

SISKIYOU COUNTY PLANNING COMMISSION  
REGULAR MEETING  
MARCH 21, 2018

The Siskiyou County Planning Commission meeting was called to order by Chair Melo at 9:00 a.m. in the Board of Supervisors' Chambers, Siskiyou County Courthouse, 311 Fourth Street, Yreka, California.

**PRESENT:** Commissioners Jeff Fowle, Danielle Lindler, Dusty Veale, and Tony Melo

**ABSENT:** Commissioner Blair Hart

**ALSO PRESENT:** 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

**MINUTES:**

**MOTION:** It was moved by Commissioner Fowle, seconded by Commissioner Veale, to approve the minutes of February 21, 2018, as submitted.

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

**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:**

**GENTZ USE PERMIT (UP1708)**

The project is a proposed conditional use permit to convert an existing single-family dwelling into a vacation rental. The project site is located at 521 Broadway Avenue in the community of McCloud, Calif.; Township 39 North, Range 3 West, Section 1, MDB&M (Assessor's Parcel Number 049-152-060).

**CATEGORICAL EXEMPTION  
USE PERMIT****APPROVED  
APPROVED****STAFF REPORT:**

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

Ms. Piemme presented the staff report and informed the Commission that the applicant had applied for a use permit to convert the use of their dwelling from a single family residence to a vacation rental use. She described the location of the vacation rental in McCloud and informed the Commission that the property was zoned single-Family Residential (RES-1). She explained that a vacation rental use is not a by right use, but the vacation rental use of the dwelling can be allowed with the approval of a use permit pursuant to County Code. She said that if the proposed use meets the conditions in the code the vacation rental use permit could be granted. She informed the Commission that the dwelling was 1200 square feet, and that a shed and garage were also located on the property. She further informed the Commission that the water and sewer are provided by McCloud Community Services District. She added that the vacation rental had been approved for a maximum occupancy of six.

Ms. Piemme reviewed the General Plan Consistency Findings and informed the Commission that the property was in the Erosion Hazard Area, High Woodland Productivity Area, Flood Zone, and High Wildfire Hazard area. She said that no mitigations of these factors were required. Ms. Piemme said that staff had determined that the project was categorically exempt under CEQA Guidelines section 15301 class 1 existing facilities.

She said that there was adequate off-street parking in the back and no parking would be allowed on Broadway. She added that the applicant had engaged a local property management service that will act as their county resident and be an available contact for the vacation rental.

She said that the project had been circulated to county departments and local agencies and the public hearing notice had been sent to the adjacent property owners and only two comments had been received. She added that Cal Fire had commented regarding the requirements of the 4290 regulations and Environmental Health had inspected the home and reviewed health and safety issues regarding access to the private dwelling.

Ms. Piemme concluded by informing the Commission that staff was recommending that the Commission adopt the recommended findings in Exhibit A of the staff report, adopt the categorical exemption from CEQA pursuant to Section 15301 of the CEQA Guidelines and approve the vacation rental use permit UP1708 subject to the notations and Conditions of Approval in Exhibit B1.

**Commission Questions for Staff:** Commissioner Veale asked about the enforcement of the six person occupancy condition and what monitoring there would be of the condition. Ms. Dawson explained that enforcement was complaint driven and Planning would look into a report that there were more than six people occupying the vacation rental.

**AGENCY INPUT:** None

Chair Melo opened the Public Hearing.

**PUBLIC INPUT:** None

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

**Discussion by Commission:** Commissioner Fowle commented that the building inspection sheet was different and a short form, but had been a longer more in depth form in the past. Staff agreed that the longer building inspection sheet would be included in the staff report in the future.

Commissioner Fowle said that the satellite picture of the house shows the vegetation to be close to the house. He requested that staff add and item to the list in Condition of Approval number 13 that says no outdoor burning because of the high fire hazard in the area.

Commissioner Lindler confirmed that no comments had been received from adjacent property owners.

**MOTION:** Following discussion, it was moved by Commissioner Veale, seconded by Commissioner Fowle to adopt Resolution PC-2018-003, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Approving the Gentz Vacation Rental Use Permit (UP1708) with the addition to Condition 13 prohibiting outside burning.

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

**RICHARDSON TENTATIVE PARCEL MAP (TPM 1704)**

The project is a tentative parcel map to subdivide a 24.52-acre parcel into two lots, one approximately 11.62 acres in size and the other approximately 12.9 acres in size. The project site is zoned Rural Residential Agricultural, 10-acre Minimum Parcel Size (R-R-B-10). The project site is located on Copco Road, approximately 0.2 miles east of the intersection with Ager Road, east of the community of Hornbrook, in the unincorporated area of Siskiyou County, California on APN 040-240-150; Township 47N, Range 6W, Section 26, MDB&M (Latitude 41°53'59"N, Longitude 122°30'10"W).

**CATEGORICAL EXEMPTION  
USE PERMIT**

**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 described the project, the location of the project and the Rural Residential (RR) zoning with a 10 acre minimum parcel size. She said the project site is developed with two

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residences and accessory buildings. She said that the Tentative Parcel Map would put one residence on each parcel. She added that there are grave sites on the property, but the Tentative Parcel Map project will not disturb the graves.

She informed the Commission that after the parcel split, both parcels will exceed the 10 acre minimum parcel size and both parcels will have access to Copco Road. She said that there are two small areas of prime agricultural soils, one on parcel one and the other on parcel two, but neither area would be further subdivided by the lot split.

