

Staff Report

Submission Date: April 15, 2025

To: Siskiyou County Agricultural Preserve Administrator

From: Bernadette Cizin, Associate Planner

Subject: Proposed Lutz APA-24-07, Application to rescind and reissue Williamson Act Contract to reflect the transfer of property through Boundary Line Adjustment.

Location: The project site is located on Meiss Lake Road, west of the community of Macdoel on APNs 003-130-290 & 003-130-300; T46N, R2W, S 13, MDB&M.

Exhibits: **A.** Location Map
B. Zoning Map
C. Boundary Line Adjustment Map
D. NRCS Soils Data and Map
E. Williamson Act Amendment Questionnaires
F. Existing Contract and Establishment of Agricultural Preserve

Background and Discussion

The property owners, Manfred and Janet Lutz, submitted an application on May 31, 2024, which proposes to transfer approximately 0.67 acres between two parcels under the same ownership through Boundary Line Adjustment (see exhibit C). Only one parcel is encumbered by Williamson Act Contract, therefore, a Williamson Act Contract Amendment is required to revise the contract to reflect the new boundary of the contracted parcel. During the initial review, it was found that property under APN 003-130-290 actually consists of two separate legal parcels and the project should be revised to reflect this. The applicant team was notified and reached out to the title company for a revised title. According to the applicant team, the title company required a Certificate of Compliance to be recorded, reflecting the legal parcel determination. In response, the applicant team submitted an application for a Certificate of Compliance on December 4, 2024. The Certificate of Compliance was completed and recorded on April 8, 2025.

In order to complete the boundary line adjustment, we must first address the Williamson Act Contract and Agricultural Preserve by amending the existing contract and preserve to reflect the newly established property boundaries by rescinded the subject property from the existing contract and preserve and issue a new contract for the resultant parcel and create a corresponding preserve.

The project proposes to decrease the number of acres currently in Agricultural Preserve by 0.67 acres.

Parcel Creation

- APN 003-130-290 is two separate legal parcels as confirmed by Certificate of Compliance, which was filed for record on in the Siskiyou County Recorder's Office on April 8, 2025, as Document No. 2025-0002116.
- APN 003-130-300 one legally created parcel as confirmed by Certificate of Compliance, which was filed for record on in the Siskiyou County Recorder's Office on February 8, 1996, as Document No. 96-001469.

Parcel History

Williamson Act Contract

- Approximately 158.33 acres of the subject property is encumbered by Williamson Act Contract as recorded on February 25, 1972, in Book 653, page 224, Siskiyou County Records. The contract is also identified as Assessor's Contract No. 72064 and Clerk's Record No. 149.

Agricultural Preserves

- Approximately 158.33 acres of the subject property is within an Agricultural Preserve established by Board Resolution No. 414, Book 2, adopted on January 28, 1969.

Analysis

Agricultural Preserve Requirements

As the proposal is to transfer approximately 0.67 acres between two parcels, only one of which is within an existing Agricultural Preserve, the Agricultural Preserve will need to be amended to remove the subject property and create a new preserve consisting only of the subject property.

Preserve Size

According to the Rules for the establishment and Administration of Agricultural Preserves and Williamson Act Contracts (Rules), agricultural preserves shall consist of no less than 100 acres. To meet this requirement, two or more parcels may be combined if they are contiguous or if they are owned in common.

This project consists of three separate parcels, only two of which are proposed to be the resultant Agricultural Preserve. At 80 acres and 78.23 acres, they together exceed the 100- acre minimum.

Soils Class

Per County Rules Section III, Item C, Agricultural land in a preserve must contain at least 40 acres of Class I or II equivalent soils and a preserve may not be created for land consisting solely of Class VI or VII.

The land contains approximately 74.5 acres of Class I or II equivalent soils as shown in the table below and in the NRCS soils data (Exhibit D).

<u>Soil Type</u>	<u>Acres +/-</u>	<u>Class</u>	<u>Ratio to Class</u>	<u>Equivalent</u>
149	129	IV	2:1	64.5
110	29	V	3:1	10
Total	158			74.5

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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 B).

