



COUNTY OF SISKIYOU

COMMUNITY DEVELOPMENT DEPARTMENT
Building ♦ Environmental Health ♦ Planning
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[Siskiyou County Community Development](#)

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DIRECTOR

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PUBLIC HEALTH OFFICER

Agenda

Siskiyou County Planning Commission Regular Meeting

October 20, 2021

9:00 a.m.

This Public Meeting is being agendized to allow Planning staff and the public to participate in the meeting via teleconference pursuant to Assembly Bill 361, which amends Government Code §54953.

Call in number: 1-669-900-6833; Zoom Meeting ID: 853 5636 4084 (Press *9 to raise your hand)
Or access [here](#)

(For optimal audio quality, utilize the Zoom app on your smart device or computer. During the meeting, click on the "Participants" icon at bottom center of your computer or smart device, then click "Raise Hand" button.)

Additionally, you may email public comment to planning@co.siskiyou.ca.us before 5:00 p.m. on the Tuesday before the Planning Commission meeting (the clerk does not have the ability to access email during the meeting). Public comment submitted after the publication of the staff report will be provided to the Planning Commissioners by the day of the public hearing. If you would like your public comment read during the public hearing, please indicate you wish it to be read. Reading of any emailed public comment is limited to three (3) minutes. Emails that are not indicated to be read aloud will, in any case, be provided to the Commissioners and become part of the record.

In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the Clerk of the Planning Commission 48 hours prior to the meeting at (530) 841-2100.

- I. Call to Order:** Siskiyou County Planning Commission Meeting
 - 1. Pledge of Allegiance**
 - 2. Roll Call**
 - 3. Approval of Minutes:** September 15, 2021
 - 4. Unscheduled Appearances:** Any person may address the Commission on any subject matter within the jurisdiction or responsibility of the Commission at the beginning of the meeting; or may elect to address the Commission on any agenda item at the time the item is called by the Chair, but before the matter is acted upon by the Commission. Unscheduled comments will be limited to five minutes.
 - 5. Conflict of Interest Declaration**

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6. **Presentation of Documents:** All items presented to the Planning Commission during a public hearing become a permanent part of the record. Twelve copies of any information presented to the Commission should be given to the Clerk of the Commission for distribution to the Commissioners. In order to obtain an accurate record of the testimony, please address the Commission at the speaking table and clearly introduce yourself with your full name and address. **Your address will not be included in the minutes of the meeting.** A maximum of five minutes per speaker will be given so that all interested parties will have an opportunity to address the Commission.

7. **Availability of Public Records:** All public records related to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at 806 South Main Street, Yreka, CA 96097, at the same time that the public records are distributed or made available to the members of the legislative body. All projects documents are on file at the Planning Division of the Siskiyou County Community Development Department, 806 South Main Street, Yreka, CA 96097, and available for public review.

8. **Public Hearing Protocol:** The public is encouraged to participate in the hearing process. The Chair of the Planning Commission will conduct the public hearing through the following actions:
 - A. The Chair introduces the agenda item.
 - B. The Staff Report is presented.
 - C. Submitted correspondence is acknowledged and made part of the public record.
 - D. Additional reports, arguments, or evidence will be submitted by other County departments or public agencies.
 - E. The Chair will ask if any of the Commissioners have questions of staff.
 - F. The Chair will open the public hearing.
 - G. Proponents are given an opportunity to present their arguments and evidence.
 - H. Opponents are given an opportunity to present their arguments and evidence.
 - I. Other public comments are given.
 - J. The project proponent is given an opportunity to present a rebuttal.
 - K. After all testimony has been given, the Chair will close the public hearing and the Commission will discuss the matter. During this discussion, Commission members may individually ask questions of the project proponent, opponent, or staff, at the convenience of the Commission.
 - L. The Chair will entertain a motion and a second.
 - M. The Commission will discuss the question.
 - N. The Commission will render its decision.

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9. **Right of Appeal Statement:** Projects heard at this Planning Commission meeting may be subject to appeal within ten (10) calendar days of today's meeting (if the 10th day falls on a weekend, the appeal must be received the following business day). Please contact the County Clerk for information. Appeals must be submitted to the County Clerk's office together with the appeal fee of \$1,250. 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 Siskiyou County Planning at, or prior to, the public hearing.
10. **Changes to Agenda Items and Consideration of Agenda Items to be Continued.**

II. Old Business: None

III. New Business:

Agenda Item 1: Surface Mining and Reclamation Ordinance Update (SMARA Ordinance) (Z-21-09)

The project encompasses all parcels in the unincorporated area of Siskiyou County, California. The project area (i.e., unincorporated Siskiyou County) is roughly centered on Section 17 of Township 44 North, Range 7 West of the Mount Diablo Meridian.

