

Siskiyou County Planning Commission
Regular Meeting
September 20, 2023

The Siskiyou County Planning Commission meeting of September 20, 2023, was called to order by Vice Chair Fowle at approximately 9:00 a.m. at the Board of Supervisors Chambers, 311 Fourth Street, 2nd Floor, Yreka, California.

Present: Commissioners Melo, Fowle, and Veale

Absent: Commissioners Hart and Lindler, Commission Clerk Janine Rowe

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

Minutes: It was moved by Commissioner Melo, seconded by Commissioner Veale, to approve the Minutes from the August 16, 2023, Planning Commission meeting.

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

Vice Chair Fowle said that before moving on to the next item on the Agenda, he wanted to discuss the draft Minutes that were prepared as a result of the August 29, 2023, joint meeting with the Board of Supervisors and the Planning Commission regarding the General Plan update. Vice Chair Fowle expressed his disappointment in the quality of the Minutes and wanted to know the process for getting them amended before final approval. Deputy County Counsel William Carroll suggested that he email the Board Clerk directly with his comments and corrections.

Vice Chair Fowle added that he thinks it's extremely important in the matter of reviewing the General Plan update that all comments be accurately documented and was concerned that lack of transparency might lead to questions that may have already been answered.

Also discussed was when the Minutes would be presented for approval and the process for doing so since the meeting was a joint meeting with the Board of Supervisors and the Planning Commission. Mr. Carroll said he would look into it to see how that would work. Vice Chair Fowle thought that according to process, a joint meeting would be needed in order to approve the Minutes.

Unscheduled Appearances:

Steve Radford said he is a concerned citizen and doesn't believe the State should be requiring that Siskiyou County be run according to the State's plan and require that the County update their General Plan. He added that he was concerned about the unlawful removal of the dams. Finally, he wanted to know who was going to replant the forests that have burned. He said he wants the citizens of Siskiyou County to work together to fight back against what is happening in Sacramento.

Conflict of Interest Declaration: None

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

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

Changes to the Agenda: None

New Business:

Agenda Item 1: Henery Tentative Parcel Map (TPM-23-01) / Categorically Exempt

The applicant requests approval of a Tentative Parcel Map to subdivide an existing 15.03-acre parcel into two parcels of 3.50 and 11.53 acres. The project site is located off Grateful Way, east of Mount Shasta City, on APN: 037-180-150; Township 40N, Range 4W, Section 14, MDBM; Latitude 41.315°, Longitude - 122.272°.

**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. Lang.

Ms. Lang told the Commission that the applicant is requesting approval of a Tentative Parcel Map to subdivide an existing 15.03 acre parcel into 2 parcels—3.0 and 11.53 acres. The project is located off Grateful Way east of the city of Mt. Shasta. This project is slated to be exempt from CEQA utilizing the common-sense exemption.

Comments were received from Cal Fire and Environmental Health. The Cal Fire comments were related to 4290 and 4291 compliance. Environmental Health's comment requested that the onsite disposal area be recorded on the map.

Vice Chair Fowle wanted to know if the easement shown on the map was an ingress/egress road and not a utility easement. Ms. Lang said it was a road and Commissioner Veale pointed out that it is a private road.

Agency Input: None

The Vice Chair opened the Public Hearing.

Public Comments: None

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

Commission Discussion/Questions: None

Motion: Following discussion, it was moved by Commissioner Melo, seconded by Commissioner Veale, to Adopt Resolution PC 2023-012, 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 Henery Tentative Parcel Map (TPM-23-01).

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

Agenda Item 2: Ward Zone Change (Z-22-03) / Categorically Exempt

The project is a proposed zone amendment for two parcels and a portion of a third parcel from Neighborhood Commercial (C-U) and Rural Residential Agricultural (R-R-B-1) to Heavy Industrial (M-H). The project is located at 3116 State Highway 97, approximately 1 mile northeast of the city of Weed; APN: a portion of 202-470-036, 020-470-400 and 020-470-420; Township 42N, Range 4W, Section 31; Latitude 41.5859°, Longitude -122.1938°.

