



# SISKIYOU COUNTY PLANNING COMMISSION STAFF REPORT

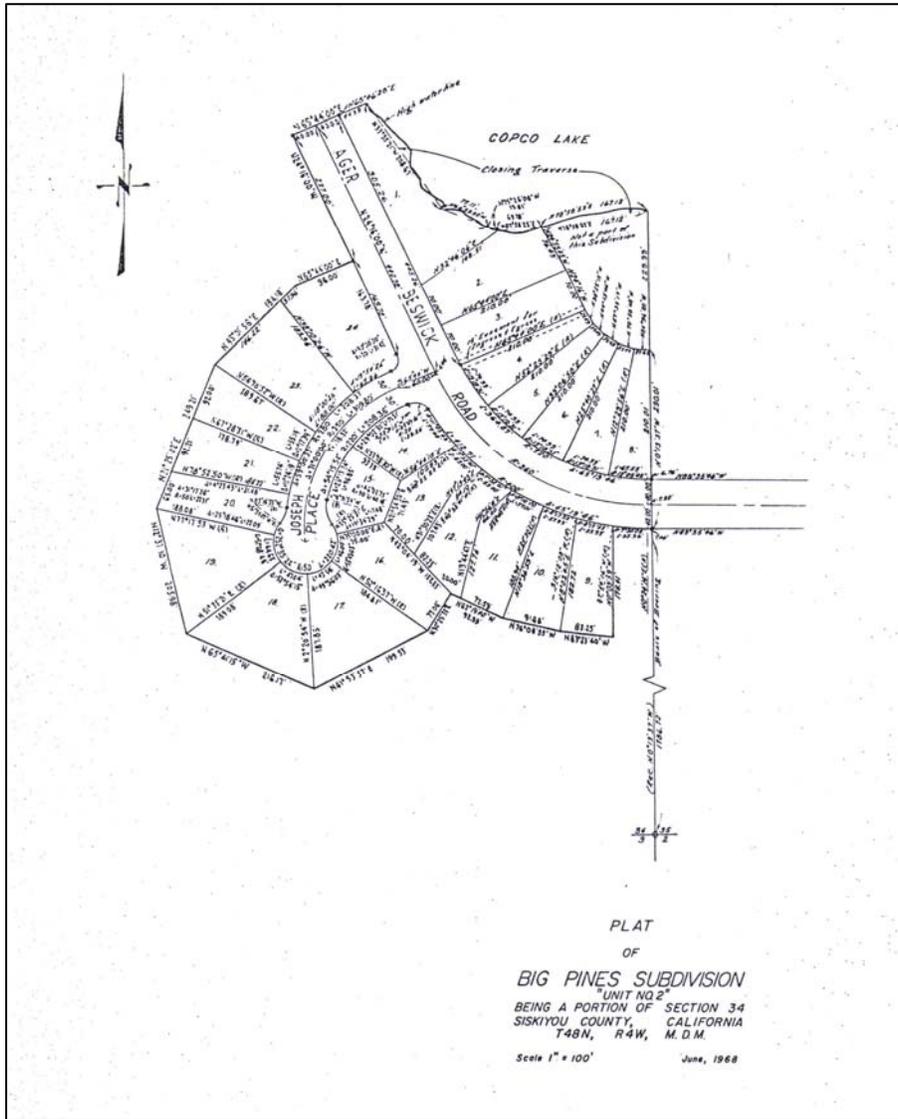
June 20, 2018

## NEW BUSINESS AGENDA ITEM No. 3: ROAD ABANDONMENT (RA-18-01) – Joseph Place

- APPLICANT/OWNER:** County of Siskiyou  
PO Box 750/1312 Fairlane Road  
Yreka, CA 96097
- PROJECT SUMMARY:** General Plan conformity determination regarding a proposed abandonment of that undeveloped Siskiyou County road named Joseph Place (Co. Rd. No. 0M007), originally created as a part of Big Pines Subdivision, Unit 2, recorded June 28, 1968 in Town Map Book (TMB) 4, Pages 116 and 117, Siskiyou County Records.
- GENERAL PLAN:** Soils: Erosion Hazard (High); Severe Septic Tank Limitations (High); Water Quality - Not Potable Occasional Incidence; Prime Agricultural Soils
- ZONING:** Rural Residential Agricultural (R-R)
- LOCATION:** The project site is located near the end of and on the south side of Ager Beswick Road, in Section 34, Township 48 North, Range 4 West, MDB&M. APN 004-490-261. (Latitude 41°58'4.0"N; Longitude 122°17'12.37" W)
- EXHIBITS:**
- A. Recommended Findings
  - B. Resolution PC-2018-010, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending that the Board of Supervisors Approve the Road Abandonment (RA-18-01) – Joseph Place

## BACKGROUND

The project is a proposed abandonment of that certain undeveloped roadway (Joseph Place), as recorded in Town Map Book 4, pages 116 and 117, June 28, 1968. The area proposed for abandonment is an undeveloped dirt road consisting of approximately 375 linear feet of 60-foot wide right-of-way and containing approximately one-half acre of ground.