The proposed project is a comprehensive update to the County's Surface Mining and Reclamation Ordinance in order to be consistent with the State's Surface Mining and Reclamation Act "SMARA" (Public Resources Code Sections 2710 et seq.). The County adopted the current version of its Surface Mining and Reclamation Ordinance back in 2015. However, the State of California has passed subsequent legislation further amending and updating SMARA. The proposed amendments will ensure the County's Surface Mining and Reclamation Ordinance is consistent with the regulations of SMARA. The proposed amendments to the County's Surface Mining and Reclamation Ordinance only include the provisions currently prescribed in SMARA and do not include any amendments that would be more restrictive than the State. The proposed amendments are the minimum necessary to ensure the County's Surface Mining and Reclamation Ordinance is consistent with SMARA. The Planning Commission shall review and forward its recommendation to the Board of Supervisors who will be the final review authority of the proposed Ordinance update.

Staff initially presented a focused Surface Mining and Reclamation Ordinance update to the Planning Commission at the September 15, 2021 Planning Commission meeting. This update specifically focused on amending Siskiyou County Code Section 10-5.117 relating to enforcement of surface mining and reclamation. However, the Commission continued the hearing to October 20, 2021 and directed staff to modify the initial proposed amendments to Section 10-5.117. Staff moved forward with the Commission's direction, including extensive review of SMARA, and determined that additional updates to the County's Surface Mining and Reclamation Ordinance were warranted. As a result, staff is now presenting a comprehensive update of the County's Surface Mining and Reclamation Ordinance.

Due to the significant changes from the Commission's direction provided in the September 15, 2021, Planning Commission meeting, staff is re-noticing the public hearing pursuant to County

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Code Section 10-6.2805 et. seq. in order to provide the public notice of the additional updates to the County's Surface Mining and Reclamation Ordinance.

Staff Recommendation:

Adopt Resolution PC-2021-023 thereby taking the following actions:

1. Recommend the Board of Supervisors adopt the proposed amendments to the County's Surface Mining and Reclamation Ordinance (Z-21-09); and
2. Recommend the Board of Supervisors determine the project exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15061(b)(3) and Section 15307.

(Discussion/Action Item)

- A. Staff Report**
- B. Public Hearing**
- C. Decision: Roll Call Vote**

Agenda Item 2: Pawlow Use Permit (UP-21-09)

The project is a proposed conditional use permit to allow a short-term vacation rental use within an existing single-family dwelling. The project is located at 1015 Circle Seven Road, south of the community of McCloud on APN 028-540-070; Township 39N, Range 3W, Section 14, MDB&M; Latitude 41.22457°, Longitude -122.15260°.

Staff Recommendation:

Adopt Resolution PC-2021-022 thereby taking the following actions:

1. Approve the Use Permit request based on the recommended findings and subject to the recommended conditions of approval; and
2. Determine the project exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15301, Class 1, *Existing Facilities*.

(Discussion/Action Item)

- A. Staff Report**
- B. Public Hearing**
- C. Decision: Voice Vote**

Agenda Item 3: Gregory Vesting Tentative Parcel Map (TPM-21-03)

The project site is located on Hoy Road, north of the City of Weed on APN 020-130-090; Township 42N, Range 5W, Section 35 MDBM; Latitude 41.445°, Longitude -122.389°. The applicant is requesting a Tentative Parcel Map to create three new 40.00-acre parcels. The project site is zoned Prime Agricultural (AG-1) and Non-Prime Agricultural (AG-2-B-40).

Staff Recommendation:

Adopt Resolution PC-2021-024 thereby taking the following actions:

1. Determine the project exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3), 15301(c), and 15304 of the CEQA Guidelines; and
2. Approve the Vesting Tentative Parcel Map based on the recommended findings and subject to the recommended conditions of approval.

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(Discussion/Action Item)

- A. Staff Report**
- B. Public Hearing**
- C. Decision: Voice Vote**

Agenda Item 4: Update from County Counsel Regarding Senate Bill 9, Housing Development and Tentative Maps

Provide possible direction to Staff as to amending the County Code in regard to Senate Bill 9 and tentative maps.

Agenda Item 5: Update from County Counsel for Discussion and Possible Direction to Staff Regarding Brown Act and COVID Requirements

IV. Items for Discussion/Direction

V. Miscellaneous

1. **Future Meetings:** The next regular Planning Commission meeting is scheduled on Wednesday, November 17, 2021, at 9:00 a.m. The tentative agenda for the next meeting may or may not include the projects listed below and is not limited to this list of projects.
2. **Correspondence**
3. **Staff Comments**
4. **Commission Comments:** Under Government Code Section 54952.2, may include: (1) a brief announcement; (2) a question for clarification; (3) a brief report on his or her own activities; (4) request staff to report back to the body at a subsequent meeting concerning any matter, or (5) take action to direct staff to place a matter of business (or issue) on a future agenda.

VI. Adjournment