

Staff Report

Submission Date: December 5, 2023

To: Siskiyou County Agricultural Preserve Administrator

From: Bernadette Cizin, Associate Planner

Subject: Hinton & Embree, APA-23-08, Williamson Act Contract No 200401, Application to rescind their property from the existing contract and reissue a single contract for each of the property owners with the Commercial Agricultural Use of livestock grazing and intensive farming - hay.

Location: The project site is located on Kuck Road and Shelley Road, north of the community of Montague on APNs 013-230-010, 013-251-400 and 013-251-730, Township 45N, Range 6W, Sections 2, 11 & 31, MDB&M.

Exhibits: **A.** Map of property under existing contract No. 200401
B. Location Map
C. Zoning Map
D. Williamson Act Contract Amendment Questionnaire
 1. Hinton
 2. Embree
E. Existing Contract and Establishment of Agricultural Preserve

Background and Discussion

The applicants are requesting to rescind their property from the existing Williamson Act Contract and reissue a contract for each property owner. The Hinton property is approximately 75 acres with the primary agricultural use of rangeland and pasture for livestock production and forage with the addition use of intensive farming, grain hay production. The Embree property is approximately 230 acres, also with the primary agricultural use of rangeland and pasture for livestock production and forage with the addition use of intensive farming, hay production.

The applicants do not propose to increase or decrease the acreage in Agricultural Preserve.

Parcel Creation

- APNs 013-230-010 and 013-251-730 together are one legal parcel, originally created as Parcel A of Boundary Line Adjustment as recorded on November 30, 1999, in Siskiyou County Records as Document Number 1999-0014740.
- APN 013-251-400 is a legal parcel, created by Grant Deed as Recorded on December 14, 1973, in Siskiyou County Records in Volume 700 at Page 500.

Parcel History

Williamson Act Contracts

- The subject property is a portion of Williamson Act Contract No. 200401 (Clerk's No. 514) as recorded on January 5, 2004, the Siskiyou County Records as Document No. 2004-00108.

Agricultural Preserves

- The subject property is within an Agricultural Preserve as established by Board of Supervisor's Resolution No. 03-203, adopted on November 04, 2003.

Analysis

Preserve Requirements

Property ownership

Under the County Rules Section VI, Item B, parcels within an agricultural preserve should be under one ownership or contiguous.

The existing Ag Preserve consists of property under two different ownerships however it is contiguous. The existing Ag Preserve does not need to be amended as it meets current standards.

Contract Requirements

Zoning

All parcels shall be restricted by zoning to agricultural uses pursuant to Rules Section III, Item D.

All property proposed to be part of the preserve is zoned Prime Agricultural (AG-1), as shown on the zoning map (Exhibit C).

Minimum Parcel Size

Per County Rules Section III, Item E, lands shall be in parcels large enough to sustain their commercial agricultural use if the contracted land within a qualifying preserve is at least 40 acres in size. Property is evaluated by legally established parcel.

At 75 acres and 230 acres, both parcels meet the minimum parcel size requirement.

Agricultural Production Uses

Per County Rules Section IV, lands shall be used principally for commercial agricultural production.

The property has historically been used for and continues to be used for cattle grazing and grain hay production.

Compatible Uses

Per County Rules Section IV, lands shall be used principally for commercial agricultural production. However, secondary uses that are incidental to or supportive of the commercial agricultural use can be allowed.

Residential Uses

County Rules Section IV, Item C allows for residential structures, which are to be occupied by persons directly engaged in the commercial agricultural operation.

The residences are owner occupied.

Pursuant to the County Rules Section II, the Agricultural Preserve Administrator (Administrator) will review and make recommendations on terminating (non-renewing) contracts.

Agricultural Preserve Administrator Recommendation

Based on the information contained within this staff report, the Siskiyou County Agricultural Preserve Administrator finds the applicants' request is consistent with the Siskiyou County Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts. The Administrator recommends the Siskiyou County Board of Supervisors adopt Resolutions rescinding the subject property from the existing contract and reissue a separate contract for each property owner within the existing agricultural preserve.

Approved by:

County of Siskiyou
Agricultural Preserve Administrator



Hailey Lang
Agricultural Preserve Administrator



Date of Approval

Preparation: Prepared by the Siskiyou County Planning Division (B. Cizin) on December 5, 2023. Copies are available for review at Siskiyou County Planning, 806 S. Main Street, Yreka, California.

