

**Siskiyou County Planning Commission**  
**Regular Meeting**  
**April 20, 2022**

The Siskiyou County Planning Commission meeting of April 20, 2022 was called to order by Chair Lindler at 9:00 a.m. in the Board of Supervisors Chambers, 311 Fourth Street, Yreka, California.

**Present:** Commissioners Hart, Melo, Fowle, Veale and Lindler

**Absent:**

**Also Present:** Rick Dean, Director, Community Development Department; Hailey Lang, Deputy Director of Planning; Rachel Jereb, Senior Planner; Bernadette Cizin, Assistant Planner; William Carroll, Deputy County Counsel; Janine Rowe, Clerk

**Minutes:** It was moved by Commissioner Veale, seconded by Commissioner Hart, to approve the Minutes from the December 15, 2021, Planning Commission meeting as presented.

**Voted** upon and the Chair declared the motion carried unanimously by those Commissioners present, with Commissioner Melo abstaining because he was absent from that meeting.

It was moved by Commission Melo, seconded by Commissioner Veale, to approve the Minutes from the March 16, 2022, Planning Commission meeting as presented.

**Voted** upon and the Chair declared the motion carried unanimously by those Commissioners present, with Commissioner Fowle abstaining because he was absent from that meeting.

**Unscheduled Appearances: None**

**Conflict of Interest Declaration:** Commissioner Lindler declared a conflict of interest with the Shastina West Subdivision Time Extension (TSM-10-01) and recused herself from hearing that item on the Agenda.

**Presentation of Documents, Availability of Public Records, and Public Hearing**

**Protocol:** The Chair asked those members of the public present in the meeting room as well as to those present via teleconference to review these items on the Agenda.

**Rights of Appeal Statement:** The Chair advised that projects heard at this Planning Commission meeting may be subject to appeal within ten calendar days of today's meeting (if the 10<sup>th</sup> day falls on a weekend, the appeal must be received the following business day). She directed interested individuals to contact the County Clerk's Office for information. She 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. The Chair apprised the Commissioners and audience that appeals must be submitted to the County Clerk's Office together with the appeal fee of \$1,250.

**Changes to the Agenda: None**

**Old Business: None**

At approximately 9:08 a.m., Chair Lindler left the room  
and Commissioner Fowle took over the meeting as Vice Chair

**New Business:**

**Agenda Item 1: Shastina West Subdivision Time Extension (TSM-10-01) / Categorically Exempt**

The proposed project is a request for an 18-month time extension of the Shastina West Tentative Subdivision Map (TSM-10-01). The Shastina West Subdivision is a single family residential and agricultural development of 26 lots that was approved in 2011. This 18-month extension request is the second and final extension that is allowed pursuant to Siskiyou County Code Section 10-4.401.8.2. Should the Planning Commission deny the extension request, the expiration date will remain May 18, 2022. Should the Planning Commission approve the extension request, the expiration date will be extended to November 18, 2023. The project site is located south of Lake Shastina and north of Jackson Ranch Road on Dwinnell Way, approximately .25 miles north of the intersection of Dwinnell Way and Jackson Ranch Road; T42N, R5W, Section 10 and 11, MDB&M; APNs: 020-071-320, 330, 450, and 460.

**Categorically Exempt  
Time Extension**

**Adopted  
Approved**

**Staff Report:**

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

Ms. Jereb told the Commission that the project was originally approved in 2011 and was extended three times by State code and twice by the Planning Commission. The second County extension was rescinded in November 2021 by the Planning Commission at the applicant's request in order to allow the project to qualify for a fourth State extension. Ms. Jereb said the applicant is now requesting that the Planning Commission grant approval for a second 18-month time extension. Staff recommended that the project be determined categorically exempt from CEQA and that the project be approved.

**Agency Input: None**

**Commission Questions: None**

The Chair opened the Public Hearing.

**Public Input:**

Evan Chertkov, the project applicant, said he was available to answer any questions. He further stated that they were close to completion of the project.