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.

All parcels proposed to be included in the new contract, as a result of the boundary line adjustment project, exceed the 40-acre minimum at 80 acres and 78.23 acres.

Agricultural Production Uses

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

110 acres of the subject property has been used for and continues to be used for Intensive Farming - hay production. Additionally, 48 acres are used for dryland pasture and grazing.

The Ericson property does not have a commercial agricultural use established.

Compatible Uses

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

There are currently no compatible uses occurring or proposed.

Boundary Line Adjustment Findings

Per County Rules, Section VI. Item B, the Boundary Line Adjustment cannot be approved until the Board of Supervisors makes certain findings Pursuant to Government Code Section 51257.

Because this portion of property is less than 10 percent of the property under the existing contract, is developed with structures and equipment storage, and is not a necessary part of the agricultural operation, it should be considered an insignificant decrease.

Williamson Act Findings – Government Code Section 51257

1. Upon contract approval the subject parcels will be restricted to agricultural uses pursuant to Williamson Act guidelines for not less than 10 years.
2. No net decrease in the amount of restricted land will result from BLA2420.
3. At least 90 percent of the land under the former contract or contracts remains under the new contract or contracts.
4. After the lot line adjustment, the parcels of land subject to contract will be large enough to sustain their agricultural use as defined in Section 51222.
5. The BLA associated with this project will not compromise the long-term agricultural productivity of the parcel or other agricultural lands subject to a contract or contracts.
6. The BLA associated with this project is not likely to result in the removal of adjacent lands from agricultural use.
7. The BLA associated with this contract would not result in a greater number of developable parcels than existed prior to the adjustment and this BLA is consistent with the Siskiyou County General Plan.

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 applicant's request is consistent with the Siskiyou County Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts and Government Code Section 51257. The Administrator recommends the Siskiyou County Board of Supervisors adopt a Resolution rescinding the Lutz property from the existing contract and reissue a contract which reflects the new parcel boundary approved with the Boundary Line Adjustment project and a Resolution approving the removal of the subject property from the existing Agricultural Preserve and creates a new Preserve consisting of the subject property.

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 April 15, 2025. Copies are available for review at Siskiyou County Planning, 806 S. Main Street, Yreka, California.