**Categorically Exempt
Zone Change**

**Recommending Approval
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 Commission that the applicant is requesting approval of a zone change for three parcels--APN 020-470-400 from Neighborhood Commercial (C-U) to Heavy Industrial (M-H), APN 020-470-420 from Rural Residential (R-R-B-1) to Heavy Industrial (M-H), and APN 020-470-360 from Neighborhood Commercial (C-U) to Heavy Industrial (M-H). Ms. Lang said the intent of the zone change is to bring what is currently and has historically been happening on site into compliance. SW Maintenance is located on these parcels, and this land has been utilized for 20 years or so for that business and related activities. Associated with that and the uses that are currently on site, such as the repair of equipment and contractors yard, are allowed outright in Light Industrial zoning. Rezoning to Heavy Industrial allows for expansion of uses and everything that is allowed by right within the Light Industrial zoning is also allowed by right within Heavy Industrial, so it just makes sense to increase that zoning to Heavy Industrial to allow for that expansion of uses should SW Maintenance want to expand their uses on site in the future.

Ms. Lang said they are requesting the CEQA categorical exemption for existing facilities since no new facilities are planned with this zone change.

Comments were received from Cal Fire regarding 4290 and 4291 compliance. A zone change cannot be conditioned, so these comments are going to be notations. Environmental Health commented regarding a hazardous materials business plan, but SW Maintenance already has one in place. If that has to be updated, the applicant will work with Environmental Health.

Agency Input: None

Commission Questions:

Commissioner Veale wanted to know if the zone change could have been handled inhouse.

Ms. Lang said that even though the land has been existing on site, a zone change is discretionary and the Planning Division does not have any authority or mechanism to approve a zone change inhouse.

The Vice Chair opened the Public Hearing.

Public Comments:

Mr. Kurt Reichel of Mount Shasta said he is the applicant's representative and is available to answer any questions.

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

Commission Questions:

Commissioner Fowle wanted to know when the parcel just south of Second Avenue was rezoned to Heavy Industrial because he recalled that the parcels were originally created for single-family homes. Ms. Jereb said she didn't know for sure but if a zone change had been done, it would have been around 1980 when the other zoning was updated.

Discussion was held regarding Vice Chair Fowle's concern that Heavy Industrial zoning is getting placed in the midst of rural residential parcels.

Motion: Following discussion, it was moved by Commissioner Veale, seconded by Commissioner Melo, to Adopt Resolution PC 2023-013, 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 Ward Zone Change (Z-22-03) by Adopting a Draft Ordinance Rezoning approximately 2.1 total acres (APNs 020-470-360, 020-470-400, and 020-470-420), from C-U and R-R-B-1 to M-H.

Before the vote, Vice Chair Fowle wanted to know if there was a minimum for Heavy Industrial, and Ms. Jereb said they do but it's the same standard size that all the other parcels have which is 7200 square feet if it has connection to sewer and water.

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

Ayes: Commissioners Melo, Fowle and Veale

Noes:

Absent: Commissioners Hart and Lindler

Abstain:

Agenda Item 3: Presentation of Permit-Ready Plans

The County of Siskiyou received funding through the Regional Early Action Planning (REAP) Grant to help facilitate local housing production. A portion of the awarded funds was utilized for the preparation of preapproved building plans that can be used for development in Siskiyou County and the incorporated cities within Siskiyou County. The plans are being presented to help bring awareness to the community of their availability.

Staff Report:

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

Mr. Dean told the Commission that the project began two years after the Community Development Department was awarded a REAP grant for the purpose of helping out with developing more housing. The plans are available countywide, including the incorporated cities. The plans range from a dwelling of 396 square feet up to 1,650 square feet and can be utilized as a single-family home or as an ADU as a second dwelling on a parcel. Mr. Dean said Ms. Jereb worked with the architect to simplify the plans so they're easy to build. They're designed with a stack roof, but people have the option to do trusses if they choose. The dimensions are basic to maximize the use of materials. Mr. Dean said the plans will also help the communities trying to rebuild structures burned in the Happy Camp, Slater, McKinney, Klamath River, and Lake Shastina wildfires.

The plans are conceptual at this point and staff is still working on the engineering to finalize them. The owner/builder will need all the site work done at their expense, i.e., the site map, setbacks, Cal Fire regulations 4290 and 4291, well/septic, etc. The plans will not cost anything so folks can come in and choose a plan over the counter.

