Prime Agricultural, 80-acre minimum (AG-1-B-80) zoning district.
6. The proposed Resultant Parcels 2, & 3 are consistent with the Rural Residential Agricultural, 40-acre minimum (R-R-B-40) zoning district.
7. The Planning Commission has considered all written and oral comments received and based on its analysis of the public testimony and staff's analysis, the Commission has determined that the project as designed and conditioned would be compatible with existing and planned uses of the area.

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 proposed zone changes of the accumulative 17.8 acres of three individual parcels is compatible with the surrounding area. The neighborhood parcels are zoned with a mix of residential and agricultural uses, which is consistent with the proposed zone change uses in the Rural Residential and Prime Agricultural districts. Uses presently allowed and established on the project site 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.

No new development is proposed as part of this project. The project site contains existing residential uses and will not create erosion, runoff, access, fire hazard or any other resource or environmentally related problems.

Exhibit A-2 to Resolution PC-2022-020
Recommended Findings
Blais Zone Change (Z-22-01) and Boundary Line Adjustment (BLA-22-02)

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 Resultant Parcel 1 has an existing onsite sewage disposal system. Proposed Resultant Parcel 2 and 3 have been reviewed and approved for conventional onsite sewage disposal.

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

Proposed Resultant Parcel 1 has one ground water well and one agricultural water well. Should development of proposed Resultant Parcel 2 and 3 be proposed in the future, 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.

Proposed Resultant Parcels 1 and 3 have been configured to have access to an existing 22-foot-wide road easement, a private road capable of handling traffic generated by the parcels. Proposed Resultant Parcel 2 will be granted access to a twenty-four (24) foot wide road easement at time of sale. 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 decide 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.

Map 3: Soils: Building Foundation Limitations – High Shrink Swell Behavior Soils

Policy 8 – Enforce building construction standards (uniform building code) and public works requirements.

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.

Map 5: Excessive Slope

Policy 11 – All areas with 30% or greater natural slope shall not be developed with facilities requiring septic tanks for sewage disposal.

Exhibit A-2 to Resolution PC-2022-020
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Environmental Health does not permit septic systems on areas with 30% or greater slope. Although development of the site is not proposed with this proposed zone change, this policy would be enforced with the review of any future development applications(s) for septic system approval.

Policy 16 – Single family residential, light industrial, light commercial, open space, non-profit and nonorganizational in nature recreational uses, commercial/recreational uses, and public of quasi-public uses only may be permitted if the area is proven to be less than 30% slope.

The permitted uses will not create erosion or sedimentation problems.

No new development is proposed as part of this project.

Map 9: Deer Wintering Areas

Policy 28 – Single-family residential, light commercial, light industrial, open space, non-profit and nonorganizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted.

The permitted uses will not create erosion or sedimentation problems.

No new development is proposed as part of this project.

Policy 29 – The minimum parcel also permitted shall only be those as designated on the critical deer wintering area map.

There is no new development proposed as part of this project. The existing parcels exceed the minimum parcel requirement. The permitted density will not create erosion or sedimentation problems.

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 Hurds Gulch Road, which is a private road that provides safe ingress and egress. Two existing wells on APN 023-270-110, a domestic and an agricultural, provide adequate water supply for fire suppression purposes. All future development would be required to meet ingress and egress standards including having an adequate supply of water for fire suppression purposes to ensure wildfire safety and would be reviewed to ensure there are no impacts to existing water supply.

Map 12: Prime Agricultural Soils

Policy 34 – All Class I, II and III soils, and the soils that become Class III under irrigation, with the exception of Class III soils determined to be non-irrigable, are defined as prime agricultural land.

Based on the findings from the Natural Resources Conservation Services Soils Mapping Report found in Exhibit E, the areas proposed for rezone have a Land Capability Class and Subclass of 7e, 7s, and 8s soil types. Class 7 soils have very severe limitations that make the soils unsuited

**Exhibit A-2 to Resolution PC-2022-020
Recommended Findings**

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

for cultivation and restricts their use mainly to grazing, forestland, or wildlife. Class 8 soils have limitations that preclude their use for commercial plant production and limit their use to recreation, wildlife, or water supply, or for esthetic purposes.

Furthermore, subclass "e" is made up of soils for which the susceptibility to erosion is the dominant problem or hazard affecting their use. Erosion susceptibility and past erosion damage are the major soil factors that affect soils in this subclass. Subclass "s" is made up of soils that have soil limitations within the rooting zone, such as shallowness of the rooting zone, stones, low moisture-holding capacity, low fertility that is difficult to correct, and salinity or sodium content. As a result, the lands proposed for rezone are not classified as Class I, II, or III soil types and are therefore not prime agricultural land.

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 minimum parcel size proposed as part of this project is greater than 40 acres. There is no new 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.

No new parcels are proposed to be created as part of this project. The project includes rezoning a combined total of 17.8 acres from AG-1-B-80 to R-R-B-40, which would ensure all resultant parcels are compliant with the proposed zoning designations of the resultant parcels.

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

All land classified as, and proven to be, prime agricultural soil is currently being utilized for commercial agricultural purposes. No new uses are proposed as part of this project.

Policy 38. – In commercial agricultural areas mapped as prime agricultural land but proven not to be prime agricultural land, single family residential, light commercial, light industrial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses and public or quasi-public uses may be permitted.

The permitted density will not create erosion or sedimentation problems.

