



## Siskiyou County Planning Commission Staff Report August 19, 2020

### Agenda Item Number 3 Agritourism Zoning Text Amendment (Z1703)

**Subject:** The project is a proposed zoning text amendment intended to both address the lack of specificity in the Code for uses traditionally interpreted by the Planning Director as incidental to agriculture and to facilitate the marketing and promotion of agricultural products grown and produced in Siskiyou County through on-site agritourism activities. It would allow limited agritourism incidental to active agricultural operations on parcels 10 acres and larger that are zoned Prime Agricultural (AG-1), Non-Prime Agricultural (AG-2), and Rural Residential Agricultural (R-R). Agritourism uses would include but not be limited to farm tours, field days, farm sponsored hospitality dinners, educational classes, U-Pick produce sales, and agricultural farmstays. Further, in an effort to minimize, to the greatest extent practicable, off-site impacts associated with agritourism-related activities, the zoning text amendment would differentiate between generally permissible, less intensive "Level I Agritourism" and more intensive "Level II Agritourism" and would subject "Level II Agritourism" to Agritourism Performance Standards and approval of either an administrative use permit or a conditional use permit depending upon the intensity of use.

**General Plan:** All

**Scott Valley Area Plan:** All

**Zoning:** Rural Residential Agricultural (RR), Non-Prime Agricultural (AG2), Prime Agricultural (AG1)

**Location:** County-wide

- Attachments:**
1. Resolution PC-2019-008
    - a. Exhibit A within Resolution PC 2019-008: Draft Ordinance Amending Chapter 6 of Title 10 of the Siskiyou County Code
    - b. Exhibit B within Resolution PC 2019-008: Draft Initial Study/Mitigated Negative Declaration (SCH#2019029087)
    - c. Exhibit C within Resolution PC 2019-008: Draft Mitigation Monitoring and Reporting Program
  2. Public Comments
  3. March 20, 2019 Staff Report
  4. September 25, 2019 Agritourism Public Workshop Materials and Minutes
  5. December 18, 2019 Planning Commission Staff Report

## **Background**

The Siskiyou County Code contains non-specific, generalized language that authorizes uses “incidental to agriculture” in the AG-1, AG-2 and R-R<sup>1</sup> zoning districts. The Planning Department has historically interpreted many of the existing agritourism uses in the County as fitting within those uses “incidental to agriculture” and thus these uses are presently permitted by right. As the agritourism sector has grown, both locally and throughout the state and nation, an increased interest in a wider variety of agritourism uses has arisen in our County, which has prompted the need to clarify the Agritourism uses already allowed as “incidental to agriculture” and to regulate additional Agritourism uses in the County. Currently in Siskiyou County, working farms and ranches engage in agritourism uses and activities such as pumpkin patches, farmstays, u-pick/onsite sales, farm tours, farm dinners, etc. These uses have been traditionally interpreted as “incidental to agriculture” and thus, these agritourism uses and activities are part of the County’s baseline conditions.

Agritourism is generally described as commercial or institutional agricultural uses that bring patrons to a working farm or ranch such as roadside farm stands, corn mazes, petting zoos, pumpkin patches and other activities that facilitate engagement with the farm or ranch. The proposed Zoning Text Amendment project is intended to provide clarity regarding agritourism activities in Siskiyou County that are currently permitted by right and to provide new limiting regulations regarding both those uses and additional uses that would be permitted subject to additional review and/or conditional permitting.

In 2018, the Planning Commission appointed seven members to a Technical Advisory Committee (TAC) to study the County’s code and provide recommendations regarding agritourism in Siskiyou County. This TAC provided recommended changes to the Planning Commission at its June 6, 2018, meeting. It was the Commission’s direction that staff work with County Counsel to use these recommended changes to draft a zoning code amendment.

The Planning Division and County Counsel prepared draft zoning text amendments to allow limited agritourism uses and activities, and completed an Initial Study based on the recommended draft zoning text amendments for the Agritourism Zoning Text Amendment project. The Initial Study identified potential impacts associated with Biological Resources, Cultural Resources, Geology and Soils, and Noise. As a result, a Mitigated Negative Declaration was prepared and circulated to responsible agencies and made available for public review and comment from February 15, 2019 to March 17, 2019. The Agritourism Zoning Text Amendment project was initially scheduled for the March 20, 2019 Planning Commission meeting. However, the March 20, 2019 Agritourism Zoning Text Amendment staff report was published prior to the close of the comment period, and as a result, numerous public comments were submitted following the staff report’s publication. The Agritourism Zoning Text Amendment project was then continued from the March 20, 2019 Planning Commission meeting.

Due to staff turnover, the project was inactive from March 2019 until September 2019. New County staff took over the project and decided to take a step back to address the public comments received. Members of the public raised concerns regarding the initial draft text amendments, and to address those concerns, staff decided to hold a public workshop on September 25, 2019 and a public meeting at the December 18, 2019 Planning Commission hearing. These public engagements were intended to

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<sup>1</sup> The language used in the RR zone is “Accessory uses and buildings normally incidental to...small farming”.  
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give the public a forum to identify their concerns directly to the Planning Commission and allow the Commissioners to provide staff direction in finalizing the text amendments.

Following these meetings, staff felt the initial (previous) recommended amendments of the Agritourism Zoning Text Amendment project would need to be significantly revised. Staff essentially approached the revisions as a new project, including a new project description that would also substantially revise the Initial Study and Mitigated Negative Declaration previously completed and circulated. As detailed in this staff report, County staff prepared new draft zoning text amendments for the Agritourism Zoning Text Amendment project, which added additional provisions with more restrictive regulations when compared to the initial recommendations. The new draft zoning text amendments for the Agritourism Zoning Text Amendment project are included within Exhibit A of Resolution PC 2019-008 and now being presented for consideration by the Planning Commission and Board of Supervisors.

As a result of the revised project description, staff prepared a new Initial Study for the revised project that identified potential impacts associated with Biological Resources, Cultural Resources, Geology and Soils, and Noise, and determined a Mitigated Negative Declaration would be the appropriate environmental review document. The new Initial Study and Mitigated Negative Declaration was recirculated pursuant to CEQA Guidelines Section 15073.5 for re-review and re-comment. The IS/MND was sent to responsible agencies and made available for public review and comment from June 30, 2020 to July 30, 2020.

### **Discussion**

Siskiyou County's initially proposed Agritourism Zoning Text Amendments were largely modeled after Tehama County and included similar requirements and performance standards with a few minor exceptions. These exceptions were identified within the December 18, 2019 Planning Commission staff report. Following direction from the Planning Commission, staff has completed the final draft of the Agritourism Zoning Text Amendments, which is included within this staff report and attachments, for consideration by the Planning Commission and Board of Supervisors that would provide clarification relative to uses traditionally interpreted as "incidental to agriculture" and to facilitate the marketing and promotion of agricultural products grown and raised in Siskiyou County. The proposed text amendments would revise Articles 36, 48, 49, and 50, which are included in Exhibit A of Resolution PC 2019-008.

Due to the concerns raised by the public, staff made significant modifications to the initial proposed text amendment that further limit agritourism activities that may be permitted. Within the sections below, staff has included a comparison table of the initial text updates prepared for the March 20, 2019 Planning Commission meeting and the current/final proposed text updates under consideration. In addition, the below sections have separated out the proposed zoning text amendments into "Agritourism Specific Amendments", which discuss updates to the zoning code that are specifically related to Agritourism (applicable to only working farms and ranches ten acres or greater), and "Clean-up Amendments" (applicable to any AG-1, AG-2, and R-R zoned parcel), which discuss updates to the zoning code to allow for uses that have historically been interpreted as accessory agriculture uses but are not expressly called out within the current County Code.

#### Final Modifications of Draft Text Updates

Staff has worked to address the concerns raised by the public during this process, which has resulted in considerable restrictive modifications to the initial proposal while still trying to create a framework for Siskiyou's working farms and ranches to participate in the Agritourism sector. Table-1 below provides a

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comparison between the initially proposed text amendments and the final draft of text amendments under consideration by the Planning Commission. A brief summary of the changes include:

- Increased the minimum parcel size for Farmstays to 80 acres.
- Removed allowance for three agritourism activities/events with more than 30 guests but not more than 150 guests – initially allowed by-right limited to three activities/events per year.
  - Only 20 events/year allowed by-right, all other activities require discretionary approval!
  - Requiring discretionary approval for most agritourism uses and activities would require agritourism uses and activities to be subject to CEQA review and include responsible agencies review and conditioning of potential agritourism uses and activities.
- Reduced the number of allowed guests for Level II Agritourism activities/events from 300 to 150.
- Added Administrative Permit requirement for other agritourism activities when proposed within 1,000 feet of any adjacent residence – not including onsite sales, U-pick sales, farm tours, or FFA/educational activities.
- Added a noticing requirement for Administrative Permit requests to property owners within 300 feet.
- Modified Agricultural Tourism Performance Standard #2 to now limit any development or on-site improvements, including driveways, parking areas, structures, and activity areas to five percent of property or one acre, whichever is less. Previous standard only limited development of permanent structures to ten percent of the property or five acres, whichever is less.

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| Table-1. Comparison of Initial Proposed Text Amendments vs. Final Proposed Text Amendments |   |   |
|--|---|---|
|  | Initial Draft Text Updates –<br>March 20, 2019  | Current and Final Draft Text Updates –<br><i>Under PC Consideration</i>   |
| Zoning Districts   | AG-1, AG-2, R-R   | AG-1, AG-2, R-R   |
| Minimum Parcel Size  | 10 acres<br>10 acres for Farmstays  | 10 acres<br>80 acres for Farmstays  |
| By-right Uses  |   | Onsite sales<br>U-Pick<br>Farm tours<br>FFA/educational activities  |
| By-right Activities/Events   | <u>Level I Agritourism:</u><br><br>Agritourism activities that generate no more than 30 guests per event; Limited to 20 events per year<br><br>Activities with 30-150 guests Limited to 3 events per year   | <u>Level I Agritourism:</u><br><br>Other agritourism activities that generate no more than 30 guests per event; limited to 20 events per year   |
| Admin. Permit  | <u>Level II Agritourism:</u><br><br>Agritourism activities that exceed Level I but no more than double the number of events <u>or</u> number of guests (up to 300 guests per event; <u>or</u> up to 6 events per year with 150 guests)<br><br>U-Pick<br>Onsite sales of Unique Agricultural Products<br>Farmstays/camping | <u>Level II Agritourism:</u><br><br>Agritourism activities that exceed 30 people but not more than 150 guests. Limited to seven events per year<br><br>Farmstays<br><br>All other agritourism activities within 1,000 feet of any adjacent residence, not including onsite sales, U-pick sales, farm tours, or FFA/educational activities |
| Use Permit   | Agritourism activities that do not meet the “Performance Standards”   | Agritourism activities that exceed 150 guests per event (limited to 3 events/yr. with no more than 300 guests); and/or Agritourism activities that do not meet the “Performance Standards”  |
| Special Requirements   | N/A   | Farmstays require minimum parcel size of 80 acres<br>Farmstays limited to a maximum of 20 people<br><br>Noticing requirement of 300 feet for <u>all</u> Administrative/Conditional Use Permits  |

***Proposed Zoning Code Amendments***

As previously identified, the proposed Agritourism Zoning Text Amendment project would make modifications to Siskiyou County’s Code, specifically to Articles 36, 48, 49, and 50 of Chapter 6 of Title Agritourism Zoning Text Amendment (Z1703)

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10. The modifications to Article 36 include new definitions for “Agritourism Property”, “Agritourism Farmstay”, and “Agritourism; Level I and Level II”. The proposed definitions can be found within Exhibit A of Resolution PC 2019-008. The modifications to Articles 48, 49, and 50 would include expanding the existing permitted uses (Clean-up Amendments and Level I Agritourism), creating a new section for agritourism uses requiring Administrative Permit approval (Level II Agritourism), and expanding the existing conditional uses permitted to include more intensive agritourism uses.

A new section would be added in Article 48, 49, and 50 titled “Administrative permit uses permitted” (10-6.4802.5, 10-6.4902.5, 10-6.5002.5) that outline the uses/activities that require Administrative Permit approval. In addition, Agricultural Tourism Performance Standards would also be created and added to those Articles that agritourism uses/activities would be required to comply with for the issuance of an Administrative Permit. Finally, the Conditional Uses Permitted section in each Article (10-6.4803, 10-6.4903, 10-6.5003) would be amended to add Agritourism activities that exceed 150 guests, or any Level II Agritourism event that does not meet all Agricultural Tourism Performance Standards. This would require conditional use permit approval to conduct any activity in excess of the limits defined as Level II Agritourism or any activity that does not meet the Agricultural Tourism Performance Standards.

Agritourism uses and activities have been divided into three categories (Level I Agritourism; Level II Agritourism; and Conditional Uses Permitted) each with its own requirements and thresholds. The categories represent levels of review based on the intensity of possible agritourism activities. Less intensive agritourism uses, which are categorized by Level I Agritourism, are minor activities that would be allowed by right or without land use permit approval. Please be advised that these activities are still required to comply with any applicable health and safety codes along with obtaining building permit approval for any development if applicable.

Slightly more intensive agritourism uses, which are categorized by Level II Agritourism, would require approval of an Administrative Permit. The Administrative Permit would be reviewed and approved at the staff level (no public hearing). Adjacent property owners within 300 feet of a parcel requesting Administrative Permit approval would be notified of the request. Members of the public may participate in the Administrative Permit process including submitting public comment. It should be noted that all interested parties would be alerted to the decision of an Administrative Permit, which would also give them the ability to appeal the decision of an Administrative Permit project. In addition, Administrative Permits would be required to be renewed annually, in which staff would ensure that the proposed activity is compliant with all requirements. This is also a mechanism to ensure that the Administrative Permit is only issued to working farms or ranches – qualifying as a working farm or ranch one year does not ensure the Administrative Permit would be issued and/or renewed the following year. Administrative Permits are discretionary approvals that give the County the ability to ensure the requested agritourism activity meets all requirements and allow the County to add conditions of approval to further ensure the proposed use/activity does not impact agricultural operations or the surrounding properties. As part of the Administrative Permit process, applicants will have to thoroughly demonstrate that the primary function and use of the property is for agricultural production or else the Administrative Permit could not be granted.

Finally, the most intensive agritourism uses, which can be categorized as activities generating more than 150 guests or activities that cannot comply with the Agritourism Performance Standards, would be required to receive Conditional Use Permit approval.

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Agritourism Specific Amendments

The proposed changes seek to permit limited accessory agricultural uses in the form of agritourism activities, and would only be permitted on parcels ten acres or larger zoned Rural Residential Agricultural (R-R), Non-Prime Agricultural (AG-2), or Prime Agricultural (AG-1). As part of the zoning text amendment, agritourism would be defined as “the act of visiting a working farm or ranch as a guest for the purpose of enjoyment, education or other active participation in the activities of the farm”. The proposed Agritourism text amendments shall not include concerts and or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch. Staff is proposing to define a working farm or ranch as a place of agricultural production, which has annual sales of agricultural products of one thousand dollars (\$1,000) or more, which is consistent with Section 52262 of the California Food and Agricultural Code and in line with how other rural counties define working farms and ranches.

The public has raised concerns over the \$1,000 threshold as being too low. However, the \$1,000 threshold is only one of the requirements applicants would need to meet to be allowed to participate in accessory agritourism uses and activities. Agritourism is only permitted on working farms or ranches and applicants would still need to demonstrate that the primary use of the property is agricultural production. For example, an individual who sells a horse for \$1,000 would meet the minimum annual sales requirement but would still need to show that the primary use of the property is agricultural production, and would not be permitted to have accessory agritourism uses if there is no primary agricultural use.

In an effort to minimize any offsite impacts of agritourism activities, those activities have been divided into three categories each with its own requirements and thresholds. “Level I Agritourism” is agritourism on “Agritourism Property” ten acres or larger that is limited to twenty single-day events per year with no more than thirty (30) guests per event. Examples of such single-day events include field days, ranch or farm sponsored hospitality dinners limited to 30 guests, farm-focused corporate events and similar activities that relate to the promotion of the primary use as a working farm or ranch. It should be noted that past Planning Directors have determined agritourism events such as farm dinners or farm tours to be “incidental to agricultural”, and with approval of the Agritourism Zoning Text Amendment project, those events will now be subject to additional parcel size requirements, limits to number of events, and limits to the number of guests, which results in a more restrictive regulations within the County Code. “Level II Agritourism” is agritourism on “Agritourism Property” ten acres or larger that involves any of the following:

- 1) Single-day Agritourism events with more than 30 guests but not more than 150 guests, limited to seven events per year;
- 2) Agricultural Farmstays subject to an 80-acre minimum parcel size; and
- 3) Other agritourism activities or uses within 1,000 feet of any adjacent residence not including onsite sales, U-pick sales, farm tours, or FFA/educational activities.

Level II Agritourism uses/activities would be required to comply with the proposed Agricultural Tourism Performance Standards. Performance standards set requirements for agritourism uses/activities to comply with in order to ensure those uses/activities do not impact the surrounding properties. The “Agricultural Tourism Performance Standards” include provisions regarding on-site improvements, traffic, proximity to neighboring residences, parking, lighting, presence of owner/operator, boundary

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markings, restroom/sanitation facilities, wildlife disturbance, waterway disturbance, archaeological resource protection, erosion prevention, noise, and Farmstays. The proposed Agricultural Tourism Performance Standards are included within Exhibit A of Resolution PC 2019-008.

Lastly, agritourism uses/activities that either generate more than 150 guests (limited to three events per year with more than 150 guests but not more than 300 guests) or any agritourism uses/activities that do not meet the Agricultural Tourism Performance Standards would be required to receive Conditional Use Permit approval.

The proposed zoning text amendment would not supersede any existing County or State regulations, including those of the Environmental Health or Agriculture Departments, or those from the California Department of Fish and Wildlife or Regional Water Quality Control Board. Pursuant to Siskiyou County's Williamson Act Guidelines, as adopted by the Board of Supervisors on February 7, 2012, "agritourism activities including buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, "u-pick" sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural sales" are allowed as a compatible use and allowed within agricultural preserves "provided that these land uses are not the principal use, do not displace the agricultural production use, and occur while there is an agricultural production use occurring within the agricultural preserve".

Clean-up Amendments

Staff is recommending updating the County Code to clearly identify four accessory agricultural uses as being permitted uses within the AG-1, AG-2, and R-R zoning districts. The four accessory agricultural uses are roadside stands (onsite sales), U-pick sales, farm tours, and FFA or educational activities. These uses have historically been interpreted as accessory agriculture uses but are not expressly permitted within the County Code. Throughout this process, the public has expressed support for these minor accessory agricultural uses. Staff agrees and believes that these uses are clearly accessory to agriculture and should be allowed outright.

Therefore, staff is recommending including roadside stands (onsite sales), U-pick sales, farm tours, and FFA or educational activities as allowed uses within the AG-1, AG-2, and R-R zoning districts under all circumstances. This means these uses would be permitted within the AG-1, AG-2, and R-R regardless of parcel size.

**General Plan Consistency**

The General Plan outlines the vision for growth within the County that will guide and specify where future growth would be located to fulfill the Plan's goals. The County's General Plan Land Use Element has mapped critical resource areas, natural hazards, and non-resource areas that were used to create policies that outline future development intensities and types of land uses. These policies were devised in order to ensure that growth would not be incompatible with surrounding or abutting critical resource areas and would ensure that development would be located close to existing public services, so as to not overburden public services. Utilizing the General Plan's Land Use Element's mapped areas and policies, the County adopted the Zoning Ordinance. The County's Zoning Ordinance designated appropriate zoning districts for all parcels within Siskiyou County and established provisions for permitted uses or conditionally permitted uses for each zoning district.



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As discussed within this staff report, the County's current Zoning Ordinance did not fully anticipate how agricultural operations and businesses would evolve. However, the Zoning Ordinance included a provision to allow flexibility related to accessory agricultural uses, and the Zoning Ordinance currently permits "Accessory uses incidental to agricultural" within Articles 48, 49, and 50 (provisions of the AG-1, AG-2, and R-R zoning districts). The proposed project is intended to clarify limited accessory agritourism uses and activities that are appropriate, or may be appropriate subject to permitting, for agricultural zoned parcels. The project would only allow agritourism uses and activities within areas already designated for agricultural uses and zoning districts. The General Plan provided the foundation identifying the areas appropriate for agricultural uses, and the project is clarifying accessory agricultural uses that may be permitted or conditionally permitted in areas appropriate for agricultural uses as identified by the General Plan. Therefore, staff finds that the proposed Agritourism Zoning Text Amendment project (Z1703) is consistent with the County's General Plan.

***Scott Valley Area Plan Consistency***

The Scott Valley Area Plan (SVAP) is a specific plan that was incorporated into Siskiyou County's General Plan by amendment in 1980. The Plan provides a long-term vision for the Valley's growth and includes goals, policies, and maps to guide decision making on zoning and specific projects within its boundaries. The SVAP puts an emphasis on preserving agriculture and promoting the economic vitality of agriculture in the Valley. This is further demonstrated by the first goal for both the "Major Goals" and "Development Goals" of the Plan, which focus on preserving and protecting agriculture. In addition to supporting agricultural uses, the SVAP also strives to ensure the natural resources within the Valley are properly sustained and the plan strives to maintain the quality of life for those residing in the Valley.

Similar to the General Plan's Land Use Element, the Scott Valley Area Plan includes mapped critical resource areas, natural hazards, and non-resource areas that were used to create policies that outline future development intensities and types of land uses. Again, these mapped areas and the SVAP's policies were used to adopt appropriate zoning districts including density standards for properties within the Scott Valley. The proposed Agritourism Zoning Text Amendment project would clarify accessory agricultural uses in the form of agritourism that may be permitted within the Valley's agricultural zoning districts (AG-1, AG-2, and R-R) and establish additional agritourism uses that may be permitted with approval of an Administrative Use Permit or Conditional Use Permit. It should be noted that any agritourism use or activity that requires discretionary approval (Administrative Use Permit or Conditional Use Permit) would be reviewed for consistency with the Scott Valley Area Plan, if applicable.

The proposed text updates are specifically targeted to accessory agricultural uses and promoting the economic vitality of agriculture throughout Siskiyou County, including the Scott Valley. It is staff's opinion that the proposed text updates, supporting accessory agricultural uses, is consistent with the Scott Valley Area Plan. The text updates would give working farms and ranches the ability to supplement their income by facilitating accessory agricultural uses that promote engagement with Siskiyou's working farms and ranches, and thus protecting the "number one economy of the Scott Valley". The proposed Agritourism Zoning Text Amendment would allow and specify limited accessory agricultural uses in the County's agricultural zoning districts. It is staff's opinion that the proposed Agritourism Text Amendment project is consistent with the Scott Valley Area Plan. With that being said, residents of the Valley have legitimate concerns about protecting natural resources and quality of life. By defining permitted accessory agricultural activities in the form of agritourism through definitions, allowed uses, and uses that require discretionary permit approval, the County has the ability to ensure

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proposed activities, development, or uses within the Valley are accessory to the primary agricultural use of a property and consistent with the intent of the Scott Valley Area Plan.

**Environmental Analysis**

The approval of the Zoning Code Amendment is a discretionary action by the County and triggers the need to evaluate the project under CEQA. Upon completion of the Initial Study, staff determined that a Mitigated Negative Declaration (MND) was the appropriate environmental document for the project because, in staff's opinion, the proposed mitigation measures reduced the level of potential impacts below the level of significance. The Initial Study and Mitigated Negative Declaration were sent to the State Clearinghouse (SCH#2019029087). The circulation period began on February 15, 2019 and ended on March 18, 2019. However, due to public comment received, staff revised the project/project description, which significantly modified the IS/MND that was initially circulated. County staff sent the revised project to the State Clearinghouse for recirculation, re-review, and re-comment. The public review period for the current project began on June 30, 2020 and ended on July 30, 2020. The IS/MND identified potential environmental impacts associated with the project. Mitigation measures were developed for inclusion within the project as conditions of approval to mitigate all potentially significant impacts to less than significant levels. It is staff's opinion that the mitigation measures developed for the project are adequate in meeting the requirements of the California Environmental Quality Act (CEQA) as well as the goals and policies of the General Plan and Scott Valley Area Plan.

CEQA requires that prior to approval of a MND, the Planning Commission and Board of Supervisors must consider the proposed MND together with any comments received during the public review process and that the MND shall only be approved if the Commission finds that on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment and that the MND reflects the lead agency's independent judgment and analysis.

**Public Comments**

During the initial stages of this project, the Agritourism Zoning Text Amendment (Z1703) was moving forward concurrently with the Multi-Species Zoning Text Amendment project (Z1704). Due to this, a majority of comments received addressed both projects.

Following the initial public comments received, staff made significant modifications to the proposed Agritourism Zoning Text Amendment project. In staff's opinion, the modifications to the initial proposal addressed a majority of the concerns initially raised by the public. Due to the modifications, staff recirculated the Initial Study/Mitigated Negative Declaration to gather comments on the new project description/proposal. Only three public comments have been submitted following the recirculation of the revised project. Staff believes that this is due to the revised project that now requires a majority of agritourism uses and activities to receive discretionary review that would review agritourism proposals for consistency with the Scott Valley Area and be subject to CEQA review. With that being said, staff has included all public comments received for the Agritourism Zoning Text Amendment project including the comments intended for the initial/previous project description. These comments show the basis of the public's general concerns and how the revised project was modified to help address those concerns. For example, most of the initial public comments submitted requested a higher level of review for agritourism activities such as an Administrative Permit or Conditional Use Permit.

Two of the current public comments received expressed opposition to the project. There are concerns over protection of the Scott Valley Area Plan, the number of visitors that could potentially come to

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Siskiyou County, loss of agricultural lands for nonagricultural uses, impacts from new well/septic systems, increase in population and housing development, impacts to recreational facilities, and potential traffic, [water] waste, and light impacts generated from agritourism uses. In addition, there was a concern over the \$1,000 threshold being too low for the “Agritourism” definition. The remaining public comment was generally in favor of the project but opposed the ten-acre minimum parcel size. The individual felt a minimum parcel would hurt the County’s smaller farms and expressed concerns that only the large acreage farms would benefit from the Agritourism Zoning Text Amendment project.

There appears to be some speculation about the proposed text amendments and what would be permitted if the Agritourism Zoning Text Amendment project were approved. There is a misconception that all AG-1, AG-2, or R-R zoned parcel ten acres or larger would be allowed to engage in accessory agritourism uses. As previously identified, simply meeting the \$1,000 annual sales requirement does not guarantee a property owner would be permitted to have agritourism uses or activities. The text amendments are for working farms or ranches and agritourism uses and activities may not in any way impact the primary agricultural production use of the property. The proposed text updates are specifically targeted for accessory agricultural uses and clearly outline the updates only apply to working farms or ranches. Environmental analysis requires review of reasonably foreseeable impacts and the notion that accessory agricultural uses in the form of agritourism would significantly increase the County’s population and housing development, would result in over a million visitors to the county annually, impacts from the development of additional well/septic systems, and impacts to recreational facilities are all too speculative or unlikely to occur to allow for an evaluation of a reasonably foreseeable impact at this juncture.

The Agritourism Zoning Text Amendment project requires the majority of accessory agritourism uses and activities to obtain either Administrative Permit or Conditional Use Permit approval, which are discretionary approvals that give the County the ability to ensure the requested agritourism activity meets all requirements and the intent of providing working farms or ranches accessory uses to help supplement their income. This means that applicants will have to thoroughly demonstrate that the primary function and use of the property is for commercial agricultural activities. In addition, these activities would be subject to CEQA to ensure there are no significant environmental impacts, and the proposed activities would be reviewed for consistency with the General Plan and/or Scott Valley Area Plan.

California has a unique history as it pertains to the subdivision of real property. Prior to 1975, property could be subdivided in multiple ways including through a Grant Deed. The lack of continuity between jurisdictions and the complications of recording new parcels lead to the passage of the Subdivision Map Act in 1975. Due to Siskiyou County’s history of subdividing real property, the IS/MND included Accessor Parcel Numbers (APN) as the metric for the project’s “parcels” or “number of parcels” affected by the project. The County does not have the records of the number of legal lots within Siskiyou County nor are there reasonable resources to be able to determine the number of legal lots of any zoning district. While one legal parcel may contain multiple Accessor Parcel Numbers, at a minimum, all legal parcels would contain at least one APN.

**Agency Comments**

California Department of Fish and Wildlife – March 18, 2019 and July 21, 2020

The CA Department of Fish and Wildlife provided comments to ensure conservation of the State’s fish and wildlife resources. A summary of CDFW’s comments include:

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- Adding language to Mitigation Measure 4.1 requiring a no-disturbance buffer if an active nest is located, and a resurveying requirement should construction activities be delayed or suspended for more than one week following the completion of the pre-construction survey.
- Extending the maternity season for bats from August 1 to August 31 – requiring a survey should demolition activities occur within the timeframe.

The North Coast Regional Water Quality Control Board (NCRWQCB) provided comments for the previous project description but did not comment on the recirculated IS/MND. Staff believes that this is due to the revisions to the project and IS/MND that incorporated NCRWQCB's comments. With that being said, NCRWQCB comments included adding language related to the Scott River and Shasta River TMDL Action Plans, no land disturbance within 150 feet from the top bank of waterbodies and 50 feet for seasonal streams and wetlands, and additional mitigation measures for discretionary permits. Staff has incorporated the recommended language into the recirculated IS/MND. Any agritourism use or activity that requires discretionary approval would trigger responsible agency review. This means that those agritourism uses and activities would be forwarded to NCRWQCB for their review, and the ability to add additional conditions of approval for the proposal.

**Preparation**

Prepared by the Siskiyou County Planning Division.

For project specific information or to obtain copies for your review, please contact:

Kirk Skierski, Planning Director  
Siskiyou County Planning Division  
806 S. Main Street  
Yreka, California 96097

## Resolution PC 2019-008

### **A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending the Board of Supervisors Approve the Agritourism Zoning Text Amendment Project (Z1703) and Adopt the Proposed Amendments to Articles 36, 48, 49, and 50 of Title 10, Chapter 6 of the Siskiyou County Code**

**Whereas**, on September 25, 1990 Siskiyou County adopted the Right to Farm Ordinance declaring an official policy of the County of Siskiyou to enhance and encourage agricultural operations within the County; and

**Whereas**, the County of Siskiyou recognizes the evolution of agricultural operations and businesses to include supplemental commercial and institutional accessory agricultural uses in the form of “agritourism activities” to facilitate the marketing and promotion of agricultural products grown and produced in Siskiyou County; and

**Whereas**, the Planning Division determined that the current provisions and regulations within the Siskiyou County Code did not fully anticipate the evolution of agricultural operations and businesses to include accessory agritourism uses as being expressly permitted or permitted through approval of an use permit; and

**Whereas**, under the current provisions and regulations of the Siskiyou County Code agritourism uses and activities could be permitted by the Planning Director on a case by case basis as “incidental to agricultural”; and

**Whereas**, the Planning Division determined the County’s Zoning Ordinance should be amended to clearly outline specific limited agritourism uses and activities that would apply to working farms and ranches within specific zoning districts subject to reasonable regulations; and

**Whereas**, on May 17, 2017, the Planning Division presented an “Agritourism Zoning Conceptual Discussion” to the Siskiyou County Planning Commission for direction on possible County Code amendments to allow limited agritourism uses and activities; and

**Whereas**, at the November 15, 2017 Planning Commission meeting, the Commission appointed seven members to the Technical Advisory Committee to study the County’s Zoning Ordinance and provide recommendations to allow limited accessory agritourism uses and activities in Siskiyou County; and

**Whereas**, the Technical Advisory Committee presented recommended Zoning Ordinance amendments to the Planning Commission at the June 6, 2018 Planning Commission meeting, in which the Commission directed the Planning Division to work with County Counsel to prepare a draft Zoning Ordinance amendment project; and

**Whereas**, an Initial Study was prepared pursuant to the California Environmental Quality Act (CEQA) that identified the following environmental factors as being

potentially affected by the proposed project: Biological Resources, Cultural Resources, Geology and Soils, Noise, and Mandatory Findings of Significance; and

**Whereas**, mitigation measures have been incorporated into the project to reduce all potential impacts to a less-than-significant level; and

**Whereas**, a Mitigated Negative Declaration was prepared in accordance with the CEQA Guidelines Section 15070(b) and thereafter circulated with the Initial Study to responsible agencies and made available for public review and comment; and

**Whereas**, the Planning Division scheduled the Agritourism Zoning Text Amendment project (Z1703) to be heard at the March 20, 2019 Planning Commission meeting; and

**Whereas**, at the March 20, 2019 Planning Commission meeting, the Agritourism Zoning Text Amendment project (Z1703) was continued to address the multitude of public comments that were submitted prior to the March 20, 2019 Planning Commission meeting; and

**Whereas**, the Planning Division determined the Agritourism Zoning Text Amendment project required significant modifications to address the concerns raised by the public; and

**Whereas**, the Planning Division scheduled two public workshops on September 25, 2019 and December 18, 2019 to give the public a forum to identify their concerns directly to the Planning Commission and allow the Commissioners to provide County staff direction in finalizing the Agritourism Zoning Text amendments; and

**Whereas**, the Planning Division revised the Agritourism Zoning Text Amendment's project description to incorporate the recommendations raised by the public and Planning Commission; and

**Whereas**, the Planning Division prepared revised draft text amendments for the Agritourism Zoning Text Amendment project (Z1702) to amend Articles 36, 48, 49, and 50 of Title 10, Chapter 6 of the Siskiyou County Code to more clearly define certain uses of property incidental to agriculture and to facilitate the marketing and promotions of agricultural products grown and produced in Siskiyou County; and

**Whereas**, the proposed amendments to Articles 36, 48, 49, and 50 of Title 10, Chapter 6 are included in Exhibit A of this Resolution attached hereto and incorporated herein; and

**Whereas**, the significant revisions to the project description required substantial revisions to the draft Initial Study/Mitigated Negative Declaration; and

**Whereas**, the Planning Division prepared an Initial Study for the revised project description pursuant to the California Environmental Quality Act (CEQA) that identified the following environmental factors as being potentially affected by the proposed project: Biological Resources, Cultural Resources, Geology and Soils, Noise, and Mandatory Findings of Significance; and

**Whereas**, mitigation measures have been incorporated into the project to reduce all potential impacts to a less-than-significant level; and

**Whereas**, a Mitigated Negative Declaration was prepared in accordance with the CEQA Guidelines Section 15070(b) and thereafter recirculated pursuant to CEQA Guidelines Section 15073.5 with the revised Initial Study to responsible agencies and made available for public review and comment from June 30, 2020 to July 30, 2020; and

**Whereas**, the Planning Division presented its oral and written staff report on the proposed zoning text amendments for the Agritourism Zoning Text Amendment project (Z1703) at a regular meeting of the Planning Commission on August 19, 2020; and

**Whereas**, all mitigation measures have been reproduced in the Mitigation Monitoring and Reporting Program prepared for use by County staff, participating agencies, project contractors, and mitigation monitoring personnel during implementation of the project; and

**Whereas**, the Planning Division recommended that the Planning Commission forward a recommendation to the Board of Supervisors to approve the Agritourism Zoning Text Amendment project (Z1703) amending Articles 36, 48, 49, and 50 of Title 10, Chapter 6 of the Siskiyou County Code; and

**Whereas**, a Notice of Public Hearing was published in the Siskiyou Daily News on August 5, 2020 for this matter to be heard at the August 19, 2020 Planning Commission meeting; and

**Whereas**, public hearing notices were provided pursuant to Siskiyou County Code Section 10-6.2805 *et seq.*; and

**Whereas**, on August 19, 2020 the Planning Commission held the duly noticed public hearing on the proposed Agritourism Zoning Text Amendment to amend Articles 36, 48, 49, and 50 of Title 10, Chapter 6 of the Siskiyou County Code; and

**Whereas**, on August 19, 2020, the Chair of the Planning Commission opened the duly noticed public hearing on the proposed Agritourism Zoning Text Amendment project (Z1703) to receive testimony both oral and written, following which the Chair closed the public hearing and the Commission discussed the proposed zoning text amendment prior to reaching its decision.

**Now, Therefore, Be It Resolved** that the Planning Commission recommends the Board of Supervisors adopt the Initial Study/Mitigated Negative Declaration (SCH#2019029087) and that the Board of Supervisors adopt the proposed revisions to Articles 36, 48, 49, and 50 of Title 10, Chapter 6 of the Siskiyou County Code, as shown in Exhibit A to this Resolution attached hereto and incorporated herein.

**It Is Hereby Certified** that the foregoing Resolution PC-2019-008 was duly adopted on a motion by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_, at a regular meeting of the Siskiyou County Planning Commission held on the 19<sup>th</sup> day of August, 2020, by the following roll call vote:

Ayes:

Noes:

Absent:

Abstain:

Siskiyou County Planning Commission

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Tony Melo, Chair

Witness, my hand and seal this 19<sup>th</sup> day of August 2020

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Kirk Skierski, Secretary of the Commission

Attachments:

Exhibit A: Notations and Recommended Conditions of Approval

Exhibit B: Draft Initial Study/Mitigated Negative Declaration

Exhibit C: Draft Mitigation Monitoring and Reporting Program



Ordinance No. \_\_\_\_\_

**An Ordinance of the County of Siskiyou  
Amending Chapter 6 of Title 10 of the Siskiyou County Code  
by Adding Agritourism Definitions and Renumbering Adjacent Sections,  
and by Adding Agritourism Uses, Administrative Processes,  
and Authority for Permit Fees**

The Board of Supervisors of the County of Siskiyou Ordains as Follows:

**Section 1:** Section 10-6.3602.207 of Article 36, of Chapter 6, of Title 10, defining “Zoning Permit” is hereby renumbered to Section 10-6.3602.210.

**Section 2:** Section 10-6.3602.206 of Article 36, of Chapter 6, of Title 10, defining “Zoning Map” is hereby renumbered to Section 10-6.3602.209.

**Section 3:** Section 10-6.3602.205 of Article 36, of Chapter 6, of Title 10, defining “Zone” is hereby renumbered to Section 10-6.3602.208.

**Section 4:** Section 10-6.3602.204 of Article 36, of Chapter 6, of Title 10, defining “Zero lot line” is hereby renumbered to Section 10-6.3602.207.

**Section 5:** Section 10-6.3602.203 of Article 36, of Chapter 6, of Title 10, defining “Youth camp” is hereby renumbered to Section 10-6.3602.206.

**Section 6:** Section 10-6.3602.202 of Article 36, of Chapter 6, of Title 10, defining “Yard, side” is hereby renumbered to Section 10-6.3602.205.

**Section 7:** Section 10-6.3602.201 of Article 36, of Chapter 6, of Title 10, defining “Yard, rear” is hereby renumbered to Section 10-6.3602.204.

**Section 8:** Section 10-6.3602.200 of Article 36, of Chapter 6, of Title 10, defining “Yard, front” is hereby renumbered to Section 10-6.3602.203.

**Section 9:** Section 10-6.3602.199 of Article 36, of Chapter 6, of Title 10, defining “Yard” is hereby renumbered to Section 10-6.3602.202.

**Section 10:** Section 10-6.3602.198 of Article 36, of Chapter 6, of Title 10, defining “Wholesale trade” is hereby renumbered to Section 10-6.3602.201.

**Section 11:** Section 10-6.3602.197 of Article 36, of Chapter 6, of Title 10, defining “Waste” is hereby renumbered to Section 10-6.3602.200.

**Section 12:** Section 10-6.3602.196 of Article 36, of Chapter 6, of Title 10, defining “Warehouse” is hereby renumbered to Section 10-6.3602.199.

**Section 13:** Section 10-6.3602.195 of Article 36, of Chapter 6, of Title 10, defining “Variance, hardship” is hereby renumbered to Section 10-6.3602.198.

**Section 14:** Section 10-6.3602.194 of Article 36, of Chapter 6, of Title 10, defining “Vacation rental” is hereby renumbered to Section 10-6.3602.197.

**Section 15:** Section 10-6.3602.193 of Article 36, of Chapter 6, of Title 10, defining “Utility, private or public” is hereby renumbered to Section 10-6.3602.196.

**Section 16:** Section 10-6.3602.192 of Article 36, of Chapter 6, of Title 10, defining

“Trucking terminal” is hereby renumbered to Section 10-6.3602.195.

**Section 17:** Section 10-6.3602.191 of Article 36, of Chapter 6, of Title 10, defining “Truck stop” is hereby renumbered to Section 10-6.3602.194.

**Section 18:** Section 10-6.3602.190 of Article 36, of Chapter 6, of Title 10, defining “Truck camper” is hereby renumbered to Section 10-6.3602.193.

**Section 19:** Section 10-6.3602.189 of Article 36, of Chapter 6, of Title 10, defining “Trade school” is hereby renumbered to Section 10-6.3602.192.

**Section 20:** Section 10-6.3602.188 of Article 36, of Chapter 6, of Title 10, defining “Theater” is hereby renumbered to Section 10-6.3602.191.

**Section 21:** Section 10-6.3602.187 of Article 36, of Chapter 6, of Title 10, defining “Temporary use” is hereby renumbered to Section 10-6.3602.190.

**Section 22:** Section 10-6.3602.186 of Article 36, of Chapter 6, of Title 10, defining “Temporary structure” is hereby renumbered to Section 10-6.3602.189.

**Section 23:** Section 10-6.3602.185 of Article 36, of Chapter 6, of Title 10, defining “Surface mining” is hereby renumbered to Section 10-6.3602.188.

**Section 24:** Section 10-6.3602.184 of Article 36, of Chapter 6, of Title 10, defining “Structural alterations” is hereby renumbered to Section 10-6.3602.187.

**Section 25:** Section 10-6.3602.183 of Article 36, of Chapter 6, of Title 10, defining “Structure” is hereby renumbered to Section 10-6.3602.186.

**Section 26:** Section 10-6.3602.182 of Article 36, of Chapter 6, of Title 10, defining “Street” is hereby renumbered to Section 10-6.3602.185.

**Section 27:** Section 10-6.3602.181 of Article 36, of Chapter 6, of Title 10, defining “Solid waste” is hereby renumbered to Section 10-6.3602.184.

**Section 28:** Section 10-6.3602.180 of Article 36, of Chapter 6, of Title 10, defining “Soil map” is hereby renumbered to Section 10-6.3602.183.

**Section 29:** Section 10-6.3602.179 of Article 36, of Chapter 6, of Title 10, defining “Soil” is hereby renumbered to Section 10-6.3602.182.

**Section 30:** Section 10-6.3602.178 of Article 36, of Chapter 6, of Title 10, defining “Slope” is hereby renumbered to Section 10-6.3602.181.

**Section 31:** Section 10-6.3602.177 of Article 36, of Chapter 6, of Title 10, defining “Ski resort” is hereby renumbered to Section 10-6.3602.180.

**Section 32:** Section 10-6.3602.176 of Article 36, of Chapter 6, of Title 10, defining “Ski area” is hereby renumbered to Section 10-6.3602.179.

**Section 33:** Section 10-6.3602.175 of Article 36, of Chapter 6, of Title 10, defining “Single-room occupancy” is hereby renumbered to Section 10-6.3602.178.

**Section 34:** Section 10-6.3602.174 of Article 36, of Chapter 6, of Title 10, defining “Sight triangle” is hereby renumbered to Section 10-6.3602.177.

**Section 35:** Section 10-6.3602.173 of Article 36, of Chapter 6, of Title 10, defining

“Setback” is hereby renumbered to Section 10-6.3602.176.

**Section 36:** Section 10-6.3602.172 of Article 36, of Chapter 6, of Title 10, defining “Secondary treatment” is hereby renumbered to Section 10-6.3602.175.

**Section 37:** Section 10-6.3602.171 of Article 36, of Chapter 6, of Title 10, defining “Screening” is hereby renumbered to Section 10-6.3602.174.

**Section 38:** Section 10-6.3602.170 of Article 36, of Chapter 6, of Title 10, defining “School” is hereby renumbered to Section 10-6.3602.173.

**Section 39:** Section 10-6.3602.169 of Article 36, of Chapter 6, of Title 10, defining “Sanitary sewage” is hereby renumbered to Section 10-6.3602.172.

**Section 40:** Section 10-6.3602.168 of Article 36, of Chapter 6, of Title 10, defining “Right-of-way” is hereby renumbered to Section 10-6.3602.171.

**Section 41:** Section 10-6.3602.167 of Article 36, of Chapter 6, of Title 10, defining “Restaurant” is hereby renumbered to Section 10-6.3602.170.

**Section 42:** Section 10-6.3602.166 of Article 36, of Chapter 6, of Title 10, defining “Resort” is hereby renumbered to Section 10-6.3602.169.

**Section 43:** Section 10-6.3602.165 of Article 36, of Chapter 6, of Title 10, defining “Residential storage structure” is hereby renumbered to Section 10-6.3602.168.

**Section 44:** Section 10-6.3602.164 of Article 36, of Chapter 6, of Title 10, defining “Residence” is hereby renumbered to Section 10-6.3602.167.

**Section 45:** Section 10-6.3602.163 of Article 36, of Chapter 6, of Title 10, defining “Recreational vehicle” is hereby renumbered to Section 10-6.3602.166.

**Section 46:** Section 10-6.3602.162 of Article 36, of Chapter 6, of Title 10, defining “Recreational trailer and/or vehicle park” is hereby renumbered to Section 10-6.3602.165.

**Section 47:** Section 10-6.3602.161 of Article 36, of Chapter 6, of Title 10, defining “Recreational trailer park” is hereby renumbered to Section 10-6.3602.164.

**Section 48:** Section 10-6.3602.160 of Article 36, of Chapter 6, of Title 10, defining “Recreational development” is hereby renumbered to Section 10-6.3602.163.

**Section 49:** Section 10-6.3602.159 of Article 36, of Chapter 6, of Title 10, defining “Recreational facility, public” is hereby renumbered to Section 10-6.3602.162.

**Section 50:** Section 10-6.3602.158 of Article 36, of Chapter 6, of Title 10, defining “Recreational facility, private” is hereby renumbered to Section 10-6.3602.161.

**Section 51:** Section 10-6.3602.157 of Article 36, of Chapter 6, of Title 10, defining “Recreation facility, personal” is hereby renumbered to Section 10-6.3602.160.

**Section 52:** Section 10-6.3602.156 of Article 36, of Chapter 6, of Title 10, defining “Recreation facility, commercial” is hereby renumbered to Section 10-6.3602.159.

**Section 53:** Section 10-6.3602.155 of Article 36, of Chapter 6, of Title 10, defining “Recreation facility” is hereby renumbered to Section 10-6.3602.158.

**Section 54:** Section 10-6.3602.154 of Article 36, of Chapter 6, of Title 10, defining

“Recreation, active” is hereby renumbered to Section 10-6.3602.157.

**Section 55:** Section 10-6.3602.153 of Article 36, of Chapter 6, of Title 10, defining “Ranch” is hereby renumbered to Section 10-6.3602.156.

**Section 56:** Section 10-6.3602.152 of Article 36, of Chapter 6, of Title 10, defining “Quasi-Public use or building” is hereby renumbered to Section 10-6.3602.155.

**Section 57:** Section 10-6.3602.151 of Article 36, of Chapter 6, of Title 10, defining “Quasi-Public” is hereby renumbered to Section 10-6.3602.154.

**Section 58:** Section 10-6.3602.150 of Article 36, of Chapter 6, of Title 10, defining “Public sewer and water system” is hereby renumbered to Section 10-6.3602.153.

**Section 59:** Section 10-6.3602.149 of Article 36, of Chapter 6, of Title 10, defining “Public celebrations” is hereby renumbered to Section 10-6.3602.152.

**Section 60:** Section 10-6.3602.148 of Article 36, of Chapter 6, of Title 10, defining “Professional Office” is hereby renumbered to Section 10-6.3602.151.

**Section 61:** Section 10-6.3602.147 of Article 36, of Chapter 6, of Title 10, defining “Primary treatment” is hereby renumbered to Section 10-6.3602.150.

**Section 62:** Section 10-6.3602.146 of Article 36, of Chapter 6, of Title 10, defining “Planning Commission” is hereby renumbered to Section 10-6.3602.149.

**Section 63:** Section 10-6.3602.145 of Article 36, of Chapter 6, of Title 10, defining “Planned unit development” is hereby renumbered to Section 10-6.3602.148.

**Section 64:** Section 10-6.3602.144 of Article 36, of Chapter 6, of Title 10, defining “Personal services” is hereby renumbered to Section 10-6.3602.147.

**Section 65:** Section 10-6.3602.143 of Article 36, of Chapter 6, of Title 10, defining “Person” is hereby renumbered to Section 10-6.3602.146.

**Section 66:** Section 10-6.3602.142 of Article 36, of Chapter 6, of Title 10, defining “Permitted use” is hereby renumbered to Section 10-6.3602.145.

**Section 67:** Section 10-6.3602.141 of Article 36, of Chapter 6, of Title 10, defining “Performance Standards” is hereby renumbered to Section 10-6.3602.144.

**Section 68:** Section 10-6.3602.140 of Article 36, of Chapter 6, of Title 10, defining “Park trailer” is hereby renumbered to Section 10-6.3602.143.

**Section 69:** Section 10-6.3602.139 of Article 36, of Chapter 6, of Title 10, defining “Parking space” is hereby renumbered to Section 10-6.3602.142.

**Section 70:** Section 10-6.3602.138 of Article 36, of Chapter 6, of Title 10, defining “Parking area” is hereby renumbered to Section 10-6.3602.141.

**Section 71:** Section 10-6.3602.137 of Article 36, of Chapter 6, of Title 10, defining “Park” is hereby renumbered to Section 10-6.3602.140.

**Section 72:** Section 10-6.3602.136 of Article 36, of Chapter 6, of Title 10, defining “Outdoor storage” is hereby renumbered to Section 10-6.3602.139.

**Section 73:** Section 10-6.3602.135 of Article 36, of Chapter 6, of Title 10, defining

“Outbuilding” is hereby renumbered to Section 10-6.3602.138.

**Section 74:** Section 10-6.3602.134 of Article 36, of Chapter 6, of Title 10, defining “Organized camp” is hereby renumbered to Section 10-6.3602.137.

**Section 75:** Section 10-6.3602.133 of Article 36, of Chapter 6, of Title 10, defining “Open space, public” is hereby renumbered to Section 10-6.3602.136.

**Section 76:** Section 10-6.3602.132 of Article 36, of Chapter 6, of Title 10, defining “Open space, private” is hereby renumbered to Section 10-6.3602.135.

**Section 77:** Section 10-6.3602.131 of Article 36, of Chapter 6, of Title 10, defining “Open space, green” is hereby renumbered to Section 10-6.3602.134.

**Section 78:** Section 10-6.3602.130 of Article 36, of Chapter 6, of Title 10, defining “Open space, common” is hereby renumbered to Section 10-6.3602.133.

**Section 79:** Section 10-6.3602.129 of Article 36, of Chapter 6, of Title 10, defining “Open space” is hereby renumbered to Section 10-6.3602.132.

**Section 80:** Section 10-6.3602.128 of Article 36, of Chapter 6, of Title 10, defining “On-street parking space” is hereby renumbered to Section 10-6.3602.131.

**Section 81:** Section 10-6.3602.127 of Article 36, of Chapter 6, of Title 10, defining “Off-street parking space” is hereby renumbered to Section 10-6.3602.130.

**Section 82:** Section 10-6.3602.126 of Article 36, of Chapter 6, of Title 10, defining “Office” is hereby renumbered to Section 10-6.3602.129.

**Section 83:** Section 10-6.3602.125 of Article 36, of Chapter 6, of Title 10, defining “Occupancy” is hereby renumbered to Section 10-6.3602.128.

**Section 84:** Section 10-6.3602.124 of Article 36, of Chapter 6, of Title 10, defining “Nursery” is hereby renumbered to Section 10-6.3602.127.

**Section 85:** Section 10-6.3602.123 of Article 36, of Chapter 6, of Title 10, defining “Nuisance” is hereby renumbered to Section 10-6.3602.126.

**Section 86:** Section 10-6.3602.122 of Article 36, of Chapter 6, of Title 10, defining “Nonconforming uses” is hereby renumbered to Section 10-6.3602.125.

**Section 87:** Section 10-6.3602.121 of Article 36, of Chapter 6, of Title 10, defining “Nonconforming lot” is hereby renumbered to Section 10-6.3602.124.

**Section 88:** Section 10-6.3602.120 of Article 36, of Chapter 6, of Title 10, defining “Noise pollution” is hereby renumbered to Section 10-6.3602.123.

**Section 89:** Section 10-6.3602.119 of Article 36, of Chapter 6, of Title 10, defining “Noise” is hereby renumbered to Section 10-6.3602.122.

**Section 90:** Section 10-6.3602.118 of Article 36, of Chapter 6, of Title 10, defining “Motion picture theater” is hereby renumbered to Section 10-6.3602.121.

**Section 91:** Section 10-6.3602.117 of Article 36, of Chapter 6, of Title 10, defining “Motel” is hereby renumbered to Section 10-6.3602.120.

**Section 92:** Section 10-6.3602.116 of Article 36, of Chapter 6, of Title 10, defining

“Mortuary” is hereby renumbered to Section 10-6.3602.119.

**Section 93:** Section 10-6.3602.115 of Article 36, of Chapter 6, of Title 10, defining “Mobile home park” is hereby renumbered to Section 10-6.3602.118.

**Section 94:** Section 10-6.3602.114 of Article 36, of Chapter 6, of Title 10, defining “Mobile home” is hereby renumbered to Section 10-6.3602.117.

**Section 95:** Section 10-6.3602.113 of Article 36, of Chapter 6, of Title 10, defining “Mini-warehouse” is hereby renumbered to Section 10-6.3602.116.

**Section 96:** Section 10-6.3602.112 of Article 36, of Chapter 6, of Title 10, defining “Manufacturing” is hereby renumbered to Section 10-6.3602.115.

**Section 97:** Section 10-6.3602.111 of Article 36, of Chapter 6, of Title 10, defining “Lumber yard” is hereby renumbered to Section 10-6.3602.114.

**Section 98:** Section 10-6.3602.110 of Article 36, of Chapter 6, of Title 10, defining “Lot width” is hereby renumbered to Section 10-6.3602.113.

**Section 99:** Section 10-6.3602.109 of Article 36, of Chapter 6, of Title 10, defining “Lot, through” is hereby renumbered to Section 10-6.3602.112.

**Section 100:** Section 10-6.3602.108 of Article 36, of Chapter 6, of Title 10, defining “Lot, reverse frontage” is hereby renumbered to Section 10-6.3602.111.

**Section 101:** Section 10-6.3602.107 of Article 36, of Chapter 6, of Title 10, defining “Lot, minimum area of” is hereby renumbered to Section 10-6.3602.110.

**Section 102:** Section 10-6.3602.106 of Article 36, of Chapter 6, of Title 10, defining “Lot line, side” is hereby renumbered to Section 10-6.3602.109.

**Section 103:** Section 10-6.3602.105 of Article 36, of Chapter 6, of Title 10, defining “Lot line, rear” is hereby renumbered to Section 10-6.3602.108.

**Section 104:** Section 10-6.3602.104 of Article 36, of Chapter 6, of Title 10, defining “Lot line, front” is hereby renumbered to Section 10-6.3602.107.

**Section 105:** Section 10-6.3602.103 of Article 36, of Chapter 6, of Title 10, defining “Lot line” is hereby renumbered to Section 10-6.3602.106.

**Section 106:** Section 10-6.3602.102 of Article 36, of Chapter 6, of Title 10, defining “Lot frontage” is hereby renumbered to Section 10-6.3602.105.

**Section 107:** Section 10-6.3602.101 of Article 36, of Chapter 6, of Title 10, defining “Lot depth” is hereby renumbered to Section 10-6.3602.104.

**Section 108:** Section 10-6.3602.100 of Article 36, of Chapter 6, of Title 10, defining “Lot, corner” is hereby renumbered to Section 10-6.3602.103.

**Section 109:** Section 10-6.3602.99 of Article 36, of Chapter 6, of Title 10, defining “Lot” is hereby renumbered to Section 10-6.3602.102.

**Section 110:** Section 10-6.3602.98 of Article 36, of Chapter 6, of Title 10, defining “Lodging house” is hereby renumbered to Section 10-6.3602.101.

**Section 111:** Section 10-6.3602.97 of Article 36, of Chapter 6, of Title 10, defining

“Lodge” is hereby renumbered to Section 10-6.3602.100.

**Section 112:** Section 10-6.3602.96 of Article 36, of Chapter 6, of Title 10, defining “Kennel” is hereby renumbered to Section 10-6.3602.99.

