

SISKIYOU COUNTY PLANNING COMMISSION  
REGULAR MEETING  
FEBRUARY 21, 2018

The Siskiyou County Planning Commission meeting was called to order by Chair Melo at 9:01 a.m. in the Board of Supervisors' Chambers, Siskiyou County Courthouse, 311 Fourth Street, Yreka, California.

**PRESENT:** Commissioners Jeff Fowle, Blair Hart, Dusty Veale, and Tony Melo

**ABSENT:** Commissioner Danielle Lindler

**ALSO PRESENT:** Allan Calder, Director; Christy Cummings Dawson, Deputy Director of Planning; Pam Piemme, Associate Planner; Vurl Trytten, Executive Secretary; Natalie Reed, Assistant County Counsel; and Jerry Lemos, Senior Environmental Health Specialist

**ELECTION OF OFFICERS:**

**ELECTION OF CHAIR:**

**MOTION:** It was moved by Commissioner Veale, seconded by Commissioner Fowle, to approve the nomination of and elect Commissioner Melo as Chair.

**VOTED** upon and the Chair declared the motion carried unanimously with Commissioner Lindler absent.

**ELECTION OF VICE CHAIR**

**MOTION:** It was moved by Commissioner Fowle, seconded by Commissioner Veale, to approve the nomination of and elect Commissioner Lindler as Vice Chair.

**VOTED** upon and the Chair declared the motion carried unanimously with Commissioner Lindler absent.

**MINUTES:**

**MOTION:** It was moved by Commissioner Fowle, seconded by Commissioner Veale, to approve the minutes of January 17, 2018, as presented.

**VOTED** upon and the Chair declared the motion carried unanimously.

**PRESENTATIONS FROM THE PUBLIC:** None

**CONFLICT OF INTEREST DECLARATIONS:** None

**PUBLIC HEARING PROTOCOL:** Chair Melo reviewed the protocol for conducting the Planning Commission meetings.

**RIGHTS OF APPEAL STATEMENT:** Chair Melo advised that projects heard at this Planning Commission meeting may be subject to appeal within ten calendar days. He directed interested individuals to contact the County Clerk's Office for information. He advised that if you challenge the environmental review or the project proposal in court, you may be limited to raising only those issues raised at the public hearing or in written correspondence delivered to the Planning Department at, or prior to the public hearing. Chair Melo apprized the Commissioners and audience that appeals must be submitted to the County Clerk's Office together with the appeal fee of \$1250.

**PUBLIC HEARINGS:**

**MC CLOUD REZONE (Z-17-01)**

The proposed project is to rezone approximately 40 contiguous acres of private land located north of State Route 89 and immediately west of Haul Road in the unincorporated community of McCloud, Siskiyou County, California from Planned Development (P-D)/Single-Family Residential (RES-1) to Rural Residential Agricultural, minimum lot size 1 acre (R-R-B-1), and Rural Residential Agricultural, minimum lot size 2.5 acres (R-R-B-2.5). The project area includes APNs 049-051-280, 049-062-240, 049-062-470, 049-062-510, and 049-062-520 located in Section 6, T39N, R2W, Mount Diablo Base & Meridian. (Discussion/Action Item)

**MITIGATED NEGATIVE DECLARATION  
ZONE CHANGE**

**RECOMMENDING APPROVAL  
RECOMMENDING APPROVAL**

**STAFF REPORT:**

The previously circulated Staff Report was reviewed by the Commission and a presentation of the project was provided by Ms. Dawson.

Ms. Dawson described the project, the project's Planned Development zoning and the project's location west of Haul Road in the community of McCloud. She informed the Commission that the Assessor's Parcel Numbers in the staff report were incorrect, and further informed the Commission of the correct Assessor Parcel Numbers. She explained to the Commission that the 1998 Plan Development had an average parcel size of 1 acre along with some zoning of RR-B-2.5 acre minimum parcel size. She said that a meeting was held with all of the property owners and representative from the McCloud Community Services District in January, and all of the property owners had agreed with this proposal. She said that staff recommended that the Planning Commission recommend approval of the zone change to the Board of Supervisors.

No questions at this time.

**AGENCY INPUT:** None

Chair Melo opened the Public Hearing.