**FIGURE 1 – Map Excerpt (TMB 4, Pg. 117)**

Joseph Place was originally established as a cul-de-sac to provide access from Ager Beswick Road to approximately 9 parcels created as part of Unit 2 of the Big Pines Subdivision. Several years ago, these parcels fronting on Joseph Place along with several others contiguous to the Joseph Place parcels were purchased by an individual person with the intention of developing the property for a single-family residential use as permitted in the Rural Residential Agricultural (R-R) zoning district per SCC Sec. 10-6.4802. During the initial stages of development it was determined by the county’s Environmental Health Division that none of the individual parcels were large enough to accommodate siting of an on-site sewage disposal system along with adequate designated expansion area as required by SCC Sec. 5-2.22.. At that time, in order to create a large enough area to support the septic system, expansion area, and the proposed single-family residence to be served by the on-site system the property owner initially proposed to merge the parcels through a single boundary line adjustment procedure into one larger parcel. Because California’s Subdivision Map Act (SMA) Section 66412.(d) limits the adjustment of lot lines to four or fewer existing adjoining parcels at one time, the process of merging the parcels into one was completed over a two year time period with four separate boundary line adjustment processes. Once this process to create a single 28 acre-sized parcel that would be accessed off of Ager Beswick

Road, was completed, the right-of-way for Joseph Place was no longer required for access purposes and the property owner requested that it be vacated.



**FIGURE 2 – Project Site (Detail from 2016 Aerial)**

The Siskiyou County Board of Supervisors will ultimately determine whether to approve the proposed road abandonment. However, pursuant to Government Code Section 65402, the Planning Commission must first review the proposed road abandonment for consistency with the General Plan and make a recommendation to the Board. Additionally, for the Board of Supervisors to approve the proposed vacation of right-of-way, specific findings are required pursuant to Sections 892 and 8324 of the California Streets and Highways Code. In order to make these findings, the Board of Supervisors must determine whether the undeveloped right-of-way is useful as a non-motorized transportation facility and whether the undeveloped right-of-way is necessary for any present or prospective public use.