Discussion was held regarding the plans being pre-approved and engineered which is vetted through the Building Division and that the plans comply with the Uniform Building Code.

Vice Chair Fowle wanted to know if the Planning Commission will be approving the concept as a streamlined administrative permitting process and whether it would then go to the Board of Supervisors for approval. Ms. Jereb clarified there is no requirement that the Planning Commission or Board of Supervisors approve the process and that Planning staff is providing a presentation to the Planning Commission so they know what is going on. Mr. Dean added that presenting it at the Planning Commission was an opportunity to get the word out to the public and to keep the Planning Commission and Board of Supervisors in the loop.

Further discussion was held regarding snow loads, exceptions as to locations to build such as Medicine Lake, and that electrical and plumbing specs are included in the drawing plans. Minor modifications can be made such as flipping the plans around. Changes such as location of a light socket would be a basic change order. Ms. Jereb added that any changes would have to be approved based on the jurisdiction in which the dwelling is being built since each jurisdiction has their own processes.

Ms. Jereb provided a presentation that covered all the plans which include different architectural styles—Craftsman, farmhouse and modern and they will have either a slab or raised foundation. She said all dwellings are compliant with the Americans with Disabilities Act, with the exception of the plans for an apartment above a garage. She discussed all the various features of each plan, including closets, garages, and porches.

She started out with presentations for plans for a 400-foot efficiency studio, 624 square-foot studio as well as a two story with a garage below and the 624-square-foot studio above, and a one-bedroom/one bath 624-square-foot home which includes a garage which would house the washer/dryer and water heater to allow for more space inside the home.

Commissioner Veale remarked that a water heater would not be necessary if they used an on-demand water heater. Ms. Jereb said with current energy regulations, the plans will be designed with a heat pump water heater. Vice Chair Fowle said she had some concerns about the energy efficient heat pump and that they may be great in the summer, but in the winter people don't want the attic

cooled and probably don't want a direct access room, i.e., a garage being kept cold when trying to heat a home. Ms. Jereb said that would be something to talk to the builder about.

Vice Chair Fowle also wanted to know if the dwellings had to be wired for electric vehicles. Ms. Jereb said the County follows the California Building Code regulations, and the only things that are considered optional for these plans would be solar and fire sprinklers, and those are if you are rebuilding a home that was burned in a declared wildfire. Those codes have been backtracked to an earlier version on which Mr. Dean can elaborate. Mr. Dean confirmed that the 2008 building codes are followed for homes that were lost in declared wildfires, but everything else is under current code for electrical, mechanical and plumbing.

Ms. Jereb added that if you are building a new home, it would have to meet current code. Specific code requirements would be better addressed to the Building Division. She added that if the new home is built as an ADU and the main home does not have fire sprinklers, the ADU would not be required to have fire sprinklers. However, if the main home does have them, the ADU would also be required to have them.

Discussion was held that the 2008 building code only applies to homes lost in a declared wildfire and the owner wanted to rebuild it. If the property owner sells the property without rebuilding, the new owner would be required to meet the current codes. If the home was not burned in a declared event, the property owner would be required to meet current building codes. Ms. Jereb and Mr. Dean added that the code regression is only good for four years from the date a fire is declared an event.

Ms. Jereb continued with her presentation. The next plans presented were for a two bedroom/one bath and three bedroom/two bath, both of which can also be used as ADUs. The last plan was for a 1,650-square-foot dwelling with three bedrooms and 2-1/2 bathrooms. This is the only plan that cannot be used as an ADU.

Commission Discussion/Questions:

The Commissioners posed questions about the maximum size of an ADU, which is 1,200 square feet of living space and does not include a garage and exterior patios. They wanted to know when the plans will be made available to the public. Ms. Jereb said the plans are being rolled out to the county first to work out the processes. The plans will eventually be made available to the cities, and Planning staff will work with the cities to figure out what they need for their processes.

Commissioner Veale commented that all they're saving are the architectural and engineering fees. Ms. Jereb said they're also saving time. She added that when the application for the REAP grant was written, staff estimated \$25,000 per house that is going to be built and about year of time. If they have to go back to the designer because of their city, then it would add extra time beyond just walking up to the counter with everything else, i.e., your site plan and your Environmental Health requirements ready.