**Section 113:** Section 10-6.3602.95 of Article 36, of Chapter 6, of Title 10, defining “Junk yard” is hereby renumbered to Section 10-6.3602.98.

**Section 114:** Section 10-6.3602.94 of Article 36, of Chapter 6, of Title 10, defining “Junk” is hereby renumbered to Section 10-6.3602.97.

**Section 115:** Section 10-6.3602.93 of Article 36, of Chapter 6, of Title 10, defining “Institutional use” is hereby renumbered to Section 10-6.3602.96.

**Section 116:** Section 10-6.3602.92 of Article 36, of Chapter 6, of Title 10, defining “Housing unit” is hereby renumbered to Section 10-6.3602.95.

**Section 117:** Section 10-6.3602.91 of Article 36, of Chapter 6, of Title 10, defining “Housing, transitional” is hereby renumbered to Section 10-6.3602.94.

**Section 118:** Section 10-6.3602.90 of Article 36, of Chapter 6, of Title 10, defining “Housing, supportive” is hereby renumbered to Section 10-6.3602.93.

**Section 119:** Section 10-6.3602.89 of Article 36, of Chapter 6, of Title 10, defining “Household” is hereby renumbered to Section 10-6.3602.92.

**Section 120:** Section 10-6.3602.88 of Article 36, of Chapter 6, of Title 10, defining “Hotel” is hereby renumbered to Section 10-6.3602.91.

**Section 121:** Section 10-6.3602.87 of Article 36, of Chapter 6, of Title 10, defining “Horticulture” is hereby renumbered to Section 10-6.3602.90.

**Section 122:** Section 10-6.3602.86 of Article 36, of Chapter 6, of Title 10, defining “Home occupation” is hereby renumbered to Section 10-6.3602.89.

**Section 123:** Section 10-6.3602.85 of Article 36, of Chapter 6, of Title 10, defining “Helistop” is hereby renumbered to Section 10-6.3602.88.

**Section 124:** Section 10-6.3602.84 of Article 36, of Chapter 6, of Title 10, defining “Heliport” is hereby renumbered to Section 10-6.3602.87.

**Section 125:** Section 10-6.3602.83 of Article 36, of Chapter 6, of Title 10, defining “Height of building” is hereby renumbered to Section 10-6.3602.86.

**Section 126:** Section 10-6.3602.82 of Article 36, of Chapter 6, of Title 10, defining “Guest house” is hereby renumbered to Section 10-6.3602.85.

**Section 127:** Section 10-6.3602.81 of Article 36, of Chapter 6, of Title 10, defining “Group home” is hereby renumbered to Section 10-6.3602.84.

**Section 128:** Section 10-6.3602.80 of Article 36, of Chapter 6, of Title 10, defining “Convalescent or care facility” is hereby renumbered to Section 10-6.3602.83.

**Section 129:** Section 10-6.3602.79 of Article 36, of Chapter 6, of Title 10, defining “Group care facility” is hereby renumbered to Section 10-6.3602.82.

**Section 130:** Section 10-6.3602.78 of Article 36, of Chapter 6, of Title 10, defining

“gravel pit” is hereby renumbered to Section 10-6.3602.81.

**Section 131:** Section 10-6.3602.77 of Article 36, of Chapter 6, of Title 10, defining “Glare” is hereby renumbered to Section 10-6.3602.80.

**Section 132:** Section 10-6.3602.76 of Article 36, of Chapter 6, of Title 10, defining “Garage, private residential” is hereby renumbered to Section 10-6.3602.79.

**Section 133:** Section 10-6.3602.75 of Article 36, of Chapter 6, of Title 10, defining “Garage” is hereby renumbered to Section 10-6.3602.78.

**Section 134:** Section 10-6.3602.74 of Article 36, of Chapter 6, of Title 10, defining “Frontage” is hereby renumbered to Section 10-6.3602.77.

**Section 135:** Section 10-6.3602.73 of Article 36, of Chapter 6, of Title 10, defining “Floodway” is hereby renumbered to Section 10-6.3602.76.

**Section 136:** Section 10-6.3602.72 of Article 36, of Chapter 6, of Title 10, defining “Flood plain” is hereby renumbered to Section 10-6.3602.75.

**Section 137:** Section 10-6.3602.71 of Article 36, of Chapter 6, of Title 10, defining “Flood insurance rate map” is hereby renumbered to Section 10-6.3602.74.

**Section 138:** Section 10-6.3602.70 of Article 36, of Chapter 6, of Title 10, defining “Flood hazard design evaluation” is hereby renumbered to Section 10-6.3602.73.

**Section 139:** Section 10-6.3602.69 of Article 36, of Chapter 6, of Title 10, defining “Flood” is hereby renumbered to Section 10-6.3602.72.

**Section 140:** Section 10-6.3602.68 of Article 36, of Chapter 6, of Title 10, defining “Fill” is hereby renumbered to Section 10-6.3602.71.

**Section 141:** Section 10-6.3602.67 of Article 36, of Chapter 6, of Title 10, defining “Fence” is hereby renumbered to Section 10-6.3602.70.

**Section 142:** Section 10-6.3602.66 of Article 36, of Chapter 6, of Title 10, defining “Feed lot, commercial” is hereby renumbered to Section 10-6.3602.69.

**Section 143:** Section 10-6.3602.65 of Article 36, of Chapter 6, of Title 10, defining “Farm stand” is hereby renumbered to Section 10-6.3602.68.

**Section 144:** Section 10-6.3602.64 of Article 36, of Chapter 6, of Title 10, defining “Farm labor quarters or housing” is hereby renumbered to Section 10-6.3602.67.

**Section 145:** Section 10-6.3602.63 of Article 36, of Chapter 6, of Title 10, defining “Farm” is hereby renumbered to Section 10-6.3602.66.

**Section 146:** Section 10-6.3602.62 of Article 36, of Chapter 6, of Title 10, defining “Family” is hereby renumbered to Section 10-6.3602.65.

**Section 147:** Section 10-6.3602.61 of Article 36, of Chapter 6, of Title 10, defining “Extended care facility” is hereby renumbered to Section 10-6.3602.64.

**Section 148:** Section 10-6.3602.60 of Article 36, of Chapter 6, of Title 10, defining “Existing use” is hereby renumbered to Section 10-6.3602.63.

**Section 149:** Section 10-6.3602.59 of Article 36, of Chapter 6, of Title 10, defining



“Emergency shelter” is hereby renumbered to Section 10-6.3602.62.

**Section 150:** Section 10-6.3602.58 of Article 36, of Chapter 6, of Title 10, defining “Eave” is hereby renumbered to Section 10-6.3602.61.

**Section 151:** Section 10-6.3602.57 of Article 36, of Chapter 6, of Title 10, defining “Dwelling units” is hereby renumbered to Section 10-6.3602.60.

**Section 152:** Section 10-6.3602.56 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, Two-family (duplex)” is hereby renumbered to Section 10-6.3602.59.

**Section 153:** Section 10-6.3602.55 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, triplex” is hereby renumbered to Section 10-6.3602.58.

**Section 154:** Section 10-6.3602.54 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, townhouse” is hereby renumbered to Section 10-6.3602.57.

**Section 155:** Section 10-6.3602.53 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, single-family” is hereby renumbered to Section 10-6.3602.56.

**Section 156:** Section 10-6.3602.52 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, quadruplex” is hereby renumbered to Section 10-6.3602.55.

**Section 157:** Section 10-6.3602.51 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, multi-family” is hereby renumbered to Section 10-6.3602.54.

**Section 158:** Section 10-6.3602.50 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, group” is hereby renumbered to Section 10-6.3602.53.

**Section 159:** Section 10-6.3602.49 of Article 36, of Chapter 6, of Title 10, defining “Dwelling” is hereby renumbered to Section 10-6.3602.52.

**Section 160:** Section 10-6.3602.48 of Article 36, of Chapter 6, of Title 10, defining “Drive-in use” is hereby renumbered to Section 10-6.3602.51.

**Section 161:** Section 10-6.3602.47 of Article 36, of Chapter 6, of Title 10, defining “Drainage” is hereby renumbered to Section 10-6.3602.50.

**Section 162:** Section 10-6.3602.46 of Article 36, of Chapter 6, of Title 10, defining “Domicile” is hereby renumbered to Section 10-6.3602.49.

**Section 163:** Section 10-6.3602.45 of Article 36, of Chapter 6, of Title 10, defining “Developer” is hereby renumbered to Section 10-6.3602.48.

**Section 164:** Section 10-6.3602.44 of Article 36, of Chapter 6, of Title 10, defining “Density” is hereby renumbered to Section 10-6.3602.47.

**Section 165:** Section 10-6.3602.43 of Article 36, of Chapter 6, of Title 10, defining “Cul-de-sac” is hereby renumbered to Section 10-6.3602.46.

**Section 166:** Section 10-6.3602.42 of Article 36, of Chapter 6, of Title 10, defining “Cottage food products” is hereby renumbered to Section 10-6.3602.45.

**Section 167:** Section 10-6.3602.41 of Article 36, of Chapter 6, of Title 10, defining “Cottage food operator” is hereby renumbered to Section 10-6.3602.44.

**Section 168:** Section 10-6.3602.40 of Article 36, of Chapter 6, of Title 10, defining

“Cottage food operation” is hereby renumbered to Section 10-6.3602.43.

**Section 169:** Section 10-6.3602.39 of Article 36, of Chapter 6, of Title 10, defining “Cottage food employee” is hereby renumbered to Section 10-6.3602.42.

**Section 170:** Section 10-6.3602.38 of Article 36, of Chapter 6, of Title 10, defining “Conditional Use” is hereby renumbered to Section 10-6.3602.41.

**Section 171:** Section 10-6.3602.37 of Article 36, of Chapter 6, of Title 10, defining “Community sewer system” is hereby renumbered to Section 10-6.3602.40.

**Section 172:** Section 10-6.3602.36 of Article 36, of Chapter 6, of Title 10, defining “Commercial vehicle” is hereby renumbered to Section 10-6.3602.39.

**Section 173:** Section 10-6.3602.35 of Article 36, of Chapter 6, of Title 10, defining “Combining district” is hereby renumbered to Section 10-6.3602.38.

**Section 174:** Section 10-6.3602.34 of Article 36, of Chapter 6, of Title 10, defining “Cluster” is hereby renumbered to Section 10-6.3602.37.

**Section 175:** Section 10-6.3602.33 of Article 36, of Chapter 6, of Title 10, defining “Club” is hereby renumbered to Section 10-6.3602.36.

**Section 176:** Section 10-6.3602.32 of Article 36, of Chapter 6, of Title 10, defining “Campsite” is hereby renumbered to Section 10-6.3602.35.

**Section 177:** Section 10-6.3602.31 of Article 36, of Chapter 6, of Title 10, defining “Camping unit” is hereby renumbered to Section 10-6.3602.34.

**Section 178:** Section 10-6.3602.30 of Article 36, of Chapter 6, of Title 10, defining “Camping group” is hereby renumbered to Section 10-6.3602.33.

**Section 179:** Section 10-6.3602.29 of Article 36, of Chapter 6, of Title 10, defining “Campground” is hereby renumbered to Section 10-6.3602.32.

**Section 180:** Section 10-6.3602.28 of Article 36, of Chapter 6, of Title 10, defining “Camper” is hereby renumbered to Section 10-6.3602.31.

**Section 181:** Section 10-6.3602.27 of Article 36, of Chapter 6, of Title 10, defining “Business, retail” is hereby renumbered to Section 10-6.3602.30.

**Section 182:** Section 10-6.3602.26 of Article 36, of Chapter 6, of Title 10, defining “Business services” is hereby renumbered to Section 10-6.3602.29.

**Section 183:** Section 10-6.3602.25 of Article 36, of Chapter 6, of Title 10, defining “Bulk storage” is hereby renumbered to Section 10-6.3602.28.

**Section 184:** Section 10-6.3602.24 of Article 36, of Chapter 6, of Title 10, defining “Building, principal” is hereby renumbered to Section 10-6.3602.27.

**Section 185:** Section 10-6.3602.23 of Article 36, of Chapter 6, of Title 10, defining “Building height” is hereby renumbered to Section 10-6.3602.26.

**Section 186:** Section 10-6.3602.22 of Article 36, of Chapter 6, of Title 10, defining “Building, accessory” is hereby renumbered to Section 10-6.3602.25.

**Section 187:** Section 10-6.3602.21 of Article 36, of Chapter 6, of Title 10, defining

“Building” is hereby renumbered to Section 10-6.3602.24.

**Section 188:** Section 10-6.3602.20 of Article 36, of Chapter 6, of Title 10, defining “Roominghouse” is hereby renumbered to Section 10-6.3602.23.

**Section 189:** Section 10-6.3602.19 of Article 36, of Chapter 6, of Title 10, defining “Boardinghouse” is hereby renumbered to Section 10-6.3602.22.

**Section 190:** Section 10-6.3602.18 of Article 36, of Chapter 6, of Title 10, defining “Boarder” is hereby renumbered to Section 10-6.3602.21.

**Section 191:** Section 10-6.3602.17 of Article 36, of Chapter 6, of Title 10, defining “Block” is hereby renumbered to Section 10-6.3602.20.

**Section 192:** Section 10-6.3602.16 of Article 36, of Chapter 6, of Title 10, defining “Bar” is hereby renumbered to Section 10-6.3602.19.

**Section 193:** Section 10-6.3602.15 of Article 36, of Chapter 6, of Title 10, defining “Automotive repair services and garages” is hereby renumbered to Section 10-6.3602.18.

**Section 194:** Section 10-6.3602.14 of Article 36, of Chapter 6, of Title 10, defining “Automobile service station” is hereby renumbered to Section 10-6.3602.17.

**Section 195:** Section 10-6.3602.13 of Article 36, of Chapter 6, of Title 10, defining “Automobile sales” is hereby renumbered to Section 10-6.3602.16.

**Section 196:** Section 10-6.3602.12 of Article 36, of Chapter 6, of Title 10, defining “Apartment unit” is hereby renumbered to Section 10-6.3602.15.

**Section 197:** Section 10-6.3602.11 of Article 36, of Chapter 6, of Title 10, defining “Apartment house” is hereby renumbered to Section 10-6.3602.14.

**Section 198:** Section 10-6.3602.10 of Article 36, of Chapter 6, of Title 10, defining “Animal hospital” is hereby renumbered to Section 10-6.3602.13.

**Section 199:** Section 10-6.3602.9 of Article 36, of Chapter 6, of Title 10, defining “Alley” is hereby renumbered to Section 10-6.3602.12.

**Section 200:** Section 10-6.3602.8 of Article 36, of Chapter 6, of Title 10, defining “Airport” is hereby renumbered to Section 10-6.3602.11.

**Section 201:** Section 10-6.3602.10 of Article 36, of Chapter 6, of Title 10, defining “Agritourism Property” is hereby added as follows:

Agritourism Property.

“Agritourism Property” means one or more contiguous parcels under common ownership or lease upon which an Agritourism activity operated by the owner or lessee occurs as an accessory use incidental to the primary use of agricultural production.

**Section 202:** Section 10-6.3602.9 of Article 36, of Chapter 6, of Title 10, defining “Agritourism Farmstay” is hereby added as follows:

Agricultural Farmstay.

“Agricultural Farmstay” means a transient lodging accommodation, with no more than 20 guests, provided it is accessory to the primary use of agricultural production, and

is located on an agritourism property with a minimum size of 80 acres that contains a legal residential dwelling occupied by the owner or operate. Agricultural Farmstays may be permitted in dwellings, tent units, recreational vehicles, or similar structures. Agricultural Farmstays shall comply with the requirements set forth in Health and Safety Code section 113893, as amended from time to time. The Agricultural Farmstay owner shall maintain a Transient Occupancy Tax registration certificate and remain current on all required reports and payments.

**Section 203:** Section 10-6.3602.8 of Article 36, of Chapter 6, of Title 10, defining “Agritourism; Level I and Level II” is hereby added as follows:

Agritourism; Level I and Level II.

- A. "Agritourism" is an event or activity that brings visitors to a working farm or ranch as a guest for the purpose of enjoyment, education, or other active participation in the activities of the farm. A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more. Agritourism activities shall not interfere with the primary use of agricultural production and are only permitted as accessory uses. Agritourism shall not include concerts or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch.
- B. “Level I Agritourism” is Agritourism on Agritourism Property ten (10) acres or larger that is limited to twenty (20) single-day Agritourism events per year with no more than thirty (30) guests per event. Examples of such single-day events include farm tours, ranch or farm sponsored hospitality dinners, compensatory classes and/or demonstrations, farm-focused corporate events and similar activities that relate to the promotion of the primary use as a working farm or ranch.
- C. “Level II Agritourism” is Agritourism on Agritourism Property ten (10) acres or larger that is in compliance with the Siskiyou County Agricultural Tourism Performance Standards and involves any of the following:
  - (1) Single-day Agritourism events in excess of thirty (30) guests but no more than 150 guests, limited to seven (7) events per year; and
  - (2) Agricultural Farmstays, subject to an 80-acre minimum Agritourism Property size; and
  - (3) All other Agritourism events when activities would be within 1,000 feet of any adjacent permitted residence, not including onsite sales, U-pick sales, farm tours, or FFA/educational activities.

**Section 204:** Section 10-6.4802, of Article 48, of Chapter 6, of Title 10, entitled “Uses permitted” is hereby amended and reads as follows:

Uses permitted.

The following uses shall be permitted in the R-R District:

- (a) One single-family dwelling;
- (b) Small acreage farming, except commercial dairies, commercial kennels, commercial rabbit, fox, goat, horse, and hog farms, commercial chicken or poultry ranches, riding stables, rodeos, or commercial horse rentals;
- (c) Accessory uses and buildings normally incidental to single-family dwellings or small farming. Accessory farming uses include onsite sales, roadside stands, U-pick sales, farm tours, and FFA/educational activities;
- (d) Crop and tree farming;
- (e) One mobile home per building site in lieu of a single-family dwelling;
- (f) One guesthouse;
- (g) Greenhouses;
- (h) One residential storage building, subject to the regulations as set forth in Section 10-6.1516 of the General Provisions;
- (i) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code;
- (j) Amateur radio antennas. When used for private, noncommercial purposes, amateur radio antennas may be permitted in the R-R District. Height limitations may be exceeded by adding one foot yard setback for every foot of height in excess of those permitted by the zoning ordinance; and
- (k) Group care facilities for six (6) or fewer individuals.
- (l) Level I Agritourism.

**Section 205:** Section 10-6.4802.5, of Chapter 6, of Title 10, entitled “Administrative permit uses permitted.” is hereby amended to read as follows:

Administrative permit uses permitted.

- (a) Subject to obtaining an Administrative Use Permit from the Planning Director, the following uses shall be permitted in the R-R District:
  - (1) Level II Agritourism.
- (b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards. Level II Agritourism that do not meet all Agricultural Tourism Performance Standards requirements shall require Conditional Use Permit approval. Administrative Permits shall be subject to site-specific conditions, as required by the Planning Director. The Planning Director shall deny an application for an Administrative Use Permit if,

in his or her judgment, the primary use of the subject property is not agricultural production or the Level II Agritourism activity or event is not accessory and incidental to the primary agricultural production use of the subject property.

- (1) The primary use of the subject property is agricultural production and meets the definition of Agritourism Property. Level II Agritourism events and activities shall not interfere with the primary use of the property.
- (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires development or site improvements to facilitate the use, then the improvements including site disturbance, permanent or temporary structures, shall occur on no more than five percent of the proposed Agritourism Property's total acreage or one acre, whichever is the lesser.
- (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a Conditional Use Permit shall be required.
- (4) When proposed Agritourism activities will take place within one thousand feet of a permitted residence on neighboring property, outdoor Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.
- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
- (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
- (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
- (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.
- (9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per 25 visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.

- (10) When barns and outbuildings are to be removed or substantially rehabilitated to accommodate agritourism activities, a qualified biologist shall conduct a roost assessment survey of the structure(s) to be removed or substantially rehabilitated. The survey shall occur no more than 14 days prior to demolition or substantial rehabilitation of the structure(s). If the biologist finds no evidence of or potential to support bat roosting, no further measures are required. If evidence of bat roosting is present, the measures described below shall be implemented:
- (a) When demolition or substantial rehabilitation is planned during August 1 through February 28 (outside the bat maternity roosting season), a qualified biologist shall implement passive exclusion measures to prevent bats from re-entering the structure(s). Demolition or substantial rehabilitation may continue after a follow-up survey confirms that bats are no longer present.
  - (b) When demolition or substantial rehabilitation is planned during the maternity roosting season (March 1 through August 31), disturbance to the structure(s) shall be avoided until the maternity roosting season has ended and a qualified biologist has determined the roost has been vacated.
- (11) No land disturbance for agritourism improvements is permitted within 150 feet of the top of bank of any perennial waterbody or within 50 feet of the centerline of seasonal streams and wetlands.
- (12) If, during ground disturbance for agritourism improvements, paleontological resources (e.g., fossils) are discovered, all work shall cease in the area of the find, the Siskiyou County Community Development Department – Planning Division shall be immediately notified, and a qualified paleontologist shall be retained to determine the significance of the discovery. The County shall consider the mitigation recommendations presented by a professional paleontologist and implement any measure or measures that the County deems feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.
- (13) All soils disturbed during construction of agritourism improvements shall be revegetated upon completion of construction and/or ground disturbing activities. If construction activities are suspended for six (6) or more months, disturbed soils shall be revegetated until construction activities resume. Upon completion of construction activities, soils shall be revegetated within six (6) months.

- (14) Use of heavy equipment, blasting equipment, compressors, and other noise and ground-borne vibration generating equipment associated with agritourism improvements is prohibited on Sundays and federal holidays and are limited to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday, and between 8:00 a.m. and 6:00 p.m. on Saturdays.
- (15) An Agricultural Farmstay use or activity shall meet all of the following requirements:
  - (i) The Farmstay operation shall be located on an Agritourism Property with an 80-acre minimum parcel size and containing a legal residential dwelling occupied by the owner or operator;
  - (ii) Farmstays are limited to no more than 20 guests;
  - (iii) Any development required to facilitate the Farmstay shall obtain all applicable permit approvals;
  - (iv) The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith; and
  - (v) The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.
- (a) Notice to all property owners within 300 feet of the parcel upon which the proposed Administrative Use Permit is requested shall be provided, along with proposed conditions and rights of appeal.
- (b) Planning Director's actions on Administrative Use Permits shall be subject to the same appeal and revocation procedures as use permits generally, as set forth in Section 10-6.1402 through 10-6.1405 of this Code.

**Section 206:** Section 10-6.4803, of Chapter 6, of Title 10, entitled "Conditional uses permitted" is hereby amended to read as follows:

Conditional uses permitted.

Subject to obtaining a use permit, the following uses shall be permitted in the R-R District:

- (a) Churches, schools, parks, playgrounds, and public utility and public buildings and uses;
- (b) Within a building the following commercial agricultural uses: raising of fur-bearing animals and poultry;
- (c) Home occupations;
- (d) Heavy equipment and vehicle parking, subject to the following limitations:



- (1) The equipment is resident-owned and operated,
  - (2) Equipment does not include materials, parts, or supplies not incidental to the equipment,
  - (3) The equipment storage area is limited to twenty-five (25%) percent of the ownership, or one-quarter acre, whichever is less,
  - (4) Access shall be sufficient to carry the equipment without sustaining undue damage. Permits issued under this section may require that only unloaded equipment be parked,
  - (5) Aesthetic screening shall be provided acceptable to the Planning Commission, enclosing the proposed equipment area as needed,
  - (6) All health and safety approvals must be received;
- (e) The Planning Director is hereby authorized to waive Planning Department filing fees for uses allowed in subsection (d) of this section in the following situations:
- (1) The continuous use existed prior to February 27, 1986 (effective date of the County's revised zoning ordinance),
  - (2) The continuous use was established while the property was zoned A-1 Unclassified;
- (f) Family day care facilities; and
- (g) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code.
- (h) Agritourism events that exceed 150 guests limited to no more than three events per year, and any Level II Agritourism event that does not meet all Agricultural Tourism Performance Standards.

**Section 207:** Section 10-6.4902, of Chapter 6, of Title 10, entitled "Uses Permitted" is hereby amended to add a subsection (h) to read as follows:

The following uses shall be permitted in the AG-2 District:

- (a) Farm labor housing;
- (b) Single-family dwellings or mobile homes in lieu thereof, incidental and necessary for agricultural pursuits;
- (c) Accessory uses incidental to agriculture including onsite sales, roadside stands, U-pick sales, farm tours, and FFA/educational activities;
- (d) Agricultural uses, including, but not limited to tree, vine, row, and field crops, growing and harvesting of trees, and livestock farming and animal husbandry, but not including dairies, commercial feed lots, or commercial poultry, and hog raising operations;
- (e) Wholesale nurseries with retail sales incidental thereto, greenhouses, fish farms, frog farms, and roadside stands for sales of agricultural products from the premises;

- (f) One guest house; and
- (g) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code.
- (h) Level I Agritourism.

**Section 208:** Section 10-6.4902.5, of Chapter 6, of Title 10, entitled “Administrative permit uses permitted” is hereby added to read as follows:

Administrative permit uses permitted.

- (a) Subject to obtaining an Administrative Use Permit from the Planning Director, the following uses shall be permitted in the AG-2 District:
  - (1) Level II Agritourism.
- (b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards. Level II Agritourism that do not meet all Agricultural Tourism Performance Standards requirements shall require Conditional Use Permit approval. Administrative Permits shall be subject to site-specific conditions, as required by the Planning Director. The Planning Director shall deny an application for an Administrative Use Permit if, in his or her judgment, the primary use of the subject property is not agricultural production or the Level II Agritourism activity or event is not accessory and incidental to the primary agricultural production use of the subject property.
  - (1) The primary use of the subject property is agricultural production and meets the definition of Agritourism Property. Level II Agritourism events and activities shall not interfere with the primary use of the property.
  - (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires development or site improvements to facilitate the use, then the improvements including site disturbance, permanent or temporary structures, shall occur on no more than five percent of the proposed Agritourism Property’s total acreage or one acre, whichever is the lesser.
  - (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.
  - (4) When proposed Agritourism activities will take place within one thousand feet of a residence on neighboring property, outdoor Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.

- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
  - (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
  - (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
  - (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.
  - (9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per one 25 visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.
  - (10) An Agricultural Farmstay use or activity shall meet all of the following additional requirements:
    - (i) The Farmstay operation shall be located on an Agritourism Property with an 80-acre minimum parcel size and containing a legal residential dwelling occupied by the owner or operator;
    - (ii) Farmstays are limited to no more than 20 guests;
    - (iii) Any development required to facilitate the Farmstay shall obtain all applicable permit approvals;
    - (iv) The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith; and
    - (v) The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.
- (c) Notice to all property owners within 300 feet of the parcel upon which the proposed Administrative Use Permit is requested shall be provided, along with proposed conditions and rights of appeal.

- (d) Planning Director's actions on Administrative Use Permits shall be subject to the same appeal and revocation procedures as use permits generally, as set forth in Section 10-6.1402 through 10-6.1405 of this Code.

**Section 209:** Section 10-6.4903, of Chapter 6, of Title 10, entitled "Conditional uses permitted" is hereby amended to add a subsection (k) to read as follows:

Subject to obtaining a use permit, the following uses shall be permitted in the AG-2 District:

- (a) Churches, schools, parks, playgrounds, and public utility and public and quasi-public buildings and uses to the extent such are necessary to serve the AG-2 District;
- (b) Private airports and landing fields;
- (c) Dairies, commercial poultry operations, commercial feed lots, and hog farms;
- (d) Golf courses;
- (e) Kennels and animal hospitals;
- (f) Guest ranches and public stables;
- (g) Agricultural enterprises, including, but not limited to agricultural sheds and warehouses; processing, storage, or sale of agricultural products and supplies; and the repair, storage, maintenance, and servicing of agricultural supplies and equipment;
- (h) Home occupations;
- (i) In addition to the uses listed above, the uses listed in Article 15, General Provisions, may also be permitted, subject to the issuance of a use permit; and
- (j) Continued operation of the Yreka Landfill, and any expansion or modification of municipal solid waste activities at the Yreka Landfill.
- (k) Agritourism events that exceed 150 guests limited to no more than three events per year, and any Level II Agritourism event that does not meet all Agricultural Tourism Performance Standards.

**Section 210:** Section 10-6.5002, of Chapter 6, of Title 10, entitled "Uses Permitted" is hereby amended to add a subsection (g) to read as follows:

Uses permitted.

The following uses shall be permitted in the AG1 District:

- (a) Single-family dwellings or mobile homes in lieu thereof, incidental and necessary for caretaker or agricultural pursuits;
- (b) Accessory uses incidental to agriculture including onsite sales, roadside stands, U-pick sales, farm tours, and FFA/educational activities;

- (c) Agricultural uses, including, but not limited to tree, vine, row, field crops, growing and harvesting of trees, livestock farming, and animal husbandry, but not including dairies, commercial feed lots, or commercial poultry or hog raising operations;
- (d) Farm labor housing;
- (e) Wholesale nurseries with retail sales incidental thereto, greenhouses, fish farms, frog farms, and roadside stands for seasonal sales of agricultural products from the premises; and
- (f) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code.
- (g) Level I Agritourism.

**Section 211:** Section 10-6.5002.5, of Chapter 6, of Title 10, entitled “Administrative permit uses permitted” is hereby added to read as follows:

Administrative permit uses permitted.

- (a) Subject to obtaining an Administrative Use Permit from the Planning Director, the following uses shall be permitted in the AG-2 District:
  - (1) Level II Agritourism.
  - (b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards. Level II Agritourism that do not meet all Agricultural Tourism Performance Standards requirements shall require Conditional Use Permit approval. Administrative Permits shall be subject to site-specific conditions, as required by the Planning Director. The Planning Director shall deny an application for an Administrative Use Permit if, in his or her judgment, the primary use of the subject property is not agricultural production or the Level II Agritourism activity or event is not accessory and incidental to the primary agricultural production use of the subject property.
    - (1) The primary use of the subject property is agricultural production and meets the definition of Agritourism Property. Level II Agritourism events and activities shall not interfere with the primary use of the property.
    - (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires development or site improvements to facilitate the use, then the improvements including site disturbance, permanent or temporary structures, shall occur on no more than five percent of the

proposed Agritourism Property's total acreage or one acre, whichever is the less.

- (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.
- (4) When proposed Agritourism activities will take place within one thousand feet of a residence on neighboring property, outdoor Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.
- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
- (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
- (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
- (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.
- (9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per one 25 visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.
- (10) An Agricultural Farmstay use or activity shall meet all of the following additional requirements:
  - (i) The Farmstay operation shall be located on an Agritourism Property with an 80-acre minimum parcel size and containing a legal residential dwelling occupied by the owner or operator;
  - (ii) Farmstays are limited to no more than 20 guests;
  - (iii) Any development required to facilitate the Farmstay shall obtain all applicable permit approvals;

- (iv) The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith; and
  - (v) The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.
- (c) Notice to all property owners within 300 feet of the parcel upon which the proposed Administrative Use Permit is requested shall be provided, along with proposed conditions and rights of appeal.
  - (e) Planning Director's actions on Administrative Use Permits shall be subject to the same appeal and revocation procedures as use permits generally, as set forth in Section 10-6.1402 through 10-6.1405 of this Code.

**Section 212:** Section 10-6.5003, of Chapter 6, of Title 10, entitled "Conditional uses permitted" is hereby amended to add a subsection (g) to read as follows:

Conditional uses permitted.

Subject to obtaining a use permit, the following uses shall be permitted in the AG-1 District:

- (a) Private airports and landing fields;
- (b) Dairies, commercial poultry operations, feed lots, and hog farms;
- (c) Public utility buildings;
- (d) Home occupations;
- (e) In addition to the uses listed above, the uses listed in Article 15, General Provisions, may also be permitted, subject to the issuance of a use permit; and
- (f) Continued operation of the Yreka Landfill, and any expansion or modification of municipal solid waste activities at the Yreka Landfill.
- (g) Agritourism events that exceed 150 guests limited to no more than three events per year, and any Level II Agritourism event that does not meet all Agricultural Tourism Performance Standards.

**Section 213:** Article 16, of Chapter 6, of Title 10, entitled "Application Fees" is hereby amended at subsection (d) of the application fee chart to add the clarifying words "Administrative Permits" to read as follows:

|     |  |  |          |          |          |          |  |
|-----|--|--|----------|----------|----------|----------|--|
| (d) | Use Permits / Administrative Permits       |  |          |          |          |          |  |
|     | Home Occupation Permit, Telephone Use Only |  | \$-      | \$-      | \$-      | \$-      |  |
|     | Home Occupation Permit, Non-Exempt         |  | \$250.00 | \$250.00 | \$250.00 | \$250.00 |  |
|     | Ministerially Second Unit                  |  | \$100.00 | \$100.00 | \$100.00 | \$100.00 |  |
|     | Staff Approved                             |  | \$300    | \$300    | \$375.00 | \$525.00 |  |
|     | Planning Commission Approved               |  | \$950.00 | \$950.00 | \$950.00 | \$950.00 |  |

**Section 214:** Constitutionality: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

**Section 215:** This ordinance shall become effective 30 days after its passage and shall, within 15 days of adoption, be published once in a newspaper of general circulation, printed and published in the County of Siskiyou.

Passed and Adopted this \_\_\_\_\_ day of September 2020, at a regular meeting of the Board of the County of Siskiyou, by the following vote:

Ayes:

Noes:



Absent:

Abstain:

---

Michael N. Kobseff, Chair  
Board of Supervisors

Attest:  
Laura Bynum, Clerk  
Board of Supervisors

By: \_\_\_\_\_  
Deputy

**Agritourism Zoning Text Amendment  
(Z-17-03)  
Draft Initial Study/Mitigated Negative Declaration**

**County of Siskiyou**  
806 S. Main Street  
Yreka, CA 96097



June 2020

# **Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study / Mitigated Negative Declaration**

This document has been formatted to be accessible for screen readers and individuals with impaired vision; however, if there are elements in this document that you are unable to read, please contact the Siskiyou County Planning Department at (530) 841-2100.

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## **1.0 Introduction**

## 1.0 Introduction

### 1.1 Introduction and Regulatory Guidance

This document is an Initial Study, with supporting environmental studies, which concludes that a Mitigated Negative Declaration is the appropriate CEQA document for the Agritourism Zoning Text Amendment (Z-17-03). This Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., and the State CEQA Guidelines, California Code of Regulations Section 15000 et seq.

An initial study is conducted by a lead agency to determine if a project may have a significant effect on the environment. In accordance with CEQA Guidelines Section 15063, an environmental impact report (EIR) must be prepared if an initial study indicates that the proposed project under review may have a potentially significant impact on the environment that cannot be initially avoided or mitigated to a level that is less than significant. A negative declaration may be prepared if the lead agency also prepares a written statement describing the reasons why the proposed project would not have a significant effect on the environment and therefore why it does not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a negative declaration shall be prepared for a project subject to CEQA when either:

- a) *The initial study shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or*
- b) *The initial study identifies potentially significant effects, but:*
  - (1) *Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed negative declaration is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and*
  - (2) *There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.*

If revisions are adopted in the proposed project in accordance with CEQA Guidelines Section 15070(b), including the adoption of mitigation measures included in this document, a Mitigated Negative Declaration is prepared.



## 1.2 Lead Agency

The lead agency is the public agency with primary responsibility over a proposed project. Where two or more public agencies will be involved with a project, CEQA Guidelines Section 15051 provides criteria for identifying the lead agency. In accordance with CEQA Guidelines Section 15051(b)(1), “The lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose.” Based on the criteria above, the County of Siskiyou (County) is the lead agency for the proposed Agritourism Zoning Text Amendment (Z-17-03).

## 1.3 Purpose and Document Organization

The purpose of this Initial Study is to evaluate the potential environmental impacts of the proposed Agritourism Zoning Text Amendment (Z-17-03). This document is divided into the following sections:

**1.0 Introduction:** This section provides an introduction and describes the purpose and organization of the document.

**2.0 Project Information:** This section provides general information regarding the project, including the project title, lead agency and address, contact person, brief description of the project location, general plan land use designation, zoning district, identification of surrounding land uses, and identification of other public agencies whose review, approval, and/or permits may be required. Also listed in this section is a checklist of the environmental factors that are potentially affected by the project.

**3.0 Project Description:** This section provides a detailed description of the proposed project.

**4.0 Environmental Checklist:** This section describes the environmental setting and overview for each of the environmental subject areas, evaluates a range of impacts classified as “no impact,” “less than significant,” “less than significant with mitigation incorporated,” and “potentially significant” in response to the environmental checklist.

**5.0 References:** This section identifies documents, websites, people, and other sources consulted during the preparation of this Initial Study.

## 1.4 Evaluation of Environmental Impacts

Section 4.0, Environmental Checklist, is the analysis portion of this Initial Study. The section provides an evaluation of the potential environmental impacts of the project. There are nineteen environmental issue subsections within Section 4.0, including CEQA Mandatory Findings of Significance. The environmental issue subsections, numbered 1 through 21, consist of the following:

- |                                       |  |
|---------------------------------------|--|
| 1. Aesthetics                         | 11. Land Use and Planning              |
| 2. Agriculture and Forestry Resources | 12. Mineral Resources                  |
| 3. Air Quality                        | 13. Noise                              |
| 4. Biological Resources               | 14. Population and Housing             |
| 5. Cultural Resources                 | 15. Public Services                    |
| 6. Energy                             | 16. Recreation                         |
| 7. Geology and Soils                  | 17. Transportation                     |
| 8. Greenhouse Gas Emissions           | 18. Tribal Cultural Resources          |
| 9. Hazards and Hazardous Materials    | 19. Utilities and Service Systems      |
| 10. Hydrology and Water Quality       | 20. Wildfire                           |
|                                       | 21. Mandatory Findings of Significance |

Each environmental issue subsection is organized in the following manner:

The **Environmental Setting** summarizes the existing conditions at the regional, subregional, and local level, as appropriate, and identifies applicable plans and technical information for the particular issue area.

The **Checklist Discussion/Analysis** provides a detailed discussion of each of the environmental issue checklist questions. The level of significance for each topic is determined by considering the predicted magnitude of the impact. Four levels of impact significance are evaluated in this Initial Study:

**No Impact:** No project-related impact to the environment would occur with project development.

**Less Than Significant Impact:** The impact would not result in a substantial adverse change in the environment. This impact level does not require mitigation measures.

**Less Than Significant with Mitigation Incorporated:** An impact that may have a “substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project” (CEQA Guidelines Section 15382). However, the incorporation of mitigation measures that are specified after analysis would reduce the project-related impact to a less than significant level.

**Potentially Significant Impact:** An impact that is “potentially significant” but for which mitigation measures cannot be immediately suggested or the effectiveness of potential mitigation measures cannot be determined with certainty, because

more in-depth analysis of the issue and potential impact is needed. In such cases, an EIR is required.

## **2.0 Project Information**

## 2.0 Project Information

1. **Project title:** Agritourism Zoning Text Amendment (Z-17-03)
2. **Lead agency name and address:** Siskiyou County Community Development – Planning Division  
806 South Main Street  
Yreka, CA 96097
3. **Contact Person and phone number:** Kirk Skierski, Planning Director  
(530) 841-2100
4. **Project Location** The proposed project encompasses all parcels in the unincorporated area of Siskiyou County, California, 10 acres and larger, that are zoned Prime Agricultural (AG-1), Non-Prime Agricultural (AG-2), and/or Rural Residential Agricultural (R-R). 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.
5. **Project sponsor's name and address:** County of Siskiyou  
806 South Main Street  
Yreka, CA 96097
6. **General Plan designation:** Various
7. **Zoning:** Prime Agricultural (AG-1), Non-Prime Agricultural (AG-2), and Rural Residential Agricultural (R-R)

**8. Description of project:**

The project is a proposed zoning text amendment intended to both address the lack of specificity in the Code for uses traditionally interpreted by the Planning Director as “incidental to agriculture” and to facilitate the marketing and promotion of agricultural products grown and produced in Siskiyou County through onsite agritourism activities not yet contemplated by the Code. It would allow limited agritourism incidental to active agricultural operations on parcels 10 acres and larger that are zoned AG-1, AG-2, and/or R-R. To minimize, to the greatest extent practicable, off-site impacts associated with agritourism-related activities, the zoning text amendment would differentiate between generally permissible, less intensive “Level I Agritourism” and more intensive “Level II Agritourism” and would subject “Level II Agritourism” to Agritourism Performance Standards and approval of an administrative use permit or a conditional use permit depending upon the intensity of use.

**9. Surrounding land uses and setting:** Various

**10. Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement):**

There are no other public agencies whose approval would be required.

**11. Environmental factors potentially affected:**

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist on the following pages.

- |  |   |                                      |
|--|---|--------------------------------------|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources      | <input type="checkbox"/> Energy      |

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Geology and Soils  | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and Hazardous Materials               |
| <input type="checkbox"/> Hydrology and Water Quality   | <input type="checkbox"/> Land Use and Planning    | <input type="checkbox"/> Mineral Resources                             |
| <input checked="" type="checkbox"/> Noise              | <input type="checkbox"/> Population and Housing   | <input type="checkbox"/> Public Services                               |
| <input type="checkbox"/> Recreation                    | <input type="checkbox"/> Transportation           | <input type="checkbox"/> Tribal Cultural Resources                     |
| <input type="checkbox"/> Utilities and Service Systems | <input type="checkbox"/> Wildfire                 | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

**12. Determination:** (To be completed by the lead agency)

On the basis of this initial evaluation:

- I find that the proposed project **could not** have a significant effect on the environment, and a **Negative Declaration** will be prepared.
- I find that although the proposed project **could** have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **Mitigated Negative Declaration** will be prepared.
- I find that the proposed project **may** have a significant effect on the environment, and an **Environmental Impact Report** is required.
- I find that the proposed project **may** have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **Environmental Impact Report** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project **could** have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **Negative Declaration** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **Negative Declaration**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature on file  
 Signature  
Kirk Skiersky  
 Printed Name  
Deputy Director of Planning  
 Title

June 29, 2020  
 Date  
County of Siskiyou  
 Lead Agency

## **3.0 Project Description**



## 3.0 Project Description

### 3.1 Project Location

The proposed project encompasses all parcels in the unincorporated area of Siskiyou County, California, 10 acres and larger, that are zoned Prime Agricultural (AG-1), Non-Prime Agricultural (AG-2), and/or Rural Residential Agricultural (R-R). At present, there are approximately 634 parcels that are 10 acres or larger with AG-1 zoning, 871 parcels that are 10 acres or larger with AG-2 zoning, and 953 parcels that are 10 acres or larger with R-R zoning. Combined these parcels include approximately 304,429 acres of AG-1, 984,944 acres of AG-2, and 3,441,952 acres of R-R for approximately 4,731,325 total acres. It is worth noting that this includes federal and state lands that were historically zoned agricultural by the County (AG-1, AG-2, and/or RR). Federal and state lands account for approximately 3,716,386 acres or 78% of the project area. The project area is roughly centered on Section 17 of Township 44 North, Range 7 West of the Mount Diablo Base & Meridian (see **Figures 3.0-1a, 3.0-1b, and 3.0-1c**).

### 3.2 Existing Conditions

According to the 2017 Siskiyou County Crop & Livestock Report, there were 1,153,246 acres in farms and ranches in 2017, which is equivalent to approximately 24 percent of the project area, excluding state and federal lands. Of those agricultural properties actively being utilized for agriculture, approximately 419,721 acres are currently subject to a Williamson Act contract (DOC 2016b).

Pursuant to the County's *Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts* (i.e., Williamson Act Guidelines), agritourism activities, as defined therein, are considered a compatible use of Williamson Act contracted lands, so long as the use is not the principal use, does not displace the agricultural production use, and occurs while there is an agricultural production use occurring within the agricultural preserve. Compatible agritourism activities under the County's Williamson Act Guidelines include "buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, "u-pick" sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural uses."

At present, "agritourism" is neither defined in the Siskiyou County Code nor is it expressly provided for in the County's agricultural zoning districts (i.e., AG-1, AG-2, and R-R). The County Code provides for certain specific agritourism-related uses, such as guest ranches, bed and breakfasts, and roadside farm stands. Traditionally, some agritourism uses, such as farm tours, educational events, pumpkin patches, etc., have been interpreted by County staff as being "incidental to agriculture" and therefore

allowed pursuant to County Code Sections 10-6.4802(c), 10-6.4902(c), and 10-6.5002(b). This means that some of the agriculture-related activities proposed to be allowed by this ordinance as “agritourism” are already occurring on developed and operating farms. This lack of specificity, however, has the potential to result in inconsistent interpretations and application of County Code.

### **3.3 Adjacent Land Uses**

Most properties zoned AG-1, AG-2, and/or R-R that are 10 acres and larger are located adjacent to parcels of similar size and zoning; however, these large agricultural properties are sometimes located adjacent to transportation corridors, state and federal lands, incorporated and unincorporated communities, and parcels zoned for other uses, such as residential, commercial, industrial, open space, and timber production.

### **3.4 Project Overview**

The proposed project is a zoning text amendment intended to both address the lack of specificity in the Code for uses traditionally interpreted by the Planning Director as “incidental to agriculture” and to facilitate the marketing and promotion of agricultural products grown and produced in Siskiyou County through onsite agritourism activities not yet contemplated by the Code. To that end, the project would amend Chapter 6, Title 10 of the Siskiyou County Code to permit limited agritourism as an accessory use to active agricultural operations on parcels 10 acres and larger that are zoned Prime Agricultural (AG-1), Non-Prime Agricultural (AG-2), and/or Rural Residential Agricultural (R-R) (see **Attachment A**).

As part of the project, agritourism would be defined as “the act of visiting a working farm or ranch as a guest for the purpose of enjoyment, education or other active participation in the activities of the farm. A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more. Agritourism shall not include concerts and or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch.”

Further, in an effort to minimize, to the greatest extent practicable, off-site impacts associated with agritourism-related activities, the proposed zoning text amendment would differentiate between generally permissible, less intensive “Level I Agritourism” and more intensive “Level II Agritourism” as follows:

“Level I Agritourism” is Agritourism on Agritourism Property ten (10) acres or larger that is limited to twenty single-day Agritourism events per year with no more than thirty (30) guests per event. Examples of such single-day events include farm tours, ranch or farm-sponsored hospitality diners, compensatory classes and/or demonstrations, farm-focused corporate events and similar activities that relate to the promotion of the primary use as a working farm or ranch.

“Level II Agritourism” is Agritourism on Agritourism Property ten (10) acres or larger that involves any of the following:

1. Single-day Agritourism events in excess of thirty (30) guests but no more than 150 guests, limited to seven (7) events per year;
2. Agricultural Farmstays, subject to an 80-acre minimum Agritourism Property size; and
3. All other Agritourism events when activities would be within 1,000 feet of any adjacent permitted residence, not including onsite sales, U-pick sales, farm tours, or FFA/educational activities.

Level II Agritourism is subject to Siskiyou’s County Agricultural Tourism Performance Standards.

The proposed zoning text amendment would also require that Level II Agritourism be subject to approval of either an administrative use permit or a conditional use permit depending upon the intensity of the use, as well as the specific Agricultural Tourism Performance Standards. Provided a farm or ranch located on property meeting the zoning and acreage requirements complies with Level I Agritourism definitions and criteria, it would be permitted to do so, while a farm or ranch proposing to engage in Level II Agritourism would only be allowed to do so if findings can be made to support the approval of an administrative use permit or conditional use permit. Furthermore, because conditional use permits are discretionary approvals, any agritourism-related activities triggering a conditional use permit would be subject to project-specific, location-specific environmental review per the California Environmental Quality Act.

The Agricultural Tourism Performance Standards noted above that would need to be met in order to obtain an administrative use permit for Level II Agritourism are as follows:

- (1) The primary use of the subject property is agricultural production and meets the definition of Agritourism Property, Level II Agritourism events and activities shall not interfere with the primary use of the property.
- (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit development or site improvements to facilitate the use then the improvements, including site disturbance, permanent or temporary structures, shall occur no more than five percent of the proposed Agritourism Property’s total acreage or one acre, whichever is the lesser.
- (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.

- (4) When proposed Agritourism activities will take place within 1,000 feet of a residence on neighboring property, outdoor Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.
- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
- (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
- (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
- (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.
- (9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per twenty-five (25) visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.
- (10) When barns and outbuildings are to be removed or substantially rehabilitated to accommodate agritourism activities, a qualified biologist knowledgeable in the ecology of local bat species shall conduct a roost assessment survey of the structure(s) to be removed or substantially rehabilitated. The survey shall occur no more than 14 days prior to demolition or substantial rehabilitation of the structure(s). If the biologist finds no evidence of or potential to support bat roosting, no further measures are required. If evidence of bat roosting is present, the measure described below shall be implemented:
  - a. When demolition or substantial rehabilitation is planned during August 1 through February 28 (outside the bat maternity roosting season), a qualified biologist shall implement passive exclusion measures to prevent bats from re-entering the structure(s). Demolition or substantial rehabilitation may continue after a follow-up survey confirms that bats are no longer present.
  - b. When demolition or substantial rehabilitation is planned during the maternity roosting season (March 1 through August 31), disturbance to the structure(s) shall be avoided until the maternity roosting season has

ended and a qualified biologist has determined the roost has been vacated.

- (11) No land disturbance for agritourism improvements is permitted within 150 feet of the top bank of any perennial waterbody or within 50 feet of the centerline of seasonal streams and wetlands.
- (12) If, during ground disturbance for agritourism improvements, paleontological resources (e.g. fossils) are discovered, all work shall cease in the area of the find, the Siskiyou County Community Development Department - Planning Division shall be immediately notified, and a qualified paleontologist shall be retained to determine the significance of the discovery. The County shall consider the mitigation recommendations presented by a professional paleontologist and implement any measure or measures that the County deems feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.
- (13) All soils disturbed during construction of agritourism improvements shall be revegetated upon completion of construction and/or ground disturbing activities. If construction activities are suspended for six (6) or more months, disturbed soils shall be relegated until construction activities resume. Upon completion of construction activities, soils shall be revegetated within six (6) months.
- (14) Use of heavy equipment, blasting equipment, compressors, and other noise and ground-borne vibration generating equipment associated with agritourism improvements is prohibited on Sundays and federal holidays and are limited to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday, and between 8:00 a.m. and 6:00 p.m. on Saturdays.
- (15) A Farmstay use or activity shall meet all of the following additional requirements:
  - i. The Farmstay operation shall be located on an Agritourism Property with an 80-acre minimum parcel size and containing a legal residential dwelling occupied by the owner or operator;
  - ii. Farmstays are limited to no more than 20 guests;
  - iii. Any development required to facilitate the Farmstay shall obtain all applicable permit approvals;
  - iv. The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith;
  - v. The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.

According to the proposed zoning text amendment, agritourism activities that exceed 150 guests but no more than 300 guests, limited to three events per year, or any Level II Agritourism event that does not meet all Agricultural Tourism Performance Standards, would be subject to approval of a conditional use permit. Again, because the approval of a conditional use permit is a discretionary action, these activities would be subject to site-specific and project-specific environmental review.

In addition to the previously noted definitions, the project would add the following definitions to Title 10, Chapter 6, Article 36 of the Siskiyou County Code:

### **Agricultural Farmstay**

“Agricultural Farmstay” means a transient lodging accommodation, with no more than 20 guests, provided it is accessory to the primary use of agricultural production, and is located on an agritourism property with a minimum size of 80 acres that contains a legal residential dwelling occupied by the owner or operator. Agricultural Farmstays may be permitted in dwellings, tent units, recreational vehicles, or similar structures. Agricultural Farmstays shall comply with the requirements set forth in Health and Safety Code section 113893 as amended from time to time. The Agricultural Farmstay owner shall maintain a Transient Occupancy Tax registration certificate and remain current on all required reports and payments.

### **Agritourism Property**

“Agritourism Property” means one or more contiguous parcels that are under common ownership or lease and upon which an Agritourism activity operated by the owner or lessee occurs as an accessory use incidental to the primary use of agricultural production.

## **3.5 Project Approvals**

The County of Siskiyou is the Lead Agency for this project. No permits or approvals are required from any other agency; however, as discussed below, should the project eventually generate a request for an administrative permit or conditional permit for property adjacent to a public airport, that permit would potentially be subject to review and approval by the Siskiyou County Airport Land Use Commission.

## **3.6 Relationship of Project to Other Plans**

### **Siskiyou County General Plan**

The proposed project would be located entirely within the unincorporated area of Siskiyou County. The Siskiyou County General Plan is the principal document governing land use development in the unincorporated area of the county. The General Plan includes numerous goals and policies pertaining to land use, circulation, noise, open space, scenic highways, seismic safety, safety, conservation, energy, and geothermal. The proposed zoning text amendment will need to be consistent with all applicable goals and policies included in the County’s adopted General Plan.

### **Scott Valley Area Plan**

There are numerous properties in the Scott Valley that are 10 acres or larger and that have agricultural zoning. As a result, the proposed zoning text amendment would also need to be consistent with the goals, policies, and programs of the Scott Valley Area Plan. The Scott Valley Area Plan was prepared as a grass roots effort to manage growth and protect the natural resources of the Scott Valley watershed and was adopted in June 1978.

### **Siskiyou County Airport Land Use Compatibility Plan**

Any application for an administrative use permit or conditional use permit within the area of influence of a public airport in Siskiyou County is subject to compliance with the Siskiyou County Airport Land Use Compatibility Plan (ALUCP) and review by the Airport Land Use Commission (ALUC). The basic function of the ALUCP is to promote compatibility between the airports in Siskiyou County and the land uses that surround them. To do so, the ALUCP establishes land use designations, or compatibility zones, surrounding Siskiyou County airports to: 1) minimize public exposure to excessive noise and safety hazards, and 2) allow for future airport expansion. Further, until such time as (1) the ALUC finds that a local agency's general plan or specific plan is consistent with the ALUCP, or (2) the local agency has overruled the ALUC's determination of inconsistency, state law requires that local agencies refer all actions, regulations, and permits involving land within an airport influence area to the ALUC for review (State Aeronautics Act Section 21676.5(a)). Only those actions which the ALUC elects not to review are exempt from this requirement (Shutt-Moen 2001).

### **Basin Plans for the North Coast and Central Valley Regional Water Quality Control Boards**

Most of Siskiyou County is located within the Klamath River Basin to the north and west, with a smaller portion of the County to the south and east located in the Sacramento River Basin. As a result, most of the County falls within the jurisdiction of the North Coast Regional Water Quality Control Board (North Coast RWQCB) and a smaller portion of the County is under the authority of the Central Valley Regional Water Quality Control Board (Central Valley RWQCB).

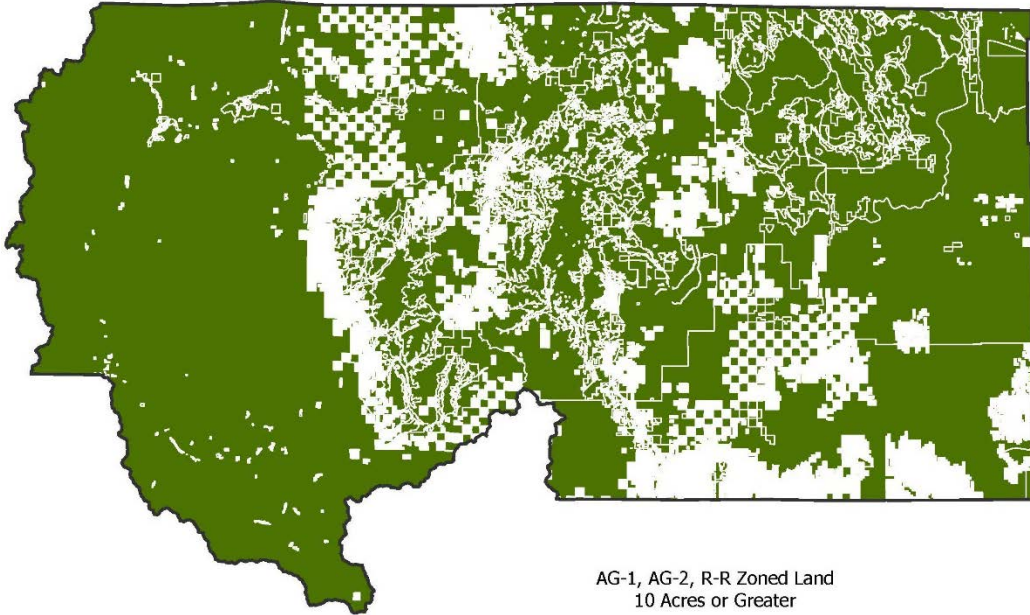
One of the duties of each RWQCB is the development of a "basin plan" for the hydrologic area over which it has jurisdiction. Each region's basin plan sets forth water quality objectives for the region's surface water and groundwater and describe implementation programs to achieve those objectives. These basin plans also provide the foundation for regulations and enforcement actions of the North Coast and Central Valley RWQCBs.