The AG-1 zoned land proven to not be prime agricultural land is proposed to be rezoned for rural residential agricultural uses, which are permitted uses within Policy 38.

**Exhibit A-2 to Resolution PC-2022-020
Recommended Findings
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Airport Land Use Compatibility Findings

2.4.1 Primary Land Use Compatibility Criteria – The primary criteria for assessing whether a land use plan, ordinance, or development proposal is to be judged compatible with a nearby airport are set forth in the Primary Compatibility Criteria matrix, Table 2A.

1. The subject parcel is within Zone D of the Scott Valley Airport compatibility zone.
2. The proposed zone change would rezone a combined total of 17.8 acres of the project site from Prime Agricultural (AG-1) to Rural Residential Agricultural (R-R-B-40), which has rural residential and agricultural uses that exclude prohibited uses, making it compatible with the Airport Land Use Compatibility Plan.
3. There is no maximum density requirement on-site for agricultural uses.

Scott Valley Area Plan Consistency Findings

Prime Agricultural Land

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

The project proposes to rezone a combined total of 17.8 acres of AG-1 zoned land for R-R uses. The applicant has provided supporting documentation consistent with the Scott Valley Area Plan Policy 4 as proof that the area proposed to be rezoned from AG-1-B-80 to R-R-B-40 is not prime agricultural land.

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 the Scott Valley Area Plan Policy 4 as proof that the area proposed to be rezoned from AG-1-B-80 to R-R-B-40 is not prime agricultural land.

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 land, consisting of a combined total of 17.8 acres proposed to be rezoned from AG-1-B-80 to R-R-B-40, is not prime agricultural land. The 40-acre minimum parcel size has been applied to the land proposed for rezone. Therefore, the proposed rezone is consistent with Policy 3.

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,

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4. Any other factual, documented information that the area is not and has not been capable of supplying enough water for irrigation.

According to the National Resources Conservation Service (NRCS), soils range in thickness from 0 to 36 inches, consisting of stony loam to very gravelly clay. The soils are underlain by bedrock. In addition, the soils have very slow infiltration rates and very high runoff potential. Therefore, the NRCS has labeled the soils underlying the proposed rezoned areas to Rural Residential as "not prime farmland", per the United States Department of Agriculture (USDA) Custom Soil Resource Report shown in Exhibit E of the Staff Report.

The parcels that are proposed to have a portion of their zoning changed from AG-1-B-80 to R-R-B-40 are shown to contain prime agricultural land on Map III of the Scott Valley Area Plan; however, the current USDA soils map identifies the soils within the proposed zone change as being Class 7 and 8 soils. In addition, the UC Cooperative Extension, Agronomy Advisor has provided an evaluation determining that the area proposed to be zoned from AG-1 to R-R is not prime agricultural soils, consistent with the USDA Soils Mapping.

Deer Wintering Area

- Policy 5 The minimum parcel size permitted are those as specified on the deer wintering area map (Map IV).

The existing parcels exceed the minimum parcel requirement.

- Policy 6 Only Agricultural, residential, open space, and small-scale commercial, industrial, recreational uses, and public or quasi-public uses may be permitted.

No new development is proposed as part of this project.

- Policy 7 Residential, small-scale commercial, industrial, recreational uses, and public or quasi-public uses only may be permitted when they are clearly compatible with the surrounding and planned uses of the land and will not create adverse effects to the areas utilization as a critical deer wintering area.

No new development is proposed as part of this project.

Excessive Slope

- Policy 16 Reducing the percentage of slope below 30% by grading or other man related activities is strictly prohibited and not considered acceptable as a means of conforming to this density requirement. This policy is specifically intended to prohibit the grading of excessive slope areas to create buildable sites for any proposed use of the land.

No new development or grading is proposed as part of this project.

- Policy 17 Only agriculture, residential, open space, and small-scale commercial, industrial, recreational uses, and public or quasi-public uses may be permitted.

No change in use is proposed as part of this project.

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Policy 18 Residential, small-scale commercial, industrial, recreational 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 change in use is proposed as part of this project.

Policy 19 In all areas proven to be 30% or greater natural slope, the minimum parcel size shall be 40 acres. It is the intent of this policy that all areas entirely within excessive slope mapped areas shall have a 40-acre minimum parcel size, regardless of site-specific slopes. This policy shall not apply to areas mapped as excessive slope, but adjacent to lands not otherwise restricted (non-resource areas), where the slope of the land is less than 30%, i.e., fringe areas between the valley floor and the mountainous areas. The fringe area density shall be the continuation of the prevalent non-resource density adjacent to the parcel.

The proposed parcels mapped with excessive slope areas exceed the minimum required 40-acre parcel 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 that the area proposed to be rezoned from AG-1-B-80 to R-R-B-40 is not prime agricultural land. Therefore, the 80-acre minimum parcel would only apply to Resultant Parcel 1, 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 1 is 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.

No new development is proposed as part of this project. However, APNs 023-270-310/110 and 023-270-390 have a deeded easement that gives access to an existing private road. Should any development be proposed in the future, existing private roads and 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. Upon compliance with Cal Fire requirements, the access will be adequate to accommodate the immediate and cumulative traffic impacts of potential future development.

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,

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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, 17.8 acres would be rezoned to R-R-B-40, 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.

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 of three parcels in which the non-farmable land will be for future 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 demonstrates that there is no evidence that the proposed project will have an individually or cumulatively significant effect.