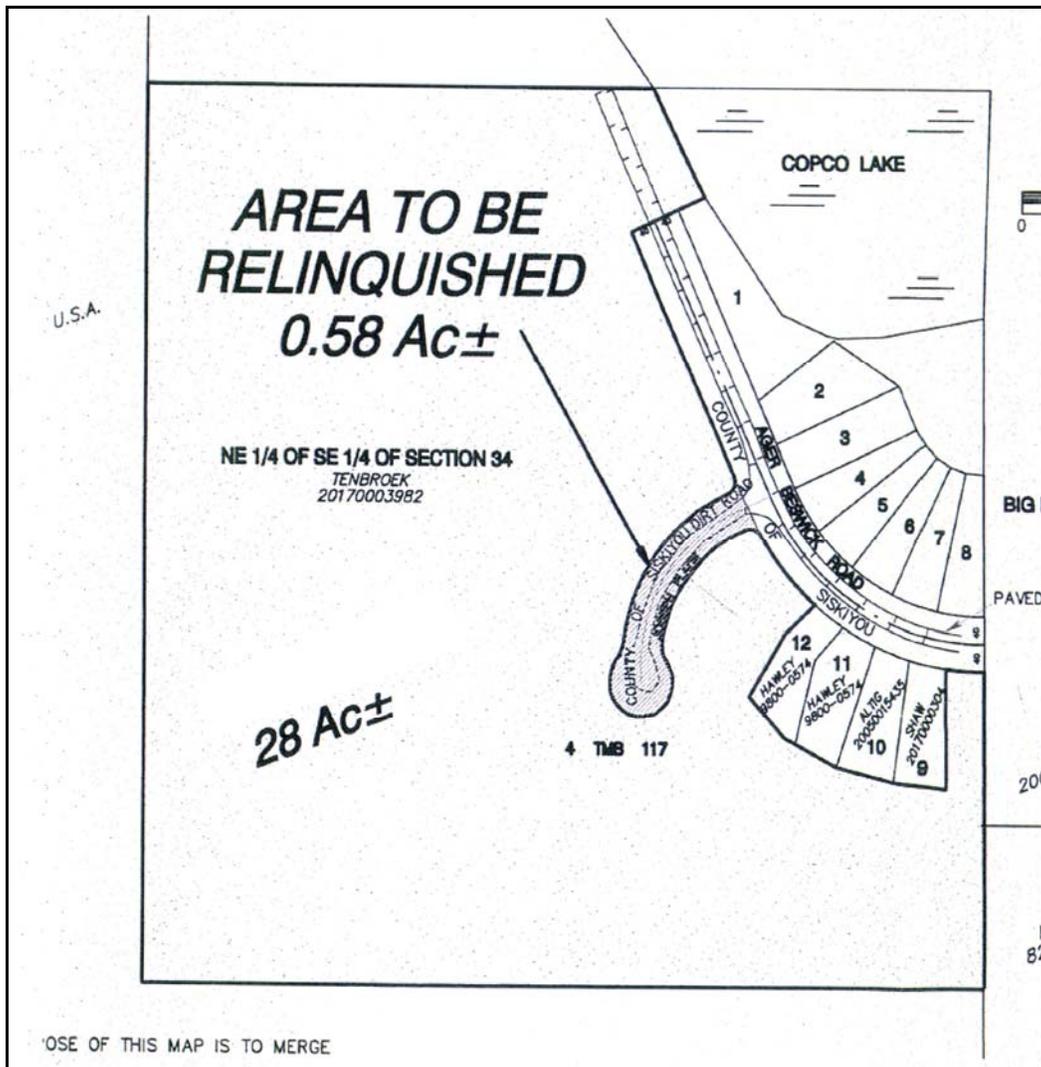


FIGURE 3 – BLA Parcel, area to be vacated

## ANALYSIS

Staff has evaluated the Siskiyou County General Plan relative to the proposed road abandonment and has determined that there are no project components that would conflict with the provisions of the General Plan.

The Land Use Element of the Siskiyou County General Plan identifies the project site as being within the mapped resource overlay areas for Erosion Hazard (High); Severe Septic Tank Limitations (High); Water Quality - Not Potable Occasional Incidence; and Prime Agricultural Soils. In addition, planning staff has identified that Composite Overall Policies 41.9 and 41.18 apply to the proposed project.

In addition, staff has evaluated the proposed road abandonment relative to the findings required pursuant to California Streets and Highways Code Sections 892.(a) and 8324.(b) and determined that the undeveloped right-of-way is neither useful for non-motorized transportation uses, nor is it necessary for any present or prospective public uses.

The recommended findings are detailed in Exhibit “A” attached to this staff report and are submitted for the Commission’s review, consideration, and approval.

### **PROJECT REVIEW**

This project was distributed for review to Siskiyou County Reviewing Agencies and State Responsible Agencies. No comments were received. Siskiyou County Public Works had previously indicated that it had no objections to the abandonment.

### **ENVIRONMENTAL REVIEW**

The proposed road abandonment is exempt from environmental review pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines under the general rule that CEQA only applies to projects which have the potential for causing a significant effect on the environment. Because it can be seen with certainty that there is no potential for the proposed road abandonment to have a significant effect on the environment, staff is recommending the “general rule exemption” be adopted in accordance with Section 15061(b)(3) of the CEQA Guidelines. As such, the Board of Supervisors would need to adopt the general rule exemption prior to approving the proposed Road Abandonment (RA-1801) – Joseph Place.

### **PLANNING STAFF RECOMMENDATION**

- **Recommend** the Board of Supervisors adopt the CEQA general rule exemption; and
- **Recommend** the Board of Supervisors approve the proposed Road Abandonment (RA-1801) – Joseph Place.

### **SUGGESTED MOTION**

I move that we adopt Resolution PC-2018-010, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending that the Board of Supervisors Approve the Road Abandonment (RA-1801) – Joseph Place.

### **PREPARATION**

Prepared by the Siskiyou County Planning Division. For project specific information or to obtain copies for your review, please contact:

Pam Piemme, Associate Planner  
Siskiyou County Planning Division  
806 S. Main Street  
Yreka, California 960

Exhibit "A"  
Recommended Findings  
Road Abandonment (RA-1801) – Joseph Place

**FINDINGS**

**GENERAL PLAN CONSISTENCY FINDINGS**

**MAP 2 – EROSION HAZARD**

The proposed vacation of an undeveloped right-of-way will not create erosion or sedimentation problems, require the use of groundwater resources, involve new development, establish or result in new land uses, or reduce parcel sizes. As such, the policies pertaining to "Map 2: Erosion Hazard" do not apply.

**MAP 4 – SEVERE SEPTIC TANK LIMITATIONS**

The proposed vacation of an undeveloped right-of-way will not create erosion or sedimentation problems, require the use of groundwater resources, involve new development, establish or result in new land uses, or reduce parcel sizes. As such, the policies pertaining to "Map 4: Severe Septic Tank Limitations" do not apply.