The North Coast and Central Valley RWQCBs most recently updated their respective basin plans in June 2018 and May 2018, respectively. These basin plans define existing and potential beneficial uses of surface water and groundwater in the Klamath River Basin (North Coast RWQCB 2018) and the Sacramento and San Joaquin River Basins

(Central Valley RWQCB 2018) and set forth water quality objectives for these waters. Furthermore, the North Coast RWQCB has established Total Maximum Daily Loads (TMDL) for the Scott River and Shasta River to ensure agricultural operations within the watersheds are managed in a way that minimize, control, and prevent the discharge of sediment, solar radiation to surface water and nutrients to ground water to achieve water quality standards. The TMDL waivers for the Scott and Shasta rivers provide specific conditions that owners and managers of agricultural operations must implement to comply with the associated TMDL Action Plan. The North Coast RWQCB Orders R1-2018-0018 and R1-2018-0019 (Scott River Waiver and Shasta River Waiver) would directly apply to all potential operations within the associated Action Plan area that would be conducting activities under the proposed Project. Any agritourism use or activity that requires approval of a discretionary permit (Administrative Use Permit or Conditional Use Permit) would be reviewed by the applicable RWQCB and would be required to show compliance with any applicable TMDL Action Plan.

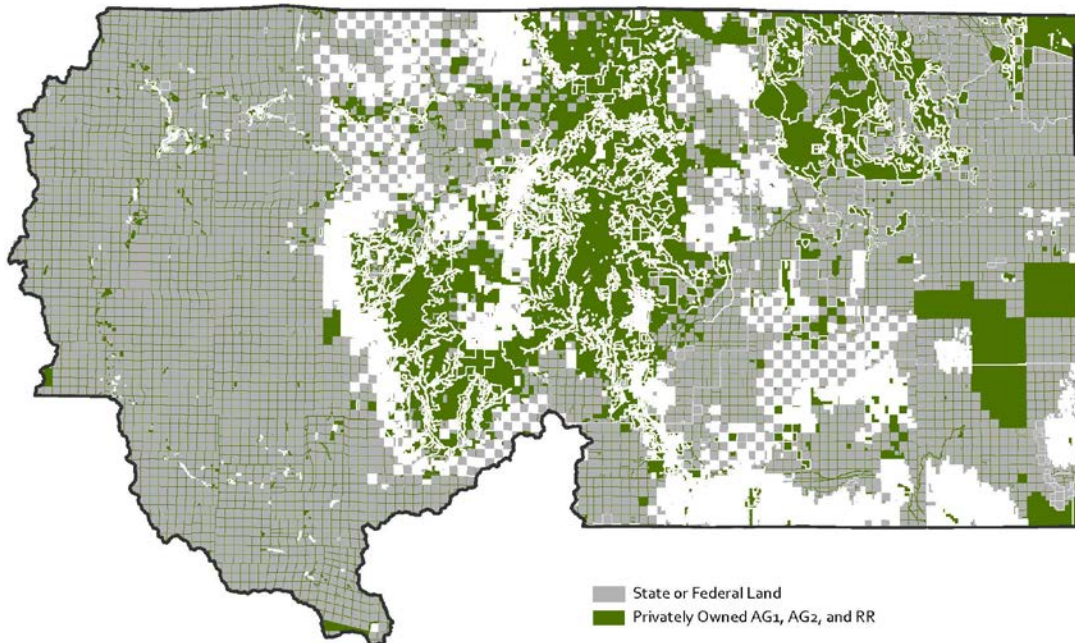


Siskiyou County



**Figure 3.0-1(a)**  
**Project Location**

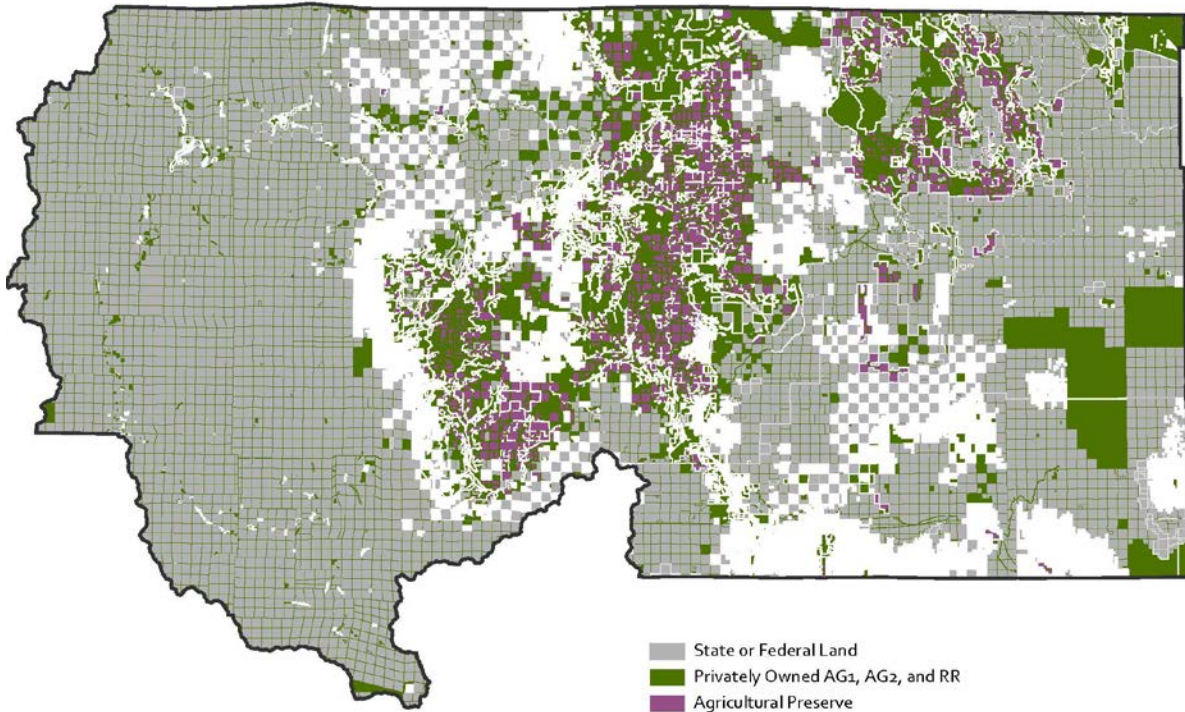
Siskiyou County



**Project 3.0-1(b)**  
**Project Location**

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Siskiyou County



**Figure 3.0-1(c)**  
**Project Location**

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## **4.0 Environmental Checklist**

## 4.0 Environmental Checklist

### 4.1 Aesthetics

| Would the project:  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| a) Have a substantial adverse effect on a scenic vista?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

#### Setting:

The aesthetic character of unincorporated Siskiyou County varies with location, but in general it can be described as natural, rural, agricultural, and historic. The county has abundant scenic natural resources including streams, lakes, mountains, hills, valleys, meadows, forests, grasslands, and wildlife. Agricultural fields, pastures, and open spaces are abundant in and around the Scott, Shasta, and Butte valleys and offer sweeping views framed by mountain backdrops. Historic features within the County include mine workings, flumes, ditches, cemeteries, churches, bridges, homes, barns, and commercial structures more than 50 years old. Sites with cultural importance to Native American tribes also contribute to the County's aesthetic character.

Within Siskiyou County, there are no state scenic highways; however, stretches of Interstate 5 (I-5), State Route 3 (SR 3), State Route 89 (SR 89), State Route 96 (SR 96), State Route 97 (SR 97), State Route 139 (SR 139), and State Route 161 (SR 161) are eligible for inclusion in the State's Scenic Highway program and for designation as State Scenic Highways (Caltrans 2018). In addition, the Scenic Highways Element of the Siskiyou County General Plan identifies a stretch of I-5 as a scenic freeway and portions of SR 3, SR 89, SR 96, SR 97, SR 139, SR 161, and State Route 263 (SR 263) as scenic highways (Siskiyou County 1974).

## Discussion of Impacts:

4.1(a)-4.1(d): *Less Than Significant Impact.* The proposed project is a zoning text amendment intended to both address the lack of specificity in the Code for uses traditionally interpreted by the Planning Director as “incidental to agriculture” and to facilitate the promotion and marketing of Siskiyou County agricultural products by permitting other limited agritourism as an accessory use to active agricultural operations on agriculturally zoned parcels (i.e., AG-1, AG-2, and R-R) at least 10 acres in size. Because agritourism would be incidental to active agricultural operations and because approximately 71% of the project area is presently in farms and ranches, it is anticipated that most agritourism-related activities resulting from the proposed zoning text amendment would occur on preexisting farms and ranches with currently active agricultural operations.

From an aesthetic perspective, the County's agricultural zones are typically in areas that provide significant aesthetic value to the County, in part due to the agricultural activity occurring there. The uses included in the proposed zoning text amendment would be integrally tied to and completely dependent upon the agricultural activities occurring at a given site. As such, it is anticipated that most structures and/or development resulting from the project would be consistent with the existing agricultural character of the sites and their surroundings. In general, however, agricultural operations are more likely to utilize existing structures, such as farm houses and/or repurposed barns, than they are to invest in new structures to support incidental agritourism. Furthermore, pursuant to the County's Williamson Act guidelines (see **Attachment B**), agritourism cannot displace agricultural production on properties subject to a Williamson Act contract and guest lodging is confined to those dwellings developed prior to execution of the contract. Regardless, even on lands not subject to a Williamson Act contract, it is unlikely that many agricultural operations would choose to sacrifice productive land for agritourism improvements. As a result, potential impacts to Siskiyou County's aesthetic resources, including adjacent to scenic highways, are considered less than significant.

While agritourism could result in additional nighttime lighting in areas of relatively little light pollution, all outdoor lighting in the unincorporated area of Siskiyou County is subject to Section 10-6.5602 of the Siskiyou County Code, which requires that exposed sources of light, glare, or heat be shielded so as not to be directed outside the premises. In addition, the proposed zoning text amendment also includes lighting restrictions for Level II Agritourism (i.e., the only level of agritourism that would allow overnight guests) as follows:

“Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.”

Compliance with existing County Code Section 10-6.5602 as well as the proposed lighting restrictions for Level II Agritourism would ensure that potential light or glare impacts remain less than significant.

**Mitigation Measures:**

None required.



## 4.2 Agriculture and Forestry Resources:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997), prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resource Board.

| Would the Project:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

### Setting:

According to the California Department of Conservation, Farmland Mapping and Monitoring Program (FMMP), Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance are scattered throughout large portions of central and northeastern Siskiyou County (DOC 2016).

There are no important agricultural lands mapped in southeastern or western Siskiyou County. Generally, soils in these areas are better suited for timber production, and

Siskiyou County supports extensive commercial timber resources, the majority of which are under the jurisdiction of the Klamath National Forest, Shasta-Trinity National Forest, Six Rivers National Forest, Modoc National Forest, and Rogue-Siskiyou National Forest.

Within unincorporated Siskiyou County, there are approximately 437 parcels that are 10 acres or larger and zoned Prime Agricultural (AG-1), 596 parcels that are 10 acres or larger and zoned Non-Prime Agricultural (AG-2), and 701 parcels that are 10 acres or larger and zoned Rural Residential Agricultural (R-R). This equates to roughly 304,429 acres of AG-1, 984,944 acres of AG-2, and 344,194 acres of R-R, and a combined total of 1,633,567 acres.

According to the 2017 Siskiyou County Crop & Livestock Report, there were 1,153,246 acres in farms in 2017. Of these, approximately 419,721 acres or 36% are subject to a Williamson Act contract. The County General Plan recognizes the importance of agriculture to the County's economy, identifying prime agricultural land as a sensitive environmental resource. County policies encourage conservation of agricultural lands through minimum acreage requirements that deter conversion to more intensive uses.

Forest lands are defined under Public Resources Code (PRC) Section 12220(g) as “land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined under Public Resources Code Section 4526 as “land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce timber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis.”

## **Discussion of Impacts:**

4.2(a)-4.2(e): *Less Than Significant Impact.* As previously discussed, the project is intended to both address the lack of specificity in the Code for uses traditionally interpreted by the Planning Director as “incidental to agriculture” and to facilitate the marketing and promotion of Siskiyou County agricultural products by permitting other limited agritourism as an accessory use to active agricultural operations on agriculturally zoned parcels 10 acres and larger. Activities included in the proposed zoning text amendment include but are not limited to farm tours, educational activities, field days, and similar activities that relate to the promotion of the working farm or ranch. In addition, more intensive agritourism activities, such as activities with over 30 guests, activities within 1,000 feet of an adjacent residence, and farmstays would be allowed subject to approval of an administrative use permit or conditional use permit depending upon the intensity of the use.

While the proposed zoning text amendment would allow for up to a half-acre of farm, ranch, or other agricultural property to be improved for agritourism-related uses, the project is not expected to result in a significant loss of important farmland because agritourism-related activities would be incidental to and fully dependent upon the success of the working farm, ranch, or other agricultural operation. In other words, it is anticipated that most owners and operators of farms and ranches would continue to utilize the most productive land for agricultural purposes and to allocate lesser quality land for agritourism improvements. Furthermore, farms, ranches, and other agricultural properties already engage in agritourism-related uses, which include uses but not limited to pumpkin patches, farmstays/lodging accommodations, farm tours, FFA/educational activities, U-pick sales, etc. As shown from Siskiyou's baseline or current conditions for the agritourism-related uses existing throughout the county, a majority of agritourism-related uses do not require physical development of permanent structures because farms, ranches, and other agricultural properties utilize existing structures.

Agritourism uses included in the proposed zoning text amendment were evaluated by the County's Agritourism Technical Advisory Committee for consistency with County standards, which made the finding that "limited agritourism as an allowed agricultural accessory use will not change any standards necessary for the protection of agricultural lands nor is it intended to conflict with agricultural zoning or existing agricultural uses in Siskiyou County, the Siskiyou County General Plan or the Scott Valley Land Use Plan." In addition, the County's Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts (i.e., Williamson Act Guidelines) already expressly permit agritourism as a compatible use within agricultural preserves subject to specific limitations. Specifically, the Williamson Act Guidelines allow:

"Agritourism activities including buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, "u-pick" sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural uses" (Siskiyou County 2012).

As such, the project would not conflict with existing zoning for agricultural uses or supersede limitations established by the County's Williamson Act Guidelines. This is also due in part to the proposed zoning text amendment expressly excluding "concerts or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch."

Because the agritourism uses included in the proposed zoning text amendment are intended to be compatible with resource-based land uses, the proposed zoning text amendment would not conflict with any zoning for forestry-related uses, including the County's Timberland Production District (TPZ). Furthermore, because the project only

involves properties zoned and used for agriculture, the project would not result in the conversion of forest land to non-forest use nor would it involve other changes to the environment that would result in the conversion of farmland or forest land. For these reasons, the project would have a less than significant impact on agriculture and forestry resources.

**Mitigation Measures:**

None required.

### 4.3 Air Quality

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

| Would the project: |   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--------------------|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a)                 | Conflict with or obstruct implementation of the applicable air quality plan?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b)                 | Violate any air quality standard or contribute substantially to an existing or projected air quality violation?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c)                 | Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d)                 | Expose sensitive receptors to substantial pollutant concentrations?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e)                 | Create objectionable odors affecting a substantial number of people?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

#### Setting:

Along with Modoc and Lassen counties, Siskiyou County is located in a region known as the Northeast Plateau Air Basin (NEPAB). Regulatory oversight of the air basin is divided among local air districts responsible for implementing local and state air quality programs. The local air quality district with regulatory oversight of the project area is the Siskiyou County Air Pollution Control District (SCAPCD). Within the SCAPCD, the primary sources of air pollution are wildfires, managed burning and disposal, wood burning stoves, unpaved road dust, farming operations, and motor vehicles.

As noted above, the SCAPCD is the local air quality agency with jurisdiction over the project area. The SCAPCD adopts and enforces controls on stationary sources of air pollutants through its permit and inspection programs and regulates agricultural and non-agricultural burning. Other SCAPCD responsibilities include monitoring air quality, preparing air quality plans, and responding to citizen air quality complaints.

#### **Ambient Air Quality Standards**

Air quality standards are set at both the federal and state levels of government (**Table 4.3-1**). The federal Clean Air Act requires that the Environmental Protection Agency

(EPA) establish ambient air quality standards for six criteria air pollutants: ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, lead, and suspended particulate matter. The California Clean Air Act also sets ambient air quality standards. The state standards are more stringent than the federal standards, and they include other pollutants as well as those regulated by the federal standards. When concentrations of criteria pollutants are below the allowed standards for an area, that area is considered to be in attainment of the standards.

**Table 4.3-1  
Federal and State Ambient Air Quality Standards**

| <b>Pollutant</b>                          | <b>Averaging Time</b>        | <b>Federal Primary <sup>1</sup></b> | <b>Federal Secondary <sup>1</sup></b> | <b>California <sup>2</sup></b> |
|---|------------------------------|-------------------------------------|---------------------------------------|--------------------------------|
| Ozone                                     | 8 Hour                       | 0.07 ppm                            | 0.07 ppm                              | 0.07 ppm                       |
|   | 1 Hour                       | --                                  | --                                    | 0.09 ppm                       |
| Carbon Monoxide                           | 8 Hour                       | 9 ppm                               | --                                    | 9 ppm                          |
|   | 1 Hour                       | 35 ppm                              | --                                    | 20 ppm                         |
| Nitrogen Dioxide                          | Annual                       | 0.053 ppm                           | 0.053 ppm                             | 0.03 ppm                       |
|   | 1 Hour                       | 100 ppb                             | --                                    | 0.18 ppm                       |
| Sulfur Dioxide                            | Annual                       | 0.03 ppm                            | --                                    | --                             |
|   | 24 Hour                      | 0.14 ppm                            | --                                    | 0.04 ppm                       |
|   | 3 Hour                       | --                                  | 0.5 ppm                               | --                             |
|   | 1 Hour                       | 75 ppb                              | --                                    | 0.25 ppm                       |
| Fine Suspended Particulate Matter (PM2.5) | Annual                       | 12.0 µg/m <sup>3</sup>              | 15.0 µg/m <sup>3</sup>                | 12 µg/m <sup>3</sup>           |
|   | 24 Hour                      | 35.0 µg/m <sup>3</sup>              | 35.0 µg/m <sup>3</sup>                | --                             |
| Suspended Particulate Matter (PM10)       | Annual                       | --                                  | --                                    | 20 µg/m <sup>3</sup>           |
|   | 24 Hour                      | 150 µg/m <sup>3</sup>               | 150 µg/m <sup>3</sup>                 | 50 µg/m <sup>3</sup>           |
| Sulfates                                  | 24 Hour                      | --                                  | --                                    | 25 µg/m <sup>3</sup>           |
| Lead                                      | 30 Day                       | --                                  | --                                    | 1.5 µg/m <sup>3</sup>          |
|   | Calendar Qtr                 | 1.5 µg/m <sup>3</sup>               | 1.5 µg/m <sup>3</sup>                 | --                             |
| Hydrogen Sulfide                          | 1 Hour                       | --                                  | --                                    | 0.03 ppm                       |
| Vinyl Chloride                            | 24 Hour                      | --                                  | --                                    | 0.01 ppm                       |
| Visibility-Reducing Particles             | 8 Hour<br>(10 am - 6 pm PST) | --                                  | --                                    | ( <sup>3</sup> )               |

Source: California Air Resources Board 2016

1 National Primary Standards: The levels of air quality necessary, with an adequate margin of safety, to protect the public.  
National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest eight-hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m<sup>3</sup> is equal to or less than one. For PM2.5, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact U.S. EPA for further clarification and current federal policies.

2 California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter - PM10, PM2.5, and visibility reducing particles, are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

3 Extinction coefficient of 0.23 per kilometer - visibility of ten miles or more (0.07 - 30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape.

## Air Quality Monitoring

Ozone (hourly and 8-hour average) is the only contaminant that receives continuous monitoring in Siskiyou County. The SCAPCD previously monitored suspended particulate matter (both PM<sub>2.5</sub> and PM<sub>10</sub>) as well, however, according to SCAPCD, monitoring of PM<sub>10</sub> ended December 31, 2015, and monitoring of PM<sub>2.5</sub> ceased on June 30, 2018 (Eric Olson, personal communication, December 6, 2018).

The SCAPCD's air quality monitoring station is located in the City of Yreka in central Siskiyou County. This station monitors ozone and, as discussed above, previously monitored particulate matter as well. **Table 4.3-2** shows the results of monitoring efforts from 2015 - 2017 at the Yreka station.

**Table 4.3-2  
Siskiyou County Air Quality Data**

| Pollutant  | Standard                | Year  |       |       |
|--|-------------------------|-------|-------|-------|
|  |                         | 2015  | 2016  | 2017  |
| <i>Ozone (O<sub>3</sub>)</i>                           |                         |       |       |       |
| Maximum 1-Hour Concentration (ppm)                     |                         | 0.076 | 0.092 | 0.053 |
| Maximum 8-Hour Concentration (ppm)                     |                         | 0.066 | 0.068 | 0.049 |
| Number of Days Exceeding State 1-Hour Standard         | > 0.09 ppm              | 0     | 0     | 0     |
| Number of Days Exceeding State/Federal 8-Hour Standard | > 0.07 ppm              | 0     | 0     | 0     |
| <i>Inhalable Particulates (PM<sub>10</sub>)</i>        |                         |       |       |       |
| Maximum 24-Hour Concentration (µg/m <sup>3</sup> )     |                         | 65.5  | *     | *     |
| Estimated No. of Days Exceeding State Standard         | > 50 µg/m <sup>3</sup>  | 6.1   | *     | *     |
| Estimated No. of Days Exceeding Federal Standard       | > 150 µg/m <sup>3</sup> | 0     | *     | *     |
| <i>Ultra-Fine Particulates (PM<sub>2.5</sub>)</i>      |                         |       |       |       |
| Maximum 24-Hour Concentration (µg/m <sup>3</sup> )     |                         | 51.0  | 26.1  | 78.8  |

| Pollutant  | Standard               | Year |      |      |
|--|------------------------|------|------|------|
|  |                        | 2015 | 2016 | 2017 |
| Estimated No. of Days Exceeding Federal 24-Hour Standard | > 35 µg/m <sup>3</sup> | *    | 0    | 26.3 |
| Measured No. of Days Exceeding Federal 24-Hour Standard  | > 35 µg/m <sup>3</sup> | 2    | 0    | 4    |

Source: California Air Resources Board, 2018

\* Insufficient data

### **Monitored and Previously Monitored Air Pollutants**

Ozone is a gas comprising three oxygen atoms. It occurs both in the earth’s upper atmosphere and at ground level. Ozone can be either beneficial or detrimental to human health, depending on its concentration and where it is located. Beneficial ozone occurs naturally in the earth’s upper atmosphere, where it acts to filter out the sun’s harmful ultraviolet rays. Bad ozone occurs at ground level and is created when cars, industry, and other sources emit pollutants that react chemically in the presence of sunlight. Ozone exposure can result in irritation of the respiratory system, decreased lung function, aggravated asthma, and possible lung damage with persistent exposure.

PM<sub>10</sub> (i.e., suspended particulate matter less than 10 microns) is a major air pollutant consisting of tiny solid or liquid particles of soot, dust, smoke, fumes, and aerosols. The size of the particles (about 0.0004 inches or less) allows them to easily enter the lungs where they may be deposited.

PM<sub>2.5</sub> (i.e., suspended particulate matter less than 2.5 microns) is similar to PM<sub>10</sub> in that it is an air contaminant that consists of tiny solid or liquid particles; though in this case the particles are about 0.0001 inches or smaller (often referred to as fine particles). PM<sub>2.5</sub> is typically formed in the atmosphere from primary gaseous emissions that include sulfates emitted by power plants and industrial facilities and nitrates emitted by power plants, automobiles, and other types of combustion sources. While the chemical composition of fine particles is highly dependent upon location, time of year, and weather conditions, the most common source of elevated PM<sub>2.5</sub> in Siskiyou County is smoke from wildfires.

Inhalation of PM<sub>2.5</sub> and PM<sub>10</sub> can cause persistent coughing, phlegm, wheezing, and other physical discomfort. Long-term exposure may increase the rate of respiratory and cardiovascular illness.

As shown in **Table 3.2** above, despite the lack of current data for PM<sub>10</sub> and elevated concentrations of PM<sub>2.5</sub> in 2017, Siskiyou County has not been identified as having significant air quality problems and is considered to be in attainment or unclassified for all federal and state air quality standards.



### ***Discussion of Impacts:***

4.3(a)-4.3(e): *Less Than Significant Impact.* Siskiyou County is classified as being in attainment or unclassified for all federal and state air quality standards and, as a result, is not subject to an air quality plan. While most farms and ranches are likely to utilize existing improvements in support of agritourism and may be required to do so if subject to a Williamson Act contract, particulate matter (i.e., dust) and diesel emissions could be generated during development of agritourism improvements. However, construction emissions would be temporary in nature and would likely be broadly distributed over time and distance around the county.

Agritourism-related uses included in the proposed zoning text amendment are also unlikely to generate significant air pollutants. As a result, there would not be a violation of air quality standards associated with the proposed zoning text amendment, nor would the project contribute to an existing or projected air quality violation.

The project would allow for incidental tourism on working farms and ranches 10 acres and greater in size as a means of promoting the County's agricultural operations and products. To do so the project would define agritourism, as well as specific agritourism-related uses considered incidental to and supportive of agricultural operations. The proposed zoning text amendment would also expressly prohibit nonagricultural uses, such as concerts, and would subject more intensive agritourism to site specific environmental review due to the requirement for a conditional use permit. Thus, any air contaminants likely to be generated as a result of the project would be consistent with existing agricultural operations and are expected to have a negligible impact on the County's ability to meet federal and state air quality standards.

While sensitive receptors (i.e., facilities that house or attract groups of children, the elderly, persons with illnesses, and others who are especially sensitive to the effects of air pollutants) are distributed throughout Siskiyou County, they are most commonly found in the county's population centers and not in agricultural settings where agritourism is expected to occur. Regardless, none of the agritourism-related activities in the proposed zoning text amendment are likely to result in the generation of substantial contaminants, adverse odors, or the exposure of sensitive receptors and other persons to such odors and pollutants.

Overall, the project is not expected to result in a substantial increase in development in the County capable of generating significant air contaminants. Consequently, air quality impacts associated with the proposed zoning text amendment are considered less than significant.

### **Mitigation Measures:**

None required.

## 4.4 Biological Resources

| Would the project:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/>            |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?   | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/>            |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal wetlands, etc.), through direct removal, filling, hydrological interruption, or other means?   | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/>            |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Setting:

Due to the region's complex topography, with elevations that vary as much as 7,000 feet from east to west, and its location at a transition between wetter and drier areas of the state, annual average precipitation ranges from 9 inches to 65 inches depending upon location, the County supports a wide diversity of plants, animals, and habitat types. In general, however, coniferous forests are widespread throughout much of the southern, western, and southeastern county, while juniper pine woodlands and sagebrush scrub are prevalent in the north and northeast, and grasslands are prevalent in the Shasta, Scott, and Butte valleys.

The California Department of Fish and Wildlife (CDFW) recognizes six primary wildlife habitat types in California: tree dominated, shrub dominated, herbaceous dominated, aquatic, developed, and non-vegetated. Within unincorporated Siskiyou County, these

habitats occur in continuous stretches and isolated pockets depending on topography, elevation, climate, and pattern of development. Wildlife can move between habitat types according to their needs, and may use riparian corridors, established trails, low lying areas, and other natural corridors in their movements. In addition, many species, including deer, migrate seasonally in response to changes in habitat requirements.

Habitats throughout Siskiyou County have been and continue to be modified by human activity. Historic mining, logging, agriculture, and human settlements substantially modified the natural environment. Still, wide variation exists in the degree of human disturbance, with some habitats considerably less impacted than others.

### ***Regulatory Framework***

The United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the California Native Plant Society (CNPS) document species that may be rare, threatened or endangered. Federally listed species are fully protected under the mandates of the Federal Endangered Species Act (FESA). "Take" of listed species incidental to otherwise lawful activity may be authorized by either the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS), depending upon the species.

Under the California Endangered Species Act (CESA), CDFW has the responsibility for maintaining a list of threatened and endangered species. CDFW also maintains lists of "candidate species" and "species of special concern" which serve as "watch lists." State-listed species are fully protected under the mandates of CESA. "Take" of protected species incidental to otherwise lawful management activities may be authorized under Section 2081 of the Fish and Game Code of California.

Under Section 3503.5 of the California Fish and Game Code, it is unlawful to take, possess, or destroy any birds in the orders of Falconiformes or Strigiformes (raptors) or to take, possess or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.

The Native Plant Protection Act (California Fish and Game Code Sections 1900-1913) prohibits the taking, possessing, or sale within the state of any rare, threatened or endangered plants as defined by the CDFW. Project impacts on these species would not be considered significant unless the species are known to have a high potential to occur within the area of disturbance associated with the project.

### ***Special-Status Species***

Special-status species are commonly characterized as species that are at potential risk or actual risk to their persistence in a given area or across their native habitat (locally, regionally, or nationally) and are identified by a state and/or federal resource agency as such. These agencies include governmental agencies such as CDFW, USFWS, or

private organizations such as CNPS. The degree to which a species is at risk of extinction is the limiting factor on a species' status designation. Risk factors to a species' persistence or population's persistence include habitat loss, increased mortality factors (take, electrocution, etc.), invasive species, and environmental toxins. In the context of environmental review, special-status species are defined by the following codes:

- 1) Listed, proposed, or candidates for listing under the federal Endangered Species Act (ESA) (50 Code of Federal Regulations [CFR] 17.11 – listed; 61 Federal Register [FR] 7591, February 28, 1996 candidates);
- 2) Listed or proposed for listing under the California Endangered Species Act (CESA) (Fish and Game Code [FGC] 1992 Section 2050 et seq.; 14 California Code of Regulations [CCR] Section 670.1 et seq.);
- 3) Designated as Species of Special Concern by the CDFW;
- 4) Designated as Fully Protected by the CDFW (FGC Sections 3511, 4700, 5050, 5515); and
- 5) Species that meet the definition of rare or endangered under the California Environmental Quality Act (CEQA) (14 CCR Section 15380) including CNPS List Rank 1B and 2.

According to CDFW's California Natural Diversity Database (CNDDDB), USFW's Critical Habitat Portal, and USFW's National Wetland Inventory, there are numerous special-status species and critical and sensitive habitats within Siskiyou County (CDFW 2018a, USFW 2018a, USFW 2018b). Special-status species include both plants and animals and are listed in **Attachment C**. Critical and sensitive habitats include wetlands, stream corridors, and habitats essential to the conservation of listed species (e.g., salmon and northern spotted owl).

## **Discussion of Impacts:**

4.4(a)-4.4(f): *Less Than Significant With Mitigation Incorporated*. As discussed elsewhere herein, it is anticipated that most agritourism-related activities resulting from the proposed zoning text amendment would occur at preexisting farms and ranches. It is further anticipated that because of the incidental nature of agritourism, farms and ranches are more likely to utilize existing structures than to construct additional improvements, while those farms and ranches subject to a Williamson Act contract may be required to do so. As a result, the project is not expected to result in substantial development activity. Nevertheless, should ground disturbance and/or development associated with agritourism occur in a sensitive natural community or the habitat of a special-status species, it has the potential to adversely impact biological resources in and around the project vicinity. Therefore, to ensure that potential impacts to biological resources, including special-status species and sensitive natural communities, remain less than significant as a result of the proposed zoning text amendment, mitigation

measures **MM 4.1** through **MM 4.3** are recommended below. Mitigation measures MM 4.1, MM 4.2, and MM 4.3 have been incorporated into the Agricultural Tourism Performance Standards that requires compliance for agritourism-related uses requesting administrative use permit approval.

### **Mitigation Measures:**

**MM 4.1** In order to reduce potential impacts to nesting migratory birds and/or raptors protected under Fish and Game Code Section 3503 to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:

When vegetation removal associated with construction of agritourism improvements will occur during the avian breeding season of February 1 through August 31, a survey for nesting migratory birds shall be completed by a qualified biologist no more than one week prior to vegetation removal. If an active nest is located during the survey, no vegetation shall be removed until the young have fledged, as determined through additional monitoring by a qualified biologist.

Timing/Implementation: Ongoing

Enforcement/Monitoring: Siskiyou County Community Development Department

**MM 4.2** In order to reduce potential impacts to roosting bats caused by the removal and/or reconstruction of preexisting barns and outbuildings for agritourism purposes to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:

When barns and outbuildings are to be removed or substantially rehabilitated to accommodate agritourism activities, a qualified biologist knowledgeable in the ecology of local bat species shall conduct a roost assessment survey of the structure(s) to be removed or substantially rehabilitated. The survey shall occur no more than 14 days prior to demolition or substantial rehabilitation of the structure(s). If the biologist finds no evidence of or potential to support bat roosting, no further measures are required. If evidence of bat roosting is present, the measures described below shall be implemented:

1. When demolition or substantial rehabilitation is planned during August 1 through February 28 (outside the bat maternity roosting season), a qualified biologist shall implement passive exclusion measures to prevent bats from re-entering the structure(s).

Demolition or substantial rehabilitation may continue after a follow-up survey confirms that bats are no longer present.

2. When demolition or substantial rehabilitation is planned during the maternity roosting season (March 1 through August 31), disturbance to the structure(s) shall be avoided until the maternity roosting season has ended and a qualified biologist has determined the roost has been vacated.

Timing/Implementation: Ongoing

Enforcement/Monitoring: Siskiyou County Community Development  
Department

**MM 4.3**

In order to reduce potential impacts to riparian vegetation and aquatic resources to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:

No land disturbance for agritourism improvements is permitted within 150 feet of the top of bank of any perennial waterbody or within 50 feet of the centerline of seasonal streams and wetlands.

Timing/Implementation: Ongoing

Enforcement/Monitoring: Siskiyou County Community Development  
Department

## 4.5 Cultural Resources

| Would the project:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?    | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?            | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries?                                 | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Setting:

The diverse habitat types and geological characteristics of Siskiyou County account for a rich and complex cultural resource base and have resulted in a large number of prehistoric and historic resources being recorded in Siskiyou County.

CEQA Guidelines Section 15064.5 defines the term “historical resources.” Generally speaking, a “historical resource” includes sites that are listed in or determined to be eligible for listing in the California Register of Historical Resources, sites that are included in a local register of historical resources, or a resource that is considered “historically significant.” A lack of designation at the national, state, or local level does not preclude a resource from being determined to be a historical resource.

### Discussion of Impacts:

4.5(a)-4.5(d): *Less Than Significant With Mitigation Incorporated.* See Response 4.1(a)-4.1(d). As previously discussed, it is anticipated that most agritourism-related activities resulting from the proposed zoning text amendment will occur at preexisting farms and ranches with currently active agricultural operations. It is also anticipated that due to the incidental nature of agritourism, most agricultural operations will utilize existing structures, such as farm houses and/or repurposed barns, rather than constructing new structures to support the use, while farms and ranches subject to a Williamson Act contract may be required to do so. No properties potentially affected by the proposed zoning text amendment have been identified as being on the National Register of Historic Places or the California Register of Historical Resources, and as result potential impacts to historic resources are considered less than significant.

While limited land disturbance is anticipated as a result from the proposed zoning text amendment, unanticipated and accidental discoveries of paleontological resources, archaeological resources, or human remains remain a possibility during ground-disturbance in support of agritourism activities and associated improvements. California law dictates how cultural resources must be handled should they be inadvertently discovered. Pursuant to state law, all work in the vicinity of a discovery of archaeological resources is to be immediately halted, the County notified, and a professional archaeologist retained to examine the significance of the discovery and develop appropriate management recommendations. Should the discovery include human bones, state law requires that the County Coroner and the Native American Heritage Commission be notified. Further, if it is determined that Native American resources are involved, Tribes must be notified and consulted. Compliance with state law in the event of an inadvertent discovery of archaeological resources would ensure that the proposed zoning text amendment would not adversely impact archeological resources.

While state law protects archaeological resources regardless of the location of discovery, paleontological resources are currently afforded protection only when located on public lands (Public Resources Code Section 5097.5 and Title 14, Division 3, Chapter 1 of the California Code of Regulations). Due to the region’s complex topography, paleontological resources are not regularly documented in Siskiyou County. Nevertheless, the potential exists for paleontological resources to be adversely impacted should they be inadvertently discovered during ground disturbance associated with agritourism improvements. As such, mitigation measure MM 5.1 is provided below to ensure that the project’s impact to cultural resources remains less than significant.

### **Mitigation Measures:**

**MM 5.1** In order to reduce potential impacts to paleontological resources to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:

If, during ground disturbance for agritourism improvements, paleontological resources (e.g., fossils) are discovered, all work shall cease in the area of the find, the Siskiyou County Community Development Department – Planning Division shall be immediately notified, and a qualified paleontologist shall be retained to determine the significance of the discovery. The County shall consider the mitigation recommendations presented by a professional paleontologist and implement any measure or measures that the County deems feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.

Timing/Implementation: Ongoing

Enforcement/Monitoring: Siskiyou County Community Development Department



## 4.6 Energy

| Would the project:  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

### Setting:

There are no established thresholds of significance, statewide or locally, for what constitutes a wasteful, inefficient, and unnecessary consumption of energy for a proposed land use project. Pacific Power, a subsidiary of PacifiCorp, provides electrical services to the Project Area through state-regulated public utility contracts. Propane is available through a number of companies in Siskiyou County. Pacific Power's ability to provide its services concurrently for each project is evaluated during the development review process. The utility company is bound by contract to update its systems to meet any additional demand. PacifiCorp, a regulated utility based in Portland, Oregon, serves 1.9 million customers across 141,000 square miles in six western states. The company comprises two business units that generate and deliver electricity to its customers. Pacific Power serves customers in Oregon, Washington and California. Rocky Mountain Power serves customers in Utah, Wyoming and Idaho.

### Discussion of Impacts:

4.6(a)-4.6(b): *No Impact*. The County of Siskiyou does not have a plan for renewable energy or energy efficiency. Due to the incidental nature of agritourism, and because approximately 71 percent of the project area is presently utilized for agriculture, the proposed zoning text amendment is not expected to result in substantial development activity. Furthermore, any proposed development would be required to adhere to all federal, state, and local requirements for energy efficiency, including the Title 24 standards. Title 24 standards establish minimum efficiency standards related to various building features, including appliances, water and space heating and cooling equipment, building insulation and roofing, and lighting. Implementation of the Title 24 standards significantly reduces energy usage.

**Mitigation Measures:**

None required.

## 4.7 Geology and Soils

| Would the project:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death, involving:  |                                |  |                                     |                          |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) Strong seismic ground shaking?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil?  | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.  | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/> |

### Setting:

The Klamath Mountains stretch throughout much of western Siskiyou County and the Cascade Range extends through portions of eastern Siskiyou County. This results in complex topography throughout much of the County with rugged, steep terrain in the west, and more gradually sloping terrain in the east.

Despite numerous faults throughout the county, the region is not very seismically active, with the Cedar Mountain Fault System in eastern Siskiyou County being the most recently active. The largest recorded earthquake originating within the Cedar Mountain

Fault System had a magnitude of 4.6 and occurred in August 1978 (USGS 2018). The Seismic Safety and Safety Element of the Siskiyou County General Plan states that over a 120-year period, nine or ten earthquakes capable of “considerable damage” have occurred in the region. No deaths were reported from these quakes and building damage was considered minor or unreported. Regardless, Siskiyou County, like much of California, is located in an area with potential for major damage from earthquakes corresponding to intensity VII on the Modified Mercalli Scale.

Soil surveys conducted by the U.S. Department of Agriculture Natural Resource Conservation Service have identified 13 general soil types in the County. The soil types are described by topography, slope, permeability, dwelling limitations, septic limitations, erosion hazards, and agricultural and timber capacities. In general, the County soils are variable: the soil permeability ranges from very slow to very rapid, and the erosion hazard ranges from slight to very high. The soil erosion hazard ratings of moderate to high are typically associated with slopes 15% or greater.

### **Discussion of Impacts:**

4.7(a), 4.7(c)-4.7(f): *Less Than Significant Impact.* As noted elsewhere herein, it is anticipated that most agritourism-related activities resulting from the proposed zoning text amendment would occur at preexisting farms and ranches, and due to the incidental nature of agritourism, farms and ranches are more likely to utilize existing structures rather than to construct agritourism improvements, in part because they may be required to do so if subject to a Williamson Act contract. As a result, the project is not expected to result in substantial development activity. Nevertheless, when construction activity does occur, it has the potential to be impacted by geologic conditions existing in and around the project vicinity.

Despite relatively little recent seismic activity, Siskiyou County is located in a potentially active area. Accordingly, any agritourism improvements resulting from the project would potentially be subject to future seismic activity. Improperly designed and/or constructed structures could be subject to damage from seismic activity with potential injury or death for the occupants as a result. Any future structure resulting from the project, however, would be required to be designed to meet all California Building Code seismic design standards, as well as site-specific and project-specific recommendations contained in geotechnical analyses required by the County’s Building Division prior to building permit issuance.

Liquefaction occurs when loose sand and silt that is saturated with water behaves like a liquid when shaken by an earthquake. Liquefaction can result in the following types of seismic-related ground failure:

- Loss of bearing strength – soils liquefy and lose the ability to support structures

- Lateral spreading – soils slide down gentle slopes or toward stream banks
- Flow failures – soils move down steep slopes with large displacement
- Ground oscillation – surface soils, riding on a buried liquefied layer, are thrown back and forth by shaking
- Flotation – floating of light buried structures to the surface
- Settlement – settling of ground surface as soils reconsolidate
- Subsidence – compaction of soil and sediment

Three factors are required for liquefaction to occur: (1) loose, granular sediment; (2) saturation of the sediment by groundwater; and (3) strong shaking. Potential impacts associated with liquefaction as a result of the project are considered less than significant given well-drained soils throughout much of the county as well as the low incidence of seismic activity in the region.

Although much of the Shasta Valley was impacted by a massive debris flow during the collapse of ancestral Mount Shasta roughly 300,000 to 380,000 years ago, mudflows and landslides are not prominent in the region and are not considered a significant threat to county inhabitants and/or visitors to the region.

Expansive or shrink-swell soils are soils that swell when subjected to moisture and shrink when dry. Expansive soils typically contain clay minerals that attract and absorb water, greatly increasing the volume of the soil. This increase in volume can cause damage to foundations, structures, and roadways. While soils in some areas of Siskiyou County are known to have elevated clay content and are potentially subject to shrink-swell, the California Building Code addresses necessary construction techniques to accommodate development on soils with expansive characteristics.

Given the lack of sewer collection in the unincorporated agricultural areas of the county, any agritourism resulting from the project site would be reliant upon individual sewage disposal systems and/or chemical toilets. Prior to the creation of new or expanded septic systems resulting from the proposed zoning text amendment, the improvements would need to be reviewed and permitted by the County's Environmental Health Division. As part of this process, Environmental Health would determine whether there is adequate separation distance to groundwater to protect groundwater resources. Accordingly, potential impacts associated with use of septic systems are considered less than significant.

4.7(b): *Less Than Significant With Mitigation Incorporated*. Due to the limited amount of land disturbance anticipated as a result of agritourism improvements, erosion hazards are considered low to moderate. Nevertheless, to ensure that potential long-term erosion hazards due to erodible soils and wind and water exposure remain less than significant, **MM 6.1** is included below.

## Mitigation Measures:

**MM 7.1** In order to reduce potential impacts associated with erosion and loss of topsoil to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:

All soils disturbed during construction of agritourism improvements shall be revegetated upon completion of construction and/or ground disturbing activities. If construction activities are suspended for six (6) or more months, disturbed soils shall be revegetated until construction activities resume. Upon completion of construction activities, soils shall be revegetated within six (6) months.

Timing/Implementation: Ongoing

Enforcement/Monitoring: Siskiyou County Community Development Department

## 4.8 Greenhouse Gas Emissions

| Would the project:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?        | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gasses? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Setting:

With adoption of Assembly Bill (AB) 32 and Senate Bill (SB) 97, the State of California established GHG reduction targets and has determined that GHG emissions as they relate to global climate change are a source of adverse environmental impacts. However, neither the State of California nor the County of Siskiyou have established significance criteria for greenhouse gas (GHG) emissions generated by a proposed project. Indeed, many regulatory agencies are sorting through suggested thresholds and/or making project-by-project analyses. This approach is consistent with that suggested by CAPCOA in its technical advisory entitled *CEQA and Climate Change: Addressing Climate Change through the California Environmental Quality Act Review* (California Air Pollution Control Officers Association [CAPCOA] 2008):

*“In the absence of regulatory standards for GHG emissions or other specific data to clearly define what constitutes a ‘significant project’, individual lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice.”*

The impact that GHG emissions have on global climate change does not depend on whether the emissions were generated by stationary, mobile, or area sources, or whether they were generated in one region or another. Thus, consistency with the state’s requirements for GHG emissions reductions is the best metric for determining whether the proposed zoning text amendment would contribute to global warming. In the case of the proposed project, if the project substantially impairs the state’s ability to conform to the mandate to reduce GHG emissions to 1990 levels by the year 2020, then the impact of the project would be considered significant.

### Discussion of Impacts:

4.8(a)-4.8(b): *Less Than Significant Impact.* As discussed under Section 4.2, Air Quality, and elsewhere herein, the project would allow for incidental tourism on working farms and ranches 10 acres and greater in size as a means of promoting the County's agricultural operations and products. To do so, the proposed zoning text amendment

would expand upon and clarify those agritourism uses allowed on working farms and ranches and establish limits and performance measures to minimize, to the greatest extent practicable, off-site impacts associated with agritourism activities. In addition, by including a definition of allowed and anticipated compatible uses, it would preclude those uses that are not traditionally incidental to active agricultural operations, such as concerts and weddings. The proposed zoning text amendment would essentially codify expected and common ancillary uses associated with a working farm or ranch that are currently exist throughout the county as a wide variety of agritourism-related uses.

Although the agritourism zoning text amendment is not expected to result in substantial new improvements, as most farms and ranches would likely utilize existing improvements, construction of new agritourism improvements when it occurs would likely entail the use of fossil fuel powered heavy equipment that generates GHG emissions. Nevertheless, because of the limited scope of anticipated improvements, GHG construction emissions would be similarly limited, would be temporary and intermittent, and would likely to be distributed broadly over time. Agritourism-related uses included in the proposed zoning text amendment, such as farm tours, onsite sales, lodging accommodations are also unlikely to generate significant GHG emissions.

While formalizing the County's agritourism uses and standards is expected to generate minor intermittent and ongoing GHG emissions associated with the use of passenger vehicles to travel to and from farms and ranches engaged in agritourism, the project is unlikely to generate a substantial number of trips each day, and traffic associated with special events like farm tours would be intermittent. This is in part due to a requirement in the proposed zoning text amendment that any farm or ranch generating more than 10 average daily trips (ADT) for agritourism-related activities obtain a conditional use permit. Because approval of a conditional use permit is a discretionary action, it would subject any operation likely to generate more than 10 ADT to project specific environmental analysis, including a review of potential GHG emissions associated with the project. (For perspective, 10 ADT is slightly more trips than a single-family household, which per County standards average 7.5 ADT.) As such, impacts associated with greenhouse gas emissions are considered less than significant. In addition, any agritourism use or activity that requires issuance of a discretionary permit (Administrative Use Permit or Conditional Use Permit) would be subject to environmental analysis pursuant to the California Environmental Quality Act guidelines including analysis of potential greenhouse gas emission impacts.

### **Mitigation Measures:**

None required.



## 4.9 Hazards and Hazardous Materials

| Would the project:  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Setting:

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined in Title 22 of the California Code of Regulations (CCR), Title 22, Section 662601.10, as follows:

*A substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial*

*present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed.*

Most hazardous material regulation and enforcement in Siskiyou County is managed by the Siskiyou Community Development Department - Environmental Health Division, which refers large cases of hazardous materials contamination or violations to the North Coast Regional Water Quality Control Board (RWQCB) and the California Department of Toxic Substances Control (DTSC). When issues of hazardous materials arise, it is not at all uncommon for other agencies to become involved, such as the Siskiyou County Air Pollution Control District and both the federal and state Occupational Safety and Health Administrations (OSHA).

Under Government Code Section 65962.5, both DTSC and the State Water Resources Control Board (SWRCB) are required to maintain lists of sites known to have hazardous substances present in the environment. Both agencies maintain up-to-date lists on their websites. A review of the DTSC EnviroStor website and the SWRCB GeoTracker website indicates that a significant majority of hazardous waste violations in the county are located within the county's population centers and along the county's primary transportation corridors and not within agricultural settings where agritourism would be expected to occur.

The interface of human and natural environments in Siskiyou County creates potential safety hazards due to wildfires, flooding, landslides, earthquakes, and wildlife interactions. Other potential safety hazards include naturally occurring asbestos, past mining operations, and airport operations at public and private airstrips in the county.

### **Discussion of Impacts:**

4.9(a)-4.9(h): *Less Than Significant Impact.* There are no project components that are likely to result in the routine transport, use, or disposal of hazardous materials. While some farms and ranches are likely to store and utilize such materials in their operations, these operations are already in existence, are subject to all applicable state and federal regulations for the handling, transport and storage of hazardous materials, and are subject to regulatory oversight by the County's Environmental Health Division, and where pesticides are involved, the County Agricultural Commissioner.

Although unlikely, there is the potential for accidental releases of hazardous materials during construction of agritourism improvements. Any such releases would likely be minor spillages of fuels and oils associated with the use of heavy equipment during ground work. However, there is nothing specific about likely agritourism improvements, farms and ranches, or the county itself that would suggest an elevated potential for accidental releases of hazardous materials.

Most schools are located in the county's population centers, however, these population centers as well as the schools themselves are occasionally located in the vicinity of agricultural operations where agritourism could conceivably occur as a result of the project. However, there is no aspect of the proposed zoning text amendment that would result in the handling of hazardous or acutely hazardous materials, substances, or waste or that would have the potential to produce hazardous emissions within one-quarter mile of an existing or proposed school.

With regard to public safety around public airports and private airstrips, there is nothing about the project that would substantially interfere with airport operations or endanger those persons engaged in agritourism on the ground in the vicinity of an airport or airstrip. Further, as discussed in Section 3.6, Relationship to Project to Other Plans, any application for an administrative use permit or conditional use permit resulting from the project that pertains to property within the area of influence of a public airport would be subject to review by the Airport Land Use Commission (ALUC) for compliance with the Siskiyou County Airport Land Use Compatibility Plan (ALUCP). As previously described, the ALUCP establishes land use designations, or compatibility zones, surrounding Siskiyou County airports to: 1) minimize public exposure to excessive noise and safety hazards, and 2) allow for future airport expansion.

There is the potential for wildland fires in the region given the dry summer climate, with hot days and wind. Nevertheless, the proposed zoning text amendment would not substantially increase the risk of fire in and around farms and ranches in the county. Further, any agritourism requiring approval of a conditional use permit would be required to comply with Fire Safe Regulations enacted pursuant to Public Resources Code Sec. 4290, including requirements for defensible space, driveway standards, etc. In addition, the proposed zoning text amendment would require that farms and ranches provide adequate off-street parking for its employees and agritourism visitors, which would ensure that driveways and rights-of-way remain clear for adequate fire safe access and emergency evacuations.

With the existing provisions in place for minimizing hazards and hazardous materials, and adherence to all applicable local, federal and state laws, potential impacts associated with hazards and hazardous materials are considered less than significant.

### **Mitigation Measures:**

None required.

## 4.10 Hydrology and Water Quality

| Would the project:  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Otherwise substantially degrade water quality?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of a failure of a levee or dam?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Setting:

The County is divided between the Klamath River watershed in the north and the Sacramento River watershed in the south. Combined, these rivers drain roughly 6,350 square miles in Siskiyou County alone. The smaller watercourses and creeks that flow into the Klamath River and Sacramento River watersheds are supplied from melting snowpack, annual rainfall, springs, and surfacing groundwater.

The State Water Resources Control Board (SWRCB) regulates the quality of California's water resources, with oversight provided by nine Regional Water Quality Control Boards (RWQCB) around the state. RWQCB boundaries are based on watersheds, while water quality requirements are based on the unique differences in climate, topography, geology, and hydrology for each watershed. Each RWQCB makes critical water quality decisions for its region, including setting standards, issuing waste discharge requirements, determining compliance with those requirements, and taking appropriate enforcement actions. As discussed in Section 3.6, Relationship of Project to Other Plans, regulatory oversight of the project area is divided between by the North Coast RWQCB and the Central Valley RWQCB.

In general, the county's water quality varies with source and land uses, both past and present, within the respective watersheds. In general, water quality is potentially influenced by several factors, including sedimentation, temperature, turbidity, and nutrient inputs. Water resources have a multitude of uses from agricultural to domestic, as well as fish and wildlife habitat and year-round recreation. A number of water providers deliver water to farms and ranches in unincorporated Siskiyou County, including the Scott Valley Irrigation District, Tulelake Irrigation District, Montague Irrigation District, and the Callahan Water District. Drinking water, however, is most commonly provided by privately-owned wells.

With no municipal sewer infrastructure in the unincorporated agricultural areas of the county, wastewater services would be provided by individual septic systems and/or chemical toilets. If new or expanded septic systems are required to support the agritourism use, permits from the Siskiyou County Community Development Department - Environmental Health Division would be required prior to construction.

### **Discussion of Impacts:**

4.10(a)-4.10(j): *Less Than Significant Impact.* As discussed elsewhere herein, it is anticipated that most agritourism-related activities resulting from the proposed zoning text amendment would occur at preexisting farms and ranches, and that because of the incidental nature of agritourism, farms and ranches would be more likely to utilize existing structures rather than to construct agritourism improvements. Further, pursuant to the County's Williamson Act Guidelines, agritourism lodging at those farms and ranches subject to a Williamson Act contract is already limited to dwellings present at the time the Williamson Act contract was executed. As a result, the project is not expected to result in substantial development activity. Nevertheless, if not properly managed, ground disturbance associated with agritourism improvements has the potential to impact water quality in and around the project vicinity.

For instance, development of agritourism improvements could potentially increase impervious surfaces at farms and ranches and create additional runoff. However, due to the 10-acre minimum acreage requirement for agritourism, permeable soils in the

region, and the limited amount of development anticipated as result of the project, any sediment laden stormwater resulting from agritourism improvements would likely percolate into the ground prior to leaving the farm or ranch where it is generated. Furthermore, sediment laden stormwater would only be anticipated if development of agritourism improvements occurs during adverse weather conditions.

Because not all farms and ranches are likely to develop agritourism improvements and those that do so are unlikely to make such improvements during the wet winter months, the potential for erosion and off-site siltation is considered minor. Furthermore, should more than one acre of ground be disturbed at any farm or ranch during agritourism improvements, the farm or ranch owner/operator would be required to obtain a General Construction Stormwater Permit from the RWQCB that has regulatory oversight of the property, approval of which requires preparation of a stormwater pollution prevention plan (SWPPP) subject to RWQCB review and approval. In order to be approved, the SWPPP would need to include best management practices (BMPs) designed to reduce or eliminate erosion and runoff. BMPs typically include the use of straw wattles, covering stockpiled materials, revegetation of disturbed areas, silt fences, and other physical means of slowing stormwater flow from graded areas in order to allow sediment to settle out.

Despite a few storms that have resulted in considerable flood damage in parts of the County (e.g., December 1961), historic flood losses have not been significant in the county due to current flood control infrastructure, lower population densities, and the region's lack of broad floodplains. Nevertheless, substantial flood hazards are present within some incorporated and unincorporated communities and along stream corridors throughout the region. Although there is little to no development anticipated within areas affected by flooding, development within the 100-year floodplain, if proposed, would be regulated by the Siskiyou County Flood Damage Prevention Ordinance (Title 10, Chapter 10 of the Siskiyou County Code). In general, proposed development within the 100-year floodplain triggers additional development standards designed to floodproof a structure, while development within the floodway is prohibited unless flood proofing standards are implemented, and it can be demonstrated that the proposed development is located outside the designated floodway.

In addition, setbacks from waterbodies would be provided by mitigation measure **MM 4.3**. This mitigation measure prohibits development within 150 feet of perennial waterbodies and within 50 feet from centerline of seasonal streams and wetlands. There are no large water bodies in the project area with potential for seiche or tsunami. Further, as discussed under Response 4.6(a)-4.6(e), the project area is not considered at risk of mudflows. As such, potential impacts associated with hydrology and water quality are considered less than significant.