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

**Commission Discussion: None**

**Motion:** Following discussion, it was moved by Commissioner Veale, seconded by Commissioner Hart, to Adopt Resolution PC 2022-006, a Resolution of the Planning Commission of the County of

Siskiyou, State of California, Approving the Shastina West Subdivision Time Extension Project (TSM-10-01) and Granting the Second and Final 18-Month Time Extension for the Shastina West Subdivision); and Determining the Project to be Categorically Exempt from the California Environmental Quality Act (CEQA) Pursuant to Sections 15162 And 15061(b)(3) of the CEQA Guidelines.

**Voted** upon and the Chair declared the motion carried unanimously by those Commissioners present, with Chair Lindler recusing herself.

At approximately 9:13 a.m., Chair Lindler returned to the meeting  
and resumed as Chair

**Agenda Item 2: Amen Tentative Parcel Map (TPM-20-07) / Categorically Exempt**

The project site is located south of CA State Highway 3, west of the city of Montague on APNs 013-400-250 and 013-040-060; Township 45N, Range 6W, Section 28 MDB&M; Latitude 41.720, Longitude -122.542.

**Categorically Exempt  
Tentative Parcel Map**

**Adopted  
Approved**

**Staff Report:**

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

Ms. Cizin told the Commission that the applicant was requesting approval of a Tentative Parcel Map to subdivide three existing parcels of approximately 109 acres, 77 acres, and two 41-acre parcels. The property is located south of Highway 3 and west of the City of Montague. The four new proposed parcels are within prime and non-prime agricultural zoning districts. The prime agricultural parcel is the most restrictive and allows the minimum parcel size of 40 acres. Parcels 1 and 2 would be accessed from Highway 3, and Parcels 3 and 4 would be accessed from Montague-Grenada Road. Other than water wells on proposed parcels 1 and 4, the property is undeveloped.

Ms. Cizin said the project is consistent with the Subdivision Map Act, General Plan and zoning for its area. This project is proposed to be exempt from CEQA pursuant to Sections 15301(c), 15303(a), 15303(e), and 15304.

No public comments were received. Environmental Health, the Treasurer-Tax Collector, Department of Fish and Wildlife, Caltrans and the City of Montague commented on this project regarding their requirements. Staff recommended determining the project categorically exempt from CEQA and approving the tentative parcel map.

**Agency Input: None**

**Commission Questions: None**

The Chair opened the Public Hearing.

**Public Input: None**

There being no comments, the Chair closed the Public Hearing.

**Commission Questions / Discussion:**

Commissioner Fowle said he did not like the fact that the California Department of Fish and Wildlife (CDFW) commented that they were requiring a riparian grazing management plan (Condition of Approval number 8). He said the State agency in charge of Total Maximum Daily Load (TMDL) is the North Coast Water Quality Control Board (NCWQCB), and that it was out of the purview of CDFW to require a grazing plan.

Through the Chair, Ms. Jereb reminded the Commission that comments were offered to the project proponents and project opponents but not the general public.

The Chair reopened the Public Hearing.

**Public Input: None**

There being no comments, the Chair closed the Public Hearing.

**Commission Questions / Discussion (continued):**

Discussion was held with the project representative, Bennett Gooch of Vestra, regarding Condition of Approval number 8, and a decision was made to strike it.

Commissioner Fowle moved on to discussion of Condition of Approval number 9 which required a 150-foot no disturbance buffer placed on the final parcel map along the Shasta River. After a lengthy discussion it was decided to modify Condition of Approval number 9 to be a 150-foot no structures area, with the exception of a pre-existing pump station, and a 50-foot no disturbance buffer, with the exception of fencing, be placed on the final parcel map along the Shasta River, and the buffer should be measured from the top of the bank.

Commissioner Hart expressed concern about how the water rights that go to the entire parcel will be shared on all the parcels once they're divided. After discussion, it was decided to add Condition of Approval number 21 that the cubic feet per second (CFS) per parcel will be specified within the existing water right, and the applicant is to work with the Scott/Shasta Watermaster District as needed, specifying means of conveyance for maintenance and improvement.

**Motion:** Following discussion, it was moved by Commissioner Fowle, seconded by Commissioner Hart, to Adopt Resolution PC 2022-008, Determining the Project Exempt from the California Environmental Quality Act and Approving the Amen Tentative Parcel Map (TPM-20-07) *as amended*.