**PUBLIC INPUT:**  
No public comments

There being no further input, the Chair closed the Public Hearing.

---

**Discussion by Commission:**

Commissioner Blair Hart confirmed that the zone change will take away the Planned Development Zoning and change it to R-R-B-1 and R-R-B-2.5 zoning. He also confirmed with Ms. Dawson that the East side of Haul Road was not part of the Zone Change. Ms. Dawson further explained that the interior parcels will have to get access to Haul Road, and the outside will have access to Haul Road. She added that the interior parcels have one owner and there is one location where there is access to Haul Road and another location that has access to Mill Road. She referred the Commission to the map of the interior parcels on the second page of the staff report. She said that the parcels zoned R-R-B-2.5 have an access to Mill Road as shown in the map on page 3 of the staff report where there is a sliver of land that has access to Haul Rd. She added that these parcels are not part of the zone change as this land is already zoned R-R-B-2.5.

Commissioner Hart said that there may be problems with the interior parcels. Ms. Dawson said that the parcels are owned by Mr. Tatom and if they are developed in the future, he would address the access issue at that time.

Commissioner Hart commented on the Environmental checklist 4.0, 4.0-13, and Mitigation Measures 4.1 and 4.2 regarding requiring a botanical survey before there is ground disturbance to preserve species that are not on either a State list or a national list, but only on the list of the California Native Plant Society that is a political group. He said he did not like to see the property owner burdened by this requirement. Ms. Dawson responded that this requirement was in this section of the staff report because it was recommended by the California Department of Fish and Wildlife. A discussion was held regarding the regulations and the mitigation measures.

Commissioner Hart asked who owns the water rights to the spring that is the water supply for McCloud. He said that the issues surrounding Water were becoming paramount and he wants to protect the property owners to be sure McCloud Community Services District has water rights to the spring. Ms. Dawson responded that McCloud Community Services District was at the meeting in McCloud with the property owners and Planning; and McCloud owns a parcel where they collect spring water. Commissioner Hart said that there were three mains that went to the old mill site. Ms. Dawson responded that as far as she knows, McCloud Community Services District has water rights to the spring. Mr. Tatom spoke from the audience and confirmed that the Community Services District has water rights to the spring. Discussion was held regarding the water supply to McCloud Community Services District, groundwater and water rights.

Commissioner Fowle confirmed with staff that the area outlined in yellow on the Figure 4 Zoning Map in the Staff Report is owned by Mr. Tatom; and is zoned R-R-B-2.5. He also confirmed that the Rhodes Tentative Parcel Map property and the Watson Tentative Parcel Map property will be zoned R-R-B-1.

Commissioner Veale asked what the next step was. Ms. Dawson responded that the zone change, if recommended for approval by the Planning Commission, would be presented to the Board of Supervisors for approval. She explained that because a Zone Change requires an ordinance, there would be two hearings before the Board of Supervisors and publication in the newspaper after the Board's approval of the ordinance. She added that the Commission can

conditionally approve the tentative parcel map project. She confirmed that the Planned Development zoning would be gone forever when the zone change was completed.

**MOTION:** Following discussion, it was moved by Commissioner Veale, seconded by Commissioner Hart to adopt Resolution PC-2018-001, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending that the Board of Supervisors Adopt the Initial Study/Mitigated Negative Declaration (SCH No. 2017042040) and the Mitigation Monitoring Reporting Program and Approve the McCloud Zone Change Request (Z-17-01).

**VOTED** upon and the Chair declared the motion carried on the following roll call vote:

**AYES:** Commissioners Hart, Fowle, Veale and Melo

**NOES:** None

**ABSENT:** Commissioner Lindler

**ABSTAIN:** None

**RHODES TENTATIVE PARCEL MAP (TPM-15-08)**

The proposed project is a tentative parcel map to subdivide a 4.57-acre parcel into four lots ranging in size from 1.03 to 1.38 acres. Water and sewer services would be provided by the McCloud Community Services District. The project site is located on the west side of Haul Road, approximately 1,000 feet north of State Route 89, in the unincorporated community of McCloud, Siskiyou County, California. The subject property is APN 049-062-520 located in Section 6, T39N, R2W, Mount Diablo Base & Meridian (Latitude 41°15'20.00"N, Longitude 122°07'18.30"W).