Discussion was held regarding once the owner/builder chooses a plan, the plan check fee will not apply but everything else will. A complete application has to be submitted along with a site map. If solar is required, you have to get your photovoltaic and sprinkler systems done by an engineer, as well as a soils letter from an engineer on site which is site specific. Turnaround time for plan check approval is now down to less than a month.

At approximately 10:25 a.m., Vice Chair Fowle called for a break.

At approximately 10:29 a.m., Vice Chair Fowle resumed the meeting.

Before the next Agenda item was presented, Ms. Jereb informed Vice Chair Fowle that someone had their hand raised on Zoom. Vice Chair Fowle asked the caller if they wanted to make a comment or had a question about the previous Agenda item. The caller did not provide her name and apologized for being late and missing the beginning of the meeting. She said she wanted to comment on the Ward Zone Change (Z-22-03) and wanted to know if it passed. Ms. Jereb told her it had passed and was approved. The caller said she wanted to comment on the project and asked if there would be a chance for her to speak another time, and Ms. Jereb said the project would be presented to the Board of Supervisors at a future meeting and that she would receive a notice since she also received a notice for the Planning Commission meeting.

Agenda Item 4: Public Participation by Zoom

1. Discussion of the use of the internet, including "Zoom", only for the purpose of broadcasting Planning Commission proceedings and not to receive spoken public comment; and
2. Adopt Resolution PC 2023-015 establishing a policy regarding remote public attendance.

Staff Report:

The previously circulated Staff Report was reviewed by the Commission, and a presentation was provided by Deputy County Counsel William Carroll.

Mr. Carroll reminded the Commission of the original purpose of conducting meetings via Zoom during Covid while the Brown Act was temporarily suspended. Now that there is no emergency going on and the Brown Act is again required to be followed, staff is presenting the Commission with some choices regarding continuing to offer Zoom.

Choice 1) Continue with conducting meetings as they are being held now.

Choice 2) Reduce the use of Zoom/teleconference over the internet to broadcast only. Occasionally staff or consultants can attend meetings via Zoom. Mr. Carroll differentiated staff and consultants from the public, i.e., staff and consultants being employed by the County and the public being someone who is not an employee of the County which includes general public comments and project proponents or opponents.

Choice 3) Discontinue offering Zoom/teleconference over the internet altogether. The Brown Act does not require that teleconference be used at all.

Commission Questions/Discussion:

Commissioner Veale said he thought that because of the cost of fuel as well as being in a rural community and the distance some people would have to travel to attend a meeting in person, it would be nice to offer the option to attend meetings virtually and make comments.

Vice Chair Fowle said the reliability and quality of technology in Siskiyou County makes it cumbersome for some people to attend meetings virtually. He supports the ability to broadcast a meeting, but if a person wants to make comments, they need to attend the meeting in person.

Commissioner Melo added that people can also send a letter or an email and that he agreed with Vice Chair Fowle.

Commissioner Veale said he wasn't disagreeing but he thought it would be nice to accommodate the outlying areas of the county.

Vice Chair Fowle asked for the Commissioners' thoughts about staff being allowed to attend meetings virtually. Commissioner Melo said he thought staff should be inhouse.

After discussion, paragraph 1 of the Resolution would be amended to state that if internet service is available, Planning Commission proceedings may be broadcast over the internet.

Motion: Following discussion, it was moved by Commissioner Melo, seconded by Commissioner Veale, to Adopt Resolution PC 2023-015, as modified.

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

Ayes: Commissioners Melo, Fowle and Veale

Noes:

Absent: Commissioners Hart and Lindler

Abstain:

Items for Discussion/Direction:

Ongoing Staff Update Regarding the General Plan Update

This is an ongoing agenda item pertaining to the Siskiyou County 2050 General Plan Update. Staff will be providing an update on the project schedule, deliverables, and any other updates relating to this project.

Staff Report:

Ms. Lang provided the Commission with an update on the status of the General Plan update and summarized the joint meeting with the Planning Commission and Board of Supervisors. She said staff and consultants are currently in the project initiation phase and gathering information. She said there is a website (siskiyou2050.com), and the first newsletter has been posted which explains the process, timeline of the project, and things to watch for. People can sign up to receive the newsletters via email.