**Mitigation Measures:**

None required.

## 4.11 Land Use and Planning

| Would the project:  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Physically divide an established community?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Setting:

The project area includes approximately 1,633,567 acres of agriculturally zoned parcels, 10 acres or greater, in the unincorporated area of Siskiyou County. Roughly 71% of this area, or approximately 1,153,246 acres in Siskiyou County are currently in farms and ranches according to the Siskiyou County 2017 Crop & Livestock Report.

Land uses in the unincorporated area of the county range from timber production in the forested areas to urban-type development, including residential, commercial, and industrial uses, in several small communities. National Forests in the county (i.e., Shasta-Trinity, Klamath, Modoc, Six Rivers, and Rogue-Siskiyou) account for approximately 60% of the county's total land area. The unincorporated county contains a variety of resources and constraints, diverse topography, and sensitive environments.

### ***Siskiyou County General Plan***

The basis for land use planning in unincorporated Siskiyou County is the County's General Plan. The Land Use Element of the General Plan provides the primary guidance on issues related to land use and land use intensity. The Land Use Element provides designations for land within the county and outlines goals and policies concerning development and use of that land.

The primary goal of the Land Use/Circulation Element of the Siskiyou County General Plan is to allow the physical environment to determine the appropriate future land use pattern that will develop in Siskiyou County. This is an alternative to conventional planning practice in which one master land use map indicates future land use patterns based primarily on social, political, and economic factors. Its focus is for future development to occur in areas that are easiest to develop without entailing great public service costs, that have the least negative environmental effect, and that do not displace or endanger the county's critical natural resources.



The technique used for the development of the Land Use Element involved preparation of a series of overlay maps identifying development constraint areas. Constraints take the form of both natural, physical barriers or problems and those culturally imposed on the basis of resource protection. The combination of overlay maps provides a visual display of tones representing physical constraints in a particular geographic area in terms of the perceived effect of urban development. In identifying an absence of physical constraints, it also indicates where urban development may proceed without encountering known physical problems.

### ***Scott Valley Area Plan***

The Scott Valley Area Plan was prepared to direct land use within the Scott Valley watershed of Siskiyou County, and was adopted by the Board of Supervisors in November 1980. The Scott Valley Area Plan was adopted as an amendment to the Siskiyou County Land Use Element for the Scott Valley Watershed area, and policies therein supersede those identified in the County Land Use Element for that particular overlay map.

The goal and technique used for the development of the Scott Valley Area Plan is similar to that of the County General Plan, consisting of a series of overlay maps identifying development constraint areas in an effort to allow and guide development to occur in areas that are easiest to develop without entailing great public service costs, and that do not displace or endanger the Scott Valley's critical natural resources, nor subject future populations to natural hazard.

### ***Siskiyou County Code***

In concert with the General Plan and Scott Valley Area Plan, the Siskiyou County Code establishes zoning districts within the County and specifies allowable uses and development standards for each district. Under state law, each jurisdiction's zoning must be consistent with its general plan. Per the proposed zoning text amendment, zoning within the project area would be limited to Prime Agricultural (AG-1), Non-Prime Agricultural (AG-2) and Rural Residential Agricultural (R-R). A complete list of permitted and conditionally permitted uses in these zoning districts, along with those uses proposed to be included as a result of the project, is included as **Attachment A**.

### **Discussion of Impacts:**

4.11(a)-4.11(c): *Less Than Significant Impact*. The project would not physically divide an established community or conflict with any applicable habitat conservation plan or natural community conservation plan.

Because the project is a proposed zoning text amendment that would be applicable to all agriculturally zoned parcels (i.e., parcels zoned AG-1, AG-2, and/or RR) that are 10

acres or larger in unincorporated Siskiyou County, nearly all policies contained in the Siskiyou County General Plan Land Use Element are potentially applicable to some location within the larger project area. As a result, the project was evaluated relative to all Land Use policies, not just those adopted for the purpose of avoiding or mitigating an environmental effect.

In addition to assessing project compatibility with General Plan Land Use Element policies, the proposed zoning text amendment was evaluated relative to all policies contained in the Scott Valley Area Plan. As with the potential applicability of nearly all General Plan Land Use policies, the Scott Valley is an agriculturally rich area and, as a result, many of the policies included in the Scott Valley Area Plan are potentially applicable to agritourism and agritourism improvements in the Scott Valley.

County staff enforce all applicable County policies pertaining to where and how development activity can safely occur at the time of building permit application, including those policies included in the Siskiyou County General Plan and Scott Valley Area Plan. This alone results in considerable project compatibility with the Siskiyou County General Plan and Scott Valley Area Plan, as many of the policies contained in these documents stipulate what type of development can occur and where it is permitted. Further, proposed Level II Agritourism would be subject to approval of an administrative use permit or conditional use permit, either of which would require project-specific and site-specific analysis of the particular agritourism activities relative to County policies, including those contained in the Siskiyou County General Plan and Scott Valley Area Plan.

Because the General Plan Land Use Element contains Policy 37, which allows only agricultural uses on prime agricultural land, and the Scott Valley Area Plan contains Policy 1, which permits only agricultural and public uses on prime agricultural soils, project compatibility with all General Plan and Scott Valley Area Plan policies is somewhat dependent upon whether the agritourism activities being permitted by the proposed zoning text amendment are classified as agricultural land uses, commercial land uses, or something other. This isn't to say that compatibility of the proposed zoning text amendment with the General Plan and Scott Valley Area Plan hinges upon the ability of agritourism activities to locate on soils mapped "prime agricultural." That is not the case, however, it does warrant the question of whether agritourism is considered a permissible activity in areas mapped prime agricultural and, therefore, whether the project is compatible with General Plan Policy 37 and Scott Valley Area Plan Policy 1.

At its core, the project is a proposed zoning text amendment intended to support agriculture by facilitating the marketing and promotion of agricultural products grown and produced in Siskiyou County through incidental onsite agritourism. Agritourism would be defined in the proposed zoning text amendment as "the act of visiting a working farm or ranch as a guest for the purpose of enjoyment, education or other active participation in the activities of the farm. A working farm or ranch is a place of

agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more. Agritourism shall not include concerts or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch.”

Therefore, because the proposed zoning text amendment would specifically exclude “other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch”, and prohibits agritourism-related uses and activities interfering with the primary use of agricultural production for the farm or ranch. It is likely that agritourism-related uses would entail activities such as harvesting agricultural products or other active participation in the activities of a farm or ranch, the agritourism activities included in the proposed zoning text amendment are considered consistent with Policy 37 and Policy 1, as well as the other policies of the Siskiyou County General Plan Land Use Element and the Scott Valley Area Plan, and potential impacts are considered less than significant.

**Mitigation Measures:**

None required.

## 4.12 Mineral Resources

| Would the project:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                 | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Setting:

Historically, gold mining was responsible for the establishment of several communities within Siskiyou County. Although some mining still takes place, the resource is greatly diminished and no longer plays a significant role in the economy. Nevertheless, large areas of Siskiyou County contain mineral deposits and between the 1850's and the early 1940's, numerous mines operated in the County. In addition to gold, mineral resources include copper, chromium, gemstones, and asbestos. In addition, significant deposits of sand, gravel, and rock types suitable for construction aggregate are present throughout the County.

The State Mining and Geology Board has the responsibility to inventory and classify mineral resources and could designate such mineral resources as having a statewide or regional significance. If this designation occurs, the local agency must adopt a management plan for such identified resources. At this time, there are no plans to assess local mineral resources for the project area or Siskiyou County.

### Discussion of Impacts:

4.12(a)-4.12(b): *Less Than Significant Impact*. The proposed zoning text amendment would allow agritourism incidental to existing agricultural operations on farms and ranches at least 10 acres in size. It would not result in the loss of an available known mineral resource that would be of value to the region or residents of the state, nor would it result in the loss of a locally important mineral resource recovery site.

### Mitigation Measures:

None required.

## 4.13 Noise

| Would the project result in:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                |
|--|--------------------------------|--|------------------------------|--------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or of applicable standards of other agencies?  | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>     | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?  | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>     | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?   | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>     | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?   | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>     | <input type="checkbox"/> |
| e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or a public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>     | <input type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?   | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>     | <input type="checkbox"/> |

### Setting:

The Siskiyou County General Plan Noise Element identifies land use compatibility standards for exterior community noise for a variety of land use categories for project planning purposes. For example, for residential land uses, an exterior noise level of 60 dBA Ldn (Day-Night Average Sound Level) is identified as being “acceptable” requiring no special noise insulation or noise abatement features unless the proposed development is itself considered a source of incompatible noise for a nearby land use. The Noise Element also describes the noise level for outdoor areas, such as farms and passively used open space areas, as 50 dBA Ldn. These outdoor noise levels are intended to “assure that a 45 dBA Ldn indoor level will be achieved by the noise attenuation with regular construction materials.”

Significant noise sources in the County include traffic on major roadways, railroad operations, airports, and localized noise sources such as from industrial uses. Ambient noise levels in areas away from major transportation routes are generally quite low. The noise environment of the project area, outside of major thoroughfares and railroads, is considered typical of agricultural areas and open space uses, corresponding to the 50 dBA Ldn outdoor noise level.

## Discussion of Impacts:

4.13(a)-4.13(f): *Less Than Significant With Mitigation Incorporated.* The project would allow for incidental tourism on working farms and ranches 10 acres and greater in size as a means of promoting the County's agricultural operations and products. To do so, the proposed zoning text amendment would expand upon and clarify those agritourism uses allowed on working farms and ranches and would establish limits and performance measures to minimize, to the greatest extent practicable, off-site impacts associated with agritourism, including noise.

For instance, in addition to the proposed zoning text amendment defining which agritourism uses would be permitted and mandating that more intensive Level II Agritourism uses obtain an administrative use permit or conditional use permit depending upon the intensity of use, the proposed zoning text amendment would limit the number of overnight guests allowed for Agricultural Farmstay and would restrict outdoor agritourism activities within one thousand feet of a residence on neighboring property to between the hours of 7:00 a.m. and 8:00 p.m. Furthermore, agritourism activities proposed within 1,000 feet of any adjacent residence requires administrative use permit approval. Approval of an administrative use permit would require project-specific and site-specific analysis of the particular agritourism activities, and would ensure the proposed use does not result in negative noise impacts on surrounding properties. Enforcement of these measures, as well as compliance with County noise standards, would ensure that noise impacts associated with agritourism operations remain less than significant.

In addition, the proposed project could generate temporary noise impacts and groundborne vibrations during renovations to existing structures and/or development of agritourism improvements. Noise-sensitive receptors located in the vicinity of agritourism improvements would likely consist of a small number of residences, although in some cases, it could result in disturbance to more individuals if the farm or ranch is located closer to a population center. Although the increase in noise levels during agritourism improvements is expected to be temporary and to be substantially attenuated by distance to noise sensitive receptors, construction noise and ground-borne vibrations have the potential to pose a nuisance to residences and other nearby noise sensitive receptors in the vicinity of improvements. Implementation of mitigation measure **MM 13.1**, however, would limit construction to daytime hours and would reduce potential noise and ground-borne vibration impacts to a level that is considered less than significant.

## Mitigation Measures:

**MM 13.1** In order to reduce potential construction noise impacts to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:

Use of heavy equipment, blasting equipment, compressors, and other noise and ground-borne vibration generating equipment associated with agritourism improvements is prohibited on Sundays and federal holidays and are limited to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday, and between 8:00 a.m. and 6:00 p.m. on Saturdays.

|                         |  |
|-------------------------|--|
| Timing/Implementation:  | During agritourism improvements                  |
| Enforcement/Monitoring: | Siskiyou County Community Development Department |

## 4.14 Population and Housing

| Would the project:  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Setting:

According to the California Department of Finance (DOF), there were 24,285 persons and 13,770 housing units in unincorporated Siskiyou County at the time of the 2010 U.S. Census. As of January 1, 2018, the population of unincorporated Siskiyou County was 24,084 with 14,111 housing units. This represents population growth of -0.8% since the 2010 U.S. Census.

Throughout Siskiyou County, there are a number of small communities separated by forest land, mountainous terrain, and agriculture, with very low-density residential development characterizing much of unincorporated Siskiyou County and single-family dwellings the predominant housing type.

### Discussion of Impacts:

4.14(a)-4.14(c): *Less Than Significant Impact*. Due to the incidental nature of agritourism, and because approximately 71 percent of the project area is presently utilized for agriculture, the proposed zoning text amendment is not expected to result in substantial development activity or induce substantial population growth either directly or indirectly. Further, no housing or people would be displaced as a result of the project.

### Mitigation Measures:

None required.



## 4.15 Public Services

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

|                             | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|-----------------------------|--------------------------------|--|-------------------------------------|--------------------------|
| a) Fire protection?         | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Police protection?       | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Schools?                 | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Parks?                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Other public facilities? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Setting:

Public services within the unincorporated county are provided by the County of Siskiyou, state and federal agencies, and numerous special districts, including fire protection districts, school districts, park and recreation districts, community services districts, cemetery districts, and irrigation districts.

### Discussion of Impacts:

4.15(a)-4.15(e): *Less Than Significant Impact*. See Response 4.13(a)-4.13(c). Because the proposed zoning text amendment would not result in substantial population growth, it would not generate the need for new or altered governmental facilities and no adverse impacts to public services, including fire and police protection, schools, parks, and other public facilities, are anticipated as a result of the project.

### Mitigation Measures:

None required.

## 4.16 Recreation

|  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project include recreational facilities, or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Setting:

Recreational opportunities within Siskiyou County are varied, ranging from developed public parks with facilities for organized sports to vast tracts of forestlands and numerous waterways. There are three Recreation and Park districts in Siskiyou County: Weed Recreation and Parks District, Mt. Shasta Recreation and Parks District, and Dunsmuir Recreation and Parks District, as well as several cities and community services districts that provide recreation opportunities for county residents and visitors.

### Discussion of Impacts:

4.16(a)-4.16(b): *Less Than Significant Impact*. The proposed zoning text amendment would not generate substantial population growth capable of resulting in adverse physical impacts to existing recreational facilities or the need for new recreational facilities in the county, nor would it entail for the construction of such facilities. While increased tourism resulting from the proposed zoning text amendment could cause in a minor increase in the use of recreation facilities throughout Siskiyou County, it would not accelerate degradation of these facilities or result in their substantial physical deterioration.

### Mitigation Measures:

None required.

## 4.17 Transportation / Traffic

| Would the project   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in inadequate emergency access?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Setting:

The transportation system in Siskiyou County is largely comprised of various federal, state, and local roadways, including Interstate 5, several state highways, U.S. Forest Service roads, and arterials, collectors and local streets. Traffic volumes throughout much of the County's road system, particularly in the agricultural areas where agritourism would occur, are considered low.

Within unincorporated Siskiyou County, the County of Siskiyou Public Works Department maintains a 1,361-mile public road network, approximately 65% of which is paved. The remainder of the roadways are privately owned and maintained, with maintenance entities ranging from individuals and unofficial maintenance groups to recorded road maintenance associations and agreements. Travel characteristics vary according to the region of the county in which it occurs.

The County of Siskiyou provides a public bus system, Siskiyou Transit and General Express (STAGE), which makes several stops in the communities of Mt. Shasta, Weed, Yreka and other communities along the Interstate 5 corridor. In addition, some bus stops are considered on-call, meaning that an individual would need to notify STAGE of the time and day he/she would like to ride.

## **Discussion of Impacts:**

4.17(a)-4.17(f): *Less Than Significant Impact.* The project would allow for incidental tourism on working farms and ranches 10 acres and greater in size as a means of promoting the County's agricultural operations and products. It should be noted that agritourism-related uses current exist throughout the county, which include onsite sales, roadside farm stands, U-pick sales, pumpkin patches, lodging accommodations, etc., and contribute to baseline conditions. The proposed zoning text amendment would expand upon and clarify those agritourism uses allowed on working farms and ranches and establish limits and performance measures to minimize, to the greatest extent practicable, off-site impacts associated with agritourism, including traffic. To this end the proposed zoning text amendment would limit agritourism at farms and ranches to no more than 10 Average Daily Trips (ADT) per calendar month, excluding school buses. For perspective, County standards assign 7.5 ADT to a single-family dwelling, which is considered an acceptable level of service for proposed projects. Further, the proposed zoning text amendment stipulates that if the agritourism to be permitted would generate more than 10 ADT, a conditional use permit would be required. This would trigger the need for a project-specific evaluation of potential traffic impacts and ensure a proposed project does not create any negative traffic impacts or appropriate mitigation measures have been incorporated reducing traffic impacts to a less than significant level. In addition, by including a definition of allowed and anticipated compatible uses, the proposed zoning text amendment precludes those uses that are not traditionally incidental to active agricultural operations and capable of generating substantial traffic, such as concerts and weddings. As a result, the proposed project would not conflict with an applicable congestion management program or level of service standard.

The proposed zoning text amendment also requires that farms and ranches accommodate all agritourism parking onsite. Coupled with the low traffic volumes anticipated as result of the project, additional trips generated by the proposed zoning text amendment would not impair emergency access throughout the county or create off-site impediments to emergency access vehicles. Further, there is no component of the project, such as a design feature or incompatible use, that would substantially increase hazards.

With regard to public safety around public airports and private airstrips, there is nothing about the project that would change air traffic patterns or endanger those persons engaged in agritourism on the ground in the vicinity of an airport or airstrip. Further, as discussed in Section 3.6, Relationship to Project to Other Plans, any application for an

administrative use permit or conditional use permit resulting from the project that pertains to property within the area of influence of a public airport would be subject to review by the Siskiyou County Airport Land Use Commission (ALUC) for compliance with the Siskiyou County Airport Land Use Compatibility Plan (ALUCP). As previously described, the ALUCP establishes land use designations, or compatibility zones, surrounding Siskiyou County airports to: 1) minimize public exposure to excessive noise and safety hazards, and 2) allow for future airport expansion.

The project would not conflict with any adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Overall, the proposed zoning text amendment has the potential to result in a minor increase in the use of rural roads to access the working farms and ranches of Siskiyou County and potential impacts to traffic and circulation are considered less than significant.

**Mitigation Measures:**

None required.



AB 52 also establishes a formal consultation process for California cities, counties, and tribes regarding tribal cultural resources. Under AB 52, lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.” Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency. Pursuant to AB 52, the County of Siskiyou mailed project notifications and invitations to begin AB 52 consultation to the Karuk Tribe, the Winnemem Wintu Tribe, and the Torres Martinez Desert Cahuilla Indians. None of the tribes contacted indicated that tribal cultural resources would potentially be affected by the project.

### **Discussion of Impacts:**

4.18(a)-4.18(b): *Less Than Significant Impact.* Prior to environmental review, the project was circulated to all tribes on the County’s contact list to invite consultation and avoid potential impacts to tribal cultural resources. Notifications were mailed to the Karuk Tribe, Winnemem Wintu Tribe, and the Torres Martinez Desert Cahuilla Indians. None of the tribes contacted indicated that tribal cultural resources would potentially be affected by the project.

The uses allowed by the proposed zoning text amendment are likely to occur on preexisting working farms and ranches where there are also preexisting infrastructure and other improvements to support the use. While there is the potential that some agricultural operations will invest in new amenities to support agritourism, farms and ranches can presently make such improvements regardless of the project. Further, it is more likely that existing structures, such as barns and other agricultural buildings, or outdoor areas on the farm or ranch would provide the backdrop for the promotion of the farm. Additionally, the proposed amendment would not change local and state requirements for protection of tribal resources as discussed in Section 5, Cultural Resources. As such, the project would have a less than significant impact on tribal cultural resources.

### **Mitigation Measures:**

None required.

## 4.19 Utilities and Service Systems

| Would the project: |  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--------------------|--|--------------------------------|--|-------------------------------------|--------------------------|
| a)                 | Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b)                 | Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c)                 | Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d)                 | Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e)                 | Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f)                 | Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g)                 | Comply with federal, state, and local statutes and regulations related to solid waste?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Setting:

Wastewater treatment within unincorporated Siskiyou County is largely provided by private septic systems. In addition, community service districts provide sewage collection and treatment for the unincorporated communities of McCloud, Happy Camp, and Hornbrook; the City of Mt. Shasta operates a regional wastewater treatment plant that serves numerous residences and businesses both inside and outside of city limits; and the City of Dunsmuir also serves customers outside its city limits.

Wastewater disposal is regulated under the federal Clean Water Act and the state Porter-Cologne Water Quality Control Act. The North Coast Regional Water Quality Control Board (North Coast RWQCB) and the Central Valley Regional Water Quality Control Board (Central Valley RWQCB) implement these acts by administering the National Pollutant Discharge Elimination System (NPDES), issuing water discharge permits, and establishing best management practices.

The County of Siskiyou maintains transfer stations in Happy Camp, Mt. Shasta, and Yreka. Solid waste from these transfer stations is subsequently hauled to the Dry Creek



Landfill in White City, Oregon for disposal. Opened in 1972, the Dry Creek Landfill was expanded to a regional facility in 1999, with a projected operational life exceeding 100 years. Under existing state permits, the Dry Creek Landfill can accept 972 tons of solid waste per day until the year 2056 and, as of 2006, had an estimated remaining capacity of 28,421,000 cubic yards (CH2M HILL 2006).

### **Discussion of Impacts:**

4.19(a)-4.19(g): *Less Than Significant Impact.* Farms and ranches engaged in agritourism would typically be served by individual domestic water wells and individual conventional on-site sewage disposal systems. Any new wells or new or expanded septic systems resulting from the project would require a permit from the County's Environmental Health Division. In addition to ensuring adequate water supply for new wells, Environmental Health would determine whether the proposed septic improvements could serve the use without adversely impacting groundwater or exceeding applicable RWQCB standards. As a result of mitigation measures contained in other sections of the initial study, any potential environmental impacts associated with construction of these improvements would be reduced to a level that is considered less than significant.

Aside from roadside ditches and culverts, stormwater facilities are typically absent in the unincorporated areas of Siskiyou County where large agricultural parcels are located. However, because the project is not likely to result in substantial development, and because the agricultural parcels where agritourism would be allowed are large enough to accommodate any additional stormwater runoff caused by agritourism improvements, no new or expanded stormwater drainage facilities are anticipated as being necessary to support the project. Further, all applicable public health and safety standards must be met by agritourism activities resulting from the project. Consequently, potential impacts associated with utilities and service systems are considered less than significant.

### **Mitigation Measures:**

None required.

## 4.20 Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

|  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Due to slope, prevailing winds, and other actors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

### Setting:

The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels, and fuel moisture contents) and topography (degree of slope). Steep slopes contribute to fire hazard by intensifying the effect of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface-area-to-mass ratio and require less heat to reach the ignition point, while fuels such as trees have a lower surface-area-to-mass ratio and require more heat to reach the ignition point.

### Discussion of Impacts:

4.20(a): *No Impact*. The project includes areas located in or near state responsibility areas or lands classified as very high fire hazard severity zones. However, the project would not impair or physically interfere with an adopted emergency response plan or emergency evacuation plan.

4.20(b)-4.20(d): *Less Than Significant Impact*. The project site includes areas located in a state responsibility areas classified as a high fire hazard severity zone by CalFire. Due to the incidental nature of agritourism, and because approximately 71 percent of the project area is presently utilized for agriculture, the proposed zoning text amendment is not expected to result in substantial development activity. Should development be proposed to facilitate agritourism-related uses, the proposed development would be reviewed by CAL FIRE and the Building Division of the Siskiyou County Community Development Department to ensure the development meets fire safe regulations including the California Building Code (CBC) and Public Resources Code Section 4290, if applicable.

**Mitigation Measures:**

None required.

## 4.21 Mandatory Findings of Significance

|   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Discussion of Impacts:

4.21(a)-4.21(c): *Less Than Significant With Mitigation Incorporated*. While a few of the Initial Study sections have identified the potential for significant environmental impacts without mitigation, including potential impacts to special-status species and paleontological resources, with the implementation of mitigation measures proposed within the relevant sections of this Initial Study, all potential impacts would be reduced to a level that is considered less than significant. As previously noted, the proposed project would not result in significant adverse impacts to human beings either directly or indirectly.

There are no recently approved projects in the region that together with the proposed project would have the potential to result in cumulatively significant impacts to the physical environment. In addition, the proposed project is intended to address a lack of clarity for accessory agricultural uses that are more appropriately categorized as agritourism. Existing farms and ranches throughout the county currently engage in agritourism-related uses, such as onsite sales, roadside stands, farm tours, educational activities, pumpkin patches, and other similar agritourism activities. As such, with implementation of the mitigation measures contained herein, the potential for cumulative impacts associated with the Agritourism Zoning Text Amendment (Z-17-03) would be reduced to a level that is considered less than significant.

**Mitigation Measures:**

None required.

## **5.0 References**

## 5.0 References

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### 5.1 Documents Referenced in Initial Study and/or Incorporated by Reference

The following documents were used or to determine the potential for impact from the proposed project. Compliance with federal, state, and local laws is assumed in all projects.

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United States Geological Society (USGS). 2018. Earthquake Hazards Program. <http://earthquake.usgs.gov/>. Website accessed December 12, 2018.

## 6.0 Attachments

Ordinance No. \_\_\_\_\_

**An Ordinance of the County of Siskiyou  
Amending Chapter 6 of Title 10 of the Siskiyou County Code  
by Adding Agritourism Definitions and Renumbering Adjacent Sections,  
and by Adding Agritourism Uses, Administrative Processes,  
and Authority for Permit Fees**

The Board of Supervisors of the County of Siskiyou Ordains as Follows:

**Section 1:** Section 10-6.3602.207 of Article 36, of Chapter 6, of Title 10, defining “Zoning Permit” is hereby renumbered to Section 10-6.3602.210.

**Section 2:** Section 10-6.3602.206 of Article 36, of Chapter 6, of Title 10, defining “Zoning Map” is hereby renumbered to Section 10-6.3602.209.

**Section 3:** Section 10-6.3602.205 of Article 36, of Chapter 6, of Title 10, defining “Zone” is hereby renumbered to Section 10-6.3602.208.

**Section 4:** Section 10-6.3602.204 of Article 36, of Chapter 6, of Title 10, defining “Zero lot line” is hereby renumbered to Section 10-6.3602.207.

**Section 5:** Section 10-6.3602.203 of Article 36, of Chapter 6, of Title 10, defining “Youth camp” is hereby renumbered to Section 10-6.3602.206.

**Section 6:** Section 10-6.3602.202 of Article 36, of Chapter 6, of Title 10, defining “Yard, side” is hereby renumbered to Section 10-6.3602.205.

**Section 7:** Section 10-6.3602.201 of Article 36, of Chapter 6, of Title 10, defining “Yard, rear” is hereby renumbered to Section 10-6.3602.204.

**Section 8:** Section 10-6.3602.200 of Article 36, of Chapter 6, of Title 10, defining “Yard, front” is hereby renumbered to Section 10-6.3602.203.

**Section 9:** Section 10-6.3602.199 of Article 36, of Chapter 6, of Title 10, defining “Yard” is hereby renumbered to Section 10-6.3602.202.

**Section 10:** Section 10-6.3602.198 of Article 36, of Chapter 6, of Title 10, defining “Wholesale trade” is hereby renumbered to Section 10-6.3602.201.

**Section 11:** Section 10-6.3602.197 of Article 36, of Chapter 6, of Title 10, defining “Waste” is hereby renumbered to Section 10-6.3602.200.

**Section 12:** Section 10-6.3602.196 of Article 36, of Chapter 6, of Title 10, defining “Warehouse” is hereby renumbered to Section 10-6.3602.199.

**Section 13:** Section 10-6.3602.195 of Article 36, of Chapter 6, of Title 10, defining “Variance, hardship” is hereby renumbered to Section 10-6.3602.198.

**Section 14:** Section 10-6.3602.194 of Article 36, of Chapter 6, of Title 10, defining “Vacation rental” is hereby renumbered to Section 10-6.3602.197.

**Section 15:** Section 10-6.3602.193 of Article 36, of Chapter 6, of Title 10, defining “Utility, private or public” is hereby renumbered to Section 10-6.3602.196.

**Section 16:** Section 10-6.3602.192 of Article 36, of Chapter 6, of Title 10, defining

“Trucking terminal” is hereby renumbered to Section 10-6.3602.195.

**Section 17:** Section 10-6.3602.191 of Article 36, of Chapter 6, of Title 10, defining “Truck stop” is hereby renumbered to Section 10-6.3602.194.

**Section 18:** Section 10-6.3602.190 of Article 36, of Chapter 6, of Title 10, defining “Truck camper” is hereby renumbered to Section 10-6.3602.193.

**Section 19:** Section 10-6.3602.189 of Article 36, of Chapter 6, of Title 10, defining “Trade school” is hereby renumbered to Section 10-6.3602.192.

**Section 20:** Section 10-6.3602.188 of Article 36, of Chapter 6, of Title 10, defining “Theater” is hereby renumbered to Section 10-6.3602.191.

**Section 21:** Section 10-6.3602.187 of Article 36, of Chapter 6, of Title 10, defining “Temporary use” is hereby renumbered to Section 10-6.3602.190.

**Section 22:** Section 10-6.3602.186 of Article 36, of Chapter 6, of Title 10, defining “Temporary structure” is hereby renumbered to Section 10-6.3602.189.

**Section 23:** Section 10-6.3602.185 of Article 36, of Chapter 6, of Title 10, defining “Surface mining” is hereby renumbered to Section 10-6.3602.188.

**Section 24:** Section 10-6.3602.184 of Article 36, of Chapter 6, of Title 10, defining “Structural alterations” is hereby renumbered to Section 10-6.3602.187.

**Section 25:** Section 10-6.3602.183 of Article 36, of Chapter 6, of Title 10, defining “Structure” is hereby renumbered to Section 10-6.3602.186.

**Section 26:** Section 10-6.3602.182 of Article 36, of Chapter 6, of Title 10, defining “Street” is hereby renumbered to Section 10-6.3602.185.

**Section 27:** Section 10-6.3602.181 of Article 36, of Chapter 6, of Title 10, defining “Solid waste” is hereby renumbered to Section 10-6.3602.184.

**Section 28:** Section 10-6.3602.180 of Article 36, of Chapter 6, of Title 10, defining “Soil map” is hereby renumbered to Section 10-6.3602.183.

**Section 29:** Section 10-6.3602.179 of Article 36, of Chapter 6, of Title 10, defining “Soil” is hereby renumbered to Section 10-6.3602.182.

**Section 30:** Section 10-6.3602.178 of Article 36, of Chapter 6, of Title 10, defining “Slope” is hereby renumbered to Section 10-6.3602.181.

**Section 31:** Section 10-6.3602.177 of Article 36, of Chapter 6, of Title 10, defining “Ski resort” is hereby renumbered to Section 10-6.3602.180.

**Section 32:** Section 10-6.3602.176 of Article 36, of Chapter 6, of Title 10, defining “Ski area” is hereby renumbered to Section 10-6.3602.179.

**Section 33:** Section 10-6.3602.175 of Article 36, of Chapter 6, of Title 10, defining “Single-room occupancy” is hereby renumbered to Section 10-6.3602.178.

**Section 34:** Section 10-6.3602.174 of Article 36, of Chapter 6, of Title 10, defining “Sight triangle” is hereby renumbered to Section 10-6.3602.177.

**Section 35:** Section 10-6.3602.173 of Article 36, of Chapter 6, of Title 10, defining

“Setback” is hereby renumbered to Section 10-6.3602.176.

**Section 36:** Section 10-6.3602.172 of Article 36, of Chapter 6, of Title 10, defining “Secondary treatment” is hereby renumbered to Section 10-6.3602.175.

**Section 37:** Section 10-6.3602.171 of Article 36, of Chapter 6, of Title 10, defining “Screening” is hereby renumbered to Section 10-6.3602.174.

**Section 38:** Section 10-6.3602.170 of Article 36, of Chapter 6, of Title 10, defining “School” is hereby renumbered to Section 10-6.3602.173.

**Section 39:** Section 10-6.3602.169 of Article 36, of Chapter 6, of Title 10, defining “Sanitary sewage” is hereby renumbered to Section 10-6.3602.172.

**Section 40:** Section 10-6.3602.168 of Article 36, of Chapter 6, of Title 10, defining “Right-of-way” is hereby renumbered to Section 10-6.3602.171.

**Section 41:** Section 10-6.3602.167 of Article 36, of Chapter 6, of Title 10, defining “Restaurant” is hereby renumbered to Section 10-6.3602.170.

**Section 42:** Section 10-6.3602.166 of Article 36, of Chapter 6, of Title 10, defining “Resort” is hereby renumbered to Section 10-6.3602.169.

**Section 43:** Section 10-6.3602.165 of Article 36, of Chapter 6, of Title 10, defining “Residential storage structure” is hereby renumbered to Section 10-6.3602.168.

**Section 44:** Section 10-6.3602.164 of Article 36, of Chapter 6, of Title 10, defining “Residence” is hereby renumbered to Section 10-6.3602.167.

**Section 45:** Section 10-6.3602.163 of Article 36, of Chapter 6, of Title 10, defining “Recreational vehicle” is hereby renumbered to Section 10-6.3602.166.

**Section 46:** Section 10-6.3602.162 of Article 36, of Chapter 6, of Title 10, defining “Recreational trailer and/or vehicle park” is hereby renumbered to Section 10-6.3602.165.

**Section 47:** Section 10-6.3602.161 of Article 36, of Chapter 6, of Title 10, defining “Recreational trailer park” is hereby renumbered to Section 10-6.3602.164.

**Section 48:** Section 10-6.3602.160 of Article 36, of Chapter 6, of Title 10, defining “Recreational development” is hereby renumbered to Section 10-6.3602.163.

**Section 49:** Section 10-6.3602.159 of Article 36, of Chapter 6, of Title 10, defining “Recreational facility, public” is hereby renumbered to Section 10-6.3602.162.

**Section 50:** Section 10-6.3602.158 of Article 36, of Chapter 6, of Title 10, defining “Recreational facility, private” is hereby renumbered to Section 10-6.3602.161.

**Section 51:** Section 10-6.3602.157 of Article 36, of Chapter 6, of Title 10, defining “Recreation facility, personal” is hereby renumbered to Section 10-6.3602.160.

**Section 52:** Section 10-6.3602.156 of Article 36, of Chapter 6, of Title 10, defining “Recreation facility, commercial” is hereby renumbered to Section 10-6.3602.159.

**Section 53:** Section 10-6.3602.155 of Article 36, of Chapter 6, of Title 10, defining “Recreation facility” is hereby renumbered to Section 10-6.3602.158.

**Section 54:** Section 10-6.3602.154 of Article 36, of Chapter 6, of Title 10, defining

“Recreation, active” is hereby renumbered to Section 10-6.3602.157.

**Section 55:** Section 10-6.3602.153 of Article 36, of Chapter 6, of Title 10, defining “Ranch” is hereby renumbered to Section 10-6.3602.156.

**Section 56:** Section 10-6.3602.152 of Article 36, of Chapter 6, of Title 10, defining “Quasi-Public use or building” is hereby renumbered to Section 10-6.3602.155.

**Section 57:** Section 10-6.3602.151 of Article 36, of Chapter 6, of Title 10, defining “Quasi-Public” is hereby renumbered to Section 10-6.3602.154.

**Section 58:** Section 10-6.3602.150 of Article 36, of Chapter 6, of Title 10, defining “Public sewer and water system” is hereby renumbered to Section 10-6.3602.153.

**Section 59:** Section 10-6.3602.149 of Article 36, of Chapter 6, of Title 10, defining “Public celebrations” is hereby renumbered to Section 10-6.3602.152.

**Section 60:** Section 10-6.3602.148 of Article 36, of Chapter 6, of Title 10, defining “Professional Office” is hereby renumbered to Section 10-6.3602.151.

**Section 61:** Section 10-6.3602.147 of Article 36, of Chapter 6, of Title 10, defining “Primary treatment” is hereby renumbered to Section 10-6.3602.150.

**Section 62:** Section 10-6.3602.146 of Article 36, of Chapter 6, of Title 10, defining “Planning Commission” is hereby renumbered to Section 10-6.3602.149.

**Section 63:** Section 10-6.3602.145 of Article 36, of Chapter 6, of Title 10, defining “Planned unit development” is hereby renumbered to Section 10-6.3602.148.

**Section 64:** Section 10-6.3602.144 of Article 36, of Chapter 6, of Title 10, defining “Personal services” is hereby renumbered to Section 10-6.3602.147.

**Section 65:** Section 10-6.3602.143 of Article 36, of Chapter 6, of Title 10, defining “Person” is hereby renumbered to Section 10-6.3602.146.

**Section 66:** Section 10-6.3602.142 of Article 36, of Chapter 6, of Title 10, defining “Permitted use” is hereby renumbered to Section 10-6.3602.145.

**Section 67:** Section 10-6.3602.141 of Article 36, of Chapter 6, of Title 10, defining “Performance Standards” is hereby renumbered to Section 10-6.3602.144.

**Section 68:** Section 10-6.3602.140 of Article 36, of Chapter 6, of Title 10, defining “Park trailer” is hereby renumbered to Section 10-6.3602.143.

**Section 69:** Section 10-6.3602.139 of Article 36, of Chapter 6, of Title 10, defining “Parking space” is hereby renumbered to Section 10-6.3602.142.

**Section 70:** Section 10-6.3602.138 of Article 36, of Chapter 6, of Title 10, defining “Parking area” is hereby renumbered to Section 10-6.3602.141.

**Section 71:** Section 10-6.3602.137 of Article 36, of Chapter 6, of Title 10, defining “Park” is hereby renumbered to Section 10-6.3602.140.

**Section 72:** Section 10-6.3602.136 of Article 36, of Chapter 6, of Title 10, defining “Outdoor storage” is hereby renumbered to Section 10-6.3602.139.

**Section 73:** Section 10-6.3602.135 of Article 36, of Chapter 6, of Title 10, defining

“Outbuilding” is hereby renumbered to Section 10-6.3602.138.

**Section 74:** Section 10-6.3602.134 of Article 36, of Chapter 6, of Title 10, defining “Organized camp” is hereby renumbered to Section 10-6.3602.137.

**Section 75:** Section 10-6.3602.133 of Article 36, of Chapter 6, of Title 10, defining “Open space, public” is hereby renumbered to Section 10-6.3602.136.

**Section 76:** Section 10-6.3602.132 of Article 36, of Chapter 6, of Title 10, defining “Open space, private” is hereby renumbered to Section 10-6.3602.135.

**Section 77:** Section 10-6.3602.131 of Article 36, of Chapter 6, of Title 10, defining “Open space, green” is hereby renumbered to Section 10-6.3602.134.

**Section 78:** Section 10-6.3602.130 of Article 36, of Chapter 6, of Title 10, defining “Open space, common” is hereby renumbered to Section 10-6.3602.133.

**Section 79:** Section 10-6.3602.129 of Article 36, of Chapter 6, of Title 10, defining “Open space” is hereby renumbered to Section 10-6.3602.132.

**Section 80:** Section 10-6.3602.128 of Article 36, of Chapter 6, of Title 10, defining “On-street parking space” is hereby renumbered to Section 10-6.3602.131.

**Section 81:** Section 10-6.3602.127 of Article 36, of Chapter 6, of Title 10, defining “Off-street parking space” is hereby renumbered to Section 10-6.3602.130.

**Section 82:** Section 10-6.3602.126 of Article 36, of Chapter 6, of Title 10, defining “Office” is hereby renumbered to Section 10-6.3602.129.

**Section 83:** Section 10-6.3602.125 of Article 36, of Chapter 6, of Title 10, defining “Occupancy” is hereby renumbered to Section 10-6.3602.128.

**Section 84:** Section 10-6.3602.124 of Article 36, of Chapter 6, of Title 10, defining “Nursery” is hereby renumbered to Section 10-6.3602.127.

**Section 85:** Section 10-6.3602.123 of Article 36, of Chapter 6, of Title 10, defining “Nuisance” is hereby renumbered to Section 10-6.3602.126.

**Section 86:** Section 10-6.3602.122 of Article 36, of Chapter 6, of Title 10, defining “Nonconforming uses” is hereby renumbered to Section 10-6.3602.125.

**Section 87:** Section 10-6.3602.121 of Article 36, of Chapter 6, of Title 10, defining “Nonconforming lot” is hereby renumbered to Section 10-6.3602.124.

**Section 88:** Section 10-6.3602.120 of Article 36, of Chapter 6, of Title 10, defining “Noise pollution” is hereby renumbered to Section 10-6.3602.123.

**Section 89:** Section 10-6.3602.119 of Article 36, of Chapter 6, of Title 10, defining “Noise” is hereby renumbered to Section 10-6.3602.122.

**Section 90:** Section 10-6.3602.118 of Article 36, of Chapter 6, of Title 10, defining “Motion picture theater” is hereby renumbered to Section 10-6.3602.121.

**Section 91:** Section 10-6.3602.117 of Article 36, of Chapter 6, of Title 10, defining “Motel” is hereby renumbered to Section 10-6.3602.120.

**Section 92:** Section 10-6.3602.116 of Article 36, of Chapter 6, of Title 10, defining

“Mortuary” is hereby renumbered to Section 10-6.3602.119.

**Section 93:** Section 10-6.3602.115 of Article 36, of Chapter 6, of Title 10, defining “Mobile home park” is hereby renumbered to Section 10-6.3602.118.

**Section 94:** Section 10-6.3602.114 of Article 36, of Chapter 6, of Title 10, defining “Mobile home” is hereby renumbered to Section 10-6.3602.117.

**Section 95:** Section 10-6.3602.113 of Article 36, of Chapter 6, of Title 10, defining “Mini-warehouse” is hereby renumbered to Section 10-6.3602.116.

**Section 96:** Section 10-6.3602.112 of Article 36, of Chapter 6, of Title 10, defining “Manufacturing” is hereby renumbered to Section 10-6.3602.115.

**Section 97:** Section 10-6.3602.111 of Article 36, of Chapter 6, of Title 10, defining “Lumber yard” is hereby renumbered to Section 10-6.3602.114.

**Section 98:** Section 10-6.3602.110 of Article 36, of Chapter 6, of Title 10, defining “Lot width” is hereby renumbered to Section 10-6.3602.113.

**Section 99:** Section 10-6.3602.109 of Article 36, of Chapter 6, of Title 10, defining “Lot, through” is hereby renumbered to Section 10-6.3602.112.

**Section 100:** Section 10-6.3602.108 of Article 36, of Chapter 6, of Title 10, defining “Lot, reverse frontage” is hereby renumbered to Section 10-6.3602.111.

**Section 101:** Section 10-6.3602.107 of Article 36, of Chapter 6, of Title 10, defining “Lot, minimum area of” is hereby renumbered to Section 10-6.3602.110.

**Section 102:** Section 10-6.3602.106 of Article 36, of Chapter 6, of Title 10, defining “Lot line, side” is hereby renumbered to Section 10-6.3602.109.

**Section 103:** Section 10-6.3602.105 of Article 36, of Chapter 6, of Title 10, defining “Lot line, rear” is hereby renumbered to Section 10-6.3602.108.

**Section 104:** Section 10-6.3602.104 of Article 36, of Chapter 6, of Title 10, defining “Lot line, front” is hereby renumbered to Section 10-6.3602.107.

**Section 105:** Section 10-6.3602.103 of Article 36, of Chapter 6, of Title 10, defining “Lot line” is hereby renumbered to Section 10-6.3602.106.

**Section 106:** Section 10-6.3602.102 of Article 36, of Chapter 6, of Title 10, defining “Lot frontage” is hereby renumbered to Section 10-6.3602.105.

**Section 107:** Section 10-6.3602.101 of Article 36, of Chapter 6, of Title 10, defining “Lot depth” is hereby renumbered to Section 10-6.3602.104.

**Section 108:** Section 10-6.3602.100 of Article 36, of Chapter 6, of Title 10, defining “Lot, corner” is hereby renumbered to Section 10-6.3602.103.

**Section 109:** Section 10-6.3602.99 of Article 36, of Chapter 6, of Title 10, defining “Lot” is hereby renumbered to Section 10-6.3602.102.

**Section 110:** Section 10-6.3602.98 of Article 36, of Chapter 6, of Title 10, defining “Lodging house” is hereby renumbered to Section 10-6.3602.101.

**Section 111:** Section 10-6.3602.97 of Article 36, of Chapter 6, of Title 10, defining



“Lodge” is hereby renumbered to Section 10-6.3602.100.

**Section 112:** Section 10-6.3602.96 of Article 36, of Chapter 6, of Title 10, defining “Kennel” is hereby renumbered to Section 10-6.3602.99.

**Section 113:** Section 10-6.3602.95 of Article 36, of Chapter 6, of Title 10, defining “Junk yard” is hereby renumbered to Section 10-6.3602.98.

**Section 114:** Section 10-6.3602.94 of Article 36, of Chapter 6, of Title 10, defining “Junk” is hereby renumbered to Section 10-6.3602.97.

**Section 115:** Section 10-6.3602.93 of Article 36, of Chapter 6, of Title 10, defining “Institutional use” is hereby renumbered to Section 10-6.3602.96.

**Section 116:** Section 10-6.3602.92 of Article 36, of Chapter 6, of Title 10, defining “Housing unit” is hereby renumbered to Section 10-6.3602.95.

**Section 117:** Section 10-6.3602.91 of Article 36, of Chapter 6, of Title 10, defining “Housing, transitional” is hereby renumbered to Section 10-6.3602.94.

**Section 118:** Section 10-6.3602.90 of Article 36, of Chapter 6, of Title 10, defining “Housing, supportive” is hereby renumbered to Section 10-6.3602.93.

**Section 119:** Section 10-6.3602.89 of Article 36, of Chapter 6, of Title 10, defining “Household” is hereby renumbered to Section 10-6.3602.92.

**Section 120:** Section 10-6.3602.88 of Article 36, of Chapter 6, of Title 10, defining “Hotel” is hereby renumbered to Section 10-6.3602.91.

**Section 121:** Section 10-6.3602.87 of Article 36, of Chapter 6, of Title 10, defining “Horticulture” is hereby renumbered to Section 10-6.3602.90.

**Section 122:** Section 10-6.3602.86 of Article 36, of Chapter 6, of Title 10, defining “Home occupation” is hereby renumbered to Section 10-6.3602.89.

**Section 123:** Section 10-6.3602.85 of Article 36, of Chapter 6, of Title 10, defining “Helistop” is hereby renumbered to Section 10-6.3602.88.

**Section 124:** Section 10-6.3602.84 of Article 36, of Chapter 6, of Title 10, defining “Heliport” is hereby renumbered to Section 10-6.3602.87.

**Section 125:** Section 10-6.3602.83 of Article 36, of Chapter 6, of Title 10, defining “Height of building” is hereby renumbered to Section 10-6.3602.86.

**Section 126:** Section 10-6.3602.82 of Article 36, of Chapter 6, of Title 10, defining “Guest house” is hereby renumbered to Section 10-6.3602.85.

**Section 127:** Section 10-6.3602.81 of Article 36, of Chapter 6, of Title 10, defining “Group home” is hereby renumbered to Section 10-6.3602.84.

**Section 128:** Section 10-6.3602.80 of Article 36, of Chapter 6, of Title 10, defining “Convalescent or care facility” is hereby renumbered to Section 10-6.3602.83.

**Section 129:** Section 10-6.3602.79 of Article 36, of Chapter 6, of Title 10, defining “Group care facility” is hereby renumbered to Section 10-6.3602.82.

**Section 130:** Section 10-6.3602.78 of Article 36, of Chapter 6, of Title 10, defining

“gravel pit” is hereby renumbered to Section 10-6.3602.81.

**Section 131:** Section 10-6.3602.77 of Article 36, of Chapter 6, of Title 10, defining “Glare” is hereby renumbered to Section 10-6.3602.80.

**Section 132:** Section 10-6.3602.76 of Article 36, of Chapter 6, of Title 10, defining “Garage, private residential” is hereby renumbered to Section 10-6.3602.79.

**Section 133:** Section 10-6.3602.75 of Article 36, of Chapter 6, of Title 10, defining “Garage” is hereby renumbered to Section 10-6.3602.78.

**Section 134:** Section 10-6.3602.74 of Article 36, of Chapter 6, of Title 10, defining “Frontage” is hereby renumbered to Section 10-6.3602.77.

**Section 135:** Section 10-6.3602.73 of Article 36, of Chapter 6, of Title 10, defining “Floodway” is hereby renumbered to Section 10-6.3602.76.

**Section 136:** Section 10-6.3602.72 of Article 36, of Chapter 6, of Title 10, defining “Flood plain” is hereby renumbered to Section 10-6.3602.75.

**Section 137:** Section 10-6.3602.71 of Article 36, of Chapter 6, of Title 10, defining “Flood insurance rate map” is hereby renumbered to Section 10-6.3602.74.

**Section 138:** Section 10-6.3602.70 of Article 36, of Chapter 6, of Title 10, defining “Flood hazard design evaluation” is hereby renumbered to Section 10-6.3602.73.

**Section 139:** Section 10-6.3602.69 of Article 36, of Chapter 6, of Title 10, defining “Flood” is hereby renumbered to Section 10-6.3602.72.

**Section 140:** Section 10-6.3602.68 of Article 36, of Chapter 6, of Title 10, defining “Fill” is hereby renumbered to Section 10-6.3602.71.

**Section 141:** Section 10-6.3602.67 of Article 36, of Chapter 6, of Title 10, defining “Fence” is hereby renumbered to Section 10-6.3602.70.

**Section 142:** Section 10-6.3602.66 of Article 36, of Chapter 6, of Title 10, defining “Feed lot, commercial” is hereby renumbered to Section 10-6.3602.69.

**Section 143:** Section 10-6.3602.65 of Article 36, of Chapter 6, of Title 10, defining “Farm stand” is hereby renumbered to Section 10-6.3602.68.

**Section 144:** Section 10-6.3602.64 of Article 36, of Chapter 6, of Title 10, defining “Farm labor quarters or housing” is hereby renumbered to Section 10-6.3602.67.

**Section 145:** Section 10-6.3602.63 of Article 36, of Chapter 6, of Title 10, defining “Farm” is hereby renumbered to Section 10-6.3602.66.

**Section 146:** Section 10-6.3602.62 of Article 36, of Chapter 6, of Title 10, defining “Family” is hereby renumbered to Section 10-6.3602.65.

**Section 147:** Section 10-6.3602.61 of Article 36, of Chapter 6, of Title 10, defining “Extended care facility” is hereby renumbered to Section 10-6.3602.64.

**Section 148:** Section 10-6.3602.60 of Article 36, of Chapter 6, of Title 10, defining “Existing use” is hereby renumbered to Section 10-6.3602.63.

**Section 149:** Section 10-6.3602.59 of Article 36, of Chapter 6, of Title 10, defining

“Emergency shelter” is hereby renumbered to Section 10-6.3602.62.

**Section 150:** Section 10-6.3602.58 of Article 36, of Chapter 6, of Title 10, defining “Eave” is hereby renumbered to Section 10-6.3602.61.

**Section 151:** Section 10-6.3602.57 of Article 36, of Chapter 6, of Title 10, defining “Dwelling units” is hereby renumbered to Section 10-6.3602.60.

**Section 152:** Section 10-6.3602.56 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, Two-family (duplex)” is hereby renumbered to Section 10-6.3602.59.

**Section 153:** Section 10-6.3602.55 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, triplex” is hereby renumbered to Section 10-6.3602.58.

**Section 154:** Section 10-6.3602.54 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, townhouse” is hereby renumbered to Section 10-6.3602.57.

**Section 155:** Section 10-6.3602.53 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, single-family” is hereby renumbered to Section 10-6.3602.56.

**Section 156:** Section 10-6.3602.52 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, quadruplex” is hereby renumbered to Section 10-6.3602.55.

**Section 157:** Section 10-6.3602.51 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, multi-family” is hereby renumbered to Section 10-6.3602.54.

**Section 158:** Section 10-6.3602.50 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, group” is hereby renumbered to Section 10-6.3602.53.

**Section 159:** Section 10-6.3602.49 of Article 36, of Chapter 6, of Title 10, defining “Dwelling” is hereby renumbered to Section 10-6.3602.52.

**Section 160:** Section 10-6.3602.48 of Article 36, of Chapter 6, of Title 10, defining “Drive-in use” is hereby renumbered to Section 10-6.3602.51.

**Section 161:** Section 10-6.3602.47 of Article 36, of Chapter 6, of Title 10, defining “Drainage” is hereby renumbered to Section 10-6.3602.50.

**Section 162:** Section 10-6.3602.46 of Article 36, of Chapter 6, of Title 10, defining “Domicile” is hereby renumbered to Section 10-6.3602.49.

**Section 163:** Section 10-6.3602.45 of Article 36, of Chapter 6, of Title 10, defining “Developer” is hereby renumbered to Section 10-6.3602.48.

**Section 164:** Section 10-6.3602.44 of Article 36, of Chapter 6, of Title 10, defining “Density” is hereby renumbered to Section 10-6.3602.47.

**Section 165:** Section 10-6.3602.43 of Article 36, of Chapter 6, of Title 10, defining “Cul-de-sac” is hereby renumbered to Section 10-6.3602.46.

**Section 166:** Section 10-6.3602.42 of Article 36, of Chapter 6, of Title 10, defining “Cottage food products” is hereby renumbered to Section 10-6.3602.45.

**Section 167:** Section 10-6.3602.41 of Article 36, of Chapter 6, of Title 10, defining “Cottage food operator” is hereby renumbered to Section 10-6.3602.44.

**Section 168:** Section 10-6.3602.40 of Article 36, of Chapter 6, of Title 10, defining

“Cottage food operation” is hereby renumbered to Section 10-6.3602.43.

**Section 169:** Section 10-6.3602.39 of Article 36, of Chapter 6, of Title 10, defining “Cottage food employee” is hereby renumbered to Section 10-6.3602.42.

**Section 170:** Section 10-6.3602.38 of Article 36, of Chapter 6, of Title 10, defining “Conditional Use” is hereby renumbered to Section 10-6.3602.41.

**Section 171:** Section 10-6.3602.37 of Article 36, of Chapter 6, of Title 10, defining “Community sewer system” is hereby renumbered to Section 10-6.3602.40.

**Section 172:** Section 10-6.3602.36 of Article 36, of Chapter 6, of Title 10, defining “Commercial vehicle” is hereby renumbered to Section 10-6.3602.39.

**Section 173:** Section 10-6.3602.35 of Article 36, of Chapter 6, of Title 10, defining “Combining district” is hereby renumbered to Section 10-6.3602.38.

**Section 174:** Section 10-6.3602.34 of Article 36, of Chapter 6, of Title 10, defining “Cluster” is hereby renumbered to Section 10-6.3602.37.

**Section 175:** Section 10-6.3602.33 of Article 36, of Chapter 6, of Title 10, defining “Club” is hereby renumbered to Section 10-6.3602.36.

**Section 176:** Section 10-6.3602.32 of Article 36, of Chapter 6, of Title 10, defining “Campsite” is hereby renumbered to Section 10-6.3602.35.

**Section 177:** Section 10-6.3602.31 of Article 36, of Chapter 6, of Title 10, defining “Camping unit” is hereby renumbered to Section 10-6.3602.34.

**Section 178:** Section 10-6.3602.30 of Article 36, of Chapter 6, of Title 10, defining “Camping group” is hereby renumbered to Section 10-6.3602.33.

**Section 179:** Section 10-6.3602.29 of Article 36, of Chapter 6, of Title 10, defining “Campground” is hereby renumbered to Section 10-6.3602.32.

**Section 180:** Section 10-6.3602.28 of Article 36, of Chapter 6, of Title 10, defining “Camper” is hereby renumbered to Section 10-6.3602.31.

**Section 181:** Section 10-6.3602.27 of Article 36, of Chapter 6, of Title 10, defining “Business, retail” is hereby renumbered to Section 10-6.3602.30.

**Section 182:** Section 10-6.3602.26 of Article 36, of Chapter 6, of Title 10, defining “Business services” is hereby renumbered to Section 10-6.3602.29.

**Section 183:** Section 10-6.3602.25 of Article 36, of Chapter 6, of Title 10, defining “Bulk storage” is hereby renumbered to Section 10-6.3602.28.

**Section 184:** Section 10-6.3602.24 of Article 36, of Chapter 6, of Title 10, defining “Building, principal” is hereby renumbered to Section 10-6.3602.27.

**Section 185:** Section 10-6.3602.23 of Article 36, of Chapter 6, of Title 10, defining “Building height” is hereby renumbered to Section 10-6.3602.26.