**MITIGATED NEGATIVE DECLARATION  
TENTATIVE PARCEL MAP**

**APPROVED  
APPROVED**

**STAFF REPORT:**

The previously circulated Staff Report was reviewed by the Commission and a presentation of the project was provided by Ms. Dawson.

Ms. Dawson informed the Commission that the Rhodes sought to subdivide their parcel into four lots, one acre to 1.38 acres in size. She said that the newly created lots would be served by the McCloud Community Services District. She explained the project was located west of Haul Road and that all of the four newly created lots would have access to Haul Rd. She further explained that the Tentative Parcel Map project has a condition of approval requiring that the zone change be approved by the Board of Supervisors before the Tentative Parcel Map project could move forward, so the project would be conditionally approved contingent upon the Board of Supervisors approving the Zone Change. She added that should the Board approve the zone change, the parcel to be subdivided would have the appropriate zoning for the Tentative Parcel Map to move forward.

---

**AGENCY INPUT:** None

Chair Melo opened the Public Hearing.

**PUBLIC INPUT:** No comment

There being no further input, the Chair closed the Public Hearing.

**Discussion by Commission:**

Commissioner Fowle said he was curious why Fish and Wildlife brought up possible issues regarding the drainage on this tentative parcel map, but did not bring up this issue on prior tentative parcel map. Commissioner Hart commented that with the volcanic soil in the McCloud area, he suspected there would be no problem with drainage.

**MOTION:** Following discussion, it was moved by Commissioner Hart, seconded by Commissioner Fowle to adopt Resolution PC-2018-002, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Adopting the Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring Reporting Program for the Rhodes Tentative Parcel Map and Conditionally Approving TPM-15-08.

**VOTED** upon and the Chair declared the motion carried unanimously with Commissioner Lindler absent.

**MISCELLANEOUS:**

1. **FUTURE MEETINGS** - The next regular meeting of the Planning Commission is scheduled for Wednesday, March 21, 2018.
2. **CORRESPONDENCE:** None
3. **STAFF AND COMMISSION COMMENTS**

Ms. Dawson informed the Commission that Mr. Dveris had resigned his position.

Ms. Dawson also told the Commission that 2013 was the last year planning did their own survey of Williamson Act Contracts and ten noncompliant properties were brought to the Agricultural Preserve Advisory Board, and the Department did clean up those properties that were not in compliance. She added that the horse rescue operation property was found to be in the process of withdrawal from the Williamson Act, and the withdrawal period would have ended in 2015.

Ms. Dawson said that State Legislation removed the subventions for the Williamson Act in 2012. She added that the moratorium on new Williamson Act Contracts was not renewed in 2014. There was a discussion regarding the Agricultural Preserve Advisory Board.

Ms. Dawson informed the Commission that Environmental Health was currently working on amendments to Use Permits and Reclamation Plans to update the mining program.

Ms. Dawson informed the Commission that she had sent guidelines and Brown Act information to the two Technical Advisory Committees (TACs). She added that Planning will be there to assist the TACs. In response to a question from the Commission, Ms. Dawson responded that the TACs needed to meet in a public place.

Ms. Reed informed the Commission that Mr. Edward J. Kiernan would be the new County Counsel and would start on March 12, 2018.

Discussion was held regarding an Animal Rescue Operation, federal standards, potential nitrate loading to the groundwater; jurisdiction regarding groundwater, CAFOs, equine vs. bovine, groundwater pollution monitoring, jurisdiction, enforcement, SGMA and water quality issues in the Shasta Valley Basin area.

Chair Melo informed the Commissioners that he had asked the resource management person for a presentation on SGMA. Commissioner Fowle commented that it was in its infancy and was still organizing.

Commissioner Veale asked if there was a backlog of applications to be seen and heard by the Commission. Ms. Dawson responded that there were 15 to 20 projects that were being worked on.

Commissioner Fowle commented that with 15-20 projects it was safe to assume that the JH Ranch project would not be before the Planning Commission before the summer season.

Commissioner Veale reminded staff that he had requested a Planning Commission site visit when the JH Ranch project came before the Commission and he considered a site visit to be necessary.

The meeting was adjourned at 9:45.

Respectfully submitted,



Christy Cummings Dawson  
Secretary