Hinton & Embree APA-23-08 Properties within Contract 200401

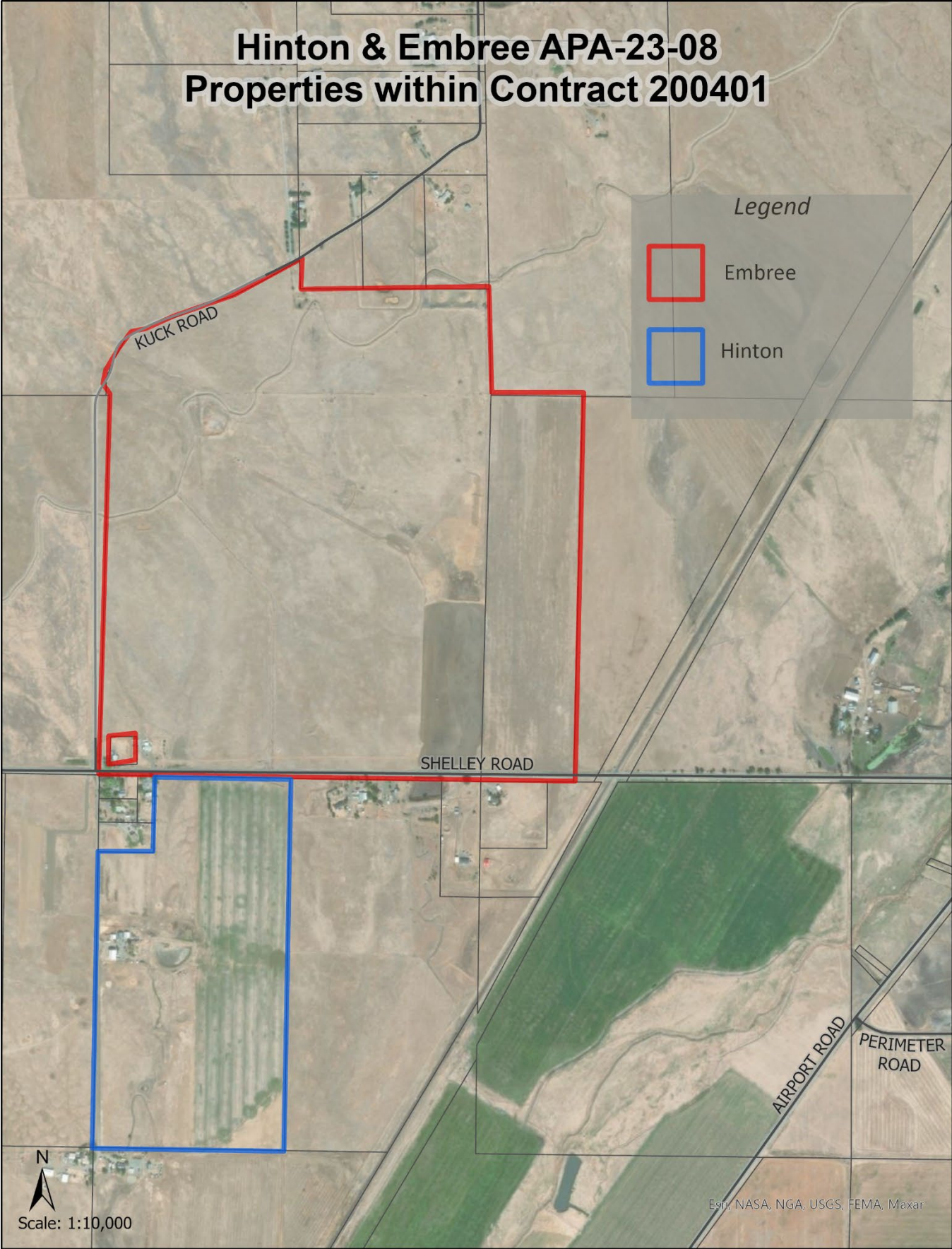


Exhibit A

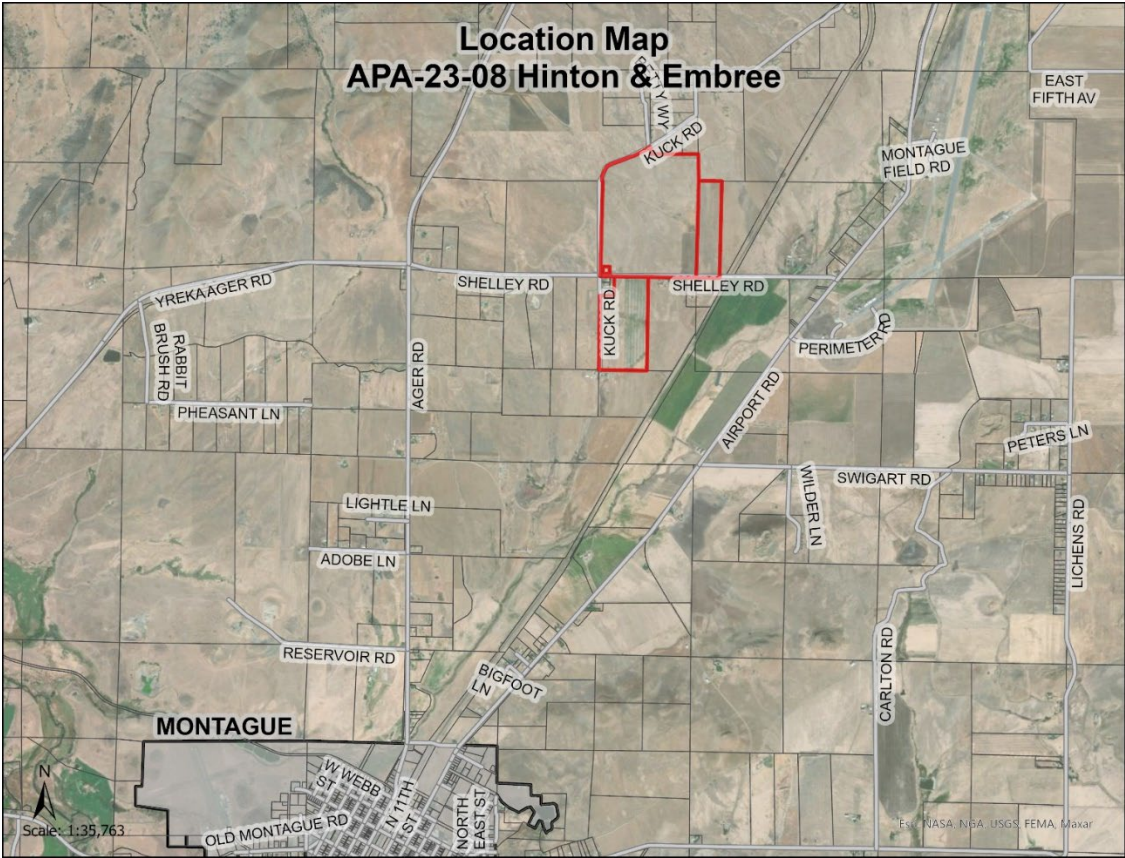


Exhibit B

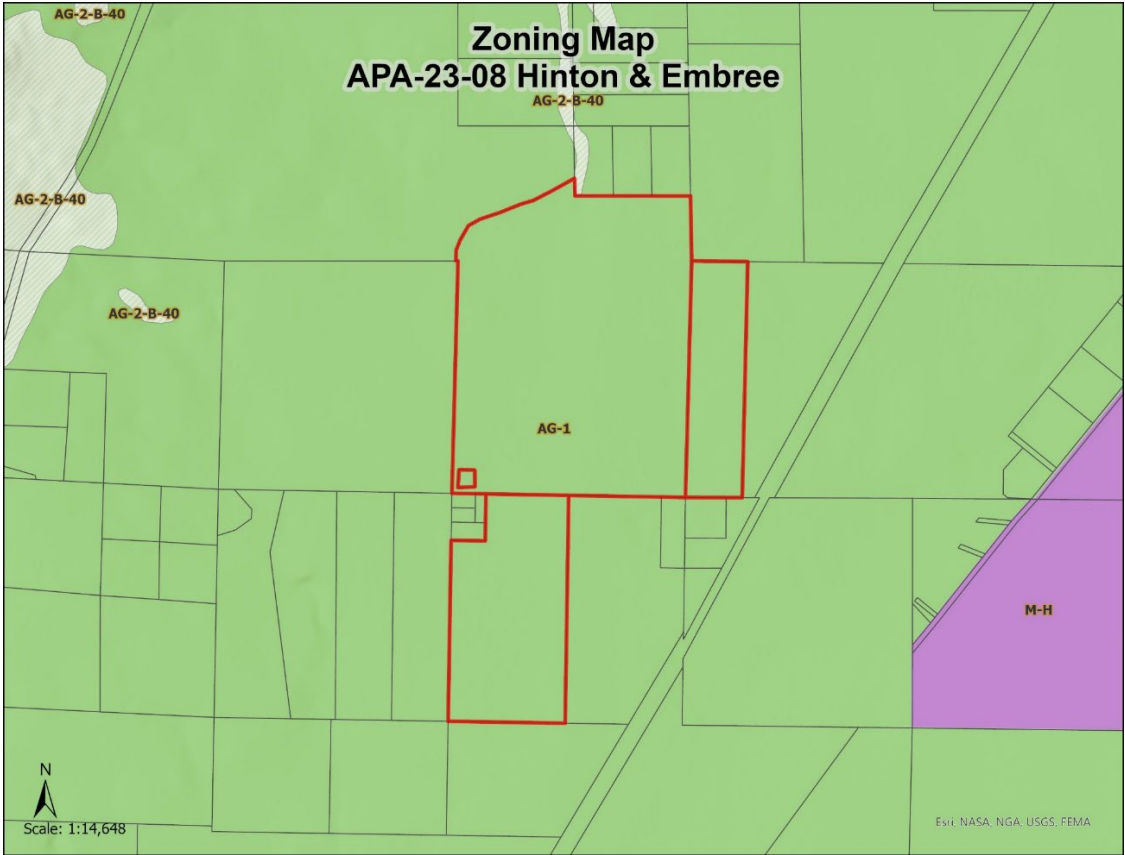


Exhibit C

Williamson Act Contract Amendment Questionnaire

(This form is to be attached to the County's standard application form)

Owner's name: John & Shauna Hinton

Address: 2916 Kuer Rd Montague CA 96064

Parcel Numbers: 013-251-400-000

How long have you owned this land? purchased April 2011

Type of Agricultural Use:

Dry pasture acreage 38 acres

Irrigated pasture acreage _____

Dry farming acreage _____ Crops grown _____ Production per acre _____

Field crop ^{acreage} average 36 Crops grown grain Production per acre 2 ton

Type of irrigation (pivot line, ditch, etc.) ditch

Row crop acreage _____ Crops grown _____ Production per acre _____

Other acreage 1 Type house Production per acre n/a

Other Income: none

Hunting rights \$ _____ per year _____ acres

Fishing rights \$ _____ per year _____ acres

Other _____ rights \$ _____ per year _____ type _____

Quarrying \$ _____ per year _____ type _____

Other \$ _____ per year _____ type _____

Other \$ _____ per year _____ type _____

Land Leased to Others none

Name of owner _____ Number of acres _____

Rental fee per acre \$ _____ Use of land _____

Terms of lease _____ Lease termination date _____