**Section 186:** Section 10-6.3602.22 of Article 36, of Chapter 6, of Title 10, defining “Building, accessory” is hereby renumbered to Section 10-6.3602.25.

**Section 187:** Section 10-6.3602.21 of Article 36, of Chapter 6, of Title 10, defining

“Building” is hereby renumbered to Section 10-6.3602.24.

**Section 188:** Section 10-6.3602.20 of Article 36, of Chapter 6, of Title 10, defining “Roominghouse” is hereby renumbered to Section 10-6.3602.23.

**Section 189:** Section 10-6.3602.19 of Article 36, of Chapter 6, of Title 10, defining “Boardinghouse” is hereby renumbered to Section 10-6.3602.22.

**Section 190:** Section 10-6.3602.18 of Article 36, of Chapter 6, of Title 10, defining “Boarder” is hereby renumbered to Section 10-6.3602.21.

**Section 191:** Section 10-6.3602.17 of Article 36, of Chapter 6, of Title 10, defining “Block” is hereby renumbered to Section 10-6.3602.20.

**Section 192:** Section 10-6.3602.16 of Article 36, of Chapter 6, of Title 10, defining “Bar” is hereby renumbered to Section 10-6.3602.19.

**Section 193:** Section 10-6.3602.15 of Article 36, of Chapter 6, of Title 10, defining “Automotive repair services and garages” is hereby renumbered to Section 10-6.3602.18.

**Section 194:** Section 10-6.3602.14 of Article 36, of Chapter 6, of Title 10, defining “Automobile service station” is hereby renumbered to Section 10-6.3602.17.

**Section 195:** Section 10-6.3602.13 of Article 36, of Chapter 6, of Title 10, defining “Automobile sales” is hereby renumbered to Section 10-6.3602.16.

**Section 196:** Section 10-6.3602.12 of Article 36, of Chapter 6, of Title 10, defining “Apartment unit” is hereby renumbered to Section 10-6.3602.15.

**Section 197:** Section 10-6.3602.11 of Article 36, of Chapter 6, of Title 10, defining “Apartment house” is hereby renumbered to Section 10-6.3602.14.

**Section 198:** Section 10-6.3602.10 of Article 36, of Chapter 6, of Title 10, defining “Animal hospital” is hereby renumbered to Section 10-6.3602.13.

**Section 199:** Section 10-6.3602.9 of Article 36, of Chapter 6, of Title 10, defining “Alley” is hereby renumbered to Section 10-6.3602.12.

**Section 200:** Section 10-6.3602.8 of Article 36, of Chapter 6, of Title 10, defining “Airport” is hereby renumbered to Section 10-6.3602.11.

**Section 201:** Section 10-6.3602.10 of Article 36, of Chapter 6, of Title 10, defining “Agritourism Property” is hereby added as follows:

Agritourism Property.

“Agritourism Property” means one or more contiguous parcels under common ownership or lease upon which an Agritourism activity operated by the owner or lessee occurs as an accessory use incidental to the primary use of agricultural production.

**Section 202:** Section 10-6.3602.9 of Article 36, of Chapter 6, of Title 10, defining “Agritourism Farmstay” is hereby added as follows:

Agricultural Farmstay.

“Agricultural Farmstay” means a transient lodging accommodation, with no more than 20 guests, provided it is accessory to the primary use of agricultural production, and

is located on an agritourism property with a minimum size of 80 acres that contains a legal residential dwelling occupied by the owner or operate. Agricultural Farmstays may be permitted in dwellings, tent units, recreational vehicles, or similar structures. Agricultural Farmstays shall comply with the requirements set forth in Health and Safety Code section 113893, as amended from time to time. The Agricultural Farmstay owner shall maintain a Transient Occupancy Tax registration certificate and remain current on all required reports and payments.

**Section 203:** Section 10-6.3602.8 of Article 36, of Chapter 6, of Title 10, defining “Agritourism; Level I and Level II” is hereby added as follows:

Agritourism; Level I and Level II.

- A. "Agritourism" is an event or activity that brings visitors to a working farm or ranch as a guest for the purpose of enjoyment, education, or other active participation in the activities of the farm. A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more. Agritourism activities shall not interfere with the primary use of agricultural production and are only permitted as accessory uses. Agritourism shall not include concerts or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch.
- B. “Level I Agritourism” is Agritourism on Agritourism Property ten (10) acres or larger that is limited to twenty (20) single-day Agritourism events per year with no more than thirty (30) guests per event. Examples of such single-day events include farm tours, ranch or farm sponsored hospitality dinners, compensatory classes and/or demonstrations, farm-focused corporate events and similar activities that relate to the promotion of the primary use as a working farm or ranch.
- C. “Level II Agritourism” is Agritourism on Agritourism Property ten (10) acres or larger that is in compliance with the Siskiyou County Agricultural Tourism Performance Standards and involves any of the following:
  - (1) Single-day Agritourism events in excess of thirty (30) guests but no more than 150 guests, limited to seven (7) events per year; and
  - (2) Agricultural Farmstays, subject to an 80-acre minimum Agritourism Property size; and
  - (3) All other Agritourism events when activities would be within 1,000 feet of any adjacent permitted residence, not including onsite sales, U-pick sales, farm tours, or FFA/educational activities.

**Section 204:** Section 10-6.4802, of Article 48, of Chapter 6, of Title 10, entitled “Uses permitted” is hereby amended and reads as follows:

Uses permitted.

The following uses shall be permitted in the R-R District:

- (a) One single-family dwelling;
- (b) Small acreage farming, except commercial dairies, commercial kennels, commercial rabbit, fox, goat, horse, and hog farms, commercial chicken or poultry ranches, riding stables, rodeos, or commercial horse rentals;
- (c) Accessory uses and buildings normally incidental to single-family dwellings or small farming. Accessory farming uses include onsite sales, roadside stands, U-pick sales, farm tours, and FFA/educational activities;
- (d) Crop and tree farming;
- (e) One mobile home per building site in lieu of a single-family dwelling;
- (f) One guesthouse;
- (g) Greenhouses;
- (h) One residential storage building, subject to the regulations as set forth in Section 10-6.1516 of the General Provisions;
- (i) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code;
- (j) Amateur radio antennas. When used for private, noncommercial purposes, amateur radio antennas may be permitted in the R-R District. Height limitations may be exceeded by adding one foot yard setback for every foot of height in excess of those permitted by the zoning ordinance; and
- (k) Group care facilities for six (6) or fewer individuals.
- (l) Level I Agritourism.

**Section 205:** Section 10-6.4802.5, of Chapter 6, of Title 10, entitled “Administrative permit uses permitted.” is hereby amended to read as follows:

Administrative permit uses permitted.

- (a) Subject to obtaining an Administrative Use Permit from the Planning Director, the following uses shall be permitted in the R-R District:
  - (1) Level II Agritourism.
- (b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards. Level II Agritourism that do not meet all Agricultural Tourism Performance Standards requirements shall require Conditional Use Permit approval. Administrative Permits shall be subject to site-specific conditions, as required by the Planning Director. The Planning Director shall deny an application for an Administrative Use Permit if,

in his or her judgment, the primary use of the subject property is not agricultural production or the Level II Agritourism activity or event is not accessory and incidental to the primary agricultural production use of the subject property.

- (1) The primary use of the subject property is agricultural production and meets the definition of Agritourism Property. Level II Agritourism events and activities shall not interfere with the primary use of the property.
- (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires development or site improvements to facilitate the use, then the improvements including site disturbance, permanent or temporary structures, shall occur on no more than five percent of the proposed Agritourism Property's total acreage or one acre, whichever is the lesser.
- (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a Conditional Use Permit shall be required.
- (4) When proposed Agritourism activities will take place within one thousand feet of a permitted residence on neighboring property, outdoor Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.
- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
- (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
- (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
- (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.
- (9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per 25 visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.



- (10) When barns and outbuildings are to be removed or substantially rehabilitated to accommodate agritourism activities, a qualified biologist shall conduct a roost assessment survey of the structure(s) to be removed or substantially rehabilitated. The survey shall occur no more than 14 days prior to demolition or substantial rehabilitation of the structure(s). If the biologist finds no evidence of or potential to support bat roosting, no further measures are required. If evidence of bat roosting is present, the measures described below shall be implemented:
- (a) When demolition or substantial rehabilitation is planned during August 1 through February 28 (outside the bat maternity roosting season), a qualified biologist shall implement passive exclusion measures to prevent bats from re-entering the structure(s). Demolition or substantial rehabilitation may continue after a follow-up survey confirms that bats are no longer present.
  - (b) When demolition or substantial rehabilitation is planned during the maternity roosting season (March 1 through August 31), disturbance to the structure(s) shall be avoided until the maternity roosting season has ended and a qualified biologist has determined the roost has been vacated.
- (11) No land disturbance for agritourism improvements is permitted within 150 feet of the top of bank of any perennial waterbody or within 50 feet of the centerline of seasonal streams and wetlands.
- (12) If, during ground disturbance for agritourism improvements, paleontological resources (e.g., fossils) are discovered, all work shall cease in the area of the find, the Siskiyou County Community Development Department – Planning Division shall be immediately notified, and a qualified paleontologist shall be retained to determine the significance of the discovery. The County shall consider the mitigation recommendations presented by a professional paleontologist and implement any measure or measures that the County deems feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.
- (13) All soils disturbed during construction of agritourism improvements shall be revegetated upon completion of construction and/or ground disturbing activities. If construction activities are suspended for six (6) or more months, disturbed soils shall be revegetated until construction activities resume. Upon completion of construction activities, soils shall be revegetated within six (6) months.

- (14) Use of heavy equipment, blasting equipment, compressors, and other noise and ground-borne vibration generating equipment associated with agritourism improvements is prohibited on Sundays and federal holidays and are limited to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday, and between 8:00 a.m. and 6:00 p.m. on Saturdays.
- (15) An Agricultural Farmstay use or activity shall meet all of the following requirements:
  - (i) The Farmstay operation shall be located on an Agritourism Property with an 80-acre minimum parcel size and containing a legal residential dwelling occupied by the owner or operator;
  - (ii) Farmstays are limited to no more than 20 guests;
  - (iii) Any development required to facilitate the Farmstay shall obtain all applicable permit approvals;
  - (iv) The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith; and
  - (v) The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.
- (a) Notice to all property owners within 300 feet of the parcel upon which the proposed Administrative Use Permit is requested shall be provided, along with proposed conditions and rights of appeal.
- (b) Planning Director's actions on Administrative Use Permits shall be subject to the same appeal and revocation procedures as use permits generally, as set forth in Section 10-6.1402 through 10-6.1405 of this Code.

**Section 206:** Section 10-6.4803, of Chapter 6, of Title 10, entitled "Conditional uses permitted" is hereby amended to read as follows:

Conditional uses permitted.

Subject to obtaining a use permit, the following uses shall be permitted in the R-R District:

- (a) Churches, schools, parks, playgrounds, and public utility and public buildings and uses;
- (b) Within a building the following commercial agricultural uses: raising of fur-bearing animals and poultry;
- (c) Home occupations;
- (d) Heavy equipment and vehicle parking, subject to the following limitations:

- (1) The equipment is resident-owned and operated,
  - (2) Equipment does not include materials, parts, or supplies not incidental to the equipment,
  - (3) The equipment storage area is limited to twenty-five (25%) percent of the ownership, or one-quarter acre, whichever is less,
  - (4) Access shall be sufficient to carry the equipment without sustaining undue damage. Permits issued under this section may require that only unloaded equipment be parked,
  - (5) Aesthetic screening shall be provided acceptable to the Planning Commission, enclosing the proposed equipment area as needed,
  - (6) All health and safety approvals must be received;
- (e) The Planning Director is hereby authorized to waive Planning Department filing fees for uses allowed in subsection (d) of this section in the following situations:
- (1) The continuous use existed prior to February 27, 1986 (effective date of the County's revised zoning ordinance),
  - (2) The continuous use was established while the property was zoned A-1 Unclassified;
- (f) Family day care facilities; and
- (g) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code.
- (h) Agritourism events that exceed 150 guests limited to no more than three events per year, and any Level II Agritourism event that does not meet all Agricultural Tourism Performance Standards.

**Section 207:** Section 10-6.4902, of Chapter 6, of Title 10, entitled "Uses Permitted" is hereby amended to add a subsection (h) to read as follows:

The following uses shall be permitted in the AG-2 District:

- (a) Farm labor housing;
- (b) Single-family dwellings or mobile homes in lieu thereof, incidental and necessary for agricultural pursuits;
- (c) Accessory uses incidental to agriculture including onsite sales, roadside stands, U-pick sales, farm tours, and FFA/educational activities;
- (d) Agricultural uses, including, but not limited to tree, vine, row, and field crops, growing and harvesting of trees, and livestock farming and animal husbandry, but not including dairies, commercial feed lots, or commercial poultry, and hog raising operations;
- (e) Wholesale nurseries with retail sales incidental thereto, greenhouses, fish farms, frog farms, and roadside stands for sales of agricultural products from the premises;

- (f) One guest house; and
- (g) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code.
- (h) Level I Agritourism.

**Section 208:** Section 10-6.4902.5, of Chapter 6, of Title 10, entitled “Administrative permit uses permitted” is hereby added to read as follows:

Administrative permit uses permitted.

- (a) Subject to obtaining an Administrative Use Permit from the Planning Director, the following uses shall be permitted in the AG-2 District:
  - (1) Level II Agritourism.
- (b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards. Level II Agritourism that do not meet all Agricultural Tourism Performance Standards requirements shall require Conditional Use Permit approval. Administrative Permits shall be subject to site-specific conditions, as required by the Planning Director. The Planning Director shall deny an application for an Administrative Use Permit if, in his or her judgment, the primary use of the subject property is not agricultural production or the Level II Agritourism activity or event is not accessory and incidental to the primary agricultural production use of the subject property.
  - (1) The primary use of the subject property is agricultural production and meets the definition of Agritourism Property. Level II Agritourism events and activities shall not interfere with the primary use of the property.
  - (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires development or site improvements to facilitate the use, then the improvements including site disturbance, permanent or temporary structures, shall occur on no more than five percent of the proposed Agritourism Property’s total acreage or one acre, whichever is the lesser.
  - (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.
  - (4) When proposed Agritourism activities will take place within one thousand feet of a residence on neighboring property, outdoor Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.

- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
  - (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
  - (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
  - (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.
  - (9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per one 25 visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.
  - (10) An Agricultural Farmstay use or activity shall meet all of the following additional requirements:
    - (i) The Farmstay operation shall be located on an Agritourism Property with an 80-acre minimum parcel size and containing a legal residential dwelling occupied by the owner or operator;
    - (ii) Farmstays are limited to no more than 20 guests;
    - (iii) Any development required to facilitate the Farmstay shall obtain all applicable permit approvals;
    - (iv) The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith; and
    - (v) The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.
- (c) Notice to all property owners within 300 feet of the parcel upon which the proposed Administrative Use Permit is requested shall be provided, along with proposed conditions and rights of appeal.

- (d) Planning Director's actions on Administrative Use Permits shall be subject to the same appeal and revocation procedures as use permits generally, as set forth in Section 10-6.1402 through 10-6.1405 of this Code.

**Section 209:** Section 10-6.4903, of Chapter 6, of Title 10, entitled "Conditional uses permitted" is hereby amended to add a subsection (k) to read as follows:

Subject to obtaining a use permit, the following uses shall be permitted in the AG-2 District:

- (a) Churches, schools, parks, playgrounds, and public utility and public and quasi-public buildings and uses to the extent such are necessary to serve the AG-2 District;
- (b) Private airports and landing fields;
- (c) Dairies, commercial poultry operations, commercial feed lots, and hog farms;
- (d) Golf courses;
- (e) Kennels and animal hospitals;
- (f) Guest ranches and public stables;
- (g) Agricultural enterprises, including, but not limited to agricultural sheds and warehouses; processing, storage, or sale of agricultural products and supplies; and the repair, storage, maintenance, and servicing of agricultural supplies and equipment;
- (h) Home occupations;
- (i) In addition to the uses listed above, the uses listed in Article 15, General Provisions, may also be permitted, subject to the issuance of a use permit; and
- (j) Continued operation of the Yreka Landfill, and any expansion or modification of municipal solid waste activities at the Yreka Landfill.
- (k) Agritourism events that exceed 150 guests limited to no more than three events per year, and any Level II Agritourism event that does not meet all Agricultural Tourism Performance Standards.

**Section 210:** Section 10-6.5002, of Chapter 6, of Title 10, entitled "Uses Permitted" is hereby amended to add a subsection (g) to read as follows:

Uses permitted.

The following uses shall be permitted in the AG1 District:

- (a) Single-family dwellings or mobile homes in lieu thereof, incidental and necessary for caretaker or agricultural pursuits;
- (b) Accessory uses incidental to agriculture including onsite sales, roadside stands, U-pick sales, farm tours, and FFA/educational activities;

- (c) Agricultural uses, including, but not limited to tree, vine, row, field crops, growing and harvesting of trees, livestock farming, and animal husbandry, but not including dairies, commercial feed lots, or commercial poultry or hog raising operations;
- (d) Farm labor housing;
- (e) Wholesale nurseries with retail sales incidental thereto, greenhouses, fish farms, frog farms, and roadside stands for seasonal sales of agricultural products from the premises; and
- (f) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code.
- (g) Level I Agritourism.

**Section 211:** Section 10-6.5002.5, of Chapter 6, of Title 10, entitled “Administrative permit uses permitted” is hereby added to read as follows:

Administrative permit uses permitted.

- (a) Subject to obtaining an Administrative Use Permit from the Planning Director, the following uses shall be permitted in the AG-2 District:
  - (1) Level II Agritourism.
  - (b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards. Level II Agritourism that do not meet all Agricultural Tourism Performance Standards requirements shall require Conditional Use Permit approval. Administrative Permits shall be subject to site-specific conditions, as required by the Planning Director. The Planning Director shall deny an application for an Administrative Use Permit if, in his or her judgment, the primary use of the subject property is not agricultural production or the Level II Agritourism activity or event is not accessory and incidental to the primary agricultural production use of the subject property.
    - (1) The primary use of the subject property is agricultural production and meets the definition of Agritourism Property. Level II Agritourism events and activities shall not interfere with the primary use of the property.
    - (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires development or site improvements to facilitate the use, then the improvements including site disturbance, permanent or temporary structures, shall occur on no more than five percent of the

proposed Agritourism Property's total acreage or one acre, whichever is the less.

- (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.
- (4) When proposed Agritourism activities will take place within one thousand feet of a residence on neighboring property, outdoor Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.
- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
- (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
- (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
- (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.
- (9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per one 25 visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.
- (10) An Agricultural Farmstay use or activity shall meet all of the following additional requirements:
  - (i) The Farmstay operation shall be located on an Agritourism Property with an 80-acre minimum parcel size and containing a legal residential dwelling occupied by the owner or operator;
  - (ii) Farmstays are limited to no more than 20 guests;
  - (iii) Any development required to facilitate the Farmstay shall obtain all applicable permit approvals;



- (iv) The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith; and
  - (v) The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.
- (c) Notice to all property owners within 300 feet of the parcel upon which the proposed Administrative Use Permit is requested shall be provided, along with proposed conditions and rights of appeal.
  - (e) Planning Director's actions on Administrative Use Permits shall be subject to the same appeal and revocation procedures as use permits generally, as set forth in Section 10-6.1402 through 10-6.1405 of this Code.

**Section 212:** Section 10-6.5003, of Chapter 6, of Title 10, entitled "Conditional uses permitted" is hereby amended to add a subsection (g) to read as follows:

Conditional uses permitted.

Subject to obtaining a use permit, the following uses shall be permitted in the AG-1 District:

- (a) Private airports and landing fields;
- (b) Dairies, commercial poultry operations, feed lots, and hog farms;
- (c) Public utility buildings;
- (d) Home occupations;
- (e) In addition to the uses listed above, the uses listed in Article 15, General Provisions, may also be permitted, subject to the issuance of a use permit; and
- (f) Continued operation of the Yreka Landfill, and any expansion or modification of municipal solid waste activities at the Yreka Landfill.
- (g) Agritourism events that exceed 150 guests limited to no more than three events per year, and any Level II Agritourism event that does not meet all Agricultural Tourism Performance Standards.

**Section 213:** Article 16, of Chapter 6, of Title 10, entitled "Application Fees" is hereby amended at subsection (d) of the application fee chart to add the clarifying words "Administrative Permits" to read as follows:

|     |  |  |          |          |          |          |  |
|-----|--|--|----------|----------|----------|----------|--|
| (d) | Use Permits / Administrative Permits       |  |          |          |          |          |  |
|     | Home Occupation Permit, Telephone Use Only |  | \$-      | \$-      | \$-      | \$-      |  |
|     | Home Occupation Permit, Non-Exempt         |  | \$250.00 | \$250.00 | \$250.00 | \$250.00 |  |
|     | Ministerially Second Unit                  |  | \$100.00 | \$100.00 | \$100.00 | \$100.00 |  |
|     | Staff Approved                             |  | \$300    | \$300    | \$375.00 | \$525.00 |  |
|     | Planning Commission Approved               |  | \$950.00 | \$950.00 | \$950.00 | \$950.00 |  |

**Section 214:** Constitutionality: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

**Section 215:** This ordinance shall become effective 30 days after its passage and shall, within 15 days of adoption, be published once in a newspaper of general circulation, printed and published in the County of Siskiyou.

Passed and Adopted this \_\_\_\_\_ day of September 2020, at a regular meeting of the Board of the County of Siskiyou, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

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Michael N. Kobseff, Chair  
Board of Supervisors

Attest:  
Laura Bynum, Clerk  
Board of Supervisors

By: \_\_\_\_\_  
Deputy

**RULES FOR THE  
ESTABLISHMENT AND ADMINISTRATION OF  
AGRICULTURAL PRESERVES AND  
WILLIAMSON ACT CONTRACTS**



**VERSION OF OCTOBER 2011**

**As adopted on  
FEBRUARY 7, 2012**

**RULES FOR THE ESTABLISHMENT AND ADMINISTRATION OF  
AGRICULTURAL PRESERVES AND WILLIAMSON ACT CONTRACTS**

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Adopted on February 7, 2012

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## **I. Background**

In 1965, the California Legislature passed the Land Conservation Act, better known as the Williamson Act, to preserve agricultural lands by discouraging premature conversion to urban uses. Over 16 million of the state's 30 million acres of farm and ranch land are currently protected under the Williamson Act.

Fundamentally, the Williamson Act is a State policy administered by local government. Local governments are not mandated to participate in this program, but those that do have some latitude to tailor the program to suit local goals and objectives. That latitude includes being more restrictive in contract terms than what is required by the Williamson Act. Consequently, the Williamson Act programs found across the state often have subtle differences, reflecting the diversity among participating local governments.

The Williamson Act creates an arrangement whereby private landowners voluntarily restrict land to agricultural and compatible uses. Landowners forego the possibility of converting their property into non-agricultural uses during the term of the contracts, in return for lower property taxes. The local government and state forego a portion of their property tax revenue in return for the planning advantages and values implicit in retaining land in commercial agricultural use.

Land restricted by Williamson Act contracts must be used primarily for the commercial production of agricultural commodities. Any other uses or development must be compatible with and ancillary to commercial agricultural use. State law presumes that parcels of agricultural land are large enough to sustain their agricultural use if the land is at least 10 acres in size in the case of prime agricultural land, or at least 40 acres in size in the case of land that is not prime agricultural land.

The vehicle for these agreements is a rolling term 10-year contract. Unless either party files a "Notice of Nonrenewal", the contract is automatically renewed annually for an additional year. A Williamson Act contract runs with the land and obligates the property owner, and any successors of interest, to the contract's enforceable restrictions. Only land located within a County-designated agricultural preserve is eligible for a Williamson Act contract.

The California Department of Conservation is responsible for statewide administration and oversight of the Williamson Act. The Department supports local governments and landowners in the form of technical and implementation assistance, interpretation of the Williamson Act, research of issues and policies, review and comment on proposed contract cancellations, and contract enforcement.

## **II. Role of the Agricultural Preserve Advisory Board (APAB)**

In Siskiyou County, the Agricultural Preserve Advisory Board (APAB) was created by, and is advisory to, the Board of Supervisors. The Committee is responsible for reviewing and providing recommendations on the County's Agricultural Preserve Program and these Rules. Its duties include reviewing applications and making recommendations for

creating new agricultural preserves, entering new contracts, making revisions to existing preserves or contracts, terminating contracts and disestablishing preserves. When an application for a permit (or other County entitlement) involves land in a Williamson Act contract, the County's Planning Director (in consultation with the County's Agricultural Commissioner or County Counsel if deemed necessary) shall have the responsibility to review the application to determine its consistency with these Rules. In this capacity, the Planning Director may refer issues to the APAB for review and input in determining the compatibility of land uses under the provisions of these Rules and the Williamson Act. From time to time, the APAB may make recommendations on revising the Rules to ensure their continuing consistency with the Williamson Act and suitability to Siskiyou County. The APAB is a committee subject to the Ralph M. Brown Act and the public is welcome to attend meetings and provide input and comments on proposed recommendations or issues being discussed.

### **III. Agricultural Preserves and Williamson Act Contracts**

As a participating county, the Williamson Act mandates that areas of the County be designated as agricultural preserves for application of the program. Land within the preserves that meets the eligibility requirements may enroll in the Agricultural Preserve Program through a Williamson Act contract with the County. It has been the County's practice to establish the preserves simultaneously with enrollment in a contract, resulting in identical boundaries between the preserves and the contracts. (This past practice does not preclude the County from establishing an agricultural preserve in advance of a Williamson Act contract.) Thus, land anywhere within the County that meets the zoning, size, use and other requirements set forth in these Rules may be eligible to participate in the program.

#### **A. Application for Agricultural Preserve and Williamson Act Contract**

To establish, alter the boundaries of, or disestablish an agricultural preserve, or to approve a new Williamson Act Contract, an application executed by all persons having legal and equitable interests shall be submitted to the County Planning Department, on a form prescribed by that department with any applicable fees as established by the Siskiyou County Code. The application shall be submitted to the Department before July 1<sup>st</sup> of the calendar year for the contract to become effective January 1<sup>st</sup> of the succeeding year. The application shall include, but is not limited to, the following:

1. A copy of a recorded map or assessor's parcel map showing the subject parcel as a single parcel or parcels when such parcels are under the same ownership.
2. A legal description and the names and addresses of all owners of legal or equitable interest in the property.
3. A Preliminary Title Report dated less than 6 months from the time of application submittal.
4. A detailed description of the agricultural production use.

**B. Minimum Preserve Size**

1. An agricultural preserve shall consist of no less than 100 acres, provided that in order to meet this requirement, two or more parcels may be combined if they are contiguous or if they are in owned in common.
2. An agricultural preserve of less than 100 acres may be established if the Board of Supervisors of the County finds that smaller preserves are necessary due to the unique characteristics of the agricultural enterprises in the area and that the establishment of preserves of less than 100 acres is consistent with the Siskiyou County General Plan.
3. Agricultural land in an agricultural preserve must contain at least 40 acres of Class I or Class II equivalent soils (See Table A) in order to qualify as a preserve. However, no preserve may be created or contract offered for land consisting solely of soils classified as Class VI or VII, unless such land is a necessary part of a legitimate agricultural enterprise and a finding is made by the Board of Supervisors of the County that such land is a necessary part of a legitimate agricultural enterprise.

| <b>SOIL CLASS EQUIVALENT</b> |                   |                   |
|------------------------------|-------------------|-------------------|
| Soil Classification          | Class Equivalent  |                   |
|                              | Irrigated         | Dryland           |
| I                            | 1 Acre = 1 Acre   | 1 Acre = 1 Acre   |
| II                           | 1 Acre = 1 Acre   | 1 Acre = 1 Acre   |
| III                          | 1 Acre = 1 Acre   | 2 Acres = 1 Acre  |
| IV                           | 2 Acres = 1 Acre  | 4 Acres = 1 Acre  |
| V                            | 3 Acres = 1 Acre  | 6 Acres = 1 Acre  |
| VI                           | 3 Acres = 1 Acre  | 6 Acres = 1 Acre  |
| VII                          | 10 Acres = 1 Acre | 10 Acres = 1 Acre |

**Table A** – Soil Class Equivalent Chart

4. Notwithstanding any other provision herein, for purposes of establishing fruit, vine and nut agricultural preserves the 100-acre minimum preserve size shall not apply and the Board of Supervisors may create an agricultural preserve of 10+ acres for the following purposes and under the following conditions:
  - a. The agricultural pursuit is limited to the growing of fruits, nuts and vines.
  - b. The use has been established, consistent with sound agricultural practices, on the land prior to application for inclusion in the agricultural preserve.
  - c. At least 80% of the parcel is dedicated exclusively to the proposed use.
  - d. No individual parcel s less than 10 acres.



### **C. Zoning Criteria**

All parcels that are part of a Williamson Act contract shall be restricted by zoning of the subject parcel to an agricultural use. Acceptable zoning designations include Prime Agricultural (AG1), Non-Prime Agricultural (AG2) and Rural Residential Agricultural (RR). In the event the subject parcel is not zoned for agricultural uses, a completed zone change application must be approved prior to recordation of the contract. Once the Williamson Act contract is recorded, no zone change applications for a change in the agricultural use zoning shall be processed for contracted parcels, unless a Notice of Non-Renewal has been filed and there are two or less years remaining in the contract.

### **D. Minimum Parcel Size**

Lands in agricultural use shall be presumed to be in parcels large enough to sustain their commercial agricultural use if the contracted land within a qualifying preserve is at least 40 acres in size. Parcels that contain an established intensive agricultural use such as the growing of fruits, nuts and vines, where at least 80% of the parcel is dedicated exclusively to the proposed use shall consist of at least 10 acres in size.

### **E. Land Use Criteria**

Only those parcels which the primary agricultural use is a legitimate agricultural enterprise, consistent with the compatible use standards in Section IV-A of these Rules are eligible for inclusion within the Agricultural Preserve.

### **F. Terms of Contracts**

Under the Act, contracts are automatically renewed each year on January 1<sup>st</sup> following the first year of a 10-year Williamson Act contract, unless the owner or County serves a notice of nonrenewal or the contract is terminated as may be provided for by the Act and these Rules. When the County or a landowner serves a notice of nonrenewal upon the other party sufficiently prior to the renewal date (i.e. 90 days if served by the landowner, 60 days if served by the County), the contracted land must continue to meet County eligibility and compatible use requirements throughout the remaining duration of the 10-year contract. The contract shall be binding upon, and become beneficial to all successors in interest of the property owner in accordance with Section 52243 of the Government Code.

## **IV. Agricultural Production and Compatible Uses within Agricultural Preserves**

Land enrolled in the Agricultural Preserve Program is to be used principally for commercial agricultural production. However, it may be appropriate to allow secondary uses on contracted land that is either incidental to, or supportive of, the agricultural operation on the property. This Rule provides guidance and criteria for evaluating these uses on land under the Williamson Act contracts in terms of their compatibility and consistency with the purpose and intent of the Williamson Act. It is the goal of this County that, through application of the principles of compatibility in the Act, compatible

uses allowed on contracted land will be beneficial to and inherently related to the agricultural use of the land.

It should be noted that some uses that are allowed by zoning are not allowed on contracted land because they would not be considered compatible with the Williamson Act. At the same time, there are uses that would be deemed compatible under the Williamson Act but would not be allowed under County zoning ordinances. Therefore, for a use to be allowed on contracted land, it must be both permitted by County zoning and found to be compatible under the Act and these Rules. Compatibility is evaluated by the Planning Director on a case by case basis. Uses deemed compatible through application of this Rule are still subject to all applicable standards and requirements in County zoning ordinances (such as a Use Permit) as well as the County's General Plan, as applicable.

Agricultural production and compatible uses shall be defined as follows:

**A. Agricultural Production Uses**

The following land uses, and those uses which in the opinion of the Planning Director, subject to ratification by the Board of Supervisors, are substantially similar in nature thereto, shall be deemed agricultural production uses and thus allowed within an agriculture preserve on Williamson Act contracted lands (uses involving plants that have been defined as illegal by the Federal and/or State government are expressly prohibited as being an allowed use. This limitation confirms existing policy and practice):

1. Rangeland and pasture for livestock production and forage.
2. Intensive farming, including but not limited to the growing and harvesting of vegetables, field crops, fruit and nut crops, bush and berry crops, vineyards, hay crops, and nursery, cut flower, and other ornamental crops.
3. Livestock and animal production for food and/or fiber.
4. Operation of dairies and feed lots.
5. Keeping of honey bees.
6. Growing of plant products for producing biofuels.
7. Commercial breeding and training of horses, including training for racing as well as stock horses. A finding must be made, based upon evidence, that the primary function of the operation is commercial horse breeding or training for sale and this is the source of revenue or income to the cover the cost(s) of the operation.
8. Fiber for basket-making and related commercial purposes.
9. Accessory uses which support commercial agricultural operations including curing, processing, packaging, packing, and shipping of agricultural products.
10. Accessory structures appurtenant and necessary to the commercial agricultural operation, including dwellings located on the land and occupied by persons directly engaged in the commercial agricultural operation (including lessors and lessees).
11. The growing of timber with the purpose of harvesting timber, the harvesting of timber, and necessary processing facilities.

## **B. Compatible Uses**

The following land uses, and those uses which in the opinion of the Planning Director, subject to ratification by the Board of Supervisors, are substantially similar in nature thereto, shall be deemed compatible with agricultural production uses and thus allowed within agricultural preserves, provided that these land uses are not the principal use, do not displace the agricultural production use, and occur while there is an agricultural production use occurring within the agricultural preserve as described above. Income derived from compatible uses will be capitalized for land valuation purposes. Compatible structures and/or improvements will be taxed at normal rates without any property tax benefits.

1. Growing and harvesting of timber, but not including any processing facilities.
2. Farm employee housing which is incidental to a commercial agricultural use.
3. Roadside stands for the sale of agricultural produce.
4. The installation, construction, alteration, or maintenance of gas, water, sewer, and electrical utilities that serves the agricultural production or compatible use.
5. Power generation (including solar and wind) or communication facilities and their incidental appurtenances.
6. Offices, processing, packaging, shipping, training and vending facilities that are related to agricultural production operations.
7. Passive recreation that does not displace existing or future agricultural production use and does not include permanent structures.
8. Private airstrips and heliports if used as a part of an agricultural production use.
9. Production of game animals and fish with the specific intent for commercial harvest.
10. Mining if conducted in accordance with all requirements of county ordinance, state and federal law, including the Surface Mining and Reclamation Act of 1975. Reclamation shall be to agricultural production and compatible uses pursuant to Government Code 51238.2. A finding shall be made that the proposal is of limited extent and duration, so as to meet compatibility principles of state law.
11. Horses raised or maintained primarily for ranching work
12. Agritourism activities including buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, "u-pick" sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural uses.
13. Home occupation enterprises conducted entirely within existing conventional single-family residential structures as determined by the Planning Director, and operated by permanent residents. Home enterprises on contracted lands shall not create any significant traffic impacts that affect contracted parcels.

### **C. Residential Uses**

Any residential structure on contracted land must be occupied by persons directly engaged in the commercial agricultural operation. Landowners who lease their land for commercial agricultural uses may reside on a permanent or temporary basis on contracted land to monitor the lease arrangement and provisions pursuant to this restriction.

No new residential dwelling permits may be issued to a contracted parcel, unless the parcel is in full compliance with state law, these Rules, other County policies or the terms in the Williamson Act contract. Any proposed residential development which creates more than one residence per contract is subject to review by the Planning Director to ensure compliance with these Rules and the density provisions of the applicable zoning and general plan land use designation.

### **D. Conservation Programs**

Conservation programs can vary from permanent deed restrictions to temporary participation for a stated term or period of time. A conservation easement is an encumbrance that typically includes a transfer of usage rights (easement) between a landowner and a government agency or a qualified land protection organization (often called a "land trust"). Conservation programs in the County can include but are not limited to the United States Department Agriculture's Conservation Reserve Program, and programs of the Siskiyou Land Trust, the Siskiyou Land Conservancy, the Nature Conservancy, and the like. The primary purpose of a conservation easement is to protect land from certain forms of development or use. The landowner who gives up these "development or use rights" continues to privately own and manage the land and may receive tax advantages or other income.

Depending on the terms of the conservation program, the program may or may not be consistent with the property owner's contractual obligations under their Williamson Act Contract. The provisions herein are the applicable rules for conservation programs, including conservation easements under the County's Williamson Act Program. Any income received from program payments will be treated as farm income just as any other farm income and capitalized to determine property tax values.

1. A landowner may enter into a conservation program on contracted land and still qualify under these rules provided that the conservation program does not require the landowner to change or stop the contracted agricultural production use occurring on the property.
2. A landowner may enter into a conservation program that restricts the agricultural production use on a minor portion of contracted land provided that the conservation program does not change or alter the contracted agricultural production use of the property and that the conservation program supports the contracted agricultural production use of the property by reducing soil erosion, enhancing water supply, improving groundwater recharge, creating windbreaks and the like.

3. A conservation program that requires the contracted agricultural use to be temporarily changed or temporarily stopped shall not qualify as an allowed use under these rules unless approved by the Planning Director under the Use Determination rules herein.
4. A conservation program that requires the contracted agricultural use to be permanently changed shall not qualify as an allowed use under these rules unless approved by the Planning Director under the Change in Use rules herein.
5. A conservation program that requires agricultural production use to stop shall not qualify as an allowed use under these rules.

#### **E. Change in Use**

While under contract, the primary agricultural use of the property shall be consistent with the agricultural use originally approved for entry into the Williamson Act program. In the event that the primary agricultural use has significantly changed or is proposed to be significantly changed, in the opinion of the Planning Director, the proposed change shall be processed as a Williamson Act contract rescission and simultaneous reentry pursuant to State Law. Implementing a crop rotation program or leaving the ground temporarily fallow for a season shall not be considered a change in use. A significant change in use would occur if the general nature of the primary agricultural commodity were to be changed. For example, if a Williamson Act contract was approved to raise cattle and this use was to be changed to raising crops or visa versa, this would be considered a significant change in use. The contract rescission/reentry application shall follow the approval process for new contracts detailed herein.

In the event that the change in primary agricultural use is not approved and the land owner does not or can not resume the originally approved primary agricultural use, the Planning Director shall proceed with the County initiated non-renewal process specified under these rules.

#### **F. Use Determinations.**

In the event that ambiguity exists concerning a proposed use and its compatibility with a Williamson Act contract or these Rules or a contract holder wishes to enter into a conservation program that requires the contracted agricultural use to be temporarily changed or temporarily stopped, a request for a formal written determination shall be made to the Planning Director on whether a proposed use, development, or conservation program is compatible with the contract for the property, the Williamson Act, the applicable Zoning requirements, or these Rules. The Planning Director may consult with the County Counsel's Office, the Agricultural Commissioner's Office, or the Agricultural Preserve Advisory Board prior to making the requested determination.

Once a determination has been made, it shall be in writing. Should the Director determine that the use is not consistent with the contract for the property, the Williamson Act, the applicable Zoning requirements, or these Rules, this decision may be appealed to the Board of Supervisors pursuant to the County Code requirements.

If the Director determines that the use is consistent with the contract for the property, the Williamson Act, the applicable Zoning requirements, and these Rules, the Director shall forward a copy of the determination to the Board of Supervisors for its information. Should the Board wish to review any such determination, the Board shall notify the Planning Director of this decision the later of ten (10) days or at its next regularly scheduled meeting.

## **V. Enforcement and Monitoring**

Williamson Act contracts are binding agreements between landowners and the County that assume that the terms of the contract continue to be met in exchange for the restricted property tax assessments. As such, landowners must remain in compliance during the entire life of the contract, even after nonrenewal has been initiated. If, at any time, the Planning Director finds that the terms of a contract, including the requirements set forth in these Rules, are no longer being met, the County shall give the landowner sixty (60) days to remedy the contract violation. If the violation persists at the end of this period, the issue shall be brought before the Board of Supervisors to consider the filing of a Notice of Non-Renewal. The Planning Director may bring the matter to the APAB in advance of the Board of Supervisors to receive their input and recommendation.

### **A. Annual Reporting Requirements**

To assure that a parcel under a Williamson Act contract is being used for a commercial agricultural operation, landowners with a Williamson Act contract shall file an annual report with the County Assessor, on a form and within a timeline provided by the Assessor. The report shall provide a full description of the agricultural production uses on the parcel, how the agricultural commodities were used for commercial purposes, and contain a signed verification by the landowner, under penalty of perjury, that the land is being used for the purpose of producing an agricultural commodity for commercial purposes. Landowners with contracts shall be responsible for completing the report in a timely manner and coordinating with their lessees to assure the information is accurate.

If the annual report is not submitted to the County within the prescribed timeline, or the County deems the report incomplete, the County will send a notice to the landowner that will indicate the report has not been received or is not complete. The landowner will have 30 days from the receipt of the notice to submit the completed report to the County. If a completed report is not received at that time, the County may request additional information and inspect the property to verify the property is being used for a commercial agricultural operation.

### **B. Compliance Monitoring**

The Planning Department, Agricultural Department, and Assessor's Office shall actively monitor this program by periodically sending out a separate compliance monitoring survey to determine whether landowners are complying with the program by using their property for commercial agricultural operations and to assure the intent of the program to encourage commercial agricultural production is being carried out in Siskiyou County.

When it appears to the County that a landowner is not complying with state law, these Rules, other County policies or the terms in the Williamson Act contract, the County will formally notify the landowner about the potential violations. The County will provide up to sixty (60) days for the landowner to rectify any violations before beginning the Enforcement Proceedings described in these Rules.

### **C. Enforcement**

The County shall actively enforce the terms of the program and ensuing contracts and shall take any action legally available to enforce state law, these Rules, other County policies or the terms in the Williamson Act contract. Any conveyance, contract or authorization (whether oral or written) by the landowners or his or her successor in interest that would permit use of the property contrary to state law, these rules, other County policies or the terms of the Williamson Act contract shall be enforced by the County by the following non-exclusive remedies:

1. The County may non-renew the contract in accordance with the Government Code.
2. The County may seek a breach of contract in accordance with the Government Code.
3. The County may file an action in Superior Court of the County for the purpose of compelling compliance or restraining breach thereof.

## **VI. Modification of Williamson Act Contracted Lands**

Any application for a land division or boundary line adjustment of a parcel or parcels subject to a Williamson Act contract, that propose to change the boundaries of the land subject to the contract, shall be accompanied by an application to rescind / reenter the Williamson Act contract to reflect the proposed parcel boundaries. For the purposes of determining application fees, this shall be considered an Agricultural Preserve Amendment pursuant to the Planning Department's fee schedule. Whenever land in the Agricultural Preserve is to be divided or modified, no parcel may be created which would not qualify for an agricultural preserve unless qualifying under Government Code Section 51230.1.

### **A. Division of Land**

All proposals to subdivide land under a Williamson Act contract shall comply with the California Subdivision Map Act, Siskiyou County Subdivision Ordinance, and the minimum parcel size requirements for commercial agricultural production described in these Rules. Applications for land divisions shall be conditioned to require that new contracts be recorded for each parcel created by the division simultaneously with the recording of the parcel map, final map or parcel map wavier. To adjust the existing Williamson Act contract to coincide with, or be contained within, the new legal lot

boundaries, the County and landowner must mutually agree to rescind the Williamson Act contract and simultaneously reenter into new contracts for each new parcel.

## **B. Boundary Line Adjustments**

A boundary line adjustment request often involves the exchange of contracted land for previously non-contracted land, or an exchange of land between contracts. To adjust the perimeter of the existing Williamson Act contract to coincide with, or be contained within, the new legal lot boundaries, the County and landowners must mutually agree to rescind the Williamson Act contract and simultaneously reenter into a new contract or contracts.

To approve a rescission/reentry application and prior to recording a boundary line adjustment, the Board of Supervisors must make all of the following findings pursuant to Government Code section 51257:

1. The new contract(s) would initially restrict land within adjusted boundaries of legal lots for at least ten (10) years for Williamson Act contracts.
2. There is no net decrease in the amount of the aggregate acreage (total contract acreage combined between the parcels involved in the boundary line adjustment) subject to the existing and proposed contract(s).
3. At least ninety percent (90%) of the originally contracted land is included within a new contract(s).
4. The resulting legal lot area subject to contract is large enough to sustain qualifying agricultural uses.
5. The boundary line adjustment would not compromise the long-term agricultural production of land within the proposed legal lots or other agricultural lands subject to contract(s).
6. The boundary line adjustment is not likely to result in the removal of adjacent land from agricultural uses.
7. The boundary line adjustment does not result in a greater number of developable legal lots than existed prior to the adjustment, or an adjusted lot that is inconsistent with the County General Plan.

The rescission/reentry application may be processed before the Board of Supervisors periodically throughout the year and need not be reviewed by the APAB provided that the Planning Director has found that the BLA complies with the above findings.



## C. Sale of Property

An agricultural preserve and associated contract may contain multiple legal parcels. Over time it is possible that individual parcels within an agricultural preserve subject to a Williamson Act contract are sold to a different ownership interest or transferred to a non-immediate family member. A different ownership interest is defined as an entity that is comprised of different principal owners with different operating interests and does not include different business entities which have the same principal owners and operating interests. An immediate family member is defined by Government Code Section 51230.1.C as the spouse of the landowner, the natural or adopted children of the landowner, the parents of the landowner, or the siblings of the landowner.

The remaining property and the sold property are still subject to all of the requirements of state law, these Rules, and the terms of the contract. In order to ensure that the remaining property and the sold property still meet the applicable requirements, the following provisions are required:

### 1. Real Estate Transfer Disclosure Statement

Pursuant to Civil Code § 1102.6a, prior to any transfer of contracted land, the transferor shall provide the following disclosure:

*"The real property that is the subject of this transaction is subject to a contract pursuant to the California Land Conservation Act of 1965 ("Williamson Act"), Government Code § 51200 et seq., which requires that the land be devoted to agricultural use and imposes restrictions on the use and development of the land and the minimum parcel size. Furthermore, all owners of contracted parcels agree to submit a Williamson Act contract application to the County for review and consideration to cover their change in ownership interests within an agricultural preserve upon the sale or purchase of Williamson Act contracted lands pursuant to the County's **RULES FOR THE ESTABLISHMENT AND ADMINISTRATION OF AGRICULTURAL PRESERVES AND WILLIAMSON ACT CONTRACTS**".*

This disclosure shall be provided on a form substantially similar to that provided in Civil Code § 1102.6a. Completing the LOCAL OPTION REAL ESTATE TRANSFER DISCLOSURE STATEMENT available from the California Department of Real Estate shall be considered satisfying this requirement. The transferor shall ensure that the transferee signs the disclosure prior to completing the transfer and shall forward a copy of said disclosure to the County of Siskiyou Planning Department, C/O Williamson Act Monitoring Program.

### 2. New Contract Requirement

Upon the sale or purchase of Williamson Act contracted land that constitutes only a portion of an Agricultural Preserve to a different ownership entity or non-immediate family member as defined herein, the transferor and transferee shall

submit the necessary County applications to apply for separate Williamson Act contracts for each separate ownership entity.

- a. Should the transfer be finalized prior to June 1<sup>st</sup> in any given year, the contract application shall be submitted prior to July 1<sup>st</sup> of that given year. Should the transfer be finalized from June 1<sup>st</sup> to the last day of that any given year, the application shall be submitted prior to July 1<sup>st</sup> of the immediately subsequent year.
- b. In the event that the required application is not filed within the timeline detailed herein, the County, at its sole discretion, may consider this inaction as grounds for non-renewal.
- c. The transferor and transferee may file a single application to establish their new individual contracts.
- d. In the event that the new contracts are not approved by the County, the County will issue a notice of non-renewal for the existing contract at the earliest possible time in accordance with the Governmental Code and these Rules.

## **VII. Termination of Williamson Act Contracts**

The purpose of this section is to establish standards for the termination of Williamson Act contracts and the withdrawal of land from Agricultural Preserves without impairing the integrity of the program. The procedures developed under this Rule are in accordance with the Williamson Act. Methods for terminating Williamson Act contracts include nonrenewal, cancellation, annexation, and public acquisition.

### **A. Non-Renewal**

If either the landowner or the County desires in any year not to renew a contract, that party shall serve written notice of contract nonrenewal upon the other party in advance of the annual renewal date of the contract. The landowner shall serve the County at least 90 days prior to the renewal date and the County shall serve the landowner at least 60 days prior to the renewal date. Should the County initiate the non-renewal, the Planning Director shall forward the proposed non-renewal for review and approval by the Board of Supervisors prior to issuance of the notice of non-renewal.

Once a Notice of Nonrenewal is recorded, the contract shall remain in effect for the balance of the period remaining since its previous renewal (9 years for a Williamson Act Contract).

### **B. Cancellation**

Only a property owner (not the County) may request cancellation of a Williamson Act contract to terminate the contract on all or a portion of the property. However,

cancellation may be approved only under extraordinary circumstances as provided in the California Land Conservation Act of 1965. The Board of Supervisors, following a public hearing, must make all of the findings under one of the following two sets of determination to approve a cancellation request:

1. The cancellation is consistent with the purposes of the California Land Conservation Act of 1965 as evidenced by the following:
  - a. A Notice of Nonrenewal has been served;
  - b. Cancellation is not likely to result in the removal of adjacent lands from agricultural use;
  - c. Alternative uses are consistent with the Siskiyou County General Plan;
  - d. Cancellation will not result in discontinuous patterns of urban development;
  - e. There is no proximate non-contracted land which is both available and suitable for the proposed alternative use, or, development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land, which is sufficiently close to the contracted land that it can serve as a practical alternative for the use which is proposed for the contracted land.
  
2. The cancellation is in the public interest as evidenced by the following:
  - a. Other public concerns substantially outweigh the objectives of the California Land Conservation Act of 1965;
  - b. There is no proximate non-contracted land which is both available and suitable for the proposed alternative use, or, development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land, which is sufficiently close to the contracted land that it can serve as a practical alternative for the use which is proposed for the contracted land.

In the case of either alternative, the uneconomic character of an existing agricultural use shall not by itself be sufficient reason for cancellation of the contract. The uneconomic character of the existing use may be considered only if there is no other reasonable or comparable agricultural use for the land.

Cancellation of a Contract also requires the property owner to pay a "cancellation fee" set by Government Code. This required cancellation fee is based on the current fair market value of the property, determined as if the property were free of the Contract restriction.

### **C. Annexation**

If a city annexes land subject to a Williamson Act contract, the city succeeds to all rights, duties and powers of the county under the contract. The city protest provision of the California Land Conservation Act of 1965 has been eliminated effective January 1, 1991. Unless a city filed a valid protest before January 1, 1991, the city cannot terminate a contract upon annexation of the property to the city. A city protest made prior to January 1, 1991, is valid only if there is a record of the filing of the protest and the protest identifies the specific affected contract and subject parcel.

### **D. Public Acquisition**

Land conservation contracts become void for land that is acquired by a federal, state or local government agency for necessary public uses and facilities. The California Land Conservation Act of 1965 contains policies and restrictions to avoid public acquisition of lands in agricultural preserves, with special emphasis on restricting of land subject to land conservation contracts or containing prime agricultural land. State and local government agencies are required to refer proposals to acquire land in agricultural preserves to the State Department of Conservation for review and response prior to acquisition.