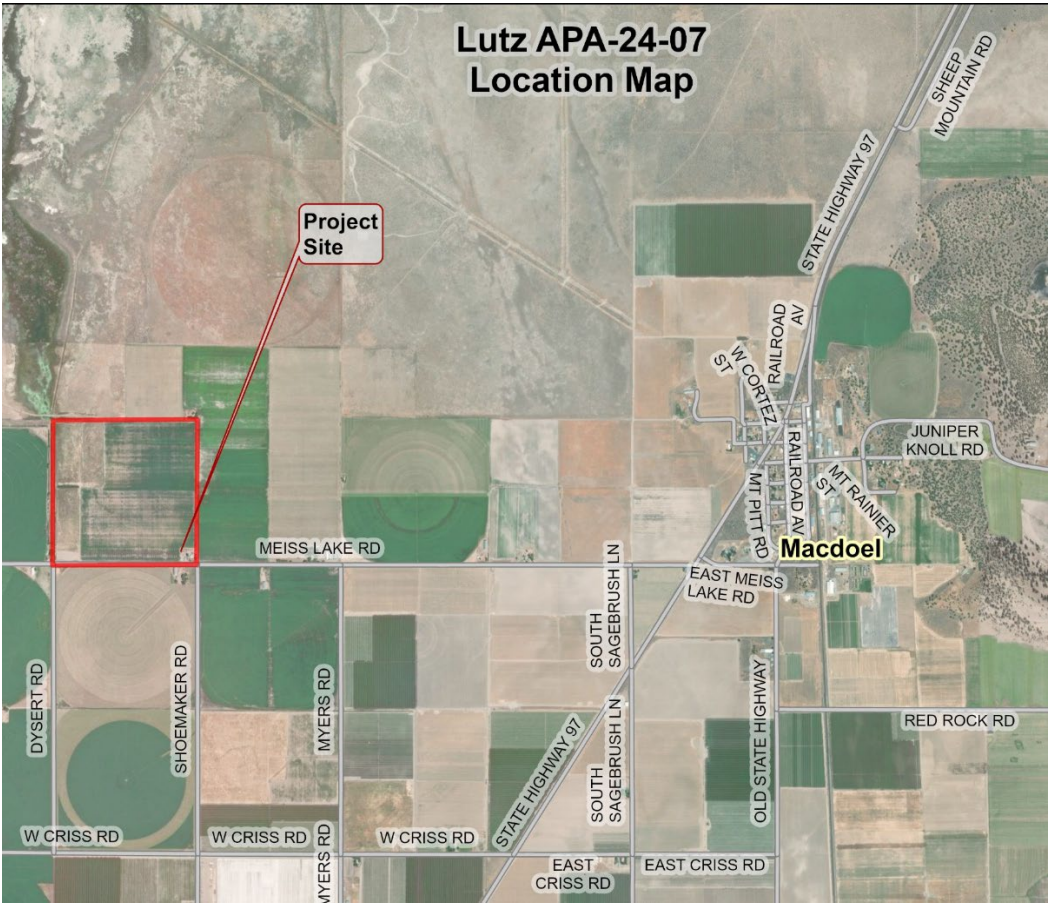


Exhibit A

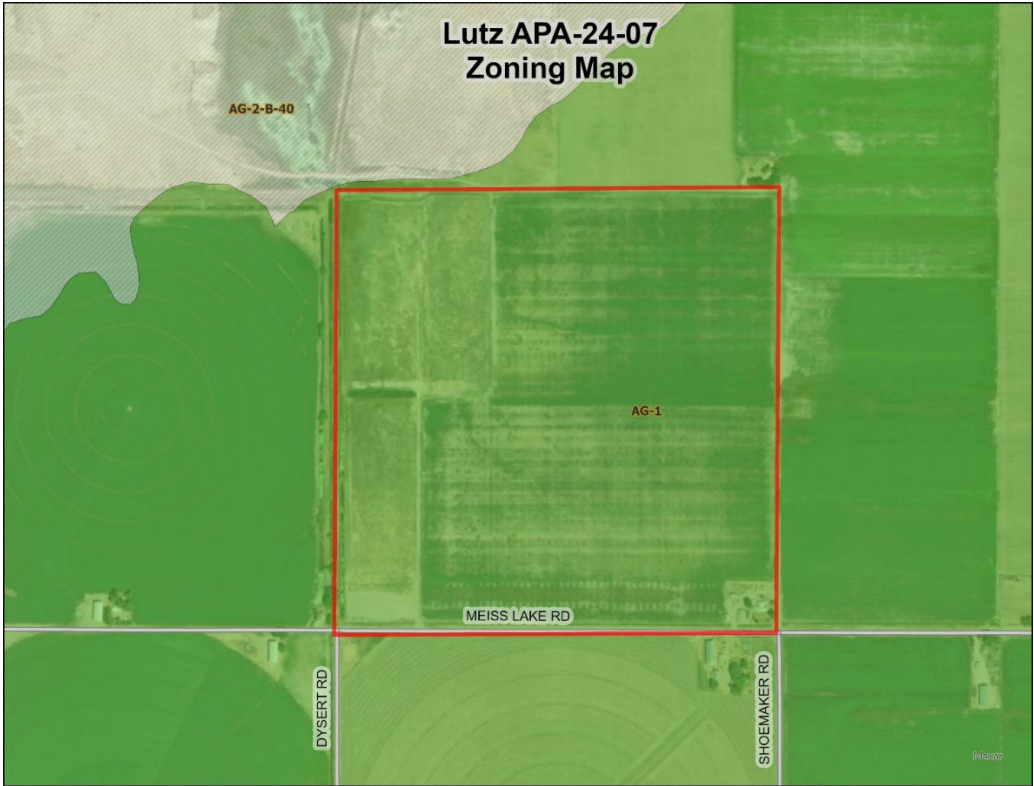


Exhibit B

