

Siskiyou County Planning Commission
Regular Meeting
May 17, 2023

The Siskiyou County Planning Commission meeting of May 17, 2023, was called to order by Chair Lindler at 9:00 a.m. at the Board of Supervisors Chambers, 311 Fourth Street, 2nd Floor, Yreka, California.

Present: Commissioners Hart, Fowle, Veale, and Lindler

Absent: Commissioner Melo

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

Unscheduled Appearances: None

Conflict of Interest Declaration: None

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 those present via teleconference to review these items on the Agenda.

Rights of Appeal Statement: The Chair directed those present to review the Right of Appeal Statement contained in the Agenda.

Changes to the Agenda:

Ms. Jereb informed the Commission that the Beese Use Permit (UP-21-31) project that was continued from the April meeting would not be presented because the project applicants withdrew their application.

Minutes: Chair Lindler noted an error in the spelling of the last name of a public commenter on page 10732—the correct spelling is Amesbury. Commission Clerk Janine Rowe pointed out an error in the approval section following the project description for Siskiyou Telephone Tentative Parcel Map (TPM-22-06) on page 10729—the words “Use Permit” should read “Tentative Parcel Map.” It was moved by Commissioner Fowle, seconded by Commissioner Veale, to approve the Minutes from the April 19, 2023, Planning Commission meeting with the corrections made as noted.

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

New Business:

Agenda Item 1: DeGray Tentative Parcel Map (TPM-22-05) / Categorically Exempt

The project site is located at 1633 Davis Place Road, northwest of the city of Mt. Shasta on APN: 030-020-250; Township 40N, Range 5W, Section 12 MDBM; Latitude 41.3340°, Longitude -

122.3677°. The applicant is requesting Tentative Parcel Map approval to subdivide an existing 5.20-acre parcel into two parcels. Proposed Parcel A is proposed to be 2.83-acres and is developed with a single-family dwelling and multiple accessory structures. Proposed Parcel B is proposed to be 2.72-acres and is developed with multiple accessory structures.

**Categorically Exempt
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. Jereb.

Ms. Jereb told the Commission that the applicant was requesting approval of a tentative parcel map to subdivide an existing 5.55-acre parcel into two parcels. The subject parcel is located northwest of the city of Mount Shasta and is zoned for Rural Residential Agricultural uses with a 2.5-acre minimum parcel size.

The project is consistent with the Subdivision Map Act, General Plan and zoning for its area and is proposed to be exempt from CEQA pursuant to Sections 15061(b)(3) and 15303. No comments from the public were received but comments were received from Environmental Health, California Department of Fish and Wildlife (CDFW) and Public Works which were included in the staff report along with staff's response.

Ms. Jereb recommended determining the project categorically exempt and approving the tentative parcel map.

Agency Input: None

The Chair opened the Public Hearing.

Public Comments: None

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

Commission Discussion/Questions:

Commissioner Fowle said he wanted it on record that it continued to irritate the hell out of him that CDFW submitted several pages of comments on a simple project such as this, and one of their concerns is in relation to impact the project may have on riparian areas. He said he visited the project site and that if CDFW can't send a live body out to view the project site before sending asinine comments, they should stop submitting comments. He said it's idiocy and the State at its finest.

Commissioner Hart noted there was a code enforcement complaint that showed up in the records and wanted to know how it would be a zoning violation to have livestock on property that is zoned RR AG. Ms. Jereb said the complaint was about the horse corrals and the dust and manure that was generated as well as the land being stripped bare to make horse corrals. Code Enforcement investigated and determined nothing illegal was going on so the complaint was dismissed.

Commissioner Hart said he drove around the area and noticed someone had plowed the area for fire safety. Discussion was held that it's legally required, but it's not in the County's purview to get involved with that. It falls to Cal Fire to enforce 4291 regulations.

Discussion was held that the County Agriculture Department is involved with noxious weed abatement.

Motion: Following discussion, it was moved by Commissioner Veale, seconded by Commissioner Fowle, to Adopt Resolution PC 2022-031, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Project Exempt from the California Environmental Quality Act and Approving the DeGray Tentative Parcel Map (TPM-22-05).

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

Agenda Item Number 2: Electric Vehicle Charging Stations Ordinance and Permitting Checklist / Categorically Exempt

Siskiyou County is required to comply with AB 1236 and AB 970. AB 1236 requires that all counties streamline Electric Vehicle Charging Station (EVCS) by:

1. Adopting an EVCS permit streamlining ordinance with 7 key components, and;
2. Posting EVCS permit checklists for both residential and non-residential applicants online (if a jurisdiction operates a website).