**MAP 6 – WATER QUALITY**

The proposed vacation of an undeveloped right-of-way will not create erosion or sedimentation problems, require the use of groundwater resources, involve new development, establish or result in new land uses, or reduce parcel sizes. As such, the policies pertaining to "Map 6: Water Quality" do not apply.

**MAP 12 – PRIME AGRICULTURAL SOILS**

The proposed vacation of an undeveloped right-of-way will not create erosion or sedimentation problems, involve new development, establish or result in new land uses, or reduce parcel sizes. Further, the area in which the undeveloped right-of-way is located is not within an irrigation district. As such, the policies pertaining to "Map 12: Prime Agricultural Soils" do not apply.

**COMPOSITE OVERALL POLICIES**

Policy 41.9 - ACCESS: Upon approval of the proposed road abandonment, access to the parcel would be directly from Ager Beswick Road, a county-maintained roadway. Buildable safe access, adequate to accommodate the immediate and cumulative traffic impacts, would remain for all land uses within and adjacent to the project site.

Policy 41.18 - CONFORMANCE WITH LAND USE ELEMENT POLICIES: The staff report for the project has evaluated all applicable policies in the Land Use Element and has determined that the project is in conformance with the Land Use Element of the General Plan.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS**

Because it can be seen with certainty that there is no potential for the proposed road abandonment to have a significant effect on the environment, and because CEQA applies only to projects which have the potential for causing a significant effect on the environment, the project is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

**CALIFORNIA STREETS AND HIGHWAYS CODE ROAD ABANDONMENT FINDINGS**

Exhibit "A"  
Recommended Findings  
Road Abandonment (RA-1801) – Joseph Place

1. The proposed road abandonment does not conflict with the General Plan.
2. The Joseph Place abandonment area is not useful as a non-motorized transportation facility.
3. Because the property can be accessed directly from Ager Beswick Road, Joseph Place, the undeveloped roadway proposed to be vacated, is not necessary for any present or prospective public use.

**RESOLUTION PC 2018-010**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF SISKIYOU,  
STATE OF CALIFORNIA, RECOMMENDING THE BOARD OF SUPERVISORS APPROVE  
ROAD ABANDONMENT (RA-1801) – JOSEPH PLACE**

**WHEREAS**, pursuant to Government Code Section 65402, the Planning Commission must first review the proposed road abandonment for consistency with the General Plan and make a recommendation to the Board; and

**WHEREAS**, the County of Siskiyou wishes to vacate that certain undeveloped road in Unit 2 of Big Pines Subdivision, as recorded in Town Map Book 4, Page 117; and

**WHEREAS**, the undeveloped right-of-way that is proposed to be vacated includes Joseph Place, from the westerly side of Ager Beswick Road to the cul-de-sac turnaround; and

**WHEREAS**, the Planning Division presented its oral and written staff report on the proposed Road Abandonment (RA-1801) at a regular meeting of the Planning Commission on June 20, 2018; and

**WHEREAS**, the Planning Division recommended Road Abandonment RA-1801 be considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15601(b)(3) of the CEQA Guidelines because it can be seen with certainty that there would not be any significant impacts to the environment resulting from the project; and

**WHEREAS**, the Planning Division recommended approval of road abandonment RA-1801 subject to the findings contained in Exhibit "A" to the written staff report; and

**WHEREAS**, a Notice of Public Hearing was published in the Siskiyou Daily News on June 8, 2018; and

**WHEREAS**, on June 20, 2018, the Chair of the Planning Commission opened the duly noticed public hearing on road abandonment RA-1801 to receive testimony, both oral and written, following which the Chair closed the public hearing and the Commission discussed road abandonment RA-1801 prior to reaching its decision.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission adopts the recommended findings set forth in Exhibit "A" of the written staff report; and

**BE IT FURTHER RESOLVED** that the Planning Commission recommends the Board of Supervisors adopt the "general rule exemption" from CEQA and that the Board of Supervisors approve the proposed Abandonment (RA-1801) – Joseph Place.

**IT IS HEREBY CERTIFIED** that the foregoing Resolution PC-2018-010 was duly adopted on a motion by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_, at the regular meeting of the Siskiyou County Planning Commission held on the 20<sup>th</sup> day of June, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

SISKIYOU COUNTY PLANNING COMMISSION

\_\_\_\_\_  
Tony Melo, Chair

WITNESS, my hand and seal this 20<sup>th</sup> day of June, 2018.

\_\_\_\_\_  
Christy Cummings Dawson, Secretary of the Commission