She further informed the Commission that a General rule Exemption under CEQA was recommended, because the property is already developed and no future development is planned. She said that Cal Fire had added Condition number 3 to require that the driveway be updated to 4290 road standards as it would serve both parcels. She added that staff recommended approval of the project.

#### **Commission Questions for Staff:**

In response to a question from Commissioner Veale, Ms. Dawson referred him to Exhibit A and explained that proposed parcel A would be 11 acres and would be the northern half of the current parcel, and proposed parcel B would be the southern half of the property.

**AGENCY INPUT:** None

Chair Melo opened the Public Hearing.

#### **PUBLIC INPUT:**

Terry Curry, representative for Ms. Richardson, said that they were requesting a change to Condition Number 3. He explained that the existing driveway does not quite meet Cal Fire's 4290 road standards, because it is an 18 foot wide road and with shoulders it is a 22 foot wide road. He added that the road curves on a hill side and to widen it would take embankment fill to make the grade in order to widen the road to Cal Fire standards. He explained that parcel one already has 530 feet of frontage in the county road on the east end, and that is all that is required. He said that the requirement is access frontage on a county road or a built access road from the county road. He said that the applicant agrees with Cal Fire requirements; but, at a minimum, his client should have the option to access the house on parcel one from Copco Road where there is adjacent access to the county road. He explained that it would take minimal grading in this location, and his client would be able to do what is more cost effective.

Ms. Dawson said that it was her understanding that the applicants were not going to access parcel one from the county road and they were holding fast to using the existing driveway. She added that Monty Messenger from Cal Fire held fast that the driveway must meet the 4290 requirements if it serves both parcels.

Commissioner Fowle confirmed that if the ingress and egress is put in off of the road to the residence on the parcel, then that road to that parcel would have to meet 4290 requirements if another driveway is not constructed for that parcel. Commissioner Fowle asked if the project needed to be continued to get input from Cal Fire. Ms. Dawson said that this was an option, but she suggested that a Condition of Approval could be added requiring that the existing driveway

had to be brought up to 4290 requirements if it serves both of the proposed parcels; but if the applicant puts in another driveway for parcel one 1 off of Copco Road with the required Public Works encroachment permit, then the current driveway would not have to be brought up to 4290 requirements.

Ms. Richardson spoke and said that she has a driveway on parcel one. Commissioner Fowle asked if she has an encroachment permit from Public Works. Ms. Richardson was not sure.

Mr. Curry said that encroachment permits were not a problem to get from Public Works.

Chair Melo asked Ms. Reed if the owner would have a proscriptive right to access. Ms. Reed, responded that she would have to look at the facts of the case, but typically there would be no proscriptive rights from a public entity.

Commissioner Fowle suggested amending condition number 3 to add "or construct a driveway from Copco Road to the residence on parcel one that meets Cal Fire 4290 standards.

Ms. Reed asked that staff confirm with Cal Fire that they agree with the proposed change to Condition Number 13.

Commissioner Veale confirmed that the result would be that each parcel would have its own driveway.

Commissioner Fowle said Monty Messenger would likely be at his desk and staff might be able to confirm the proposed change with him.

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

After discussion Commissioner Fowle moved that the Chair call for an 11 minute break to allow Ms. Dawson to contact Monty Messenger of Cal Firer regarding the proposed change to Condition 13.

In response to a question from Chair Melo, Ms. Reed informed the Chair that the request for a break could be a motion or by permission and agreement of the Chair.

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Chair Melo agreed with the request for a break and called for a ten minute break at 9:35 a.m. and called the meeting back to order at 9:45 a.m.

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Ms. Dawson informed the Commission that she was unable to reach Mr. Messenger at Cal Fire. She suggested a revision to Condition 13 and read the proposed revision language to the Commission. In response to a Commission question regarding Cal Fire's comments, Ms. Reed said that as long as the revision to Condition 13 complies with Cal Fire's 4290 rules and regulations the change should be acceptable. . Mr. Curry spoke and agreed to the changed condition.

#### **Discussion by Commission:**

Commissioner Fowle confirmed that the existing driveway must be improved to 4290 standards or the applicant would have to develop access via a second driveway from Copco Road

**MOTION:** Following discussion, it was moved by Commissioner Fowle, seconded by Commissioner Veale to adopt Resolution PC-2018-04, A Resolution of the Planning Commission of the County of Siskiyou, State of California, approving the Joanne Richardson Tentative Parcel Map (TPM1704); with the changes to Condition of Approval number 3 as presented by Ms. Dawson.

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

**MISCELLANEOUS:**

1. **FUTURE MEETINGS** - The next regular meeting of the Planning Commission is scheduled for Wednesday, April 18, 2018.
2. **CORRESPONDENCE:** None
3. **STAFF AND COMMISSION COMMENTS**

Ms. Dawson informed the Commission that the first meetings of the agricultural Technical Advisory Committees are scheduled and will be held at 10:00 and 11:00 a.m. on March 23, 2018 in the Agricultural Commissioner's conference room.

Commissioner Fowle asked if there was any update on the County's progress in establishing the committees and advisory groups for SGMA. He asked if it would be possible to schedule a workshop or update to the Planning Commission or is it still in a holding pattern.

Ms. Reed suggested that there could be an update presented to the commission at the next meeting. She said that the regular agenda could be in the morning and the presentation could be in the afternoon.

The meeting was adjourned at 9:52.

Respectfully submitted,



Christy Cummings Dawson  
Secretary