**Voted** upon and the Chair declared the motion carried unanimously by those Commissioners present.

**Agenda Item 3: Yates Zone Change (Z-21-11) / Categorically Exempt**

The project site is located at 712 Fourth Street in Grenada on APN: 038-448-021; Township 44N, Range 6W, Section 22, MDBM. The project is a proposed zone change of approximately 1.16 acres from Town Center (C-C) to Light Industrial (M-M) in order to facilitate the use of the property for a mini-storage facility.

**Categorically Exempt  
Zone Change**

**Recommending Adoption  
Recommending Approval**

**Staff Report:**

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

Ms. Jereb told the Commissioners that the project proponent was proposing to rezone an existing 1.16-acre parcel from Town Center (CC) to Light Industrial (MM) in order to facilitate the use of the property for a ministorage facility. She said there are a wide variety of zoning districts on neighboring parcels, including light industrial, and are predominantly developed. Ms. Jereb proposed the project be found consistent with the zoning and the General Plan for the area.

Siskiyou County Environmental Health, Public Works and the Building Division commented on the project. No comments were received from the public.

Ms. Jereb asked the Commission to recommend that the Board of Supervisors approve the zone change and determine the project exempt from CEQA.

**Agency Input: None**

**Commission Questions: None**

The Chair opened the Public Hearing.

**Public Input:**

Ms. Raeleen Wayne-Copley of Grenada said she was in favor of the project. She said a ministorage facility would be a positive and productive business in the community.

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

**Commission Discussion:**

Commissioner Fowle said he thought it made sense to have a storage facility in Town Center (CC) and was puzzled that the property had to be rezoned to Light Industrial (MM).

**Motion:** Following discussion, it was moved by Commissioner Hart, seconded by Commissioner Fowle, to Adopt Resolution PC 2022-007, a Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending that the Siskiyou County Board of Supervisors Determine the Project Exempt from the California Environmental Quality Act and Approve the Yates Zone Change (Z-21-11) by Adopting a Draft Ordinance Rezoning 1.16 Acres (APN 038-448-021) from C-C to M-M.

**Voted** upon and the Chair declared the motion carried unanimously by those Commissioners present on the following roll call vote:

**Ayes:** Commissioners Hart, Melo, Fowle, Veale and Lindler

**Noes:**

**Absent:**

**Abstain:**

**Agenda Item 4: Mount Shasta Ski Park Zone Change (Z-21-10) and Use Permit (UP-21-30) / Subsequent Mitigated Negative Declaration (MND)**

The proposed project is a Zone Change to amend the existing Planned Development (PD). As part of this project, a Use Permit (UP) is required to allow for the construction of a new ski lift within the ski park property, in addition to other accessory uses. The project site is located off Ski Park Highway,

east of the city of Mount Shasta on APNs 028-010-010, 028-010-04, and 028-020-060; Township 40N, Range 3W, Section 3 and Section 9, MDBM; Latitude 41.342°, Longitude -122.183°.

**Zone Change**  
**Use Permit**  
**Mitigated Negative Declaration**

**Recommending Approval**  
**Approved**  
**Recommending Approval**

**Staff Report:**

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

Ms. Lang told the Commissioners the project included a three-part recommendation—a zone change because of an amendment to the planned development, a use permit because the planned development is multiuse or multiphase, and a recommendation to the Board of Supervisors to approve the Subsequent Mitigated Negative Declaration (MND). She highlighted the different environmental areas that have associated mitigation measures which were reduced to less than significant.

Ms. Lang told the Commissioners that over 600 public comments were received and only 7 or 8 were in opposition. She said that most of the comments in opposition were addressed in the MND.

She said Caltrans was in support of the project but recommended an analysis to determine the capacity of the intersection, which was added as a condition of approval and that it be completed before the start of the upcoming winter ski season. California Department of Fish and Wildlife appreciated the mitigation measures related to nesting and migratory birds.

Ms. Lang explained that there were changes in CEQA law regarding noticing of environmental documents in that now it requires a 30-day public comment period.

**Agency Input: None**

**Commission Questions:**

In response to a question by Commissioner Fowle regarding why a zone change had to be done even though there was no change, discussion was held that the proposed addition of the ski lift required a zone change because the uses being proposed in Section 3 were not permitted for that section in the original planned development.