Attachment C – California Natural Diversity Database Results

| Scientific Name                           | Common Name                   | Federal ESA Status | State ESA Status     | CDFW Status | CA Rare Plant Rank |
|---|-------------------------------|--------------------|----------------------|-------------|--------------------|
| Animals - Amphibians                      |                               |                    |                      |             |                    |
| <i>Ambystoma macrodactylum sigillatum</i> | southern long-toed salamander | None               | None                 | SSC         | -                  |
| <i>Ascaphus truei</i>                     | Pacific tailed frog           | None               | None                 | SSC         | -                  |
| <i>Anaxyrus canorus</i>                   | Yosemite toad                 | Threatened         | None                 | SSC         | -                  |
| <i>Plethodon asupak</i>                   | Scott Bar salamander          | None               | Threatened           | -           | -                  |
| <i>Plethodon elongatus</i>                | Del Norte salamander          | None               | None                 | WL          | -                  |
| <i>Plethodon stormi</i>                   | Siskiyou Mountains salamander | None               | Threatened           | -           | -                  |
| <i>Rana boylei</i>                        | foothill yellow-legged frog   | None               | None                 | SSC         | -                  |
| <i>Rana cascadae</i>                      | Cascades frog                 | None               | Candidate Endangered | SSC         | -                  |
| <i>Rana pretiosa</i>                      | Oregon spotted frog           | Threatened         | None                 | SSC         | -                  |
| <i>Rhyacotriton variegatus</i>            | southern torrent salamander   | None               | None                 | SSC         | -                  |
| <i>Spea hammondi</i>                      | western spadefoot             | None               | None                 | SSC         | -                  |
| Animals - Birds                           |                               |                    |                      |             |                    |
| <i>Accipiter cooperii</i>                 | Cooper's hawk                 | None               | None                 | WL          | -                  |
| <i>Accipiter gentilis</i>                 | northern goshawk              | None               | None                 | SSC         | -                  |
| <i>Accipiter striatus</i>                 | sharp-shinned hawk            | None               | None                 | WL          | -                  |
| <i>Aquila chrysaetos</i>                  | golden eagle                  | None               | None                 | FP ; WL     | -                  |
| <i>Buteo regalis</i>                      | ferruginous hawk              | None               | None                 | WL          | -                  |
| <i>Buteo swainsoni</i>                    | Swainson's hawk               | None               | Threatened           | -           | -                  |
| <i>Circus hudsonius</i>                   | northern harrier              | None               | None                 | SSC         | -                  |
| <i>Haliaeetus leucocephalus</i>           | bald eagle                    | Delisted           | Endangered           | FP          | -                  |
| <i>Cypseloides niger</i>                  | black swift                   | None               | None                 | SSC         | -                  |
| <i>Ardea alba</i>                         | great egret                   | None               | None                 | -           | -                  |
| <i>Ardea herodias</i>                     | great blue heron              | None               | None                 | -           | -                  |
| <i>Botaurus lentiginosus</i>              | American bittern              | None               | None                 | -           | -                  |
| <i>Egretta thula</i>                      | snowy egret                   | None               | None                 | -           | -                  |
| <i>Nycticorax nycticorax</i>              | black-crowned night heron     | None               | None                 | -           | -                  |
| <i>Charadrius alexandrinus nivosus</i>    | western snowy plover          | Threatened         | None                 | SSC         | -                  |
| <i>Coccyzus americanus occidentalis</i>   | western yellow-billed cuckoo  | Threatened         | Endangered           | -           | -                  |
| <i>Falco columbarius</i>                  | merlin                        | None               | None                 | WL          | -                  |
| <i>Falco mexicanus</i>                    | prairie falcon                | None               | None                 | WL          | -                  |
| <i>Falco peregrinus anatum</i>            | American peregrine falcon     | Delisted           | Delisted             | FP          | -                  |
| <i>Gavia immer</i>                        | common loon                   | None               | None                 | SSC         | -                  |
| <i>Antigone canadensis tabida</i>         | greater sandhill crane        | None               | Threatened           | FP          | -                  |
| <i>Progne subis</i>                       | purple martin                 | None               | None                 | SSC         | -                  |

Attachment C – California Natural Diversity Database Results

| Scientific Name                             | Common Name                   | Federal ESA Status | State ESA Status | CDFW Status | CA Rare Plant Rank |
|---|-------------------------------|--------------------|------------------|-------------|--------------------|
| <i>Riparia riparia</i>                      | bank swallow                  | None               | Threatened       | -           | -                  |
| <i>Agelaius tricolor</i>                    | tricolored blackbird          | None               | Threatened       | SSC         | -                  |
| <i>Xanthocephalus xanthocephalus</i>        | yellow-headed blackbird       | None               | None             | SSC         | -                  |
| <i>Icteria virens</i>                       | yellow-breasted chat          | None               | None             | SSC         | -                  |
| <i>Lanius ludovicianus</i>                  | loggerhead shrike             | None               | None             | SSC         | -                  |
| <i>Chlidonias niger</i>                     | black tern                    | None               | None             | SSC         | -                  |
| <i>Hydroprogne caspia</i>                   | Caspian tern                  | None               | None             | -           | -                  |
| <i>Larus californicus</i>                   | California gull               | None               | None             | WL          | -                  |
| <i>Pandion haliaetus</i>                    | osprey                        | None               | None             | WL          | -                  |
| <i>Baeolophus inornatus</i>                 | oak titmouse                  | None               | None             | -           | -                  |
| <i>Poecile atricapillus</i>                 | black-capped chickadee        | None               | None             | WL          | -                  |
| <i>Setophaga petechia</i>                   | yellow warbler                | None               | None             | SSC         | -                  |
| <i>Pooecetes gramineus affinis</i>          | Oregon vesper sparrow         | None               | None             | SSC         | -                  |
| <i>Pelecanus erythrorhynchos</i>            | American white pelican        | None               | None             | SSC         | -                  |
| <i>Phalacrocorax auritus</i>                | double-crested cormorant      | None               | None             | WL          | -                  |
| <i>Bonasa umbellus</i>                      | ruffed grouse                 | None               | None             | WL          | -                  |
| <i>Centrocercus urophasianus</i>            | greater sage-grouse           | None               | None             | SSC         | -                  |
| <i>Tympanuchus phasianellus columbianus</i> | Columbian sharp-tailed grouse | None               | None             | SSC         | -                  |
| <i>Melanerpes lewis</i>                     | Lewis' woodpecker             | None               | None             | -           | -                  |
| <i>Picoides arcticus</i>                    | black-backed woodpecker       | None               | None             | -           | -                  |
| <i>Sphyrapicus ruber</i>                    | red-breasted sapsucker        | None               | None             | -           | -                  |
| <i>Coturnicops noveboracensis</i>           | yellow rail                   | None               | None             | SSC         | -                  |
| <i>Numenius americanus</i>                  | long-billed curlew            | None               | None             | WL          | -                  |
| <i>Asio otus</i>                            | long-eared owl                | None               | None             | SSC         | -                  |
| <i>Athene cunicularia</i>                   | burrowing owl                 | None               | None             | SSC         | -                  |
| <i>Psiloscops flammeolus</i>                | flamulated owl                | None               | None             | -           | -                  |
| <i>Strix nebulosa</i>                       | great gray owl                | None               | Endangered       | -           | -                  |
| <i>Strix occidentalis caurina</i>           | northern spotted owl          | Threatened         | Threatened       | SSC         | -                  |
| <i>Strix occidentalis occidentalis</i>      | California spotted owl        | None               | None             | SSC         | -                  |
| <i>Plegadis chihi</i>                       | white-faced ibis              | None               | None             | WL          | -                  |
| <i>Contopus cooperi</i>                     | olive-sided flycatcher        | None               | None             | SSC         | -                  |
| <i>Empidonax traillii</i>                   | willow flycatcher             | None               | Endangered       | -           | -                  |
| <i>Empidonax traillii brewsteri</i>         | little willow flycatcher      | None               | Endangered       | -           | -                  |
| <i>Vireo huttoni unitti</i>                 | Catalina Hutton's vireo       | None               | None             | SSC         | -                  |
| Animals - Crustaceans                       |                               |                    |                  |             |                    |
| <i>Stygobromus mysticus</i>                 | Secret Cave amphipod          | None               | None             | -           | -                  |

Attachment C – California Natural Diversity Database Results

| Scientific Name                            | Common Name   | Federal ESA Status | State ESA Status     | CDFW Status | CA Rare Plant Rank |
|--|---|--------------------|----------------------|-------------|--------------------|
| Animals - Fish                             |   |                    |                      |             |                    |
| <i>Acipenser medirostris</i>               | green sturgeon  | Threatened         | None                 | SSC         | -                  |
| <i>Catostomus snyderi</i>                  | Klamath largescale sucker                               | None               | None                 | SSC         | -                  |
| <i>Chasmistes brevirostris</i>             | shortnose sucker  | Endangered         | Endangered           | FP          | -                  |
| <i>Deltistes luxatus</i>                   | Lost River sucker                                       | Endangered         | Endangered           | FP          | -                  |
| <i>Cottus gulosus</i>                      | riffle sculpin  | None               | None                 | SSC         | -                  |
| <i>Cottus klamathensis klamathensis</i>    | Upper Klamath marbled sculpin                           | None               | None                 | SSC         | -                  |
| <i>Cottus klamathensis macrops</i>         | bigeye marbled sculpin                                  | None               | None                 | SSC         | -                  |
| <i>Cottus klamathensis polyporus</i>       | Lower Klamath marbled sculpin                           | None               | None                 | SSC         | -                  |
| <i>Gila coerulea</i>                       | blue chub   | None               | None                 | SSC         | -                  |
| <i>Entosphenus folletti</i>                | northern California brook lamprey                       | None               | None                 | SSC         | -                  |
| <i>Entosphenus tridentatus</i>             | Pacific lamprey   | None               | None                 | SSC         | -                  |
| <i>Oncorhynchus kisutch</i> pop. 2         | coho salmon - southern Oregon / northern California ESU | Threatened         | Threatened           | -           | -                  |
| <i>Oncorhynchus mykiss irideus</i> pop. 1  | steelhead - Klamath Mountains Province DPS              | None               | None                 | SSC         | -                  |
| <i>Oncorhynchus mykiss irideus</i> pop. 16 | steelhead - northern California DPS                     | Threatened         | None                 | -           | -                  |
| <i>Oncorhynchus mykiss irideus</i> pop. 36 | summer-run steelhead trout                              | None               | Candidate Endangered | SSC         | -                  |
| <i>Oncorhynchus mykiss</i> ssp. 2          | McCloud River redband trout                             | None               | None                 | SSC         | -                  |
| <i>Oncorhynchus tshawytscha</i> pop. 30    | chinook salmon - upper Klamath and Trinity Rivers ESU   | None               | Candidate Endangered | -           | -                  |
| <i>Salvelinus confluentus</i>              | bull trout  | Threatened         | Endangered           | -           | -                  |
| Animals - Insects                          |   |                    |                      |             |                    |
| <i>Bombus caliginosus</i>                  | obscure bumble bee                                      | None               | None                 | -           | -                  |
| <i>Bombus crotchii</i>                     | Crotch bumble bee                                       | None               | Candidate Endangered | -           | -                  |
| <i>Bombus franklini</i>                    | Franklin's bumble bee                                   | None               | Candidate Endangered | -           | -                  |
| <i>Bombus morrisoni</i>                    | Morrison bumble bee                                     | None               | None                 | -           | -                  |
| <i>Bombus occidentalis</i>                 | western bumble bee                                      | None               | Candidate Endangered | -           | -                  |
| <i>Bombus suckleyi</i>                     | Suckley's cuckoo bumble bee                             | None               | Candidate Endangered | -           | -                  |
| <i>Nebria gebleri siskiyouensis</i>        | Siskiyou ground beetle                                  | None               | None                 | -           | -                  |
| <i>Nebria sahlbergii triad</i>             | Trinity Alps ground beetle                              | None               | None                 | -           | -                  |
| <i>Hydroporus leechi</i>                   | Leech's skyline diving beetle                           | None               | None                 | -           | -                  |
| <i>Atractelmis wawona</i>                  | Wawona riffle beetle                                    | None               | None                 | -           | -                  |

**Attachment C – California Natural Diversity Database Results**

|                            |                                     |      |      |   |   |
|----------------------------|-------------------------------------|------|------|---|---|
| <i>Polites mardon</i>      | mardon skipper                      | None | None | - | - |
| <i>Cryptochia shasta</i>   | confusion caddisfly                 | None | None | - | - |
| <i>Rhyacophila lineata</i> | Castle Crags rhyacophilan caddisfly | None | None | - | - |
| <i>Rhyacophila mosana</i>  | bilobed rhyacophilan caddisfly      | None | None | - | - |



Attachment C – California Natural Diversity Database Results

| Scientific Name                        | Common Name                   | Federal ESA Status  | State ESA Status | CDFW Status | CA Rare Plant Rank |
|--|-------------------------------|---------------------|------------------|-------------|--------------------|
| Animals - Mammals                      |                               |                     |                  |             |                    |
| <i>Aplodontia rufa californica</i>     | Sierra Nevada mountain beaver | None                | None             | SSC         | -                  |
| <i>Aplodontia rufa humboldtiana</i>    | Humboldt mountain beaver      | None                | None             | -           | -                  |
| <i>Canis lupus</i>                     | gray wolf                     | Endangered          | Endangered       | -           | -                  |
| <i>Vulpes vulpes necator</i>           | Sierra Nevada red fox         | Candidate           | Threatened       | -           | -                  |
| <i>Erethizon dorsatum</i>              | North American porcupine      | None                | None             | -           | -                  |
| <i>Lepus americanus klamathensis</i>   | Oregon snowshoe hare          | None                | None             | SSC         | -                  |
| <i>Eumops perotis californicus</i>     | western mastiff bat           | None                | None             | SSC         | -                  |
| <i>Gulo gulo</i>                       | California wolverine          | Proposed Threatened | Threatened       | FP          | -                  |
| <i>Martes caurina</i>                  | Pacific marten                | None                | None             | -           | -                  |
| <i>Martes caurina humboldtensis</i>    | Humboldt marten               | None                | Endangered       | SSC         | -                  |
| <i>Pekania pennanti</i>                | fisher - West Coast DPS       | None                | None             | SSC         | -                  |
| <i>Taxidea taxus</i>                   | American badger               | None                | None             | SSC         | -                  |
| <i>Ochotona princeps schisticeps</i>   | gray-headed pika              | None                | None             | -           | -                  |
| <i>Antrozous pallidus</i>              | pallid bat                    | None                | None             | SSC         | -                  |
| <i>Corynorhinus townsendii</i>         | Townsend's big-eared bat      | None                | None             | SSC         | -                  |
| <i>Euderma maculatum</i>               | spotted bat                   | None                | None             | SSC         | -                  |
| <i>Lasionycteris noctivagans</i>       | silver-haired bat             | None                | None             | -           | -                  |
| <i>Lasiurus cinereus</i>               | hoary bat                     | None                | None             | -           | -                  |
| <i>Myotis ciliolabrum</i>              | western small-footed myotis   | None                | None             | -           | -                  |
| <i>Myotis evotis</i>                   | long-eared myotis             | None                | None             | -           | -                  |
| <i>Myotis lucifugus</i>                | little brown bat              | None                | None             | -           | -                  |
| <i>Myotis thysanodes</i>               | fringed myotis                | None                | None             | -           | -                  |
| <i>Myotis volans</i>                   | long-legged myotis            | None                | None             | -           | -                  |
| <i>Myotis yumanensis</i>               | Yuma myotis                   | None                | None             | -           | -                  |
| Animals - Mollusks                     |                               |                     |                  |             |                    |
| <i>Prophysaon coeruleum</i>            | Blue-gray taildropper slug    | None                | None             | -           | -                  |
| <i>Monadenia callipeplus</i>           | downy sideband                | None                | None             | -           | -                  |
| <i>Monadenia chaceana</i>              | Siskiyou shoulderband         | None                | None             | -           | -                  |
| <i>Monadenia churchi</i>               | Klamath sideband              | None                | None             | -           | -                  |
| <i>Monadenia cristulata</i>            | crested sideband              | None                | None             | -           | -                  |
| <i>Monadenia fidelis leonina</i>       | A terrestrial snail           | None                | None             | -           | -                  |
| <i>Monadenia infumata ochromphalus</i> | yellow-based sideband         | None                | None             | -           | -                  |
| <i>Monadenia marmorotis</i>            | marble sideband               | None                | None             | -           | -                  |
| <i>Ancotrema voyanum</i>               | hooded lancetooth             | None                | None             | -           | -                  |

**Attachment C – California Natural Diversity Database Results**

| <b>Scientific Name</b>                                      | <b>Common Name</b>  | <b>Federal ESA Status</b> | <b>State ESA Status</b> | <b>CDFW Status</b> | <b>CA Rare Plant Rank</b> |
|---|---|---------------------------|-------------------------|--------------------|---------------------------|
| <i>Helminthoglypta hertleini</i>                            | Oregon shoulderband   | None                      | None                    | -                  | -                         |
| <i>Helminthoglypta talmadgei</i>                            | Trinity shoulderband  | None                      | None                    | -                  | -                         |
| <i>Lanx alta</i>  | highcap lanx  | None                      | None                    | -                  | -                         |
| <i>Margaritifera falcata</i>                                | western pearlshell  | None                      | None                    | -                  | -                         |
| <i>Megomphix californicus</i>                               | Natural Bridge megomphix                                    | None                      | None                    | -                  | -                         |
| <i>Helisoma newberryi</i>                                   | Great Basin rams-horn                                       | None                      | None                    | -                  | -                         |
| <i>Juga acutifilosa</i>                                     | topaz juga  | None                      | None                    | -                  | -                         |
| <i>Trilobopsis tehamana</i>                                 | Tehama chaparral  | None                      | None                    | -                  | -                         |
| <i>Vespericola karokorum</i>                                | Karok hesperian   | None                      | None                    | -                  | -                         |
| <i>Vespericola sierranus</i>                                | Siskiyou hesperian  | None                      | None                    | -                  | -                         |
| <i>Punctum hannai</i>                                       | Trinity Spot  | None                      | None                    | -                  | -                         |
| <i>Pisidium ultramontanum</i>                               | montane peaclam   | None                      | None                    | -                  | -                         |
| <i>Anodonta californiensis</i>                              | California floater  | None                      | None                    | -                  | -                         |
| <i>Anodonta oregonensis</i>                                 | Oregon floater  | None                      | None                    | -                  | -                         |
| <i>Gonidea angulata</i>                                     | western ridged mussel                                       | None                      | None                    | -                  | -                         |
| Animals - Reptiles  |   |                           |                         |                    |                           |
| <i>Emys marmorata</i>                                       | western pond turtle   | None                      | None                    | SSC                | -                         |
| Community - Aquatic   |   |                           |                         |                    |                           |
| Klamath Spring Stream                                       | Klamath Spring Stream                                       | None                      | None                    | -                  | -                         |
| Klamath/No Coast Spring Run Chinook/Summer Steelhead Stream | Klamath/No Coast Spring Run Chinook/Summer Steelhead Stream | None                      | None                    | -                  | -                         |
| Klamath/North Coast Rainbow Trout Stream                    | Klamath/North Coast Rainbow Trout Stream                    | None                      | None                    | -                  | -                         |
| Lower McCloud River/Canyon River                            | Lower McCloud River/Canyon River                            | None                      | None                    | -                  | -                         |
| McCloud River Redband Trout Stream                          | McCloud River Redband Trout Stream                          | None                      | None                    | -                  | -                         |
| Pit River Drainage Speckled Dace/Pit Sculpin Stream         | Pit River Drainage Speckled Dace/Pit Sculpin Stream         | None                      | None                    | -                  | -                         |
| Pit River Drainage Squawfish/Sucker Valley Stream           | Pit River Drainage Squawfish/Sucker Valley Stream           | None                      | None                    | -                  | -                         |
| Community - Terrestrial                                     |   |                           |                         |                    |                           |
| Darlingtonia Seep   | Darlingtonia Seep   | None                      | None                    | -                  | -                         |
| Fen   | Fen   | None                      | None                    | -                  | -                         |
| Northern Interior Cypress Forest                            | Northern Interior Cypress Forest                            | None                      | None                    | -                  | -                         |
| Northern Vernal Pool  | Northern Vernal Pool  | None                      | None                    | -                  | -                         |
| Plants - Bryophytes   |   |                           |                         |                    |                           |
| <i>Buxbaumia viridis</i>                                    | buxbaumia moss  | None                      | None                    | -                  | 2B.2                      |
| <i>Climacium dendroides</i>                                 | tree climacium moss   | None                      | None                    | -                  | 2B.1                      |

Attachment C – California Natural Diversity Database Results

| Scientific Name                                    | Common Name                   | Federal ESA Status | State ESA Status | CDFW Status | CA Rare Plant Rank |
|--|-------------------------------|--------------------|------------------|-------------|--------------------|
| <i>Trichodon cylindricus</i>                       | cylindrical trichodon         | None               | None             | -           | 2B.2               |
| <i>Fissidens aphelotaxifolius</i>                  | brook pocket moss             | None               | None             | -           | 2B.2               |
| <i>Helodium blandowii</i>                          | Blandow's bog moss            | None               | None             | -           | 2B.3               |
| <i>Meesia longiseta</i>                            | long seta hump moss           | None               | None             | -           | 2B.3               |
| <i>Meesia triquetra</i>                            | three-ranked hump moss        | None               | None             | -           | 4.2                |
| <i>Meesia uliginosa</i>                            | broad-nerved hump moss        | None               | None             | -           | 2B.2               |
| <i>Mielichhoferia elongata</i>                     | elongate copper moss          | None               | None             | -           | 4.3                |
| <i>Mielichhoferia mielichhoferiana</i>             | Mielichhofer's copper moss    | None               | None             | -           | 2B.3               |
| <i>Pohlia tundrae</i>                              | tundra thread moss            | None               | None             | -           | 2B.3               |
| <i>Orthotrichum holzingeri</i>                     | Holzinger's orthotrichum moss | None               | None             | -           | 1B.3               |
| <i>Ptilidium californicum</i>                      | Pacific fuzzwort              | None               | None             | -           | 4.3                |
|  | Plants - Lichens              |                    |                  |             |                    |
| <i>Peltigera gowardii</i>                          | western waterfan lichen       | None               | None             | -           | 4.2                |
| Plants - Vascular                                  |                               |                    |                  |             |                    |
| <i>Alisma gramineum</i>                            | grass alisma                  | None               | None             | -           | 2B.2               |
| <i>Allium siskiyouense</i>                         | Siskiyou onion                | None               | None             | -           | 4.3                |
| <i>Lomatium engelmannii</i>                        | Engelmann's lomatium          | None               | None             | -           | 4.3                |
| <i>Lomatium martindalei</i>                        | Coast Range lomatium          | None               | None             | -           | 2B.3               |
| <i>Lomatium peckianum</i>                          | Peck's lomatium               | None               | None             | -           | 2B.2               |
| <i>Lomatium tracyi</i>                             | Tracy's lomatium              | None               | None             | -           | 4.3                |
| <i>Perideridia leptocarpa</i>                      | narrow-seeded yampah          | None               | None             | -           | 4.3                |
| <i>Sanicula tracyi</i>                             | Tracy's sanicle               | None               | None             | -           | 4.2                |
| <i>Tauschia howellii</i>                           | Howell's tauschia             | None               | None             | -           | 1B.3               |
| <i>Asarum marmoratum</i>                           | marbled wild-ginger           | None               | None             | -           | 2B.3               |
| <i>Arnica cernua</i>                               | serpentine arnica             | None               | None             | -           | 4.3                |
| <i>Arnica spathulata</i>                           | Klamath arnica                | None               | None             | -           | 4.3                |
| <i>Arnica viscosa</i>                              | Mt. Shasta arnica             | None               | None             | -           | 4.3                |
| <i>Balsamorhiza lanata</i>                         | woolly balsamroot             | None               | None             | -           | 1B.2               |
| <i>Balsamorhiza sericea</i>                        | silky balsamroot              | None               | None             | -           | 1B.3               |
| <i>Chaenactis suffrutescens</i>                    | Shasta chaenactis             | None               | None             | -           | 1B.3               |
| <i>Cirsium ciliolatum</i>                          | Ashland thistle               | None               | Endangered       | -           | 2B.1               |
| <i>Dimeresia howellii</i>                          | doublet                       | None               | None             | -           | 2B.3               |
| <i>Erigeron bloomeri</i> var. <i>nudatus</i>       | Waldo daisy                   | None               | None             | -           | 2B.3               |
| <i>Erigeron cervinus</i>                           | Siskiyou daisy                | None               | None             | -           | 4.3                |
| <i>Erigeron elegantulus</i>                        | volcanic daisy                | None               | None             | -           | 4.3                |
| <i>Erigeron inornatus</i> var. <i>calidipetris</i> | hot rock daisy                | None               | None             | -           | 4.3                |
| <i>Erigeron nivalis</i>                            | snow fleabane daisy           | None               | None             | -           | 2B.3               |

Attachment C – California Natural Diversity Database Results

| Scientific Name                                       | Common Name                   | Federal ESA Status | State ESA Status | CDFW Status | CA Rare Plant Rank |
|---|-------------------------------|--------------------|------------------|-------------|--------------------|
| <i>Erigeron petrophilus</i> var. <i>viscidulus</i>    | Klamath rock daisy            | None               | None             | -           | 4.3                |
| <i>Eurybia merita</i>                                 | subalpine aster               | None               | None             | -           | 2B.3               |
| <i>Helianthus exilis</i>                              | serpentine sunflower          | None               | None             | -           | 4.2                |
| <i>Hulsea nana</i>                                    | little hulsea                 | None               | None             | -           | 2B.3               |
| <i>Hymenoxys lemmonii</i>                             | alkali hymenoxys              | None               | None             | -           | 2B.2               |
| <i>Microseris laciniata</i> ssp. <i>detlingii</i>     | Detling's silverpuffs         | None               | None             | -           | 2B.2               |
| <i>Packera macounii</i>                               | Siskiyou Mountains ragwort    | None               | None             | -           | 4.3                |
| <i>Raillardella pringlei</i>                          | showy raillardella            | None               | None             | -           | 1B.2               |
| <i>Saussurea americana</i>                            | American saw-wort             | None               | None             | -           | 2B.2               |
| <i>Betula glandulosa</i>                              | dwarf resin birch             | None               | None             | -           | 2B.2               |
| <i>Cryptantha celosioides</i>                         | cocks-comb cat's-eye          | None               | None             | -           | 2B.3               |
| <i>Hackelia cusickii</i>                              | Cusick's stickseed            | None               | None             | -           | 4.3                |
| <i>Mertensia bella</i>                                | Oregon lungwort               | None               | None             | -           | 2B.2               |
| <i>Arabis aculeolata</i>                              | Waldo rockcress               | None               | None             | -           | 2B.2               |
| <i>Arabis mcdonaldiana</i>                            | McDonald's rockcress          | Endangered         | Endangered       | -           | 1B.1               |
| <i>Arabis modesta</i>                                 | modest rockcress              | None               | None             | -           | 4.3                |
| <i>Arabis oregana</i>                                 | Oregon rockcress              | None               | None             | -           | 4.3                |
| <i>Arabis rigidissima</i> var. <i>rigidissima</i>     | Trinity Mountains rockcress   | None               | None             | -           | 1B.3               |
| <i>Boechnera koehleri</i>                             | Koehler's stipitate rockcress | None               | None             | -           | 1B.3               |
| <i>Boechnera rollei</i>                               | Rolle's rockcress             | None               | None             | -           | 1B.1               |
| <i>Cardamine bellidifolia</i> var. <i>pachyphylla</i> | fleshy toothwort              | None               | None             | -           | 4.3                |
| <i>Draba aureola</i>                                  | golden alpine draba           | None               | None             | -           | 1B.3               |
| <i>Draba carnosula</i>                                | Mt. Eddy draba                | None               | None             | -           | 1B.3               |
| <i>Draba howellii</i>                                 | Howell's draba                | None               | None             | -           | 4.3                |
| <i>Draba pterosperma</i>                              | winged-seed draba             | None               | None             | -           | 4.3                |
| <i>Rorippa columbiae</i>                              | Columbia yellow cress         | None               | None             | -           | 1B.2               |
| <i>Thelypodium brachycarpum</i>                       | short-podded thelypodium      | None               | None             | -           | 4.2                |
| <i>Brasenia schreberi</i>                             | watershield                   | None               | None             | -           | 2B.3               |
| <i>Opuntia fragilis</i>                               | brittle prickly-pear          | None               | None             | -           | 2B.1               |
| <i>Campanula scabrella</i>                            | rough harebell                | None               | None             | -           | 4.3                |
| <i>Campanula shetleri</i>                             | Castle Crags harebell         | None               | None             | -           | 1B.3               |
| <i>Campanula wilkinsiana</i>                          | Wilkin's harebell             | None               | None             | -           | 1B.2               |
| <i>Sabulina howellii</i>                              | Howell's sandwort             | None               | None             | -           | 1B.3               |
| <i>Sabulina stolonifera</i>                           | Scott Mountain sandwort       | None               | None             | -           | 1B.3               |
| <i>Silene marmorensis</i>                             | Marble Mountain campion       | None               | None             | -           | 1B.2               |
| <i>Silene suksdorfii</i>                              | Cascade alpine campion        | None               | None             | -           | 2B.3               |
| <i>Chenopodium simplex</i>                            | large-seeded goosefoot        | None               | None             | -           | 4.3                |

Attachment C – California Natural Diversity Database Results

| Scientific Name                                     | Common Name               | Federal ESA Status | State ESA Status | CDFW Status | CA Rare Plant Rank |
|---|---------------------------|--------------------|------------------|-------------|--------------------|
| <i>Suaeda occidentalis</i>                          | western seablite          | None               | None             | -           | 2B.3               |
| <i>Cuscuta jepsonii</i>                             | Jepson's dodder           | None               | None             | -           | 1B.2               |
| <i>Cornus canadensis</i>                            | bunchberry                | None               | None             | -           | 2B.2               |
| <i>Sedum divergens</i>                              | Cascade stonecrop         | None               | None             | -           | 2B.3               |
| <i>Sedum laxum</i> ssp. <i>flavidum</i>             | pale yellow stonecrop     | None               | None             | -           | 4.3                |
| <i>Sedum ob lanceolatum</i>                         | Applegate stonecrop       | None               | None             | -           | 1B.1               |
| <i>Callitropsis nootkatensis</i>                    | Alaska cedar              | None               | None             | -           | 4.3                |
| <i>Hesperocyparis bakeri</i>                        | Baker cypress             | None               | None             | -           | 4.2                |
| <i>Carex atherodes</i>                              | wheat sedge               | None               | None             | -           | 2B.2               |
| <i>Carex buxbaumii</i>                              | Buxbaum's sedge           | None               | None             | -           | 4.2                |
| <i>Carex geyeri</i>                                 | Geyer's sedge             | None               | None             | -           | 4.2                |
| <i>Carex halliana</i>                               | Oregon sedge              | None               | None             | -           | 2B.3               |
| <i>Carex hystericina</i>                            | porcupine sedge           | None               | None             | -           | 2B.1               |
| <i>Carex limosa</i>                                 | mud sedge                 | None               | None             | -           | 2B.2               |
| <i>Carex nardina</i>                                | nard sedge                | None               | None             | -           | 2B.2               |
| <i>Carex praticola</i>                              | northern meadow sedge     | None               | None             | -           | 2B.2               |
| <i>Carex scabriuscula</i>                           | Siskiyou sedge            | None               | None             | -           | 4.3                |
| <i>Carex viridula</i> ssp. <i>viridula</i>          | green yellow sedge        | None               | None             | -           | 2B.3               |
| <i>Eriophorum gracile</i>                           | slender cottongrass       | None               | None             | -           | 4.3                |
| <i>Scirpus pendulus</i>                             | pendulous bulrush         | None               | None             | -           | 2B.2               |
| <i>Drosera anglica</i>                              | English sundew            | None               | None             | -           | 2B.3               |
| <i>Polystichum kruckebergii</i>                     | Kruckeberg's sword fern   | None               | None             | -           | 4.3                |
| <i>Polystichum lonchitis</i>                        | northern holly fern       | None               | None             | -           | 3                  |
| <i>Shepherdia canadensis</i>                        | Canadian buffalo-berry    | None               | None             | -           | 2B.1               |
| <i>Arctostaphylos hispidula</i>                     | Howell's manzanita        | None               | None             | -           | 4.2                |
| <i>Arctostaphylos klamathensis</i>                  | Klamath manzanita         | None               | None             | -           | 1B.2               |
| <i>Vaccinium scoparium</i>                          | little-leaved huckleberry | None               | None             | -           | 2B.2               |
| <i>Astragalus inversus</i>                          | Susanville milk-vetch     | None               | None             | -           | 4.3                |
| <i>Lathyrus delnorticus</i>                         | Del Norte pea             | None               | None             | -           | 4.3                |
| <i>Lupinus lapidicola</i>                           | Heller's Mt. Eddy lupine  | None               | None             | -           | 4.3                |
| <i>Lupinus tracyi</i>                               | Tracy's lupine            | None               | None             | -           | 4.3                |
| <i>Thermopsis californica</i> var. <i>argentata</i> | silvery false lupine      | None               | None             | -           | 4.3                |
| <i>Thermopsis gracilis</i>                          | slender false lupine      | None               | None             | -           | 4.3                |
| <i>Thermopsis robusta</i>                           | robust false lupine       | None               | None             | -           | 1B.2               |
| <i>Trifolium siskiyouense</i>                       | Siskiyou clover           | None               | None             | -           | 1B.1               |
| <i>Dicentra formosa</i> ssp. <i>oregana</i>         | Oregon bleeding heart     | None               | None             | -           | 4.2                |
| <i>Gentiana plurisetosa</i>                         | Klamath gentian           | None               | None             | -           | 1B.3               |

Attachment C – California Natural Diversity Database Results

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|--|---------------------------------|--------------------|------------------|-------------|--------------------|
| <i>Ribes hudsonianum</i> var. <i>petiolare</i>             | western black currant           | None               | None             | -           | 2B.3               |
| <i>Ribes marshallii</i>                                    | Marshall's gooseberry           | None               | None             | -           | 4.3                |
| <i>Howellanthus dalesianus</i>                             | Scott Mountain howellanthus     | None               | None             | -           | 4.3                |
| <i>Phacelia cookei</i>                                     | Cooke's phacelia                | None               | None             | -           | 1B.1               |
| <i>Phacelia greenei</i>                                    | Scott Valley phacelia           | None               | None             | -           | 1B.2               |
| <i>Phacelia inundata</i>                                   | playa phacelia                  | None               | None             | -           | 1B.3               |
| <i>Phacelia leonis</i>                                     | Siskiyou phacelia               | None               | None             | -           | 1B.3               |
| <i>Phacelia sericea</i> var. <i>ciliosa</i>                | blue alpine phacelia            | None               | None             | -           | 1B.2               |
| <i>Iris bracteata</i>                                      | Siskiyou iris                   | None               | None             | -           | 3.3                |
| <i>Iris innominata</i>                                     | Del Norte County iris           | None               | None             | -           | 4.3                |
| <i>Iris tenax</i> ssp. <i>klamathensis</i>                 | Orleans iris                    | None               | None             | -           | 4.3                |
| <i>Iris thompsonii</i>                                     | Thompson's iris                 | None               | None             | -           | 4.3                |
| <i>Juncus dudleyi</i>                                      | Dudley's rush                   | None               | None             | -           | 2B.3               |
| <i>Juncus regelii</i>                                      | Regel's rush                    | None               | None             | -           | 2B.3               |
| <i>Lycopus uniflorus</i>                                   | northern bugleweed              | None               | None             | -           | 4.3                |
| <i>Pogogyne floribunda</i>                                 | profuse-flowered pogogyne       | None               | None             | -           | 4.2                |
| <i>Salvia dorrii</i> var. <i>incana</i>                    | fleshy sage                     | None               | None             | -           | 3                  |
| <i>Scutellaria galericulata</i>                            | marsh skullcap                  | None               | None             | -           | 2B.2               |
| <i>Stachys pilosa</i>                                      | hairy marsh hedge-nettle        | None               | None             | -           | 2B.3               |
| <i>Pinguicula macroceras</i>                               | horned butterwort               | None               | None             | -           | 2B.2               |
| <i>Calochortus greenei</i>                                 | Greene's mariposa-lily          | None               | None             | -           | 1B.2               |
| <i>Calochortus longebarbatus</i> var. <i>longebarbatus</i> | long-haired star-tulip          | None               | None             | -           | 1B.2               |
| <i>Calochortus monanthus</i>                               | single-flowered mariposa-lily   | None               | None             | -           | 1A                 |
| <i>Calochortus persistens</i>                              | Siskiyou mariposa-lily          | None               | Rare             | -           | 1B.2               |
| <i>Erythronium citrinum</i> var. <i>citrinum</i>           | lemon-colored fawn lily         | None               | None             | -           | 4.3                |
| <i>Erythronium hendersonii</i>                             | Henderson's fawn lily           | None               | None             | -           | 2B.3               |
| <i>Erythronium howellii</i>                                | Howell's fawn lily              | None               | None             | -           | 1B.3               |
| <i>Erythronium klamathense</i>                             | Klamath fawn lily               | None               | None             | -           | 2B.2               |
| <i>Erythronium oregonum</i>                                | giant fawn lily                 | None               | None             | -           | 2B.2               |
| <i>Erythronium revolutum</i>                               | coast fawn lily                 | None               | None             | -           | 2B.2               |
| <i>Fritillaria gentneri</i>                                | Gentner's fritillary            | Endangered         | None             | -           | 1B.1               |
| <i>Fritillaria glauca</i>                                  | Siskiyou fritillaria            | None               | None             | -           | 4.2                |
| <i>Lilium pardalinum</i> ssp. <i>wigginsii</i>             | Wiggins' lily                   | None               | None             | -           | 4.3                |
| <i>Lilium rubescens</i>                                    | redwood lily                    | None               | None             | -           | 4.2                |
| <i>Lilium washingtonianum</i> ssp. <i>purpurascens</i>     | purple-flowered Washington lily | None               | None             | -           | 4.3                |
| <i>Limnanthes floccosa</i> ssp. <i>floccosa</i>            | woolly meadowfoam               | None               | None             | -           | 4.2                |
| <i>Iliamna bakeri</i>                                      | Baker's globe mallow            | None               | None             | -           | 4.2                |

Attachment C – California Natural Diversity Database Results

| Scientific Name                                      | Common Name                    | Federal ESA Status | State ESA Status | CDFW Status | CA Rare Plant Rank |
|--|--------------------------------|--------------------|------------------|-------------|--------------------|
| <i>Sidalcea celata</i>                               | Redding checkerbloom           | None               | None             | -           | 3                  |
| <i>Sidalcea elegans</i>                              | Del Norte checkerbloom         | None               | None             | -           | 3.3                |
| <i>Sidalcea oregana</i> ssp. <i>eximia</i>           | coast checkerbloom             | None               | None             | -           | 1B.2               |
| <i>Trillium ovatum</i> ssp. <i>oettingeri</i>        | Salmon Mountains wakerobin     | None               | None             | -           | 4.2                |
| <i>Veratrum insolitum</i>                            | Siskiyou false-hellebore       | None               | None             | -           | 4.3                |
| <i>Pityopus californicus</i>                         | California pinefoot            | None               | None             | -           | 4.2                |
| <i>Claytonia palustris</i>                           | marsh claytonia                | None               | None             | -           | 4.3                |
| <i>Lewisia cotyledon</i> var. <i>heckneri</i>        | Heckner's lewisia              | None               | None             | -           | 1B.2               |
| <i>Lewisia cotyledon</i> var. <i>howellii</i>        | Howell's lewisia               | None               | None             | -           | 3.2                |
| <i>Lewisia kelloggii</i> ssp. <i>hutchisonii</i>     | Hutchison's lewisia            | None               | None             | -           | 3.2                |
| <i>Clarkia borealis</i> ssp. <i>borealis</i>         | northern clarkia               | None               | None             | -           | 4.3                |
| <i>Epilobium luteum</i>                              | yellow willowherb              | None               | None             | -           | 2B.3               |
| <i>Epilobium oreganum</i>                            | Oregon fireweed                | None               | None             | -           | 1B.2               |
| <i>Epilobium rigidum</i>                             | Siskiyou Mountains willowherb  | None               | None             | -           | 4.3                |
| <i>Epilobium septentrionale</i>                      | Humboldt County fuchsia        | None               | None             | -           | 4.3                |
| <i>Epilobium siskiyouense</i>                        | Siskiyou fireweed              | None               | None             | -           | 1B.3               |
| <i>Botrychium crenulatum</i>                         | scalloped moonwort             | None               | None             | -           | 2B.2               |
| <i>Botrychium minganense</i>                         | Mingan moonwort                | None               | None             | -           | 2B.2               |
| <i>Botrychium montanum</i>                           | western goblin                 | None               | None             | -           | 2B.1               |
| <i>Botrychium pinnatum</i>                           | northwestern moonwort          | None               | None             | -           | 2B.3               |
| <i>Botrychium pumicola</i>                           | pumice moonwort                | None               | None             | -           | 2B.2               |
| <i>Botrypus virginianus</i>                          | rattlesnake fern               | None               | None             | -           | 2B.2               |
| <i>Ophioglossum pusillum</i>                         | northern adder's-tongue        | None               | None             | -           | 2B.2               |
| <i>Cypripedium californicum</i>                      | California lady's-slipper      | None               | None             | -           | 4.2                |
| <i>Cypripedium fasciculatum</i>                      | clustered lady's-slipper       | None               | None             | -           | 4.2                |
| <i>Cypripedium montanum</i>                          | mountain lady's-slipper        | None               | None             | -           | 4.2                |
| <i>Piperia candida</i>                               | white-flowered rein orchid     | None               | None             | -           | 1B.2               |
| <i>Piperia colemanii</i>                             | Coleman's rein orchid          | None               | None             | -           | 4.3                |
| <i>Platanthera stricta</i>                           | slender bog-orchid             | None               | None             | -           | 4.2                |
| <i>Castilleja brevilibata</i>                        | short-lobed paintbrush         | None               | None             | -           | 4.2                |
| <i>Castilleja elata</i>                              | Siskiyou paintbrush            | None               | None             | -           | 2B.2               |
| <i>Castilleja schizotricha</i>                       | split-hair paintbrush          | None               | None             | -           | 4.3                |
| <i>Cordylanthus tenuis</i> ssp. <i>pallescens</i>    | pallid bird's-beak             | None               | None             | -           | 1B.2               |
| <i>Orthocarpus cuspidatus</i> ssp. <i>cuspidatus</i> | Siskiyou Mountains orthocarpus | None               | None             | -           | 4.3                |
| <i>Orthocarpus pachystachyus</i>                     | Shasta orthocarpus             | None               | None             | -           | 1B.1               |
| <i>Pedicularis contorta</i>                          | curved-beak lousewort          | None               | None             | -           | 4.3                |
| <i>Pedicularis howellii</i>                          | Howell's lousewort             | None               | None             | -           | 4.3                |

Attachment C – California Natural Diversity Database Results

| Scientific Name  | Common Name                | Federal ESA Status | State ESA Status | CDFW Status | CA Rare Plant Rank |
|--|----------------------------|--------------------|------------------|-------------|--------------------|
| <i>Parnassia cirrata</i> var. <i>intermedia</i>        | Cascade grass-of-Parnassus | None               | None             | -           | 2B.2               |
| <i>Diplacus pygmaeus</i>                               | Egg Lake monkeyflower      | None               | None             | -           | 4.2                |
| <i>Erythranthe inflatula</i>                           | ephemeral monkeyflower     | None               | None             | -           | 1B.2               |
| <i>Erythranthe trinitiensis</i>                        | pink-margined monkeyflower | None               | None             | -           | 1B.3               |
| <i>Abies amabilis</i>                                  | Pacific silver fir         | None               | None             | -           | 2B.3               |
| <i>Abies lasiocarpa</i> var. <i>lasiocarpa</i>         | subalpine fir              | None               | None             | -           | 2B.3               |
| <i>Picea engelmannii</i>                               | Engelmann spruce           | None               | None             | -           | 2B.2               |
| <i>Gratiola heterosepala</i>                           | Boggs Lake hedge-hyssop    | None               | Endangered       | -           | 1B.2               |
| <i>Penstemon cinicola</i>                              | ashy-gray beardtongue      | None               | None             | -           | 4.3                |
| <i>Penstemon filiformis</i>                            | thread-leaved beardtongue  | None               | None             | -           | 4.3                |
| <i>Penstemon heterodoxus</i> var. <i>shastensis</i>    | Shasta beardtongue         | None               | None             | -           | 4.3                |
| <i>Penstemon tracyi</i>                                | Tracy's beardtongue        | None               | None             | -           | 1B.3               |
| <i>Veronica copelandii</i>                             | Copeland's speedwell       | None               | None             | -           | 4.3                |
| <i>Anthoxanthum nitens</i> ssp. <i>nitens</i>          | vanilla-grass              | None               | None             | -           | 2B.3               |
| <i>Calamagrostis foliosa</i>                           | leafy reed grass           | None               | Rare             | -           | 4.2                |
| <i>Orcuttia tenuis</i>                                 | slender Orcutt grass       | Threatened         | Endangered       | -           | 1B.1               |
| <i>Stipa exigua</i>                                    | little ricegrass           | None               | None             | -           | 2B.3               |
| <i>Collomia larsenii</i>                               | talus collomia             | None               | None             | -           | 2B.2               |
| <i>Collomia tracyi</i>                                 | Tracy's collomia           | None               | None             | -           | 4.3                |
| <i>Leptosiphon rattanii</i>                            | Rattan's leptosiphon       | None               | None             | -           | 4.3                |
| <i>Phlox hirsuta</i>                                   | Yreka phlox                | Endangered         | Endangered       | -           | 1B.2               |
| <i>Phlox muscoides</i>                                 | squarestem phlox           | None               | None             | -           | 2B.3               |
| <i>Polemonium carneum</i>                              | Oregon polemonium          | None               | None             | -           | 2B.2               |
| <i>Polemonium eddyense</i>                             | Mt. Eddy sky pilot         | None               | None             | -           | 1B.2               |
| <i>Polemonium pulcherrimum</i> var. <i>shastense</i>   | Mt. Shasta sky pilot       | None               | None             | -           | 1B.2               |
| <i>Eriogonum alpinum</i>                               | Trinity buckwheat          | None               | Endangered       | -           | 1B.2               |
| <i>Eriogonum congdonii</i>                             | Congdon's buckwheat        | None               | None             | -           | 4.3                |
| <i>Eriogonum diclinum</i>                              | Jaynes Canyon buckwheat    | None               | None             | -           | 2B.3               |
| <i>Eriogonum hirtellum</i>                             | Klamath Mountain buckwheat | None               | None             | -           | 1B.3               |
| <i>Eriogonum pyrolifolium</i> var. <i>pyrolifolium</i> | pyrola-leaved buckwheat    | None               | None             | -           | 2B.3               |
| <i>Eriogonum siskiyouense</i>                          | Siskiyou buckwheat         | None               | None             | -           | 4.3                |
| <i>Eriogonum strictum</i> var. <i>greenei</i>          | Greene's buckwheat         | None               | None             | -           | 4.3                |
| <i>Eriogonum ternatum</i>                              | ternate buckwheat          | None               | None             | -           | 4.3                |
| <i>Eriogonum umbellatum</i> var. <i>glaberrimum</i>    | Warner Mountains buckwheat | None               | None             | -           | 1B.3               |
| <i>Eriogonum umbellatum</i> var. <i>humistratum</i>    | Mt. Eddy buckwheat         | None               | None             | -           | 4.3                |
| <i>Eriogonum umbellatum</i> var. <i>lautum</i>         | Scott Valley buckwheat     | None               | None             | -           | 1B.1               |
| <i>Eriogonum ursinum</i> var. <i>erubescens</i>        | blushing wild buckwheat    | None               | None             | -           | 1B.3               |



**Attachment C – California Natural Diversity Database Results**

| Scientific Name   | Common Name               | Federal ESA Status | State ESA Status  | CDFW Status | CA Rare Plant Rank |
|---|---------------------------|--------------------|---|-------------|--------------------|
| <i>Potamogeton robbinsii</i>  | Robbins' pondweed         | None               | None  | -           | 2B.3               |
| <i>Stuckenia filiformis</i> ssp. <i>alpina</i>  | slender-leaved pondweed   | None               | None  | -           | 2B.2               |
| <i>Androsace elongata</i> ssp. <i>acuta</i>   | California androsace      | None               | None  | -           | 4.2                |
| <i>Androsace filiformis</i>   | slender-stemmed androsace | None               | None  | -           | 2B.3               |
| <i>Moneses uniflora</i>   | woodnymph                 | None               | None  | -           | 2B.2               |
| <i>Geum aleppicum</i>   | Aleppo avens              | None               | None  | -           | 2B.2               |
| <i>Horkelia daucifolia</i> var. <i>indicta</i>  | Jepson's horkelia         | None               | None  | -           | 1B.1               |
| <i>Horkelia hendersonii</i>   | Henderson's horkelia      | None               | None  | -           | 1B.1               |
| <i>Horkelia sericata</i>  | Howell's horkelia         | None               | None  | -           | 4.3                |
| <i>Ivesia pickeringii</i>   | Pickering's ivesia        | None               | None  | -           | 1B.2               |
| <i>Potentilla cristae</i>   | crested potentilla        | None               | None  | -           | 1B.3               |
| <i>Potentilla newberryi</i>   | Newberry's cinquefoil     | None               | None  | -           | 2B.3               |
| <i>Rosa gymnocarpa</i> var. <i>serpentina</i>   | Gasquet rose              | None               | None  | -           | 1B.3               |
| <i>Rubus nivalis</i>  | snow dwarf bramble        | None               | None  | -           | 2B.3               |
| <i>Galium oreganum</i>  | Oregon bedstraw           | None               | None  | -           | 3                  |
| <i>Galium serpenticum</i> ssp. <i>scotticum</i>   | Scott Mountain bedstraw   | None               | None  | -           | 1B.2               |
| <i>Salix bebbiana</i>   | Bebb's willow             | None               | None  | -           | 2B.3               |
| <i>Darlingtonia californica</i>   | California pitcherplant   | None               | None  | -           | 4.2                |
| <i>Hemieva ranunculifolia</i>   | buttercup-leaf suksdorfia | None               | None  | -           | 2B.2               |
| <i>Micranthes marshallii</i>  | Marshall's saxifrage      | None               | None  | -           | 4.3                |
| <i>Mitellastra caulescens</i>   | leafy-stemmed mitrewort   | None               | None  | -           | 4.2                |
| <i>Saxifraga cespitosa</i>  | tufted saxifrage          | None               | None  | -           | 2B.3               |
| <i>Selaginella scopulorum</i>   | Rocky Mountain spike-moss | None               | None  | -           | 3                  |
| <i>Smilax jamesii</i>   | English Peak greenbrier   | None               | None  | -           | 4.2                |
| <i>Triteleia crocea</i> var. <i>crocea</i>  | yellow triteleia          | None               | None  | -           | 4.3                |
| <i>Triteleia grandiflora</i>  | large-flowered triteleia  | None               | None  | -           | 2B.1               |
| <i>Triteleia hendersonii</i>  | Henderson's triteleia     | None               | None  | -           | 2B.2               |
| <i>Viola howellii</i>   | Howell's violet           | None               | None  | -           | 2B.2               |
| <b>CDFW STATUS</b>  |                           |                    |   |             |                    |
| FP = Fully Protected  |                           |                    |   |             |                    |
| SSC = Species of Special Concern  |                           |                    |   |             |                    |
| WL = Watch List   |                           |                    |   |             |                    |
| <b>PLANT STATUS</b>   |                           |                    |   |             |                    |
| <i>Rare Plant Rank</i>  |                           |                    | <i>Threat Ranks</i>   |             |                    |
| List 1A = Plants presumed extirpated in California and either rare or extinct elsewhere |                           |                    | 0.1 = Seriously Threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat) |             |                    |

**Attachment C – California Natural Diversity Database Results**

| Scientific Name  | Common Name | Federal ESA Status   | State ESA Status | CDFW Status | CA Rare Plant Rank |
|--|-------------|--|------------------|-------------|--------------------|
| List 1B = Plants rare, threatened, or endangered in California and elsewhere             |             | 0.2 = Moderately Threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)                                |                  |             |                    |
| List 2A = Plants presumed extirpated in California but common elsewhere                  |             | 0.3 = Not Very Threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known) |                  |             |                    |
| List 2B = Plants rare, threatened, or endangered in California but more common elsewhere |             |  |                  |             |                    |
| List 3 = Plants about which more information is needed                                   |             |  |                  |             |                    |
| List 4 = Plants of limited distribution  |             |  |                  |             |                    |

**AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03)**  
**MITIGATION MONITORING AND REPORTING PROGRAM**  
**SCH No. 2019029087**

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COUNTY OF SISKIYOU

806 S. MAIN STREET  
YREKA, CA 96097



June 2020

# MITIGATION MONITORING & REPORTING PROGRAM

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## MITIGATION MONITORING REPORTING PROGRAM CONTENTS

This document is the Mitigation Monitoring Reporting Program (MMRP) for the Agritourism Zoning Text Amendment (Z-17-03). The MMRP includes a brief discussion of the legal basis for and the purpose of the program, discussion and direction regarding complaints about noncompliance, a key to understanding the monitoring matrix, and the monitoring matrix itself.

## LEGAL BASIS OF AND PURPOSE FOR THE MITIGATION MONITORING PROGRAM

California Public Resources Code Section 21081.6 requires public agencies to adopt mitigation monitoring or reporting programs whenever certifying an environmental impact report (EIR) or adopting a mitigated negative declaration (MND). This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

The MMRP contains the mitigation measures adopted for the Agritourism Zoning Text Amendment (Z-17-03). It is to be used by the County of Siskiyou, participating agencies, farms, and ranches, project contractors, and mitigation monitoring personnel during implementation of the project.

The Initial Study/Mitigated Negative Declaration prepared for the Agritourism Zoning Text Amendment (Z-17-03) (SCH No. 2019029087) presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation measures, as defined by CEQA Guidelines Section 15370, are measures that do any of the following:

- Avoid impacts altogether by not taking a certain action or parts of an action;
- Minimize impacts by limiting the degree or magnitude of the action and its implementation;
- Rectify impacts by repairing, rehabilitating or restoring the impacted environment;
- Reduce or eliminate impacts over time by preservation and maintenance operations during the life of the project; or
- Compensate for impacts by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the effective implementation and enforcement of adopted mitigation measures and permit conditions. The MMRP will provide for monitoring of development activities as necessary, on-site identification and resolution of environmental problems, and proper reporting to agency staff.

The timing elements of mitigation measures and definition of the development process have been provided in detail throughout this MMRP to assist existing and future county staff by providing the most usable monitoring document possible.

## RESPONSIBILITIES AND AUTHORITY

The Siskiyou County Community Development Department - Planning Division will have primary responsibility for the operation and implementation of the MMRP, including the following activities:

- Coordination of monitoring activities;
- Direction of the preparation and filing of compliance reports; and
- Maintenance of records concerning the status of all mitigation measures.

The Siskiyou County Community Development Department - Planning Division will also oversee implementation of the mitigation measures for which it has been identified as the primary enforcement and monitoring agent. Other agencies or persons which have been identified as enforcement and monitoring agents for specific mitigation measures will be responsible for overseeing implementation of those measures.

### MONITORING PERSONNEL

The Siskiyou County Community Development Department - Planning Division bears responsibility for ensuring that the mitigation measures in this document are implemented by the farms and ranches engaging in agritourism as a result of the project. The County of Siskiyou reserves the right to hire technical experts and professionals to help in evaluating compliance. These may include but are not limited to biologists, archaeologists, and planning professionals. Some of the measures may be assigned to contractors as part of their scope of work.

### MONITORING MATRIX

Table 1-1, Monitoring Matrix Reporting Program for the Agritourism Zoning Text Amendment (Z-17-03), lists the mitigation measures that have been incorporated into the project. These mitigation measures are reproduced from the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the project. The table includes the following columns:

- Mitigation Measure: Lists the mitigation measures identified within the Agritourism Zoning Text Amendment (Z-17-03) Initial Study for a specific impact, along with the number for each measure as enumerated in the IS/MND.
- Timing: Identifies at what point in time, review process or phase the mitigation measure will be completed.
- Agency/Department Consultation: References the person or agency with which coordination is required to satisfy the identified mitigation measure.
- Verification: Spaces to be initialed and dated by the individual designated to verify adherence to a specific mitigation measure.

### NONCOMPLIANCE COMPLAINTS

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the project. The complaint shall be directed to the Siskiyou County Community Development Department - Planning Division in written form, providing specific information on the asserted violation. The County of Siskiyou will conduct an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure is documented, the County of Siskiyou will take appropriate action to address any violation that has occurred. The complainant will receive a written response indicating the results of the investigation or the final action corresponding to the particular noncompliance issue.

**MITIGATION MONITORING & REPORTING PROGRAM**

**TABLE 1-1  
MONITORING MATRIX REPORTING PROGRAM FOR THE AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03)**

| <b>Mitigation Measure</b>   | <b>Timing</b>   | <b>Agency/Department Consultation</b>  | <b>Verification (Date and Initials)</b> |
|---|---|--|---|
| <b>BIOLOGICAL RESOURCES</b>   |   |  |   |
| <p><b>MM 4.1</b> In order to reduce potential impacts to nesting migratory birds and/or raptors protected under Fish and Game Code Section 3503 to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:</p> <p>When vegetation removal associated with construction of agritourism improvements will occur during the avian breeding season of February 1 through August 31, a survey for nesting migratory birds shall be completed by a qualified biologist no more than one week prior to vegetation removal. If an active nest is located during the survey, a no-disturbance buffer shall be established around the nest by the qualified biologist, in consultation with CDFW and the USFWS. If construction activities are delayed or suspended for more than one week after the completion of the pre-construction survey, the Project location and adjacent habitat shall be resurveyed, and the survey results shall be sent to Siskiyou County Planning Division and CDFW at: California Department of Fish and Wildlife, Attn: CEQA, 601 Locust Street, Redding, CA 96001.</p> | <p>Ongoing:<br/>A survey for nesting migratory birds shall be completed by a qualified biologist no more than one week prior to vegetation removal for agritourism improvements during the avian breeding season of February 1 through August 31.</p> | <p>Siskiyou County<br/>Community<br/>Development<br/>Department and<br/>California Department of<br/>Fish and Wildlife</p> |   |

**MITIGATION MONITORING & REPORTING PROGRAM**

| <b>Mitigation Measure</b>  | <b>Timing</b>  | <b>Agency/Department Consultation</b>                               | <b>Verification (Date and Initials)</b> |
|--|--|---|---|
| <p><b>MM 4.2</b> In order to reduce potential impacts to roosting bats caused by the removal and/or reconstruction of preexisting barns and outbuildings for agritourism purposes to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:</p> <p>When barns and outbuildings are to be removed or substantially rehabilitated to accommodate agritourism activities, a qualified biologist knowledgeable in the ecology of local bat species shall conduct a roost assessment survey of the structure(s) to be removed or substantially rehabilitated. The survey shall occur no more than 14 days prior to demolition or substantial rehabilitation of the structure(s). If the biologist finds no evidence of or potential to support bat roosting, no further measures are required. If evidence of bat roosting is present, the measures described below shall be implemented:</p> <ol style="list-style-type: none"> <li>1. When demolition or substantial rehabilitation is planned during August 1 through February 28 (outside the bat maternity roosting season), a qualified biologist shall implement passive exclusion measures to prevent bats from re-entering the structure(s). Demolition or substantial rehabilitation may continue after a follow-up survey confirms that bats are no longer present.</li> <li>2. When demolition or substantial rehabilitation is planned during the maternity roosting season (March 1 through August 31), disturbance to the structure(s) shall be avoided until the maternity roosting season has ended and a qualified biologist has determined the roost has been vacated.</li> </ol> | <p>No more than 14 days prior to demolition or substantial rehabilitation of preexisting barns and outbuildings for agritourism purposes</p> | <p>Siskiyou County<br/>Community<br/>Development<br/>Department</p> |   |
| <p><b>MM 4.3</b> In order to reduce potential impacts to riparian vegetation and aquatic resources to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:</p> <p>No land disturbance for agritourism improvements is permitted within 150 feet of the top of bank of any perennial waterbody or within 50 feet of the centerline of seasonal streams and wetlands.</p>   | <p>Ongoing:<br/>Prior to land disturbance for agritourism improvements within 150 feet of the top of bank of any perennial</p>               | <p>Siskiyou County<br/>Community<br/>Development<br/>Department</p> |   |

## MITIGATION MONITORING & REPORTING PROGRAM

| Mitigation Measure   | Timing   | Agency/Department Consultation                   | Verification (Date and Initials) |
|--|--|--|----------------------------------|
|  | water body or within 50 feet of the centerline of seasonal streams and wetlands  |  |                                  |
| <b>CULTURAL RESOURCES</b>  |  |  |                                  |
| <p><b>MM 5.1</b> In order to reduce potential impacts to paleontological resources to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:</p> <p>If, during ground disturbance for agritourism improvements, paleontological resources (e.g., fossils) are discovered, all work shall cease in the area of the find, the Siskiyou County Community Development Department – Planning Division shall be immediately notified, and a qualified paleontologist shall be retained to determine the significance of the discovery. The County shall consider the mitigation recommendations presented by a professional paleontologist and implement any measure or measures that the County deems feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.</p> | During ground disturbance activities associated with agritourism improvements    | Siskiyou County Community Development Department |                                  |
| <b>GEOLOGY AND SOILS</b>   |  |  |                                  |
| <p><b>MM 6.1</b> In order to reduce potential impacts associated with erosion and loss of topsoil to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:</p> <p>All soils disturbed during construction of agritourism improvements shall be revegetated upon completion of construction and/or ground disturbing activities. If construction activities are suspended for six (6) or more months, disturbed soils shall be revegetated until construction activities resume. Upon completion of construction activities, soils shall be revegetated within six (6) months.</p>  | Following ground disturbance activities associated with agritourism improvements | Siskiyou County Community Development Department |                                  |
| <b>NOISE</b>   |  |  |                                  |



**MITIGATION MONITORING & REPORTING PROGRAM**

| <b>Mitigation Measure</b>  | <b>Timing</b>   | <b>Agency/Department Consultation</b>  | <b>Verification (Date and Initials)</b> |
|--|---|--|---|
| <p><b>MM 12.1</b> In order to reduce potential construction noise impacts to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:</p> <p>Use of heavy equipment, blasting equipment, compressors, and other noise and ground-borne vibration generating equipment associated with agritourism improvements is prohibited on Sundays and federal holidays and are limited to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday, and between 8:00 a.m. and 6:00 p.m. on Saturdays.</p> | <p align="center">During<br/>agritourism<br/>improvements</p> | <p align="center">Siskiyou County<br/>Community<br/>Development<br/>Department</p> |   |

Agritourism Zoning Text Amendment (Z1703)  
Agency Comments



March 18, 2019

Christy Cummings Dawson  
County of Siskiyou  
Planning Department  
806 S. Main Street  
Yreka, CA 96097

**Subject: Mitigated Negative Declaration for Agritourism Zoning Text  
Amendment Z-17-03, Siskiyou County, State Clearinghouse Number  
2019029087**

Dear Ms. Dawson:

The California Department of Fish and Wildlife (Department) has reviewed the mitigated negative declaration (MND) for the above-referenced project (Project). Pursuant to Fish and Game Code section 1802, and as a Trustee Agency, the Department has jurisdiction over the conservation, protection, and management of California's fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species. As a Responsible Agency, the Department administers the California Endangered Species Act and other provisions of the Fish and Game Code that conserve the State's fish and wildlife public trust resources. The Department offers the following comments and recommendations on the Project in our role as the State's trustee for fish and wildlife resources and as a Responsible Agency under the California Environmental Quality Act (CEQA), California Public Resources Code section 21000 et seq.