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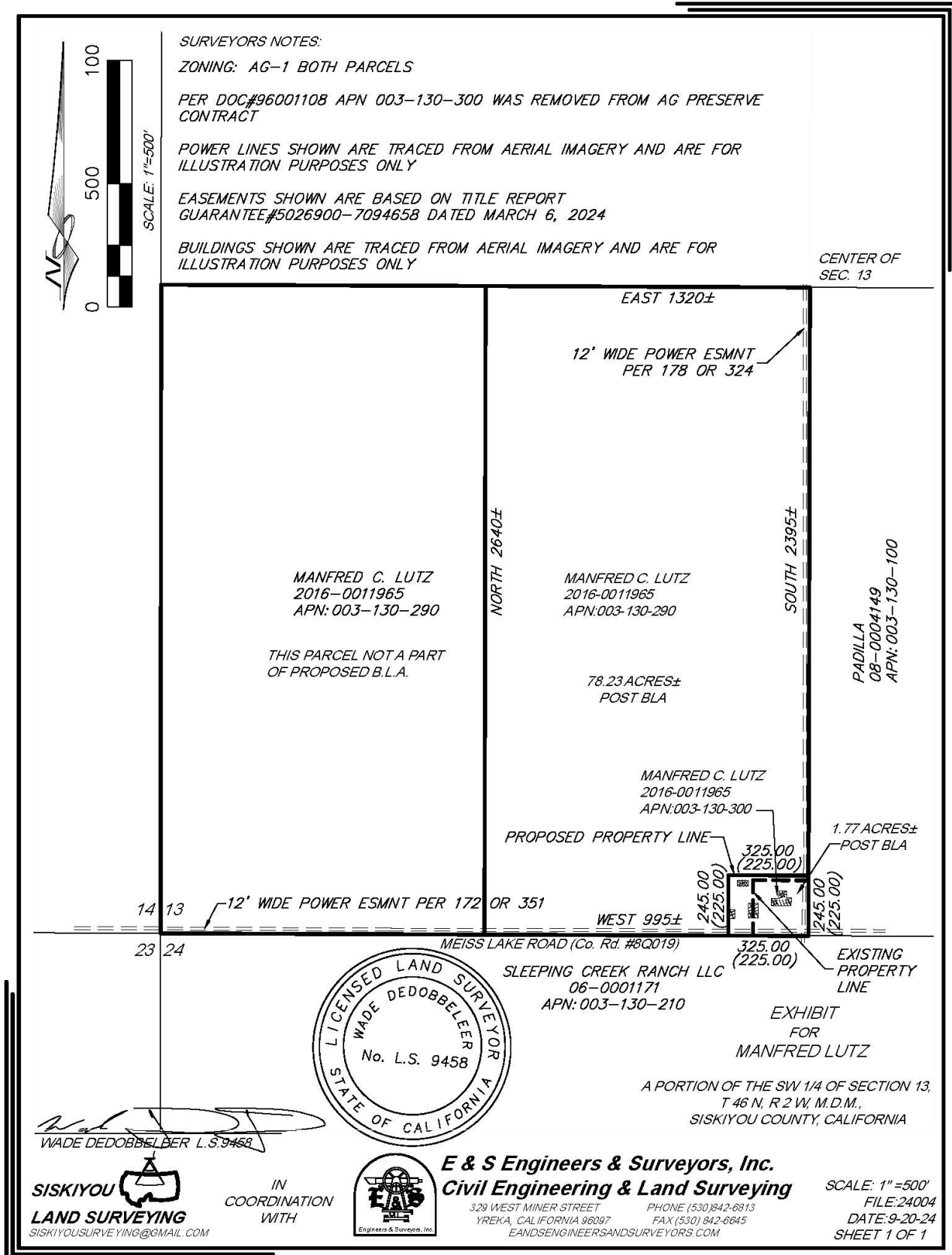


Exhibit C