The Chair opened the Public Hearing.

**Public Input:**

Mr. Jim Mullins of McCloud, said he is the general manager of the Mt. Shasta Ski Park. He said that building the Gray Butte Ski Lift has been a vision for a long time. He said going higher would give the ski park a longer ski season and that expansion of the ski lift would help support the community by providing jobs and attracting more tourists.

Mr. Kurt Reichel of Mount Shasta wanted clarification regarding the traffic study requested by Caltrans. Ms. Lang asked Jim Fitzgerald of Mount Shasta to respond. Mr. Fitzgerald is a geologist for GeoServ, Inc., who completed the CEQA study. A lengthy discussion was held regarding the conditions of traffic at the intersection of Ski Park Highway and SR 89. The original planned development allowed for parking for 4,500 vehicles, and Mr. Fitzgerald said the traffic analysis for the

Subsequent MND showed that parking capacity has not yet been exceeded. The overflow turnaround mitigation measure was put into place to prevent vehicles from backing up onto SR 89. The turnaround will be utilized when vehicles exceed 1,955 on a given day.

Ms. Michelle Berditshevsky, Mount Shasta Bioregional Ecology Center in Mount Shasta, wanted to know if there would be lights on the lift, the warming huts and vault toilet. She also wanted to know how far from the ridge the lift would go and whether it would be visible from Panther Meadows or from the cultural district. She also wanted to know if there were any forest service permits involved, and she asked for clarification on the consultation process with the tribes.

Mr. George Jennings of Yreka spoke in support of the project. He said he is the executive director of Norcal Resource Conservation and Development Council and that the lift expansion would be a benefit to help with jobs, increase tax revenue, provide recreational opportunities, and provide additional fuel reduction. He said he thought it would be nice if the road were a County road and that there was public transportation available.

Mr. John Kennedy of Mount Shasta has a ski shop and spoke in support of the project. He said the lift expansion will help the economy and make the town grow.

Mr. Dick Cowardin of Montague spoke in support of the project. He said it is his understanding that Cal Fire approved the timber harvest plan and that all adjacent landowners had to be notified, and it would help the cross-country ski area just below the main ski lodge. He said approval of the ski lift expansion will help the ski park. Mr. Cowardin said it was his understanding that the ski park paid to have a blinking yellow light installed at the top of Snowman's Hill which was never done.

Mr. Jim Ayer of Mount Shasta spoke in support of the project. He said that expanding the ski lift will support the businesses of Mount Shasta and bring in more tourists.

Ms. Kim Hein of Anderson spoke in support of the project. She and her family have been skiing at the park for 20 years. She said the lift expansion will bring tourism.

Ms. Maura Quinn Briseno of Weed spoke in support of the project. She said she was speaking on behalf of her family who have skied at the park for over 2 decades. She said it is a great recreational asset and financial asset to the county.

Mr. Joe Foster of Yreka spoke in support of the project. He said it would help bring income and revenue to the community. He said there has been little snow over the past few years, and there would be more snow at the higher elevation which would help schools get kids to the park to learn to ski.

Mr. Dwight Bailey of Dunsmuir spoke in support of the project. He said he heard the term avalanche but they have always been a problem. He is looking forward to skiing at a higher elevation.

Ms. Mariah Ayer of Mount Shasta spoke in favor of the project. She hopes to be able to get her kids to ski up at Gray Butte and that her kids will raise their kids to be able to ski up there. She said the expansion will provide jobs for people in the community.

Ms. Anne Marsh of Etna said she questioned approving the project prior to the 30-day comment period being closed, even at the Planning Commission level. She also wanted to know what level of consultation was done with the tribes.

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

**Commission Discussion:**

Chair Lindler asked for clarification on the 30-day noticing requirements, and staff explained that the Planning Commission is the advisory to the Board of Supervisors. Since the Board is the final decision-making body, it would be considering all public comments received in deciding whether or not to approve the final CEQA document.

Chair Lindler asked about the lighting issue that was brought up during public comment, and Mr. Jacob Ewold, staff biologist for GeoServe, said there would be no lighting on the Gray Butte ski lift, nor at the vault toilet or warming huts.

