# Staff Report

Meeting Date: June 3, 2025

To: Siskiyou County Board of Supervisors

From: Bernadette Cizin, Associate Planner

Subject: Proposed cancellation of a portion of Williamson Act Contract No. 72025 and Zone Change (Z2403) Amending Zoning District Maps 10-6.205-248, and CEQA Determination

## Background

Orin Bennett, property owner, proposes to rezone approximately 640 acres of Non-Prime Agricultural, 40-acre minimum parcel size and Rural Residential Agricultural, 40-acre minimum parcel size zoned property to Timber Production Zone (TPZ). The rezone facilitates the immediate cancellation of a portion of an existing Williamson Act Contract for land proposed to be zoned TPZ.

The proposed rezone will reclassify approximately 640 acres from Non-Prime Agricultural, 40-acre minimum (AG-2-B-40) and Rural Residential Agricultural, 40-acre minimum (R-R-B-40) to Timberland Production District (TPZ). Based on aerial maps and timber assessment prepared for the property by a registered professional forester, staff concludes the land meets zoning requirements for inclusion into TPZ per Government code Section 51113.5. The timber type is similar to adjacent land, which is already zoned TPZ, and meets the minimum stocking levels and site class designation for inclusion.

The rezone is in the public interest and is consistent with the General Plan. The rezone is consistent with the required findings for the TPZ designation. The project was considered by the Planning Commission at a public hearing on March 19, 2025. Following the public hearing, the Planning Commission voted 3-1, with one Commissioner absent, to adopt Resolution PC-2025-004, recommending that the Board of Supervisors determine the project exempt from CEQA and approve the proposed Zone Change (Z-4-03).

The rezone is within Williamson Act Contract No. 72025, originally approved as the Burton Ranch Contract consisting of 7134 acres. The subject property is not considered to be compliant with the existing contract as it is no longer a part of a cattle ranch and utilized for livestock grazing but rather being managed for timber production. A notice of non-renewal was recorded for the subject property, 640 acres, on January 17, 2025. Currently, the property remains subject to the existing contract until January 1, 2035. The rezone to TPZ will allow for the subsequent cancellation of a portion of the Williamson Act Contract per California Government Code section 51282.5, in lieu of the 9-year non-renewal. Should this rezone and contract cancellation be approved, the property remaining under Contract No. 72025 will continue to remain subject to the existing contract.

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

## Analysis

Rezone

A Timber Management Plan was prepared by Registered Professional Forester (RPF), Dan Larivee. The Plan shows 11 acres of Site Class II, 444 acres as Site Class III, 161 acres as Class IV, and 14 acres as Class V. Those classifications are evidence the property meets the stocking standards of the Forest Practice Rules, as verified by the RPF.

Williamson Act Contract Cancellation

The subject property is subject to Williamson Act Contract 72025 and was issued a Notice of Non-Renewal on January 17, 2025. The property remains subject to the contract until the termination date of January 1, 2035. The property that is proposed to be rezoned and the Williamson Act Contract be cancelled does not comply with current county guidelines, as it is being manage as timberland rather than livestock grazing.

The rezone to TPZ will allow for the concurrent cancellation of the subject property from the Williamson Act Contract per Section 51282.5 of the California Government Code in lieu of the 9-year non-renewal.

State law permits the immediate cancellation of a Land Conservation contract if the land subject to the contract is rezoned to Timberland Production Zone and a Certification of Rezone (Attachment D) has been recorded, as required by Government Code Section 51117. If the land is so rezoned, the Board is required to approve contract cancellation. The normal rules and discretionary findings for cancellation of a Land Conservation contract do not apply in this context. Similarly, a cancellation fee, which would normally be required to be submitted to the state for cancelation, may not be charged when cancellation is due to TP rezoning. (Government Code §51282.5; Public Resources Code § 51100 et seq.).

## Environmental Review

The proposed project (i.e., zone change to Timberland Production District) is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15264, *Timberland Preserves*. Pursuant to this section, “local agencies are exempt from the requirement to prepare an EIR or negative declaration on the adoption of timberland preserve zones under Government Code Sections 51100 et seq. (Gov. Code Sec 51119).”

## Recommended Action

As detailed in Resolution PC 2024-004, 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 Maps 10-6.205-248. 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 ordinance rezoning approximately 640 acres of land to Timberland Production District (TPZ) and amending Zoning District Map 10-6.205-248; and
2. Direct the Clerk to schedule a continued public hearing on the CEQA exemption determination, a second reading of the ordinance amending Zoning District Maps 10-6.205-248 and consideration of the adoption of the resolution cancelling the portion of Williamson Act Contract 72025.

## Attachments

1. Draft Ordinance No. \_\_\_\_\_\_\_, an Ordinance of the County of Siskiyou, State of California, Reclassifying Approximately 640 Acres of Land South and West of the city of Yreka, from Non-Prime Agricultural, 40-acre minimum (AG-2-B-40) and Rural Residential Agricultural, 40-acre minimum (R-R-B-40) to Timberland Production District (TPZ) on APNs 014-200-040 and 014-200-050; Township 44 North, Range 8 West, Section 1, MDB&M.
2. DRAFT Resolution for cancellation of the subject property from the Williamson Act Contract.
3. Legal Description and Map of subject property
4. Certificate of Cancellation – DRAFT
5. Certification of Rezoning to Timber Production Zoning - DRAFT
6. Planning Commission Staff Report March 19, 2025
7. Signed Planning Commission Resolution PC 2025-004