### **Project Description**

The Project is a

*“proposed zoning text amendment that would allow limited agritourism incidental to active agricultural operations on parcels 10 acres and larger that are zoned AG-1, AG-2, and/or R-R. Agritourism uses would include but not be limited to farm tours, field days, farm sponsored hospitality dinners, educational classes, U-Pick produce sales, agricultural farmstays, and agritourism camping. Further, in an effort to minimize, to the greatest extent practicable, off-site impacts associated with agritourism-related activities, the zoning text amendment would differentiate between generally permissible less intensive ‘Level I Agritourism’ and more intensive ‘Level II Agritourism’ and would subject Level II Agritourism’ to Agritourism Performance Standards and approval of either an administrative use permit or conditional use permit.”*

## **Comments and Recommendations**

The Department appreciates the inclusion of multiple measures to protect biological resources in the MND. In order to provide further protection, the Department offers the following recommendations.

### Nesting Migratory Birds and Raptors

Mitigation measure 4.1 addresses impacts to nesting migratory birds and raptors. In addition to Fish and Game Code section 3503, already discussed in the measure, Fish and Game Code sections 3503.5 and 3513 also protect migratory birds and raptors.

The Department recommends the second paragraph of the mitigation measure include the following addition (shown in italics): *“If an active nest is located during the survey, a no-disturbance buffer shall be established around the nest by the qualified biologist, in consultation with CDFW and the USFWS.”* If construction activities are delayed or suspended for more than one week after the completion of the pre-construction survey, the Project location and adjacent habitat shall be resurveyed. Additionally, pre-construction survey results should be sent to the Department at: California Department of Fish and Wildlife, Attn: CEQA, 601 Locust Street, Redding, CA 96001.

### Bats

The Department generally recognizes the maternity season for bats as March 1 through August 31, instead of through July 31 used in mitigation measure 4.2. This season may vary annually depending on weather conditions and may also vary slightly by species. As discussed below, the Department recommends that all bat survey work be conducted by a qualified biologist knowledgeable in the ecology of local bat species. This qualified biologist would be able to direct the appropriate timing of survey and exclusion work.

In addition to protecting bats during the maternity season as discussed in mitigation measure 4.2, the hibernacula season must also be considered. Removal or disturbance of a roost structure during either of these seasons could cause significant impacts to bats as a colony could consist of the entire local population of a species and impacts may lead to high mortality. The availability of suitable roosting habitat is considered a limiting factor for western bat populations. Roost site suitability is often based on a narrow range of suitable temperatures, relative humidity, physical dimensions, etc., and many species exhibit high roost site fidelity. Depending on the impact to the structure providing roosting habitat,

additional mitigation may be necessary and could include providing replacement or alternate roost habitat.

If necessary, humane evictions must be conducted during seasonal periods of bat activity, which may vary by year, location, or species and must be conducted by or under the supervision of a biologist with specific experience conducting exclusions.

The qualified biologist discussed in mitigation measure 4.2 must possess knowledge of local bat species, including species identification, life histories and ecology; have experience conducting field surveys for bats; have experience analyzing impacts of development on bats and their habitat and developing avoidance and mitigation measures; and have experience conducting humane exclusions.

#### Aquatic Resources

Mitigation measure 4.3 addresses impacts to riparian vegetation and aquatic resources. The buffer distances proposed to mitigate for impacts to stream and wetland resources may not be sufficient to minimize or avoid impacts to these sensitive resources. A larger buffer would be necessary to avoid impacts to listed species or sensitive habitats. For example, the Department regularly recommends a buffer of at least 175 feet along streams containing listed salmonid species and regularly recommends buffers larger than 50 feet for sensitive wetland habitats. Buffers should be developed in consultation with resource agencies and be measured from the top-of-bank or the outside edge of existing vegetation, whichever is greater.

The Department has responsibility for wetland and riparian habitats. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands to uplands. We oppose any development or conversion which would result in a reduction of wetland acreage or wetland habitat values, unless, at a minimum, Project mitigation assures there will be “*no net loss*” of either wetland habitat values or acreage. If applicable, the environmental documents prepared for Level II Agritourism projects should demonstrate that the Project will not result in a net loss of wetland habitat values or acreage.

Project sites supporting aquatic, riparian, or wetland habitat should provide a delineation of lakes, streams, and associated riparian habitats potentially affected by the Project for agency and public review. This report should include a preliminary jurisdictional delineation including wetlands identification pursuant to the United States

Fish and Wildlife Services (USFWS) wetland definition<sup>1</sup> as adopted by the Department<sup>2</sup>. Please note that some wetland and riparian habitats subject to the Department's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers. The jurisdictional delineation should also include mapping of ephemeral, intermittent, and perennial stream courses potentially impacted by the Project. In addition to "*federally protected wetlands*" (see CEQA Appendix G), the Department considers impacts to any wetlands (as defined by the Department) as potentially significant.

Projects that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank (which may include associated riparian resources) of a river, stream or lake, or use material from a streambed may require notification to the Department pursuant to Fish and Game Code section 1602 prior to commencement of these activities. The Department's issuance of a Lake or Streambed Alteration Agreement (LSAA) for a project that is subject to CEQA will require CEQA compliance actions by the Department as a Responsible Agency. The Department as a Responsible Agency under CEQA may consider the Lead Agency's environmental document for the Project. To minimize additional requirements by the Department pursuant to Fish and Game Code section 1600 et seq. and/or under CEQA, the document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the agreement. A LSAA notification package may be obtained through the Department's website at <https://www.wildlife.ca.gov/Conservation/LSA>.

#### Special Status Plants and Sensitive Natural Communities

If appropriate rare plant habitat or sensitive natural communities exist on project sites subject to Level II Agritourism standards, the Department recommends the completion of a thorough assessment following the Department's 2018 *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* available at: <https://www.wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>. These surveys must be conducted during the appropriate time of year to identify species of concern and should include areas with both direct and indirect impacts. Impacts to special-status species and sensitive natural communities found during surveys should be analyzed and specific mitigation should be required to reduce any impacts to less than significant.

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<sup>1</sup> Cowardin, Lewis M., et al. 1979. Classification of Wetlands and Deepwater Habitats of the United States. U.S. Department of the Interior, Fish and Wildlife Service.

<sup>2</sup> California Fish and Game Commission Policies: Wetlands Resources Policy; Wetland Definition, Mitigation Strategies, and Habitat Value Assessment Strategy; Amended 1994

Christy Cummings Dawson  
County of Siskiyou  
Planning Department  
March 18, 2019  
Page 5 of 5

### Conditional Use Permit Review

The MND discusses instances where a conditional use permit may be required. The Department looks forward reviewing these future projects and may provide additional comments and recommendations beyond those addressed in this letter based on site specific project information.

### California Natural Diversity Database

If any special-status species are found during surveys for this Project, the Department requests that occurrence details are submitted to the California Natural Diversity Database (CNDDDB). The online submission and CNDDDB field survey forms, as well as information on which species are tracked by the CNDDDB, can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. A copy of these forms should also be sent to the Department's Northern Region office at: Attn: CEQA, 601 Locust Street, Redding, CA 96001.

The Department appreciates the opportunity to provide comments on this Project. If you have any questions, please contact Kristin Hubbard, Environmental Scientist, at (530) 225-2138, or by email at [Kristin.Hubbard@wildlife.ca.gov](mailto:Kristin.Hubbard@wildlife.ca.gov).

Sincerely,



**Curt Babcock**  
Habitat Conservation Program Manager

ec: Christy Cummings Dawson  
Siskiyou County Planning Department  
[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)

State Clearinghouse  
[state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov)

Kristin Hubbard  
California Department of Fish and Wildlife  
[Kristin.Hubbard@wildlife.ca.gov](mailto:Kristin.Hubbard@wildlife.ca.gov)

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## North Coast Regional Water Quality Control Board

March 19, 2019

Christy Cummings Dawson  
Deputy Director, Planning  
County of Siskiyou  
806 South Main Street  
Yreka, California 96097  
[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)

Dear Ms. Dawson,

Subject: Comments Regarding Proposed Changes to Siskiyou County Code Title 10  
Regarding Multispecies Agriculture and Agritourism

Staff of the North Coast Regional Water Quality Control Board (Regional Water Board) have reviewed the proposed changes to Siskiyou County Code Title 10 regarding Multispecies Agriculture and Agritourism (Proposed Ordinance) and recognize it is an opportunity to increase the vitality of family farming operations in Siskiyou County, supporting an important part of the County's cultural and economic life. We review the Proposed Ordinance below in detail and provide recommendations to ensure its implementation is consistent with water quality requirements. In addition, the Regional Water Board views the Proposed Ordinance as an opportunity to illustrate the consistency between farming practices that conserve resources (e.g. soil, water, and forage) and watershed protection (e.g., water quality protection).

As you are aware, the Scott River, Shasta River, and Klamath River flow within Siskiyou County and have been listed on the Clean Water Act 303(d) list of impaired waterbodies by the US Environmental Protection Agency (US EPA). Total Maximum Daily Loads (TMDL) have been established for each of these waterbodies and the action plans identify agricultural activities as contributing factors to these impairments. Waivers of waste discharge requirements have been adopted by the Regional Water Board to implement elements of the Scott and Shasta TMDL action plans and ensure agricultural operations within the Scott and Shasta watersheds are managed in a way that minimize, control, and prevent the discharge of sediment, solar radiation to surface water, and nutrients to ground water to achieve water quality standards. These waivers provide specific conditions that owners and managers of agricultural operations must implement to comply with the TMDL action plans. These conditions are as follows:

VALERIE L. QUINTO, CHAIR | MATTHIAS ST. JOHN, EXECUTIVE OFFICER

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5550 Skylane Blvd., Suite A, Santa Rosa, CA 95403 | [www.waterboards.ca.gov/northcoast](http://www.waterboards.ca.gov/northcoast)



- Riparian areas are managed in a manner that allows the natural establishment and abundance of native vegetation;
- Riparian areas are managed in a manner that allows sufficient vegetation to minimize, control, and prevent surface erosion;
- Riparian areas are managed in a manner that maintains their essential functions supporting beneficial uses (e.g. sediment filtering, woody debris recruitment, streambank stabilization, nutrient cycling, pollutant filtering, shading);
- Grazed lands are managed in a manner that minimizes, controls, and prevents pollutant discharges;
- Periodic grazing in riparian areas is limited to the late winter/early spring period, when impacts to woody species are minimized;
- Grazing within riparian corridors occurs for short durations, and only when forage consisting of non-woody vegetation is available;
- Livestock are removed from riparian areas when stubble height reaches 4 inches, or livestock shift preference to browsing of woody species, whichever occurs first;
- Livestock are prevented from disturbing sediment discharge sites and other unstable features adjacent to watercourses;
- At no time shall grazing in riparian areas cause a discharge of waste to surface waters;
- Manure, soil, plant waste, and other debris are stockpiled away from areas where they could be washed or eroded into surface waters;
- Management practices are in place to minimize, control, and prevent irrigation water or tailwater from reaching surface waters;
- Tillage practices do not prevent the natural establishment and abundance of native riparian vegetation;
- Management practices, such as buffer strips and cover crops, are in place to minimize, control, and prevent the erosion of sediments that could reach surface waters;
- Nutrients from fertilizers, compost, soil amendments, or other sources are applied at agronomic rates to minimize, control, and prevent nutrient runoff into surface water or percolation into groundwater at levels that violate water quality standards;
- Roads and related infrastructure are constructed and maintained in a manner that minimizes, controls, and prevents the discharge of sediment to surface waters;
- Pesticides are stored, handled, applied, and disposed of in manner that minimizes, controls, and prevents discharge to a surface water or groundwater; and
- Petroleum products and other liquid chemicals, such as gasoline, diesel, biodiesel, and oil shall be stored, handled, used, and disposed of in a manner that minimizes, controls, and prevents discharge to surface water and groundwater.

As Siskiyou County considers the adoption of the Proposed Ordinance, it is incumbent upon the Planning Commission and County Supervisors to ensure that any changes

comply with all applicable State and Federal water quality regulations, including these waivers and their conditions. Staff has reviewed the document titled "Agritourism Zone Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declaration" and respectfully submit the following comments.

1. Page 3.0-6, *Relation of Project to Other Plans, Basin Plans for the North Coast and Central Valley Regional Water Quality Control Boards*
  - **Please make note of the Scott and Shasta TMDL Conditional Waivers of Waste Discharge Requirements** (Regional Water Board orders R1-2018-0018 and R1-2018-0019, Scott River Waiver and Shasta River Waiver, respectively). These orders would directly apply to all potential operations that would be conducting activities under the proposed amendments to Siskiyou County Code Sections 10-6.3602.6, 10-6.4802(b), 10-6.4802(l), 10-6.4902(d), 10-6.4902(h), 10-6.5002(c), and 10-6.5002 (collectively the *Proposed Pastured Agriculture Zoning Amendments*), as well as the proposed amendments to Siskiyou County Code Section 10-6.3602, 10-6.4802, 10-6.4803, 10-6.4902, 10-6.4903, 10-6.5002, and 10-6.5003 (collectively the *Proposed Agritourism Zoning Amendments*).
2. Page 4.0-13, *Biological Resources, Mitigation Measures, MM-4.3*
  - The indicated Mitigation Measure notes that no land disturbances for agritourism improvements is permitted within 150 feet of the top of bank of any perennial waterbody or within 50 feet of the centerline of seasonal streams or wetlands. Some water bodies in Scott Valley, including Kidder Creek, have a wide flood plain (greater than 200 feet) and show complex, braided flow patterns when flows are present. Fifty feet from the centerline of such waterbodies would permit activities within the flood plain of these waterbodies and may result in adverse impacts to water quality during seasonal flows. **The Regional Water Board recommends not permitting land disturbances within 150 feet of the top of bank all waterbodies.** This recommendation would also ensure agritourism activities comply with the Scott River Waiver and Shasta River Waiver by allowing for the establishment of native riparian vegetation.
3. Page 4.0-17, *Geology and Soils, Discussion of Impacts*
  - It is conceivable that existing roads in agritourism areas may be improved and new roads on private lands may be created to accommodate the increased vehicular traffic associated with agritourism activities. **The Regional Water Board recommends a mitigation measure be added requiring roads on private lands in areas zoned for agritourism be built and maintained consistent with the Handbook for Forest, Ranch, and Rural Roads in order, to minimize, control, and prevent surface erosion.** This handbook can be found here: [http://www.pacificwatershed.com/sites/default/files/roadsenglishbookapril2015b\\_0.pdf](http://www.pacificwatershed.com/sites/default/files/roadsenglishbookapril2015b_0.pdf).
4. Page 4.0-19, *Discussion of Impacts Related to Greenhouse Gas Emissions*
  - The impacts of climate change to water quality are important, especially in areas already impacted by increased solar radiation through loss of riparian vegetation, decreasing cold spring water inputs from active irrigation diversion, and decreasing groundwater accretion in surface

waters due to groundwater extraction. These are important environmental buffers to stream temperature in a warming climate. **The Regional Water Board recommends the County consider adding mitigation measures that restore these buffering mechanisms and showcase to the public, agricultural operations that represent the nexus between agriculture and environmental resiliency.** These may include the following.

- a. Use of restorative grazing techniques designed to increase soil organic carbon, forage health, and root mass thereby optimizing for carbon sequestration in soil.
  - b. Use of restorative grazing techniques designed to allow for the natural establishment of native riparian vegetation and the development of riparian carbon stocks, while minimizing invasive weeds. Timed flash grazing is an example.
  - c. Use of no-till agricultural methods designed to increase soil fertility, maximize soil water retention, minimize surface erosion, and sequester carbon in soil.
  - d. Irrigation optimizations based on measuring soil moisture to ensure efficient irrigation is based on plant requirements, both mitigating the economic impact of drought and the ecological impact of depressed groundwater levels on instream surface water flows.
  - e. Utilization of irrigation tailwater recapture and reuse in lieu of cold spring water sources to decrease instream water temperatures and increase cold water refugia for threatened and endangered salmonids.
- Additionally, as noted on page 4.0-20, “any farm or ranch generating more than 10 average daily trips (ADT) for agritourism related activities obtain a conditional use permit [and would be subject to] specific environmental analysis, including a review of potential GHG emissions associated with the project.” **The Regional Water Board recommends including in this analysis the amount of carbon sequestered by specifically recognized carbon-farming practices.** More information can be found at the California Department of Food and Agriculture’s Healthy Soils Program webpage (<https://www.cdfa.ca.gov/oefi/healthysouls/>).
5. Page 4.0-25, *Discussion of Impacts to Hydrology and Water Quality*
- While this section addresses the need for ground disturbances greater than 1 acre to be covered by a General Construction Stormwater Permit, the section makes no mention of other Regional Water Board programs that landowners must comply with, including the Scott River Waiver, Shasta River Waiver, and 401 certification requirements. Please include language indicating that all agricultural properties in the Scott and Shasta River watersheds under the Proposed Ordinance must comply with these Waivers and other applicable State and Federal regulations.
  - **For those operations that will require a conditional use permit, the Regional Water Board recommends including a mitigation measure that requires such operations to provide Siskiyou County evidence that they comply with the Scott and Shasta Waivers.** Such compliance would be demonstrated by the landowner or manager being in receipt of a letter from the Regional Water Board’s Executive Officer indicating they

- are operating under an approved Grazing and Riparian Management and Monitoring Plan in the Scott or an approved Ranch Management and Monitoring Plan in the Shasta.
- This section refers the reader to MM 4.4, however that mitigation measure does not exist. We believe it should be MM 4.3, which is related to stream buffer width and is commented on above. Please see the above comment regarding MM 4.3.
  - As the Scott River is listed as impaired for sediment, please see comment 3 regarding the potential for erosion from roads.
6. Page 4.0-27, *Discussion of Setting for Land Use and Planning*
- The Regional Water Board's *Water Quality Control Plan for the North Coast Region (Basin Plan)* is a regulatory plan that includes water quality standards (e.g., beneficial uses, water quality objectives, and an antidegradation policy) and programs of action that are prescribed to protect beneficial uses in the North Coast Region. Protection and control of water quality overlaps with land use planning. **The Regional Water Board recommends including a discussion of the Basin Plan in the discussion of Setting.**
7. Page 4.0-27, *Discussion of Impacts relating to Land Use and Planning*
- **The Regional Water Board recommends discussing how the proposed changes relate to the Basin Plan and its goals.**
8. Page 4.0-42, *Mandatory Findings of Significance, Discussion of Impacts*
- **The Regional Water Board recommends adding the mitigation measures indicated in this letter.** Until these are added, the Regional Water Board cannot concur that the project as proposed has a less than significant impact with mitigation incorporated, as multiple water quality concerns are not adequately addressed by the mitigation measures included in the document, nor are key water quality control programs included in the document's discussion.

The Regional Water Board is encouraged to see Siskiyou County seeking to showcase its unique agricultural resources. Allowing agricultural operators the ability to showcase their operations by reaching out to consumers to bring them closer to the reality of California agriculture can only enrich the fabric of Siskiyou County. We hope agritourism highlights the "best of the best" that the county has to offer, including the best natural resource protection, the best resiliency to climate change, the best holistic management practices, and the best watershed stewardship. Incorporating these comments will ensure agritourism in Siskiyou County is protective of water quality and the environment that sustains families, farmers, and fish in our shared region.

Sincerely,

Matthias St. John,  
Executive Officer

Agritourism Zoning Text Amendment (Z1703)  
Public Comments Received August 2020

**From:** [Kim Ciniello](#)  
**To:** [Kirk Skierski](#)  
**Subject:** Fw: Agritourism Zoning Text Amendment (Z1703)  
**Date:** Wednesday, August 5, 2020 2:26:21 PM  
**Attachments:** [pc\\_20200819\\_Z1703\\_PHN.pdf](#)

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TWIMC,

As I previously submitted last year, I do believe that the Agritourism Tourism Zoning Amendment should encompass all sizes of AG-1, AG-2, and R-R parcels, even those under 10 acres. This would include and benefit currently existing u-pick ventures, egg growers, flower stands, n' such as well as future ventures, such as permaculture, aquaculture, hemp farms, etc. It would also alleviate the inevitable strain on code enforcement by addressing the parcel size PRIOR to approving the Amendment.

I am unclear as to what area of Siskiyou County the Amendment is now only including. "Parcel 17...blah blah blah...west of Diablo blah Meridian" isn't quite layman terms. It does seem to imply that this whole thing is just to benefit a few wealthy landowners or current "non-profit" land acquiring "groups" already doing most of the Agritourism programs, but illegally, yet with permission from the county.

Perhaps it should be considered that the appearance of impropriety, or perhaps corruption, of the current "specialized advisory board" could bring a lawsuit to the attention of the State.

So, in order to avoid future complications, the Amendment should encompass the entire county, all AG-1, AG-2, and R-R zoning at every size of parcel. Then the proposed "Level 1" and "Level 2 Agritourism" standards could be easily corrected to include these changes.

Just my two cents. After I did that last time, one of the inherited and wealthy landowners forced me to sell my property. I am still paying legal fees, even though I "won". So, what I think kind of doesn't matter. But perhaps in future my suggestions will help somebody else who has a bit more money and better connections than I do :)

Thank you for your time,  
-Kim Ciniello

----- Forwarded Message -----

**From:** Janine Rowe <[jrowe@co.siskiyou.ca.us](mailto:jrowe@co.siskiyou.ca.us)>  
**To:** Janine Rowe <[jrowe@co.siskiyou.ca.us](mailto:jrowe@co.siskiyou.ca.us)>  
**Sent:** Wednesday, August 5, 2020, 9:02:52 AM PDT  
**Subject:** Agritourism Zoning Text Amendment (Z1703)

Please see the attached Notice of Public Hearing.

**Janine Rowe**

**Executive Secretary, Siskiyou County Community Development Department**

**Clerk, Siskiyou County Planning Commission**

**Clerk, Siskiyou County LAFCo**

**806 S. Main St., Yreka, CA 96097**

Direct Line: 530-842-8201

Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131

August 12, 2020

Kirk Skierski, Deputy Director of Planning  
Community Development Department  
Planning Division  
608 S. Main Street  
Yreka, CA 96097

VIA EMAIL

RE: OPPOSITION - Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declaration

Dear Mr. Skierski:

**REASONS FOR DENIAL AND REQUIREMENT FOR AN ENVIRONMENTAL IMPACT REPORT**

- 1 – The Draft Initial Study/Mitigated Negative Declaration (DIS/MND) is flawed and inadequate as it does not evaluate the impacts of the entire project. Specifically the number of agritourists attending single-day agritourism events, which is allowed by right with no ministerial or discretionary approval.**
- 2 – Much of the verbiage in the DIS/MND is ambiguous.**
- 3 – The DIS/MND does not adequately evaluate the impacts on Scott Valley Area Plan, and the need for protection of Prime Agricultural lands and soils.**
- 4 – A “Fair Argument” has been presented that the Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declaration will have a significant impact on the environment. Please require an Environmental Impact Report or deny the zoning text amendment.**

**MINISCULE CHANGES FROM THE AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03)  
DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION SUBMITTED FOR THE  
REVIEW PERIOD FEBRUARY 15, 2019 TO MARCH 18, 2019**

Numerous comments opposing this project were submitted during the February to March 2019 Review Period when it was originally initiated. Those comments should have triggered the requirement for an Environmental Impact Report (EIR) because they presented a fair argument that required preparation of an EIR. It was not speculation nor conjecture that the County did not consider the whole of the project when it ignored the number of potential agritourists because the Draft Initial Study/Mitigated Negative Declaration used such dismissive



terms about uses as “unlikely” and “not anticipated,” while the California Environmental Quality Act (CEQA) requires that any use permitted by the project must be considered “likely” and “anticipated” and taken into consideration.

There is much confusion on the part of the Public regarding this project because County Planning Staff never issued a document outlining the changes from the original, February 2019 Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declaration (AZTA). Therefore, Public is required to make a line-by-line comparison of the two Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declarations.

Here are the major changes:

Single-day Agritourism events in excess thirty (30) guests but no more than 150 guests, now limited to seven (7) events per year (formerly three (3) events per year) has been moved from Level I to Level II Agritourism. Now up to 1,050 “guests” per agritourism operator will be allowed with an Administrative Permit.

Development or site improvements to facilitate the use, including site disturbance, and permanent or temporary structures, shall occur on no more than five percent of the proposed Agritourism Property’s total acreage or one acre, whichever is the lesser. Formerly “*permanent structural improvements to facilitate the use then the improvements shall occupy no more than ten percent of the proposed Agritourism Property’s total acreage or five acres, whichever is the lesser.*” A decrease in size of acreage for improvements from the lesser of ten percent of the acreage or five acres to the lesser of five percent of the acreage or one acre.

The removal of “Unique Agricultural Products”, whatever that was.

The removal of “Camping,” although in the current edition of the AZTA, it is still allowed under “Agricultural Farmstays” because those “Farmstays” may be permitted in dwellings, tent units, recreational vehicles, or similar structures. Adding “recreational vehicles” creates the potential for trailer parks of up to twenty (20) such vehicles on Prime Agricultural land, and should not be allowed. The Public can only imagine what structures similar to “dwellings, tent units, recreational vehicles” might be.

As stated, it was incumbent on the County to provide a summary of the changes to the Public. The County did not do so. Since the Public is confused, it is assumed that our decision makers will also be confused. Or is that intentional?

### **THE DIS/MND IS FLAWED AND INADEQUATE**

The DIS/MND states that there are approximately 634 parcels that are 10 acres or larger with AG-1 zoning, 871 parcels that are 10 acres or larger with AG-2 zoning, and 953 parcels that are 10 acres or larger with R-R zoning. That is a total of 2,458 parcels. (Note that the DIS/MND does not identify whether these are Appraiser Parcels or some other type parcels.) Combined these parcels include approximately 304,429 acres of AG-1, 984,944 acres of AG-2, and 3,441,952 acres of R-R for approximately 4,731,325 total acres. Federal and state lands account for approximately 3,716,386 acres or 78% of the project area. That would leave 1,014,939 non-federal or state land parcels (the type of parcel is not defined – although I had requested such definition in my May 31, 2018 comment letter on the Agritourism Resolution). However, the DIS/MND fails to provide the number of parcels (undefined) on which Agritourism activities could take place in Siskiyou County. That

information is necessary to evaluate the environmental impacts of the project. The DIS/MND further states that, according to the 2017 Siskiyou County Crop & Livestock Report, there were 1,153,246 acres in farms and ranches in 2017, which is equivalent to approximately 24 percent of the project area, excluding state and federal lands. Which is 138,307 acres more than the 1,014,939 non-federal or state land parcels stated earlier in the DIS/MND. This discrepancy needs to be addressed. Of those agricultural properties actively being utilized for agriculture, approximately 419,721 acres are currently subject to a Williamson Act contract.” That statement does nothing to disclose the number parcels on which Agritourism activities could be held. The number of parcels and zoning type of parcels must be provided to allow for informed and adequate public comment.

If the owners of only one-quarter of the 2,458 undefined parcels began or expanded Agritourism Activities, then under the AZTA, 615 parcels would bring a maximum of 368,700 Agritourists to Siskiyou per year – permitted by right – no review or conditions required.. However, CEQA requires that the entire project be evaluated. That has not been done here. The 2,458 undefined parcels would bring 1,474,800 Agritourists to Siskiyou per year – permitted by right, no review or conditions Imposed. That is nearly One and a Half MILLION Agritourists per year. And that is what must, and has not been, considered and evaluated.

The figures are based on the stated, “twenty single-day Agritourism events per year with no more than thirty (30) guests per event,” a total of 600 “guests” per year on 2,458 undefined as to whether Appraiser Parcels or other type parcels.

Again, CEQA requires that the entire project be evaluated.

### **AESTHETICS.**

The project will very likely create new sources of substantial light or glare that would adversely affect day or nighttime views in the area, and Section 10-6.5602 of the Siskiyou County Code which requires that exposed sources of light, glare, or heat be shielded so as not to be directed outside the premises will do little or nothing to prevent the glare. That is true for the lighting restrictions for Level II Agritourism (i.e., the only level of agritourism that would allow overnight guests) which states, “Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.”

As an owner/resident on a one-acre parcel near an approximately 150-acre parcel, I can assure you that shielding of light sources, as required in Section 10-6.5602 of the Siskiyou County Code or Level II Agritourism will do little to nothing to prevent light glare from affecting neighboring or even distant parcels. Nor will the Section of the Siskiyou County Code or the restraints in Agritourism Level II prevent light pollution of our night skies. Scott Valley is the only place I have lived, except the Neighbor Islands of Hawaii, where I can actually see the Milky Way. Agricultural uses do not involve the type of lighting that will be used for Agritourism uses. A Mitigation Measure requiring that lighting for Agritourism use be turned off when there is no Agritourism activity, and at a reasonable hour when there is, would be a reasonable solution.

### **AGRICULTURE AND FORESTRY RESOURCES**

Although the DIS/MND determines that there would be “Less than Significant Impact” on Agriculture Resources, it is very likely that the project could convert either Prime Farmland, Farmland of State Importance, Farmland of Local Importance or Unique Farmland as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use because the AZTA does not prohibit an owner of more than one qualifying parcel from conducting Agritourism activities on each qualifying parcel with absolutely no environmental review under Level I Agritourism. Limitation must be placed on how many parcels one owner or group of owners can develop as Agritourism operations. In order to accomplish such limitation, Level 1 Agritourism must not be allowed as permitted by right use.

Additionally, in order to protect Prime Agriculture lands, the AZTA must include some mechanism to prohibit Agritourism activities on land zoned Prime Agriculture (AG-1).

It is unfortunate that the County did not include maps by the Farmland Mapping and Monitoring Program of the California Resources Agency. It is unfortunate that the County did not include maps by the Farmland Mapping and Monitoring Program of the California Resources Agency. The (Farmland) maps for Siskiyou County can be accessed at: <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/>  
The parcels in dark green are Prime Agriculture Land.

The AZTA will definitely conflict with Williamson Act contracts because of the low level of income used to define a working farm or ranch: “A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more.” The Williamson Act states that, “Land enrolled in the Agricultural Preserve Program is to be used principally for commercial agricultural production. However, it may be appropriate to allow secondary uses on contracted land that is either incidental to, or supportive of, the agricultural operation on the property.” For example a working farm or ranch which has annual sales of agricultural products of only one thousand dollars (\$1,000) and an Agritourism income of one thousand dollars (\$1,000) or more would be disqualified from the Williamson Act contract because the use could not be construed to be either incidental to, or supportive of the agricultural operations on the property based on income. Some other criteria must be used to define a working farm or ranch to avoid conflict with the Williamson Act, and that criteria should be applied to the entire AZTA.

The statement: “Agritourism uses included in the proposed zoning text amendment were evaluated by the County’s Agritourism Technical Advisory Committee for consistency with County standards, which made the finding that ‘limited agritourism as an allowed agricultural accessory use will not change any standards necessary for the protection of agricultural lands nor is it intended to conflict with agricultural zoning or existing agricultural uses in Siskiyou County, the Siskiyou County General Plan or the Scott Valley Land Use Plan,” is very concerning for several reasons. First, the members of the Agritourism Technical Advisory Committee (TAC), while all very intelligent, well-educated, and experts in their fields, have no experience in planning or CEQA and are hardly qualified to evaluate agritourism uses for consistency with County standards or CEQA requirements. Secondly, the intent to “not conflict with agricultural zoning” is all well and good, but the potential for such conflict certainly exists. A deeper analyses by environmental planning experts who are well versed in planning and CEQA is required.

## **HYDROLOGY AND WATER QUALITY**

While the DIS/MND states that Agritourism uses would have a “*less than significant impact on hydrology and water quality*,” the fact is that a project of this magnitude has the potential to deplete aquifers and pollute the waters in Siskiyou County.

Compliance with the Clean Water Act (CWA) must be analyzed and disclosed in the DIS/MND. Although the current Federal Administration has rolled back parts of the CWA, the CWA is still in effect and the roll back is opposed by the State of California. Compliance with the CWA is required.

The Agenda for a meeting of the Regional Water Quality Control Board, North Coast Region on February 20, 2019, discussion on ITEM: 4, SUBJECT: Update on East San Joaquin Agricultural Order and Ag-Related Litigation (Emel Wadhvani, Assistant Chief Counsel, State Water Board) contained this statement: **“The ESJ (East San Joaquin) Petition Order is precedential for agricultural programs statewide and the State Water Board has directed regional water boards to incorporate elements in subsequent regional water board orders.”** Discussion regarding how this precedent for agricultural programs affects Siskiyou County and Agritourism must be included in the DIS/MND.

Apparently the Siskiyou County Board of Supervisors (BOS) hasn’t renewed their Drought Resolution, which was ongoing for some time. However the article **“County Once Again Faces Severe Drought”** by Lindsay Cummings posted April 26, 2020 in the Siskiyou Daily News states, *“As Siskiyou County slips back into severe drought, members of Siskiyou County’s Groundwater Advisory Committees met last week to continue drafting groundwater management plans as conservation groups, farmers and other special interest groups brace for another dry summer.”*

It was Big News when the County of Siskiyou lost the ELF case back on August 29, 2018, when the Third Appellate District published its long-awaited opinion in *Environmental Law Foundation v. State Water Resources Control Board* (“ELF”), a case involving a challenge to Siskiyou County’s (“County”) issuance of well permits in the vicinity of the Scott River, a navigable waterway. In the opinion, the appeals court applied the public trust doctrine to the administration of groundwater in holding that counties, as subdivisions of the state, have a fiduciary duty to consider the public trust before authorizing the drilling of groundwater wells whose extractions *might* have an adverse impact on trust resources. Although the County was supposed to do something pro-active, I haven’t seen it yet. There was no analysis or evaluation of whether the AZTA would or could require new wells but this must be considered.

I am not a water expert, but I have lived in the Scott Valley area of Siskiyou County for over 20 years. In that time, I’ve seen high-impact wells permitted and installed on the historically dry Eastside of Scott Valley and seen domestic wells on the Westside of Scott Valley dry up during summer months. Recently, I heard of a new well that was drilled in Scott Valley that dried up the well on a neighboring property.

Currently, the “Water Wars” are heating up. Farmers, Fishers, Timber, Government, Various Entities, and Residential Users all want water. Since we the Public can live only three (3) days without it, it seems ridiculous to apportion any of it to Agritourism without even studying or knowing the impact on our water supply by the AZTA. One has only to look at the recent “Boil Notice” issued by the City of Etna in July 2020 following the

Thunderstorms that compromised the water system to see how close we as a County are to a devastating water disaster.

Additionally, domestic well users do not want to lose their water supply. However they would be more tolerant of losing it to agricultural uses which are at least feeding us than to Agritourism uses which are jeopardizing our water supply with no evident benefit except profit for those engaged in Agritourism.

## **LAND USE AND PLANNING**

The AZTA at least conflicts with the Scott Valley Area Plan (SVAP), and may very well be in conflict with the County General Plan.

The statement, “*County staff enforce all applicable County policies pertaining to where and how development activity can safely occur at the time of building permit application ...*” is patently false. In 2018 County Staff signed off on a building permit which was dependent on the applicant receiving permitting for expansion before such building could be done. As of now, the buildout has been completed and is no doubt being utilized, yet the applicant still has no permit to do.

“*...Further, proposed Level II Agritourism would be subject to approval of an administrative use permit or conditional use permit, either of which would require project-specific and site-specific analysis of the particular agritourism activities relative to County policies, including those contained in the Siskiyou County General Plan and Scott Valley Area Plan.*” Yet a Level II Agritourism project requiring an administrative permit would not be circulated to the public for review and comment, and the period for filing an appeal of approval of such a permit would pass un-noticed by the public. .”

The DIS/MND states, “**Because the General Plan Land Use Element contains Policy 37, which allows only agricultural uses on prime agricultural land, and the Scott Valley Area Plan contains Policy 1, which permits only agricultural and public uses on prime agricultural soils, project compatibility with all General Plan and Scott Valley Area Plan policies is somewhat dependent upon whether the agritourism activities being permitted by the proposed zoning text amendment are classified as agricultural land uses, commercial land uses, or something other. This isn’t to say that compatibility of the proposed zoning text amendment with the General Plan and Scott Valley Area Plan hinges upon the ability of agritourism activities to locate on soils mapped ‘prime agricultural.’ That is not the case, however, it does warrant the question of whether agritourism is considered a permissible activity in areas mapped prime agricultural and, therefore, whether the project is compatible with General Plan Policy 37 and Scott Valley Area Plan Policy 1**”. (Emphasis added)

The AZTA goes on to conclude, “*At its core, the project is a proposed zoning text amendment intended to support agriculture by facilitating the marketing and promotion of agricultural products grown and produced in Siskiyou County through incidental onsite agritourism. Agritourism would be defined in the proposed zoning text amendment as “the act of visiting a working farm or ranch as a guest for the purpose of enjoyment, education or other active participation in the activities of the farm. A working farm or ranch is a place of*

agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more. Agritourism shall not include concerts or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch.” **Therefore, because the proposed zoning text amendment would specifically exclude “other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch”, and prohibits agritourism related uses and activities interfering with the primary use of agricultural production for the farm or ranch. It is likely that agritourism-related uses would entail activities such as harvesting agricultural products or other active participation in the activities of a farm or ranch, the agritourism activities included in the proposed zoning text amendment are considered consistent with Policy 37 and Policy 1, as well as the other policies of the Siskiyou County General Plan Land Use Element and the Scott Valley Area Plan, and potential impacts are considered less than significant.** (Emphasis added)

Amazingly, the AZTA never really answers the question posed: **“...whether agritourism is considered a permissible activity in areas mapped prime agricultural and, therefore, whether the project is compatible with General Plan Policy 37 and Scott Valley Area Plan Policy 1.”** “It is likely...” is not an answer. It is speculation and conjecture which is not allowed to the Public and should not be employed by the County to assert their claims under CEQA. This discussion does not conclude that agritourism activities are agriculture. Agritourism is tourism plain and simple. It is incidental to agriculture, and if it is not, then every Williamson Act contract must be cancelled on owners of parcels including agritourism activities on their land,

*“The Scott Valley Area Plan was prepared to direct land use within the Scott Valley watershed of Siskiyou County, and was adopted by the Board of Supervisors in November 1980. The Scott Valley Area Plan was adopted as an amendment to the Siskiyou County Land Use Element for the Scott Valley Watershed area, and policies therein supersede those identified in the County Land Use Element for that particular overlay map. The goal and technique used for the development of the Scott Valley Area Plan is similar to that of the County General Plan, consisting of a series of overlay maps identifying development constraint areas in an effort to allow and guide development to occur in areas that are easiest to develop without entailing great public service costs, and that do not displace or endanger the Scott Valley’s critical natural resources, nor subject future populations to natural hazard.”*

Agritourism should not be allowed in Scott Valley. The SVAP is designed to prohibit the type of intensity and density that Agritourism will bring to the area.

The AZTA provides neither acreage, parcel count nor parcel definition for Scott Valley. These components would have had to be provided to assess the effects on the environment in Scott Valley which, as stated, is a Unique Area covered by the SVAP.

From the DIS/MND, *“(b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards. Level II Agritourism that do not meet all Agricultural Tourism Performance Standards requirements shall require Conditional Use Permit approval.*

*(1) Applicant is actively engaged in the production of Unique Agricultural Products and the majority of inputs for the Unique Agricultural Products is raised or grown on the proposed Agritourism Property.*

*(2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires permanent structural improvements to facilitate the use then the improvements shall occupy no more than ten percent of the proposed Agritourism Property's total acreage or five acres, whichever is the lesser."*

Since the 2,458 parcels included in the AZTA are not defined as Appraiser Parcels or other type parcels; and since "Agritourism Property means one or more contiguous parcels [again undefined] that are under common ownership or lease and upon which an Agritourism activity operated by the owner or lessee occurs and which produces agricultural products as a primary use," there is nothing to prohibit one owner or a group of owners with enough acreage from having multiple "Agritourism" events (one on each qualifying parcel) - permitted by right or even worse combining one-acre allowed "permanent structural improvements" on contiguous Agritourism Property to create massive Event Centers or Product Factories. There is nothing that requires "the improvements [that] shall occupy no more than five (5) percent of the proposed Agritourism Property's total acreage or one acre, whichever is the lesser" to be in one block of acreage. The permanent structural improvements could be sited in various spots on the Agritourism Property with Agritourists traveling by foot or other method between the improvements and thus destroying not only Prime Agriculture Land, but ruining the land for any type of agriculture production.

Allowing the up to one-acre areas of permanent structural improvements could create a de facto subdivision of land which is not allowed under Prime Agriculture Policies 2 and 3 of the SVAP. Such de facto subdivision could destroy the agriculture industry in Scott Valley. It will be argued that since the Agritourism activity must be on a working farm or ranch, the agriculture industry is not threatened. Recently I spoke with a friend who has rancher relatives in San Joaquin County. She told me that their once thriving ranching operation is now a mere ghost of its former self and agritourism is their main business. San Joaquin County may have different laws, but this could happen here in numerous locations. That will destroy Siskiyou County's agricultural production.

Not only the SVAP Prime Agriculture, Policy 1 – "Only agriculture and public uses may be permitted on prime agriculture soils" must be considered, but Prime Agriculture Policies 2 and 3; Deer Wintering Policies 5, 6 and 7; Flood Plain Policies 8, 9 and 10; and Excessive Slope Policies 16, 17, 18, and 19 must be also considered and evaluated.

The AZTA is not compatible with any of these Policies. Agritourism Activities must be prohibited in areas covered by the SVAP.

### **WILLIAMSON ACT**

According to the 2017 Siskiyou County Crop & Livestock Report, there were 1,153,246 acres in farms in 2017. Of these, approximately 419,721 acres or 36% are subject to a Williamson Act contract. The County General Plan recognizes the importance of agriculture to the County's economy, identifying prime agricultural land as a sensitive environmental resource. County policies encourage conservation of agricultural lands through minimum acreage requirements that deter conversion to more intensive uses.

As stated earlier, The AZTA will definitely conflict with Williamson Act contracts because of the low level of income used to define a working farm or ranch: "A working farm or ranch is a place of agricultural production

which has annual sales of agricultural products of one thousand dollars (\$1,000) or more.” The Williamson Act states that, “Land enrolled in the Agricultural Preserve Program is to be used principally for commercial agricultural production. However, it may be appropriate to allow secondary uses on contracted land that is either incidental to, or supportive of, the agricultural operation on the property.” For example a working farm or ranch which has annual sales of agricultural products of only one thousand dollars (\$1,000) and an Agritourism income of one thousand dollars (\$1,000) or more would be disqualified from the Williamson Act contract because the use could not be construed to be either incidental to, or supportive of the agricultural operations on the property based on income. Some other criteria must be used to define a working farm or ranch to avoid conflict with the Williamson Act, and that criteria should be applied to the entire AZTA.

### **PROJECT MUST BE CONSIDERED DISCRETIONARY UNDER CEQA**

The Agritourism Zoning Text Amendment (Z17-03) states, “...would allow limited agritourism incidental to active agricultural operations on parcels 10 acres and larger that are zoned AG-1, AG-2, and/or R-R. To minimize, to the greatest extent practicable, off-site impacts associated with agritourism-related activities, the zoning text amendment would differentiate between **generally permissible, less intensive “Level I Agritourism” and more intensive “Level II Agritourism” and would subject “Level II Agritourism” to Agritourism Performance Standards and approval of an administrative use permit or a conditional use permit depending upon the intensity of use.**” (Emphasis added)

Level I Agritourism would be permissive with no application or permit required and absolutely no environmental review. Level II Agritourism would be allowed with approval of an administrative permit with no environmental review (ministerial) or a conditional use permit (discretionary). A ministerial permit is not subject to the California Environmental Quality Act (CEQA), while a discretionary permit is subject to CEQA.

Since the three (3) levels of permitting in this Project include ministerial and discretionary permitting, the Project must be considered discretionary as a whole.

Refer to CEQA Guidelines 15268. MINISTERIAL PROJECTS which states,

“(a) Ministerial projects are exempt from the requirements of CEQA. The determination of what is “ministerial” can most appropriately be made by the particular public agency involved based upon its analysis of its own laws, and each public agency should make such determination either as a part of its implementing regulations or on a case-by-case basis.

(b) In the absence of any discretionary provision contained in the local ordinance or other law establishing the requirements for the permit, license, or other entitlement for use, the following actions shall be presumed to be ministerial:

- (1) Issuance of building permits.
- (2) Issuance of business licenses.
- (3) Approval of final subdivision maps.
- (4) Approval of individual utility service connections and disconnections.

(c) Each public agency should, in its implementing regulations or ordinances, provide an identification or itemization of its projects and actions which are deemed ministerial under the applicable laws and ordinances.



*(d) Where a project involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA.”*

To assure that there is no discretionary provision contained in the local ordinances, I (1) Researched Siskiyou County’s codified Ordinances online and found no discretionary nor ministerial provision, 2) On February 25, 2019 sent an email to Christy Cummings Dawson, Deputy Planning Director requesting under the California Public Records Act identification or itemization of projects and actions which are deemed ministerial under the applicable laws and ordinances of Siskiyou County. On February 26, 2019 Ms. Cummings Dawson replied “...*the Department has not created an itemized list of projects it deems ministerial under applicable laws and ordinances,*” and 3) On March 2, 2019 sent an email to Christy Cummings Dawson, Deputy Planning Director requesting under the California Public Records Act identification or itemization of projects and actions which are deemed discretionary under the applicable laws and ordinances of Siskiyou County. On March 4, 2019 Ms. Cummings Dawson replied “...*the Department has not created an itemized list of projects it deems discretionary under applicable laws and ordinances.*”

Therefore, because Siskiyou County does not have a discretionary or ministerial provision regarding these projects in its ordinances and because this Project contains both a ministerial and a discretionary action, the project must be deemed discretionary and subject to CEQA requirements.

## **NOISE**

Restricting outdoor agritourism activities within one thousand feet of a residence on neighboring property to between the hours of 7:00 a.m. and 8:00 p.m. will do nothing to assure that noise-sensitive receptors that are more than one thousand feet from outdoor agritourism activities will not be negatively affected by such noise. Tourists are noisy by nature. Sound carries when it echoes off mountains, as it does here in Scott Valley. Most people are aware of noise complaints about the out-of-compliance and rapidly expanding JH Ranch (JH), and the expanding but yet to be approved Kidder Creek Orchard Camp (KCOC) which appears to be going to follow JH Ranch’s path and keep expanding without a permit to do so. Based on residents’ experience with these two entities here in Scott Valley, and the County’s inability or unwillingness to enforce either sound levels or compliance, some time limit for noise from these activities should be imposed. Perhaps restricting outdoor agritourism activities to between the hours of 7:00 a.m. and 10:00 p.m. No amplified sound should be allowed on properties conducting outdoor agritourism activities. Agritourism activities have been taking place here in Scott Valley for the past four years or more, with the questionable approval of a former Community Development Director. There is proof that the County Planning Department was and is aware of these activities. A Noise Study done at those locations during the past year, while this AZTA was being rewritten, would have shown the effect of noise from these operations and led to better control of noise.

## **POPULATION AND HOUSING**

The AZTA, with the allowed agritourism activities, has great potential to “*induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure.*” The agritourism activities by right are new businesses. Out-of-towners who have bought property here are ready to jump on the Agritourism bandwagon seeking “streams of income” from

those activities. Although I was told that only “existing” ranches and farms would be allowed to do agritourism that is not how the AZTA reads. Anyone with 10-acres of AG-1, AG-2 or R-R will be able to start a ranch or farm making \$1,000.00 and go into the “incidental” agritourism business.

New subdivisions will be proposed; new roads will be required. The developers are standing in the wings, rubbing their hands, awaiting the degradation of our agriculture lands and the ranchers selling cheap so the lands can be rezoned, subdivided and sold for big bucks. I’ve seen this happen time and again – in the San Joaquin Valley, in Kailua-Kona, Hawaii, the list could go on and on. It can happen here. It will happen here if this AZTA isn’t denied.

## **PUBLIC SERVICES**

The DIS/MND states that there will be no substantial population or housing growth. The above paragraph shows that statement to be false. Therefore, there would be the need for new or altered governmental facilities to provide fire protection, police protection, and more schools. This possibility must be addressed and discussed with a view to the future of Scott Valley and Siskiyou County.

## **RECREATION**

Discussion in the DIS/MND states, *“While increased tourism resulting from the proposed zoning text amendment could cause in [sic] a minor increase in the use of recreation facilities throughout Siskiyou County, it would not accelerate degradation of these facilities or result in their substantial physical deterioration.”*

Obviously the writer isn’t from Scott Valley. Here it is common knowledge that overuse by the out-of-compliance JH Ranch and Kidder Creek Orchard Camp which is expanding without permits has degraded almost all of our public parks, our Wilderness area, and other public places. Both JH and KCOC take their attendees to off-site park locations for camping and recreation. I don’t know how it will be this year, but in past years local residents have been turned away because one or both of the entities had “booked” camping at the parks and no one else was being allowed in. There is nothing in the AZTA to prohibit Agritourists from leaving Agritourism properties, venturing to our parks, further degrading them, keeping local residents from enjoying them, and ultimately destroying them. This issue must be addressed.

## **TRAFFIC/TRANSPORTATION**

I was told, but can’t remember, which counties the TAC used to draft the Agritourism Resolution. Having reviewed the discussion on Traffic and Transportation, I can only conclude they must have been Third-World counties.

There is no definition of Average Daily Trips (ADT) in the AZTA, so the public is perhaps confused about what ADT actually is. I like this from a California County: *“ADT means Average Daily Trips. [A project must] provide traffic generation information in one-way trips. This means that a single round trip is counted as two (2) trips (ADT) i.e., a vehicle driving to the property is counted as one trip. The same vehicle leaving the site is counted as a second trip. Weekend trips should be included. Also included should be Pass-By Trips, which are trips generated by the proposed Project.”* The co-owner of one of the unpermitted Agritourism sites recently

said that because of their inability to currently operate, people should drive by their ranch. This creates a Pass-By Trip, which should not be allowed until the AZTA is approved.

The AZTA allows for an unmentioned number of Farmstay “guests” (where I’m from [the banks of the Stanislaus River in Stanislaus County] guests didn’t pay to come to our ranch – they were invited as friends and family and sometimes those “down on their luck,” and they ate and enjoyed for free); 30 “guests” at 20 single day event; and between 31 and 150 “guest at 3 single day events. Since Health and Safety Code section 113893 (a)(2) allows for 15 Farmstay “guests” per day, I’ll use that figure. That is 15 potential guests per day for Farmstays alone. Fifteen is the least number of trips per day that must be considered to meet CEQA requirements. Since that number of daily trips far exceeds the number allowed by the AZTA; and since there is no way of determining how many parcels could qualify as Agritourism properties; and since the number of parcels in the unique and sensitive area of Scott Valley which is covered by the SVAP was never disclosed, traffic from the AZTA must be reevaluated, disclosed and perhaps studied.

The AZTA states, “(3) *The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, **excluding school buses**. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.*” There is no rationale for excluding school buses from the ADT. Any agritourism operator could purchase school buses for use on the agritourism operation. Only school buses carrying school children should be excluded. If the school buses are serving the Agritourism properties, they must be included in the count, and CEQA requires that they be included in the CEQA evaluation. Additionally, the generation of over 10 ADT has already been proven. A conditional use permit must be required.

The DIS/MND also concludes, “*Coupled with the low traffic volumes anticipated as result of the project, additional trips generated by the proposed zoning text amendment would not impair emergency access throughout the county or create off-site impediments to emergency access vehicles.*” Low traffic volumes can be “*anticipated,*” but CEQA requires that the actual potential for an increase in traffic volumes be considered. Emergency access must be required on the Agritourism properties. To not require adequate emergency access puts both the Agritourism property owners and the County (as the permitting Governmental Agency) in danger of being the subject of time consuming and costly litigation. The requirements for points of access to ensure public safety need to be included in the Zoning Text Amendment.

Agritourism is not a new concept in Siskiyou County. A former County Supervisor said in public forum, that when it was looked at before the issues of insurance and traffic (amongst others) came up and cause the issue to be dropped. It was never seriously promoted until now.

I will suggest that we in Scott Valley have direct experience with the type and volume of traffic that will be allowed if this AZTA is passed. We have the Scott Valley Yard Sale Extravaganza on the first Saturday in the month of June. Everyone who has something to sell is having a yard sale; everyone who is seeking a treasure or bargain is out looking at the yard sales. Our roads are clogged with traffic from local folks, out-of-towners, and tourists. We have a hard time getting out of our driveways, and if we manage to get out we have a long wait getting onto Highway 3 because of the traffic there. It is great fun and people are tolerant for the most part because they realize that it is a one-day yearly event. Come Sunday morning the remnants of yard sales can be

seen at some places and the out-of-towners and tourists have either gone home or are on their way. That won't be the case with traffic from the AZTA. That traffic will be allowed year around. Such intensity of traffic should not be permitted in Scott Valley.

We in Scott Valley also have direct experience with the impacts of traffic from the out-of-compliance JH Ranch, which is always taking its attendees off-site to keep their occupancy count down. Since JH is under the same ownership as Scott River Lodge, there has been a great increase in traffic between these two projects. Kidder Creek Orchard Camp is a smaller project that has less traffic, but that too adds to our experience of traffic. The cumulative effects of this traffic is not mentioned in the AZTA – more on that later.

The following statement in the DIS/MND is false and not based on true CEQA environmental review. To say, *“Overall, the proposed zoning text amendment has the potential to result in a minor increase in the use of rural roads to access the working farms and ranches of Siskiyou County and potential impacts to traffic and circulation are considered less than significant,”* is proven incorrect and is flagrant violation of CEQA. It puts our elected officials and their appointees in a position where they will vote to approve the AZTA without realizing that they are relying on fatally flawed information.

Based on the Traffic portion alone, approval of the AZTA needs to be denied and an EIR required. A Fair Argument has been made that there will be significant environmental impacts due to traffic.

## **WILDFIRE**

The CEQA Guidelines were updated on December 28, 2018, and the updates are included in the 2019 CEQA Statute and Guidelines Handbook. The updates included the addition of “Wildfire” in Appendix G, the CEQA Checklist that is used by some planners to evaluate the significant effects of a project.

This section of the CEQA Checklist needs to be considered and answered.

XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Much of Siskiyou County is at high risk from wildfire. You can identify the valley floor of Scott Valley as one of the few places that is free from such risk. That does not preclude a fire starting on the valley floor from burning upslope with dire consequences.

Refer to this map at this URL:

[https://osfm.fire.ca.gov/media/6815/fhszl\\_map47.pdf](https://osfm.fire.ca.gov/media/6815/fhszl_map47.pdf)

The California wildfires of 2018 were a wakeup call to all communities in the State of California, especially those sited in wildfire sensitive areas, such as much of Siskiyou County. Wildfire most definitely needs to be discussed in this DIS/MND.