Share cropped with others: Crop _____ Percent to owner _____ Acres _____

List expenses paid by landowner _____



Certification

The above statements are certified by the undersigned to be true and correct, and this land is used for the intensive production of food or fiber, or the land is used to support the agricultural economy and has public value.

Signed  Date 9/16/2023

Please submit the following to the Siskiyou County Planning Division along with all applicable fees:

- 1. This signed form
- 2. The completed and signed County standard Application for Development Review
- 3. The applicable maps which clearly show the boundaries of the contract property and proposed change(s)
- 4. A copy of the Grant Deed for each legal parcel
- 5. The legal description of the land included in the application and proposed change(s)
- 6. A copy of any and all Deeds of Trust for the land that is included in the application
- 7. A copy of the property's existing Williamson Act Contract

Planning Staff Comments Below

The above property is within one mile of a city: Yes No

Name of City: _____

Present Zoning _____

Williamson Act Contract Amendment Questionnaire

(This form is to be attached to the County's standard application form)

Owner's name: David D. Embree

Address: 7201 Shelley Road, Montague CA 96064

Parcel Numbers: _____

How long have you owned this land? 11 years ±

Type of Agricultural Use:

Dry pasture acreage 174

Irrigated pasture acreage 5

Dry farming acreage 15 Crops grown Fallow Production per acre 0

Field crop average 40 AC Crops grown Grain hay Production per acre 2.5 TON/AC

Type of irrigation (pivot line, ditch, etc.) Flood

Row crop acreage _____ Crops grown _____ Production per acre _____

Other acreage _____ Type _____ Production per acre _____

Other Income:

Hunting rights \$ _____ per year _____ acres

Fishing rights \$ _____ per year _____ acres

Other _____ rights \$ _____ per year _____ type _____

Quarrying \$ _____ per year _____ type _____

Other \$ _____ per year _____ type _____

Other \$ _____ per year _____ type _____

Land Leased to Others

Name of owner John Hibon Number of acres 40

Rental fee per acre \$ NA Use of land Farming

Terms of lease Hay Lease termination date Fall 2023

Share cropped with others: Crop Grain Percent to owner 15 Acres 40

List expenses paid by landowner None

Certification

The above statements are certified by the undersigned to be true and correct, and this land is used for the intensive production of food or fiber, or the land is used to support the agricultural economy and has public value.

Signed David D. Eubank Date 5-19-23

Please submit the following to the Siskiyou County Planning Division along with all applicable fees:

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