The County has drafted materials to comply with AB 1236 and AB 970. Materials include a draft zoning ordinance and a draft checklist for permitting Electric Vehicles and Electric Vehicle Service Equipment (EVSE).

Discussion Item Only

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 Commission that Siskiyou County is required to comply with AB 1236 and AB 970 related to electric vehicle charging stations. These Assembly bills establish certain things such as the application process and requirements as well as certain timelines that all local jurisdictions must adhere to when someone submits a permit for an electric vehicle charging station. She said the packet included a draft ordinance that will be submitted to the Board of Supervisors for approval along with a checklist that will be attached to the ordinance and available to people applying for a permit. Ms. Lang said no applications have been received to date and it more likely would happen in the incorporated cities in the county.

Ms. Lang said this was simply an item to make the Planning Commission aware and she would be happy to answer questions.

Commission Questions/Discussion:

Commissioner Fowle noted the checklist didn't include a limitation that a charging station could not be placed in a high wildfire potential area and didn't see that it was required to meet Cal Fire's 4290/4291 regulations for setbacks. Deputy County Counsel William Carroll said the way the ordinance and state statutes are designed, the building official would review the application and normally would proceed unless they find there is a health and safety issue. At that time, the project would be referred for a use permit which would go before the Planning Commission.

Discussion was held regarding where charging stations would be placed in the unincorporated areas of the county and whether there would be any restrictions on where they could be set up. Discussion was held about the impact of electric vehicles on agricultural operations.

Items for Discussion/Direction:

Agenda Item 3: Presentation on Section 10-4.105.3 Lot Design of the Siskiyou County Municipal Code

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

Ms. Lang reminded the Commission that they had a question at last month's meeting regarding why a boundary line adjustment resulting in double frontage had to be presented to the Planning Commission. She said Mr. Carroll wrote a memo describing the County's code section as well as any potential issues that could arise from double frontage lots, and she prepared a quick presentation.

The presentation included slides showing typical lots as well as examples of double frontage lots and how they're oddly configured. Ms. Lang wanted to note potential issues would be determination of setbacks, determination of the front, side and back lots, and circulation or ingress/egress. She said aesthetics may be an issue in a neighborhood with all the backyards having fencing and then one with two front lots that don't have fencing.

Mr. Carroll said the concern seems to be with where the setback lines would be and where they have restrictions based on accessory structures. He said many lots are large in Siskiyou County so it's probably not an important issue, but even though there are places in the county where there are small lots and it might make a difference, generally this type of ordinance matters most when you're talking about small, compact lots squashed against each other.

Ms. Jereb added that even though there is a question about what would be considered the front, the County's code actually does have language so regardless of what is the front or side or rear, if there is a street that is a public street of some sort even if it's a privately owned street, there is a requirement for a 50-foot setback from the centerline of that road easement. She said a 60-foot road right of way that ends up being 20 feet from the property line is what the setback is for the front in any case.

Commission Questions/Discussion:

Commissioner Fowle recalled a few vacation rental permits in McCloud several years ago in which the homes had a front-facing street and an alley in the back which is essentially double frontage and did not remember that double frontage was brought up in those use permits. He said the Planning Commission allowed parking in the back and front for two of the use permits so they would meet the parking requirements. He wondered where else other than McCloud would double frontage apply, and that the double frontage issue is never brought up. He said last month's agenda included a project in Lake Shastina which ended up with double frontage, and he wondered if the Planning Commission would care if the ingress/egress is in front, back or both. Commissioner Fowle's personal opinion is it's a homeowners association concern.

Chair Lindler said she appreciated the update and the concerns of what potentially would need to be considered but thought it would be a rare issue in Siskiyou County.

Miscellaneous:

1. **Future Meetings:** The next regular meeting of the Planning Commission is scheduled for Wednesday, June 21, 2023, at 9:00 a.m.

Mr. Carroll said it was his understanding that there may not be anything for an agenda for the June meeting, and Ms. Lang confirmed that staff does not have anything ready for the June meeting. Chair Lindler suggested that the meeting be canceled.

Following discussion, it was moved by Commissioner Hart, seconded by Commissioner Fowle, to cancel the June 21, 2023, Planning Commission meeting, and the next regular meeting will be on Wednesday, July 19, 2023.

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

2. **Correspondence: None**
3. **Staff Comments:** Ms. Lang provided the Commission with an update on events involving the General Plan update.
4. **Commission Comments:** Discussion was held regarding the housing element and groundwater ordinance.

Adjournment: The meeting was concluded at approximately 9:52 a.m.

Respectfully submitted,

Signature on File

Hailey Lang, Secretary