Commissioner Melo asked if there is any monetary benefit to the County to update the General Plan. Ms. Lang said the update is related to land use and the plan is to look at the processes in order to streamline them. Also, they will look at land uses and reconfigure the zoning of certain land uses to help with development, which has a monetary value.

Commissioner Veale wanted to know about environmental quality issues, and Ms. Lang said a program EIR is required to take place as part of the update which will allow staff to exempt certain projects. CEQA Section 15183 states if you have an updated general plan with a fairly updated EIR, you can do a categorical exemption that connects to the general plan EIR.

Ms. Lang added that the update is an opportunity to discuss water use and see if there is something that the County can control locally. She said long range planning processes are only as good as public participation, so this is a time for the public to be share their interests, concerns, things they like or don't like, etc. The process is only as good as the public makes it.

Ms. Lang said staff is going through the elements of the General Plan and taking inventory of the County's policies and sending that information to the consultants so they can get an idea what staff's thoughts are. The consultants have reached out to several County and State agencies to form their existing conditions/background report, which might be ready for internal staff review at the end of winter/beginning of early spring. Staff will present that report to the Planning Commission and the public for an administrative draft review. The report is a picture of what is currently occurring in the county and is used to inform the land use element. There are a lot of requirements on what has to be noted related to existing conditions that have to be integrated within the land use element.

Commissioner Veale asked about air quality and whether the County will be adopting the same bans on wood stoves and gas stoves as was done in the Bay Area. Ms. Lang said it would depend on if the state of the air quality in the County gets tiered into a more restrictive district. However, Ms. Lang said she doesn't think the County's Air Pollution Control District is required to enforce the requirements unless the state of the air quality changes.

Commissioner Fowle asked if staff is confident that the consultants are collecting all of the requested information, or is staff assisting them in collecting the information for the background report that was brought up at the joint meeting. Ms. Lang said she is intimately involved and is assisting the consultants with the process and vetting the information they're receiving.

Commissioner Fowle brought up existing roads in the wilderness that were put back in due to wildfire. Discussion was held that it would be more cost effective not to decommission those roads and invest in maintaining them instead of having to put them back in should another wildfire affect the same area. Commissioner Melo pointed out that, for example, if the US Forest Service funds are not used for which they were awarded, then they lose them and the funds are deducted from the next year's budget. Commissioner Fowle added that when it comes to roads, even though the County doesn't have a grading ordinance, the Planning Commission should have some say about that aspect because it is an environmental and public health and safety issue, which is in the Planning Commission's purview.

The next item discussed was the consultants' two-day tour of the county. Mr. Dean said the first day they went to the Scott Valley area. They went through the tribal area, Callahan, and Gazelle. They met up with Supervisor Kobseff in Weed and they covered South County. They went to McCloud and had discussions on the way which included the grading ordinance. They went to the Shasta Vista area and demonstrated the great need for a grading ordinance because obviously everything has been denuded. Currently, there are no controls at all.

Mr. Dean said the other primary targets being focused on are potential areas to move to the industrial zoning to try to incorporate more opportunities for business within the county. They talked about the vast agricultural presence and the need to preserve that at all costs. They got the consultants a little bit more in tune with the Klamath Basin area, the refuge, and the complete demise of that. The biodiversity there is basically one percent of what it was four years ago.

Mr. Dean said the consultants got a pretty good feel of how the county operates and what our resources are.

Commissioner Fowle brought up a recent ban by US Fish & Wildlife on hunting waterfowl in the Tulelake refuge. He wanted to know if the County was consulted before they placed the ban. Mr. Carroll said he would check with the County Administrator and Natural Resources and get him an answer. Commissioner Fowle talked about the effect on small businesses in that area who rely on hunting season as a source of revenue.

Miscellaneous:

1. **Future Meetings:** The next regular meeting of the Planning Commission is scheduled for Wednesday, November 15, 2023, at 9:00 a.m.
2. **Correspondence: None**
3. **Staff Comments: None**
4. **Commission Comments:**

Adjournment: The meeting was concluded at approximately 11:05 a.m.

Respectfully submitted,

Signature on File

Hailey Lang, Secretary

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