Chair Lindler called for a break at 11:07 a.m.

The meeting resumed at 11:14 a.m.

Discussion was held regarding the intersection of Ski Park Highway and SR 89 and the mitigation measure for an overflow turnaround being constructed just north of that intersection.

Discussion was held regarding a blinking light on SR 89 mentioned during public comment. Mr. Brian Hickey, CFO/HR manager of Mt. Shasta Ski Park, said there are streetlights that were installed and paid for by the ski park. They are at the intersection of Ski Park Highway and SR 89. The power bill is now being paid by Caltrans.

Discussion was held regarding the conditions of Ski Park Highway and the fact that it is a co-op road with the US Forest Service and Sierra Pacific. All maintenance is done by the ski park even though the road is damaged by the logging trucks.

Discussion was held regarding snow removal.

Discussion was held regarding a public comment about skiers potentially skiing into Panther Meadows, and Mr. Mullins said the ski lift is about ½ mile from the ridgeline and cannot be seen from that side. Mr. Mullins further confirmed that there will be no lighting on the ski lift and operations cease before dark.

Further discussion was held regarding the overflow turnaround, and the mitigation was put into place to deal with peak conditions. Discussion was held about striking the word “just” from Mitigation Measure Trans-1.

Through the Chair, Ms. Lang said that staff did adhere to the law of AB52 and sent consultation letters via certified mail on November 17, 2021.

**Motion:** Following discussion, it was moved by Commissioner Melo, seconded by Commissioner Veale, to Adopt Resolution PC 2022-009, a Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending that the Siskiyou County Board of Supervisors Approve the project’s Subsequent Mitigated Negative Pursuant to the California Environmental Quality Act and Approve the Mount Shasta Ski Park Zone Change (Z-21-10) by Amending the Planned Development (Ordinance #97-26), and Approve the Use Permit (UP-21-30), and removal of the word “just” in Mitigation Measure Trans-1.

**Voted** upon and the Chair declared the motion carried unanimously by those Commissioners present on the following roll call vote:



**Ayes:** Commissioners Hart, Melo, Fowle, Veale and Lindler

**Noes:**

**Absent:**

**Abstain:**

### **Items for Discussion/Direction:**

Mr. Bill Carroll, Deputy County Counsel, gave a presentation regarding the Commission continuing to offer the opportunity for the public to attend/participate in future Planning Commission meetings via Zoom.

### **Commission Discussion:**

Discussion was held that the Commissioners prefer that the public be physically present during meetings, especially for items that are contentious. However, it is understood that providing the opportunity for participation via Zoom is convenient in light of gas prices, distance traveled, health issues, etc.

Discussion was held that participation via Zoom is only available to the public. If a Commissioner wished to participate remotely, that would have to be noticed according to the Brown Act and the Commissioner's physical location would have to be disclosed to the public.

### **Public Comment:**

The Chair opened the Public Hearing.

Ms. Anne Marsh of Etna said she appreciates the ability to participate in public meetings due to her health issues.

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

The Commission agreed to continue with allowing the public to participate in Planning Commission meetings via Zoom.

### **Miscellaneous:**

- 1. Future Meetings:** The next regular meeting of the Planning Commission is scheduled for Wednesday, May 18, 2022, at 9:00 a.m.
- 2. Correspondence:** Discussion was held regarding an email from a resident living off Deetz Road about vegetation growth around her property.
- 3. Staff Comments:** Ms. Jereb told the Commission that the Planning Division is working on the Housing Element update. It is estimated that it will be presented to the Commission at the August meeting.

**4. Commission Comments:**

Chair Lindler reported to the Commission regarding her discussion with Cal Fire and 4291 requirements, and she said she was told the reason they're not addressing 4291 in their comments requested by the Planning Division is because they do 4291 inspections annually on each house.

Discussion was held regarding the Kidder Creek Orchard Camp Partial Recirculated DEIR, and it is projected to be presented to the Planning Commission in August.

Discussion was held regarding the Governor's emergency drought declaration.

**Adjournment:** The meeting was concluded at approximately 12:34 p.m.

Respectfully submitted,

*Signature on file*

Hailey Lang, Secretary

\jr