## **UTILITY AND SERVICE SYSTEMS**

### **WELLS:**

The DIS/MND states, *“Utility and Service Systems - Discussion of Impacts: 4.19(a)-4.19(g): Less Than Significant Impact. Farms and ranches engaged in agritourism would typically be served by individual domestic water wells and individual conventional on-site sewage disposal systems. Any new wells or new or expanded septic systems resulting from the project would require a permit from the County’s Environmental Health Division. In addition to ensuring adequate water supply for new wells, Environmental Health would determine whether the proposed septic improvements could serve the use without adversely impacting groundwater or exceeding applicable RWQCB standards. As a result of mitigation measures contained in other sections of the initial study, any potential environmental impacts associated with construction of these improvements would be reduced to a level that is considered less than significant.”*

Since permitting of wells is done by the Environmental Health Division on an individual basis, little is being done to assure that our aquifer will not be depleted. Some method of protecting our aquifer must be included in this AZTA. Well permitting by the County must include protection of the aquifer.

Again, on August 29, 2018 the Third Appellate District published its long-awaited opinion in *Environmental Law Foundation v. State Water Resources Control Board* (“ELF”), a case involving a challenge to Siskiyou County’s (“County”) issuance of well permits in the vicinity of the Scott River, a navigable waterway. In the opinion, the appeals court applied the public trust doctrine to the administration of groundwater in holding that counties, as subdivisions of the state, have a fiduciary duty to consider the public trust before authorizing the drilling of groundwater wells whose extractions *might* have an adverse impact on trust resources. Although the County was supposed to do something pro-active, I haven’t seen it yet. There was no analysis or evaluation of whether the AZTA would or could require new wells but this must be considered. New wells will most likely be required to accommodate the number of agritourists being allowed by the AZTA. It has not been evaluated, but such evaluation is required under CEQA.

### **SEPTIC:**

Greater care must be taken to assure that existing and future septic systems are not negatively impacting our groundwater. No criteria are shown for when the number of agritourists would trigger the need for an engineered septic system or other such septic system.

The Environmental Health Division approves septic tanks on an individual basis, but will not be informed of the number of agritourists that will be impacting the use of the system. This must be considered.

## **MANDATORY FINDINGS OF SIGNIFICANCE**

The DIS/MND opines, *“There are no recently approved projects in the region that together with the proposed project would have the potential to result in cumulatively significant impacts to the physical environment.”*

For EIRs, CEQA requires *“A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency...”*

A Mitigated Negative Declaration (MND) assumes a lower level of “Significant Impact” than an Environmental Impact Report (EIR). The DIS/MND cannot only consider “recently approved projects in the region.” Since the region is the entire County, cumulative impacts of past, present, and probable future projects for the entire County must be considered.

Since I am most concerned with Scott Valley and the SVAP, I believe that impacts from the following projects that required or are requiring a County Conditional Use Permit should be included regarding at least traffic; noise; dust; water; wells; septic tanks; population growth; and others:

JH Ranch Guest Resort; Kidder Creek Orchard Camp; Scott River Lodge; Nash/Kiewit Gravel Mine; Jenner (Formerly Tschopp) Gravel Mine; Moore Gravel Mine; and others.

For clarification, a member of the Agritourism Technical Advisory Committee (TAC) that wrote the Agritourism Resolution for the Planning Division is rumored to have said that once a Level II Agritourism permit is received the permit goes with the owner and is extinguished on the land if the owner sells the land or goes out of business. That rumor is not true. In Siskiyou County a permit from the Planning Division is said to “run with the land” and can only be extinguished by a County Revocation Hearing or lawsuit in favor of the Public. Some of the projects on my list are dormant now, but can come roaring back to life when the owner of the property wishes to engage in the use permitted.

That is exactly what the Jenner (Formerly Tschopp) Gravel Mine did in 2008-2009. Siskiyou County’s hired-gun attorney argued that the mine was closed and could not be opened without a new use permit. Yet, years later, such reopening was allowed with only the approval of a Reclamation Plan for the mine signed by the Planning Director. No public notice, no public comment!

## **PERMANENT STRUCTURAL IMPROVEMENTS**

This part of the Project Description is stated in varying ways throughout the DIS/MND; *“The project is a proposed zoning text amendment intended to both address the lack of specificity in the Code for uses traditionally interpreted by the Planning Director as “incidental to agriculture” and to facilitate the marketing and promotion of agricultural products grown and produced in Siskiyou County through onsite agritourism activities not yet contemplated by the Code.”*

It should be made absolutely clear exactly what type of structures will be allowed, what the use of the structures can be, and where the structures can be located. They definitely should not be located on prime agricultural soils, especially in Scott Valley where the SVAP prevails.

The most important reason that “permanent structural improvements” should not be included nor be allowed with this type of permitting is to protect our Prime Agriculture land. Other reasons are that this is an end run around CEQA, there is no opportunity for public review or input, it adds to the misinterpretation of County Code and it adds lack of transparency on the part of those involved in doing “the People’s Business” at the Local Government level.

Please remove the “permanent structural improvements” from the Agritourism Zoning Text Amendment.

### **OTHER COMMENTS**

The Codification of the Agritourism Zoning Text Amendment is poorly written. To say Level I and Level II Agritourism in County Code and require the public to search the Code for definitions of those uses leaves the door open for inadvertent violation of County law.

There must be some method of determining that the guest and event numbers of Level I and Level II Agritourism are not violated.

The AZTA requires that Farmstay activities require that the operators of those activities acquire a transient occupancy registration certificate. However, the Zoning Text Amendment sets no standards for reporting the part of income from Retreats that is allocated to transient occupancy. Unpermitted Retreats that have been held over the past 4 or so years charge for the weekend retreat. The guests stay in tents overnight. Some method or standard must be set so that the camping portion of Retreat income is broken out equitably, and the County collects the tax. Some method of reporting that can be enforced must be set for all Agritourism operators.

The issues of insurance required for both Agritourism operators and the County; the possibility and liability of both Agritourism operators and the County for trespass; the sale and use of alcohol on Agritourism properties and the concomitant liability for both Agritourism operators and the County; and the requirements of and compliance with the American Disability Act (ADA) must be considered; discussed and made a requirement of this Zoning Text Amendment.

### **CONCLUSION**

Please deny this Zoning Text Amendment that is ill-written, obscure, and detrimental to the health, safety and welfare of the people of Siskiyou County.

The AZTA is not in compliance with the SVAP. Agritourism should not be allowed in the area of the SVAP.

CEQA sets a low standard for the requirement of an EIR. My comments in this letter show that the approval of the AZTA will create a significant impact on the environment by Agritourism activities. An EIR is required. CEQA Guidelines 15064 (a)(1).

Please require an Environmental Impact Report or deny the AZTA.

I reserve the right to submit additional comments prior to any public hearing.

Thank you for accepting my comments.

Anne Marsh



**From:** [Freda Walker](#)  
**To:** [Kirk Skierski](#)  
**Cc:** [Janine Rowe](#)  
**Subject:** Agritourism Zoning Text Amendment (Z1703)  
**Date:** Wednesday, August 12, 2020 8:21:25 AM

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Hello Kirk,

Here is my input to the hearing.

I appreciate there is reference to Scott Valley. Thanks for listening. Yet, I wonder how will the county enforce the Scott Valley Area Plan?

I still have concerns about the Size - 10 acres and the annual sales at \$1,000. My concerns relate to the overall impact of the number of possible operations that will participate, waste and water use, as well as traffic, noise and bright lights in the night sky. Additionally monitoring is less effective. At the last public hearings concerns for these issues were expressed but there is not a change. I am interested in the reasons that those amounts are reasonable and acceptable to the county. A special use permit is available so there could be oversight. Why wouldn't this avenue be used vs. little oversight?

Regards, Freda Walker  
5415 South Kidder Loop, Etna, CA 96027

Agritourism Zoning Text Amendment (Z1703)  
Public Comments – Draft IS/MND

Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131

July 30, 2020

Kirk Skierski, Deputy Director of Planning  
Community Development Department  
Planning Division  
608 S. Main Street  
Yreka, CA 96097

VIA EMAIL

RE: OPPOSITION - Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declaration

Dear Mr. Skierski:

**REASONS FOR DENIAL AND REQUIREMENT FOR AN ENVIRONMENTAL IMPACT REPORT**

- 1 – The Draft Initial Study/Mitigated Negative Declaration (DIS/MND) is flawed and inadequate as it does not evaluate the impacts of the entire project. Specifically the number of agritourists attending single-day agritourism events, which is allowed by right with no ministerial or discretionary approval.**
- 2 – Much of the verbiage in the DIS/MND is ambiguous.**
- 3 – The DIS/MND does not adequately evaluate the impacts on Scott Valley Area Plan, and the need for protection of Prime Agricultural lands and soils.**
- 5 – Please require an Environmental Impact Report or deny the zoning text amendment.**

**THE DIS/MND IS FLAWED AND INADEQUATE**

The DIS/MND states that there are approximately 634 parcels that are 10 acres or larger with AG-1 zoning, 871 parcels that are 10 acres or larger with AG-2 zoning, and 953 parcels that are 10 acres or larger with R-R zoning. That is a total of 2,458 parcels. (Note that the DIS/MND does not identify whether these are Appraiser Parcels or some other type parcels.) Combined these parcels include approximately 304,429 acres of AG-1, 984,944 acres of AG-2, and 3,441,952 acres of R-R for approximately 4,731,325 total acres. Federal and state lands account for approximately 3,716,386 acres or 78% of the project area. That would leave 1,014,939 non-federal or state land parcels (the type of parcel is not defined – although I had requested such definition in my May 31, 2018 comment letter on the Agritourism Resolution). However, the DIS/MND fails to provide the number of parcels (undefined) on which Agritourism activities could take place in Siskiyou County. That information is necessary to evaluate the environmental impacts of the project. The DIS/MND further states

that, according to the 2017 Siskiyou County Crop & Livestock Report, there were 1,153,246 acres in farms and ranches in 2017, which is equivalent to approximately 24 percent of the project area, excluding state and federal lands. Which is 138,307 acres more than the 1,014,939 non-federal or state land parcels stated earlier in the DIS/MND. This discrepancy needs to be addressed. Of those agricultural properties actively being utilized for agriculture, approximately 419,721 acres are currently subject to a Williamson Act contract.” That statement does nothing to disclose the number parcels on which Agritourism activities could be held. The number of parcels and zoning type of parcels must be provided to allow for informed and adequate public comment.

If the owners of only one-quarter of the 2,458 undefined parcels began or expanded Agritourism Activities, then under the Agritourism Zoning Text Amendment, 615 parcels would bring a maximum of 368,700 Agritourists to Siskiyou per year – permitted by right – no review or conditions required.. However, CEQA requires that the entire project be evaluated. That has not been done here. The 2,458 undefined parcels would bring 1,474,800 Agritourists to Siskiyou per year – permitted by right, no review or conditions Imposed. That is nearly One and a Half MILLION Agritourists per year. And that is what must, and has not been, considered and evaluated.

The figures are based on the stated, “twenty single-day Agritourism events per year with no more than thirty (30) guests per event,” a total of 600 “guests” per year on 2,458 undefined as to whether Appraiser Parcels or other type parcels.

Again, CEQA requires that the entire project be evaluated.

### **AMBIGUITY**

Such statements in the DIS/MND as, “...it is anticipated that most owners and operators of farms and ranches would continue to utilize the most productive land for agricultural purposes and to allocate lesser quality land for agritourism improvements,” are ambiguous and do not support a Less than significant finding.

### **SCOTT VALLEY AREA PLAN**

The DIS/MND does not adequately evaluate the impacts on Scott Valley Area Plan, and the need for protection of Prime Agricultural lands and soils.

Comments submitted by numerous people in early 2019 must be considered. Please add these comments to the one submitted here.

### **CONCLUSION**

Please require an Environmental Impact Report or deny the zoning text amendment. I reserve the right to submit additional comments prior to any public hearing.

Thank you for accepting my comments.

Anne Marsh

**From:** [lauren sweezy](#)  
**To:** [Planning](#)  
**Subject:** agritourism  
**Date:** Friday, July 31, 2020 12:19:15 PM

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Dear Commissioners,

Here is a copy of the letter I sent you last March, 2019 in regards to the proposal for zoning change on agriculture property. Please re-read the letter. I strongly oppose this zoning change which would allow camping on ag land which would be detrimental to farmers and ranchers as I explained in my March letter. Thank you for your community commitment to keep Scott Valley and Siskiyou County a great place to live. Now in July 2020, I still strongly hold this position of the negative effects Agritourism would have on Siskiyou County and especially Scott Valley.

Thank you in advance for your help in keeping our County Great!

Lauren Sweezy

Etna, CA.

Date: March 17, 2019

**To:** Siskiyou County Planning Commission Deputy Director Christy Cummings Dawson and  
Ray Haupt Siskiyou County Board of Supervisor, District 5

VIA: E-Mail

**From:** Lauren Sweezy, Etna California

**RE:** Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/ Siskiyou County Code

Dear Commissioners and County Supervisor,

My name is Lauren Sweezy and I am a resident of Scott Valley California. I have lived in Scott Valley for 40 years. I have been working on our family ranch for 33 years. I am writing to comment on the proposed Agritourism Zoning regulation Amendment. I support the effort to find ways to increase the economic vitality of Scott Valley and my community, however I do not agree with the proposed New Agriculture Zoning regulation! I have read the Scott Valley Area Plan and the Siskiyou County Code of Ordinances. With this knowledge I realize that the zoning proposal would override the SVAP. The Level 2 proposed zoning proposal to allow **camping on prime agricultural land is not compatible with farming practices**. Currently camping, such as paid camping, is allowed in Commercial District only. Therefore, there are places to camp in Siskiyou County. Also the proposed Unique Agricultural Product starting as low as \$1,000, is unrealistic to call yourself a farmer, this would be a hobby. The \$1,000 dollar amount would more than likely be a very small amount of product that could easily be sold at a farmers market, and should not be a benchmark for defining the two levels of Accessory use for Agritourism. I feel that 65% of your income should come from your farming practice, and therefore would qualify you for Agritourism on your farm or ranch. I am in favor of farms and ranches hosting educational field trips and day events related to agriculture. I am in favor of hosting wedding events for additional income on a farm or ranch; there would be no better place to say "I do."

I would like to see the current plan for **Agritourism amendment** to be **dismissed**, and a **"NO VOTE."** If the new Agritourism zoning is approved, I believe it would end up destroying the ability of agricultural producers to continue their operations. Just the nature of farming and ranching practices would not be in harmony with campers along your bordering fence line with your neighbor. Agriculture is the number one business in Siskiyou County that is a major contributor to the beauty of Siskiyou County. It is where the **Wide Open Spaces** continues. I would be in favor of starting a

new citizen committee group selected from all walks of occupations and life styles. I encourage the process to be organized much like the Scott Valley Area Plan was back in 1970 ; “The creation of the Scott Valley Plan was an example of grass roots citizenship at its very best”( Murry Taylor SVAP). **We are Unique in Siskiyou County- We are a small group of people with a large heart for agriculture and nature. Let’s continue to keep our County unique and beautiful. Good planning will always make for good growth.**

Sincerely,

Lauren Sweezey

Etna, CA.

Agritourism Zoning Text Amendment (Z1703)  
Comments 2017 through January 2020

## Vurl Trytten

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**From:** Annie Marsh <annie\_marsh@hotmail.com>  
**Sent:** Sunday, May 14, 2017 5:35 PM  
**To:** Randy Chafin; Vurl Trytten  
**Subject:** RE: Agritourism Zoning Conceptual Discussion  
**Attachments:** USE Agritourism Comment Letter.docx

Attached and copied below is my comment letter.

Anne Marsh

4628 Pine Cone Drive

Etna, CA 96027

530.598.2131

May 14, 2017

Siskiyou County

Randy Chafin, Interim Planning Director

Community Development Department

Planning

608 S. Main Street

Yreka, CA 96097

VIA EMAIL

RE: Agritourism Zoning Conceptual Discussion

Dear Mr. Chafin:



Thank you for the opportunity to make comments regarding the above referenced item on the May 17, 2017 Planning Commission agenda.

Normally a planning staff has greater knowledge regarding planning issues that members of a planning commission or members of supervisors on a board. Planning staff usually informs those members. This seems to have been ignored in Siskiyou County, and planning commissioners and supervisors are informing planning staff rather than the other way around. It would be refreshing to the public to see this practice halted.

I question the timing of bringing this discussion forward just a month before three (3) of the Planning Commissioners terms are ending. Blair Hart, representing Supervisorial District 1; Tony Melo, representing Supervisorial District 2; and Dusty Veale, representing Supervisorial District 4 all have terms ending June 30, 2017. It is my understanding that none of these commissions plan to seek reappointment. Perhaps it would be better to table this discussion until the new Planning Commissioners are appointed. This could save time and duplication of work if the new appointees have differing opinions than the current Planning Commissioners.

Two of the Planning Commissioners, Blair Hart, whose term ends June 30, 2017, and Jeff Fowle, whose term ends June 30, 2019, both have agricultural business interests as owner or part owner of ranches or farms. Should these commissioners be required to recuse themselves from this discussion since passage of agritourism zoning could allow their business interests to profit? This may be a conflict of interest that should be resolved prior to holding a discussion on this issue.

Additionally, I have the following questions:

Would there be any Williamson Act implications?

If a citizen's advisory committee is formed, will it be subject to the Brown Act? How will its meetings be noticed? How will public apply to be on such committee?

Thank you for accepting my comments and questions.

Sincerely,

*Anne Marsh*

Anne Marsh

**From:** [Shirley Johnson](mailto:Shirley.Johnson@co.siskiyou.ca.us)  
**To:** [Christy Cummings Dawson](mailto:Christy.Cummings.Dawson@co.siskiyou.ca.us)  
**Cc:** [Ray Haupt](mailto:Ray.Haupt@co.siskiyou.ca.us); [Jeff Fowle](mailto:Jeff.Fowle@co.siskiyou.ca.us)  
**Subject:** Re: FW: Map  
**Date:** Thursday, February 28, 2019 4:41:43 PM

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Christy, this really is I believe to be neglectful to the process. Even though it is for the whole county, Scott Valley has a unique additional portion of the General Plan the "Scott Valley Area Plan" and is required by law to be evaluated in this process. As it does not affect the rest of the County, the study should be done separately and then brought together. I do not believe that this Zoning should be changed at this time until the study is complete.

Please add this to the comments of the file

Shirley Johnson  
[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)  
530 467 3318  
4737 French Creek  
Etna, Ca 96027

On Thu, Feb 28, 2019 at 12:30 PM Christy Cummings Dawson <[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)> wrote:

Sorry Shirley, as the code changes impact the entire county, that's the area we mapped and didn't break it out by Scott Valley or other areas. I have attached pdfs of all the relevant maps. They are the best we have, coupled with the statistics in the MND.

Christy

**From:** Shirley Johnson [mailto:[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)]  
**Sent:** Tuesday, February 26, 2019 3:17 PM  
**To:** Christy Cummings Dawson  
**Subject:** Re: FW: Map

Thanks for your reply.. however:

1. The maps in the Z-17-03 are very hard to read and is there a tool or an outline that separates out Scott Valley?
2. Do you have the total acreage affected for Scott Valley?

Shirley Johnson  
[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)  
530 467 3318  
4737 French Creek  
Etna, Ca 96027

On Tue, Feb 26, 2019 at 1:32 PM Christy Cummings Dawson <[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)> wrote:

I'm sorry Shirley, we don't have those numbers broken out for Scott Valley.

**From:** Shirley Johnson [mailto:[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)]  
**Sent:** Tuesday, February 26, 2019 8:55 AM  
**To:** Christy Cummings Dawson  
**Subject:** Re: FW: Map

Christy, I just read page 3.0.1 and yes it talks about parcels and acreage, however those numbers are for the whole county. I was requesting the numbers and acreage for Scott Valley. The Scott Valley Area Plan from which I am using as a guidance measure in reviewing the Agritourism Zoning Text Amendment (Z 17 03) is specific to the Scott Valley Watershed. Therefore I still request the information in Scott Valley only. The entire county is of great importance, however my review is based on Scott Valley.

Thank you

On Tue, Feb 26, 2019 at 8:06 AM Shirley Johnson <[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)> wrote:

Ok, thanks.

On Tue, Feb 26, 2019 at 7:50 AM Christy Cummings Dawson <[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)> wrote:

Hi Shirley-

Section 3.1 of the IS/MND discusses number of parcels and acreages.

Thanks!

**From:** Shirley Johnson [mailto:[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)]  
**Sent:** Monday, February 25, 2019 5:54 PM  
**To:** Christy Cummings Dawson  
**Subject:** Re: FW: Map

Hi Christy, Yes we have those maps.. Thank You

What I would really appreciate is how many parcels and their size per AG1, AG2, RR. If you don't have the time to do the research, I would be willing to help, etc.

Please let me know.

Shirley Johnson

[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)

530 467 3318

4737 French Creek

Etna, Ca 96027

On Mon, Feb 25, 2019 at 12:10 PM Christy Cummings Dawson <[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)> wrote:

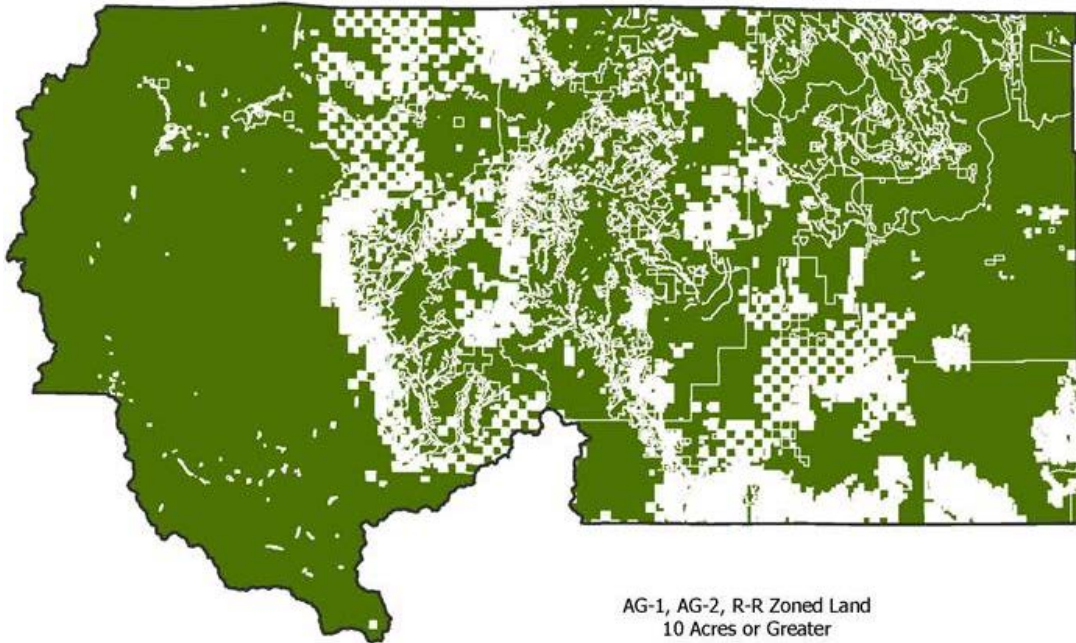
Hi Shirley-

Below are the maps from the IS/MND for agritourism that shows the parcels that would be applicable to the proposed code changes. I believe you were looking for Scott Valley specifically, but this is the best map we have.

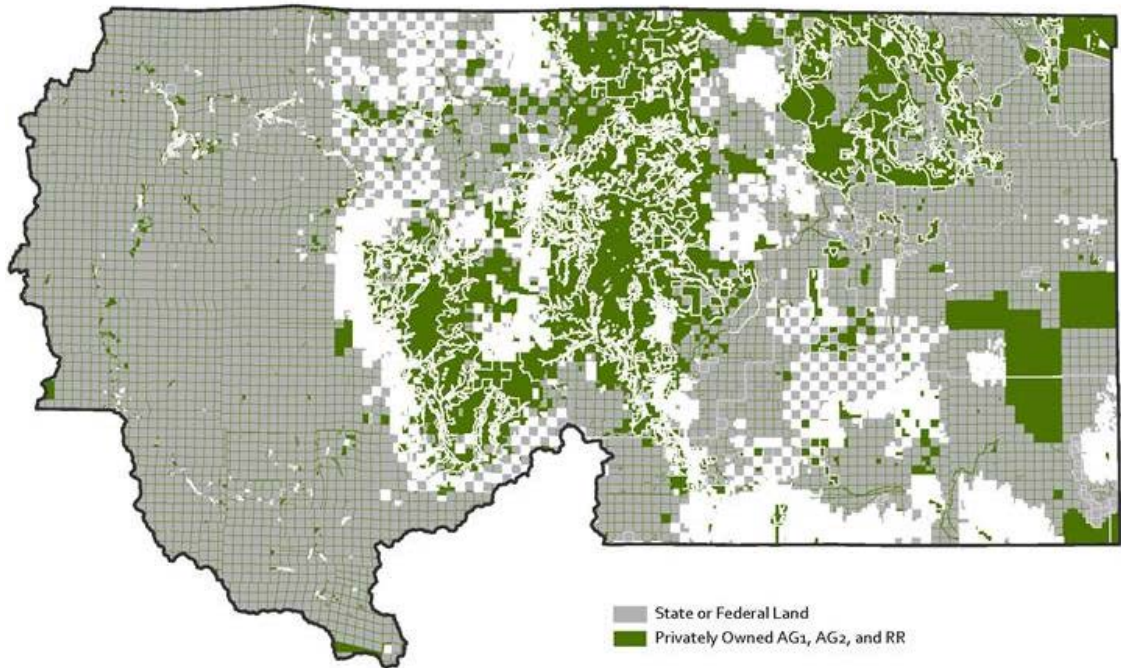
Thanks!

Christy

Siskiyou County



Siskiyou County



Christy Cummings Dawson

Deputy Director, Planning

[County of Siskiyou](#)

[806 S. Main St.](#)

[Yreka, CA 96097](#)

530-842-8206

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Shirley Johnson  
[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)

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Shirley Johnson  
[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)

**RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03)  
DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION  
and MULTISPECIES CATEGORICAL EXEMPTION**

**March 5, 2019:**

**TO: Christy Cummings Dawson, Deputy Director of Planning and  
Siskiyou County Planning Commissioners**

As I wrote in a previous letter: “As far as I am concerned, Siskiyou County can do what they want every place else in the County . . . but Scott Valley is unique in that its ‘*Guiding Principle*’ **IS** *The Scott Valley Area Plan.*” . . . **OR**, as we are fast finding out . . . **it USED TO BE the Guiding Principle.**

**From Scott Valley Area Plan  
signed and approved Nov. 13, 1980  
as Resolution No. 444, Book 9**

***“The Scott Valley Area Plan  
BEST REFLECTS  
the majority view of the people in Scott Valley  
as to what future growth  
of the Scott Valley Watershed  
should be.”***

RESOLUTION NO. 444, BOOK 9

JOINT RESOLUTION OF THE SISKIYOU COUNTY BOARD OF SUPERVISORS AND THE SISKIYOU COUNTY PLANNING COMMISSION ADOPTING THE SCOTT VALLEY AREA PLAN AS AN AMENDMENT TO THE COUNTY LAND USE ELEMENT FOR THE SCOTT VALLEY WATERSHED.

WHEREAS, the Government Code requires all counties to have a Land Use Element of the General Plan; and

WHEREAS, the Land Use Element of the General Plan reflects the future development policies that shall be adhered to by the Board of Supervisors and the Planning Commission when making decisions on future development proposals; and

WHEREAS, the Land Use Element of the General Plan is of utmost importance to guide future growth in Siskiyou County; and

WHEREAS, the Scott Valley Area Plan best reflects the majority view of the people in Scott Valley as to what future growth of the Scott Valley Watershed should be:

NOW THEREFORE BE IT RESOLVED that the Siskiyou County Board of Supervisors and the Siskiyou County Planning Commission does hereby adopt and approve the Scott Valley Area Plan (formerly designated as "County Area Plan I") as an amendment to the County Land Use Element for the Scott Valley Watershed in accordance with all requirements and procedures of the Government Code.


The foregoing resolution was adopted at a regular meeting of the Board of Supervisors of the County of Siskiyou, State of California, held this 13th day of November, 1980.

AYES: Supervisors Zink, Torrey and Belcastro.

NOES: Supervisors Wacker and McArdle.

ABSENT: None

Signed and approved by me after its passage this 13th day of November, 1980.

  
Chairman, Board of Supervisors

The people of Scott Valley have been told for years that the Scott Valley Watershed would be protected from untold future development based on this Plan.

However, as we have seen over and over again, the Planning Commission and the Board of Supervisors have done little to enforce what was set forth in this Plan when it comes to big-monied operations, to wit: continual JH Ranch expansions; past and current Kidder Creek Orchard Creek Camp expansions (especially since KCOC is now under the control of parent company Mt. Hermon); and soon to be AgriTourism 'darlings' and MultiSpecies (Commercial Hog) Farms.

For years KCOC sat back and watched as JH Ranch ignored the Scott Valley Area Plan, running roughshod over the County and its Codes. Evidently, finally



deciding the County would do nothing to them either, they joined the 'do as you please' bandwagon and if caught, then just threaten lawsuits and the County will back down.

NOW we have the AgriTourism 'industry' basically telling the County what they want.

This 'industry' having been initiated by the County's own Economic Development Council months before and now thanks to some of us bringing it to light, 2 years BEFORE any approvals have even been put into place. Interestingly, the County selected people who have a vested interest being designated the 'experts in the field' who are writing exactly what they want into law!

It is my understanding the County intends to approve the Multi-species Zoning changes as Categorically Exempt from CEQA under the "General Rule"

Exemption which basically translates as . . . ***'it can be said with certainty that there is NO possibility that the activity in question may have a significant effect on the environment'*** .

***EXCUSE ME, but that it utter 'hog wash'.***

It is about time that the County Staff, the Planning Commissioners, and more importantly the Board of Supervisors wake up to the FACT that Scott Valley ***has in place*** the Scott Valley Area Plan.

Over the years we have been given great lip service to the fact that the Plan exists and been told over and over how Scott Valley is so fortunate to have been forward looking enough early on to protect us from unwanted development, unlike most other rural areas.

Boy were we naive in believing that.

There have been instances, (which a group of us have pointed out time and again at Board of Supervisor meetings), *where the Plan was used to make life difficult for small businesses*, but let a monied operation come in and the red carpet is rolled out for them.

You need only look as far as the June 30, 2017 Allan Calder letter written to six AgriTourism businesses who were operating in non-permitted areas. Unfortunately, Mr. Calder went on to advise them not to worry, that the

County would be changing the Zoning Ordinance and all would be well for them.

(See the letter in attached pdf file)

Not once did he mention the Scott Valley Area Plan, perhaps because he wasn't aware of it.

Mr. Calder was the same person working diligently on JH Ranch's behalf, once again ignoring the Scott Valley Area Plan, and even negotiating on behalf of JH to get Cal Fire to change/soften their regulation for secondary emergency access.

**Has anyone bothered to look at the Maps which are a part of the Scott Valley Area Plan . . .** the Composite Map, the Critical Deer Wintering Map, the Excessive slope Map, the Flood Plain Map.

Here are the Links:

[https://www.co.siskiyou.ca.us/sites/default/files/pln\\_svap\\_comprehensivecompositeplan.pdf](https://www.co.siskiyou.ca.us/sites/default/files/pln_svap_comprehensivecompositeplan.pdf)

[https://www.co.siskiyou.ca.us/sites/default/files/pln\\_svap\\_deerwintering.pdf](https://www.co.siskiyou.ca.us/sites/default/files/pln_svap_deerwintering.pdf)

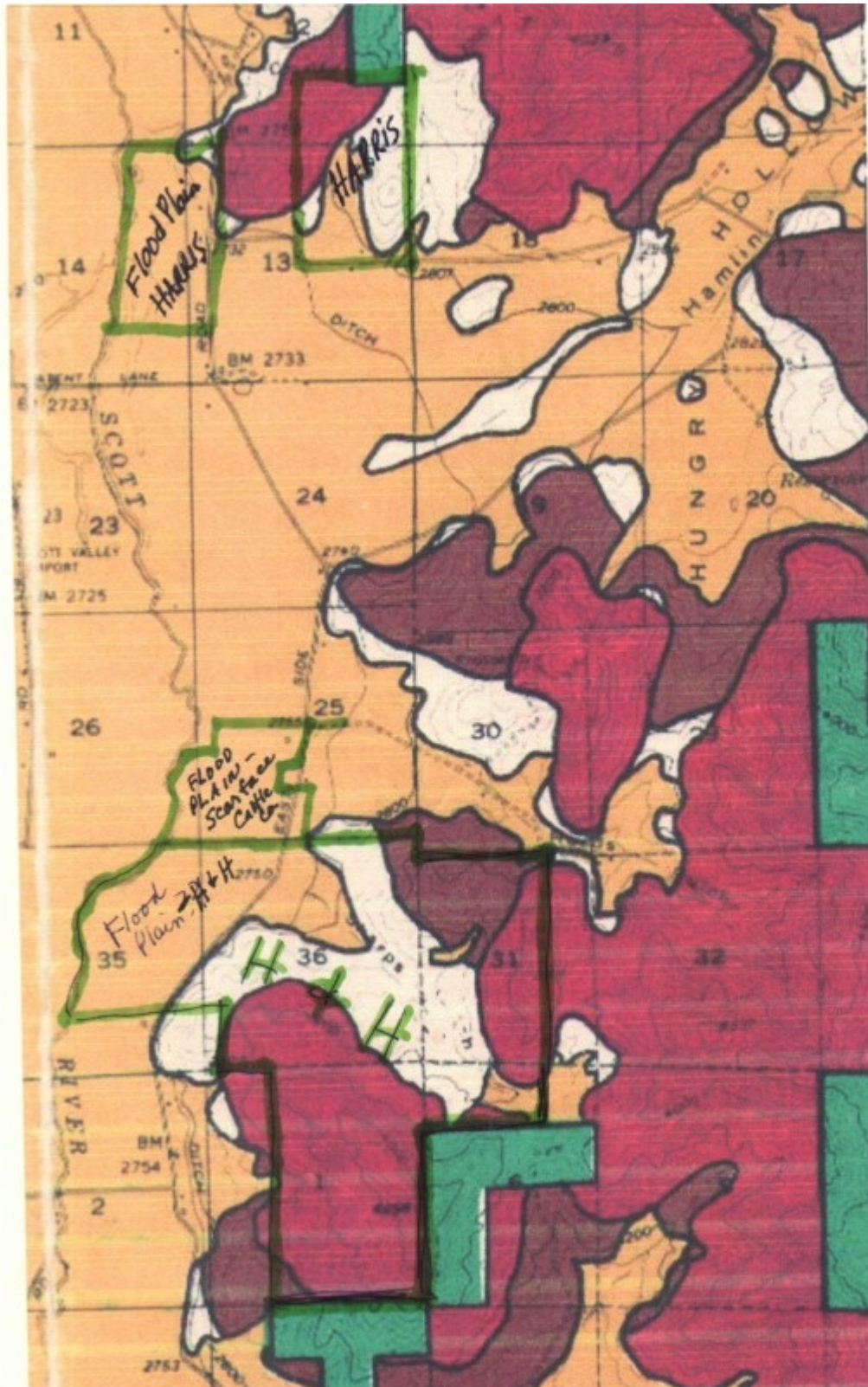
[https://www.co.siskiyou.ca.us/sites/default/files/pln\\_svap\\_excessiveslope.pdf](https://www.co.siskiyou.ca.us/sites/default/files/pln_svap_excessiveslope.pdf)

[https://www.co.siskiyou.ca.us/sites/default/files/pln\\_svap\\_floodplain.pdf](https://www.co.siskiyou.ca.us/sites/default/files/pln_svap_floodplain.pdf)

It should be up to either the County or the landowners to have their parcels plotted on the Critical Area maps, but I doubt that has happened.

I am no map maker, so this is **my approximation** of where the parcels of Heffernan's H & H Land and Livestock (5 Mary's), the Harris Family and their Scarface Cattle Company parcels would be on these Critical Maps.

(Note: Since I scanned the map, the peach colour that shows here is actually yellow on the original Composite Map and the Flood Plain between Eastside Road and Scott River does not show in Blue so I marked it 'Flood Plain').



**ATTACHMENT 2**

Why did I pick these people?

5 Mary's was addressed in the Calder letter as conducting AgriTourism activities on their land and it is well documented by their website and Instagram page they offer Retreats and Events on their property as well as have livestock.

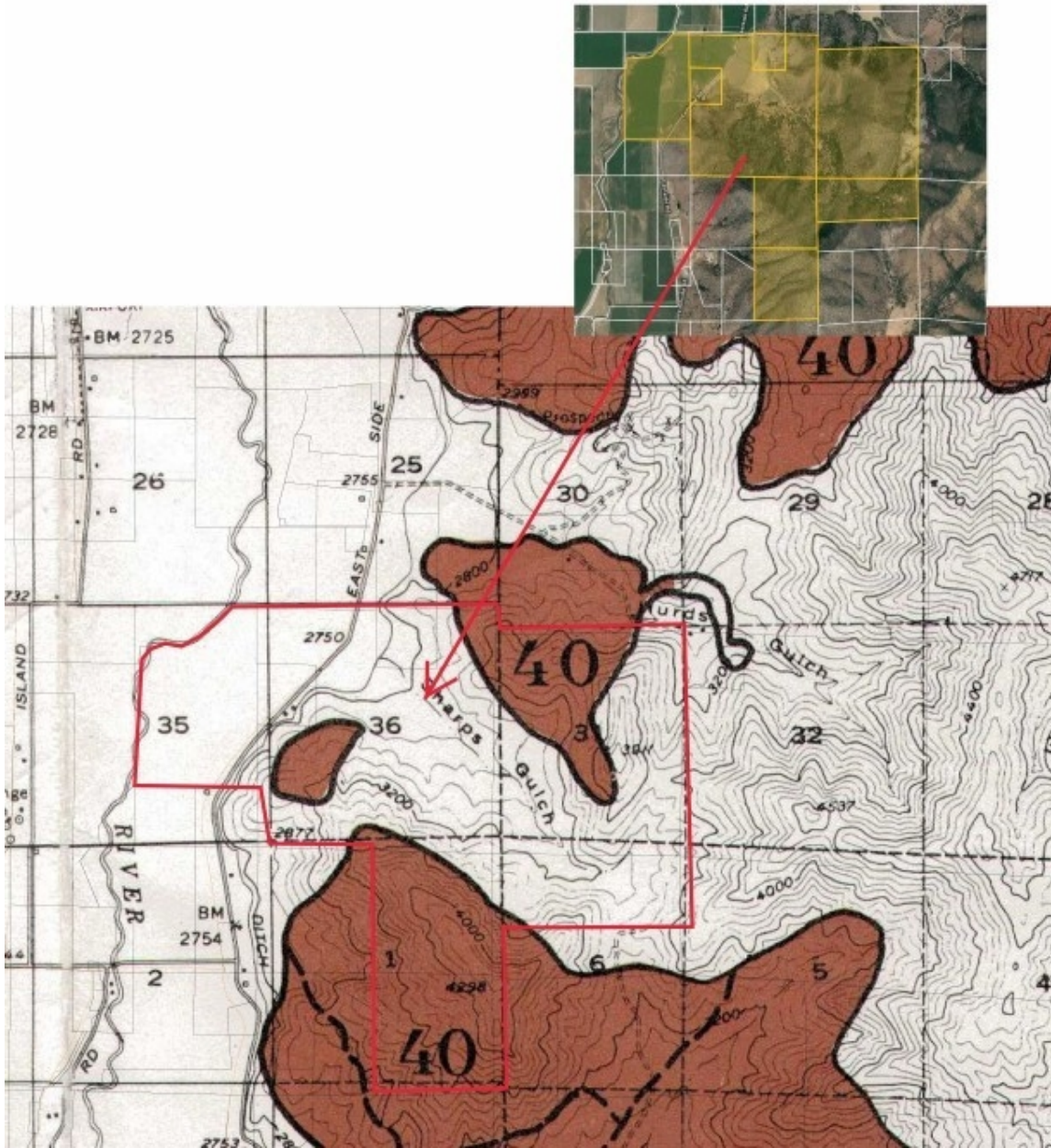
In the discussions regarding MultiSpecies, it has been noted that the Harris family intends to establish a commercial hog farm. Has any one asked to see exactly what their Plan is? Just saying your hogs will be pastured part of the year isn't enough. Where will they be the rest of the time? What about stench? What about neighbors who didn't buy property to find out now they will be living near a hog farm?

For the benefit of the residents of Scott Valley who have put their *Trust* in the *validity* of the Scott Valley Area Plan, there needs to be a much more in depth look into WHERE on these lands the livestock have been, where they will be pastured '*during vegetation growing season*', WHERE they will be the rest of the year; WHERE and WHAT OTHER activities have been/will be conducted.

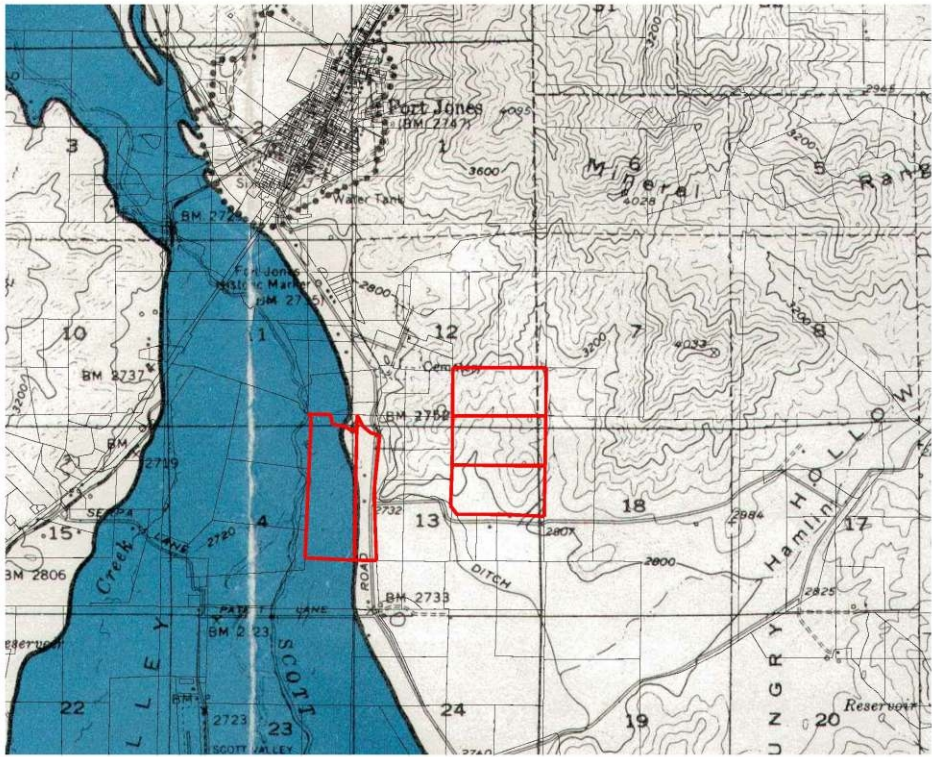
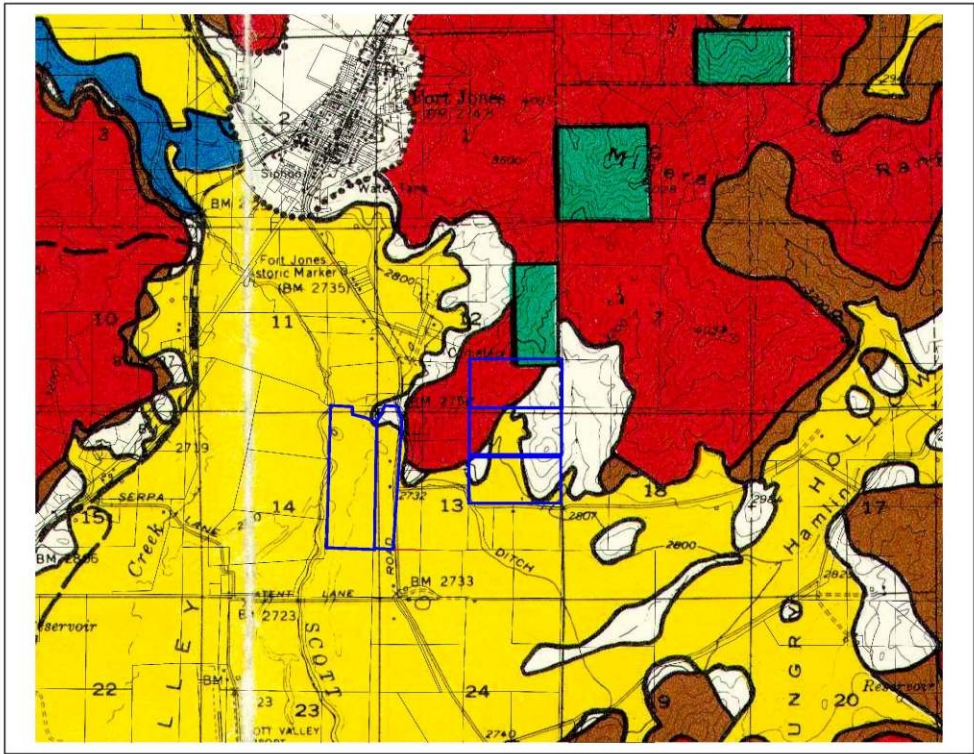
As we have seen all too often, it doesn't stop with just raising livestock. There is always more that comes along . . . events, weddings, retreats, added traffic, dust, noise, on and on.

The above Map shows that the H & H Land and Livestock parcels appear to extend into the Critical Deer Wintering Area (Brown), as well as the Flood Plain of the Scott River (Blue), and Excessive Slope areas (Red).

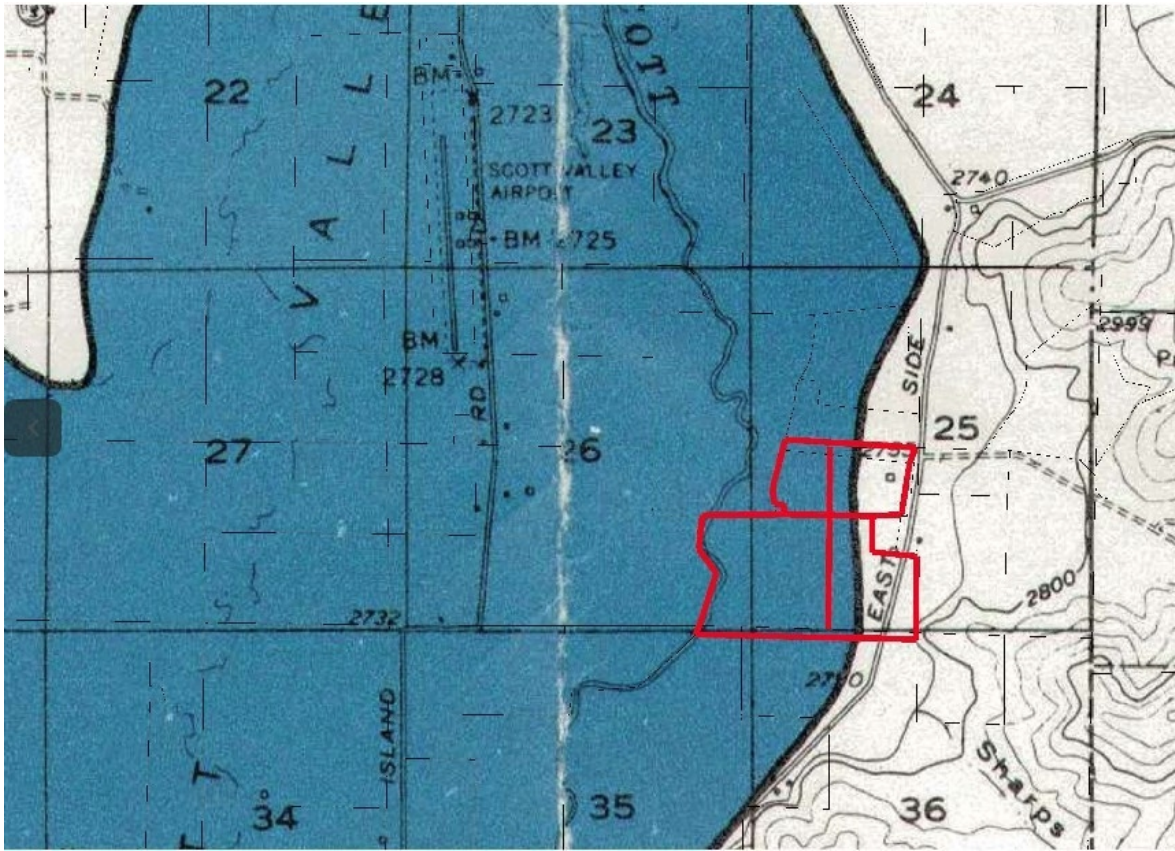
Here you can better see where the H & H Land and Livestock land is in the Critical Deer Wintering Area (Brown):



Likewise, the Harris parcels appear to extend into the Excessive Slope areas (Red) and on the second map appear to extend into the Flood Plain of the Scott River (Blue).



And their Scarface Cattle Company parcels appear to extend into the Flood Plain of the Scott River (Blue):



Last we checked, what goes in a mouth, comes out the other end and it all flows downhill on a slope, and in a flood it travels to unknown places.

So to say '*there is **no possibility** that the activity in question may have a significant effect on the environment*' is just not accurate.

Thankfully, there are a few of the original SVAP committee members still around who are willing to speak up (and have documented in letters to the Board of Supervisors) as to exactly why they felt this document was necessary, what their intent was in creating it, and how much research and community input went into the final product we proudly call '*The Scott Valley Area Plan*'.

**The Maps that were included in the Scott Valley Area Plan are there for a purpose.**

Each existing AgriTourism business and any to follow, including proposed Multispecies businesses, should be required to submit a full Disclosure of their Plan and detailed Map(s) showing exactly where livestock will be pastured/kept, where activities will take place, where buildings and parking areas will be placed, so that no Critical Areas will be infringed upon or cause undue health hazards to the surrounding areas or people.

In August and September, 2018 I wrote extensively on the '*sudden rise of AgriTourism*' here in Scott Valley.

You can find those writings here:

<https://grandmausedtosay.wordpress.com/artists-artisans-agri-tourism-and-the-county-part-one/>

<https://grandmausedtosay.wordpress.com/artists-artisans-agri-tourism-and-the-county-part-two/>

<https://grandmausedtosay.wordpress.com/artists-artisans-and-agri-tourism-part-three/>

I will, however, leave it to others to address issues of water, traffic, noise, sewage and other waste products.

Many of those will become an even bigger issue if/when H & H Land and Livestock (5 Marys) begins operation of their intended '*Butchery*' . . . a fancy name for what we used to call a '*Slaughterhouse*'.

**Before the Planning Commission's March 20, 2019 meeting, (in which one or two of the Planning Commissioners should consider recusing themselves from this entire process), where their intent seems to be to just zip these Zoning changes through on the way to approval by the Board of Supervisors, or they bend any further over backwards catering to the desires of those who have already been conducting AgriTourism events in non-permitted areas, there *needs to be a lot more investigation into how all this squares with our Scott Valley Area Plan.***

**P.S.**

I was born on my great great great Grandfather's farm at the edge of what was Columbus, Ohio and raised in a more rural farming area near the old Farmstead, very similar to here (but with no mountains).

Eb's Pioneer families came to Scott Valley by wagon train in 1863, some settling in Oro Fino and others in what is now Cheeseville.



Eb was born in Scott Valley 95 years ago and has spent his entire life here.

Although he could have moved to ‘*where the money was*’, he remained in Scott Valley, as a young teen working and living on ranches during his summers to help support their family, then working at a variety of jobs in order to support his family.

I watched people in Columbus with high paying jobs decide they wanted to live ‘*rural*’ while retaining all the amenities of a big city, quickly turning small towns and beautiful farming areas into just another big city’s suburb.

The pace of that happening here in Scott Valley moved more slowly as there was not a ‘big city’ nearby that supplied high paying jobs. However, something changed in the last 5 or so years.

Eb and I have talked in length about this, but it wasn’t until writing down these thoughts that the Reality of what has been gnawing at us became clear . . .

And it saddened us in realizing that many who have come here to ‘*live the rural life*’ not only want to retain all the amenities of a big city, but **now** have brought with them the latest fad . . . ‘Agri-tourism’.

Agri-Tourism in common terms means: ***Making money by promoting their idea of a rural way of life to folks, then charging them to ‘experience it’, all the while selling out the Scott Valley Area Plan for the rest of us.***

This is NOT acceptable.

Sincerely,

Che’usa Sienna Wend  
Eb Whipple  
Etna, CA.

**Grandma** *used to say . . .*  
“*They suffer from*  
*BIG FISH*  
*in little pond*  
*Syndrome . . .*”

March 6, 2019

Honorable Ray A. Haupt  
Supervisor, District 5  
Siskiyou County Board of Supervisors

Re: JH Ranch, Kidder Creek Orchard Camp, & Agritourism

Dear Supervisor Haupt:

I am writing to you regarding my views on the above-named proposals. All three are related, though not equal by any stretch of the imagination. The common denominator is the need for the County to establish rules and, even more importantly, enforce those rules.

**JH Ranch:**

This organization purports to be a Christian one, albeit I've seen no evidence of it. Their representatives are arrogant, and because they have a lot of money, believe they can push around those people that are not. "Christians", in theory, do not disregard the rules. "Christians" do not disrupt other people's lives and peacefulness. Even eliminating the religious aspect, the behavior of JH Ranch has been deplorable. I was encouraged when the State became involved because, unlike Siskiyou County, they have the money to enforce the rules and defend them in court. In other words, fend off the MONEY JH Ranch has available. Rumor has it that CalFIRE has, or is, going sideways but I don't know if that's a fact. The bottom line is I hope the County does not cave in.

### **Kidder Creek Orchard Camp:**

Like JH Ranch, KCOC is a religious organization owned by I believe Mount Hermon Corp. which operates a “retreat” in the Santa Cruz Mountains. I was told that nothing here has changed but it appeared at the time I checked, the Board for KCOC was no longer local. You may know what the facts are. Their proposal, too, is not what I would deem to be neighborly. It, along with JH Ranch would make Scott Valley decidedly NOT Scott Valley for those of us trying to live a peaceful life. I’m guessing you have received many copies of a well thought out and reasoned letter by Melinda Field Perlman, alerting the community of the proposal and the dire consequences many would face because of it. Many of us would end up on the short end of the stick should the County approve their request.

### **Agritourism:**

This proposal pales in comparison to the two above. I live on Eastside Road outside of Etna. My wife and I live on a property that was part of the Horn Ranch. We are totally surrounded by ranches. Besides thousands of acres of hay, there are cattle, horses, mules, sheep, and a few hogs in the Valley. Many of the ranches have been in the same family since the 1850’s. We still have cattle drives that come right past our house! We love it.

Scott River Ranch has, on occasion, hosted large gatherings. My wife and I have attended one of them. Besides a ranch raised meal, there were educational lectures on how the ranch is run, how the cattle were raised, etc. It’s a great venue.

The Dowling Ranch has hosted many weddings. My wife and I have been to several. This, too, is a great venue.

Five Mary’s Ranch, besides raising a lot of different types of animals offers “Clamping” at the foot of their mountain. I have not personally participated at Five Mary’s Ranch. It is too spendy for my limited means.

KK Ranch offers advanced horsemanship to their guests along with seeing and appreciating a working ranch.

Harris Ranches appear to be varied. I don't know how many they have but I can say the "Harris Boys" are hardworking and "go-getters". Rumor has it that the Harris' want to establish a commercial hog operation. The issue it seems would be about scale and space. If the smell of manure could be mitigated, it would be just another agriculture endeavor. If not, it could negatively affect the quality of life for those that live in Scott Valley that are not fond of the smell of manure. Again, I think the scale and space of the operation is the most critical aspect. All animals create waste. 300 cattle (or hogs) on 5,000 acres versus 500 cattle (or hogs) on 5 acres are two different environments, if you get my drift (pun intended). If you've ever driven on I-5 near Coalinga, you know what I'm talking about.

In summary, I am **STRONGLY OPPOSED** to the JH Ranch expansion. That the JH Ranch appears to thumb their noses at the County by being out of compliance with the permit does not sit well with me either.

I am **STRONGLY OPPOSED** to the Kidder Creek Orchard Camp expansion request.

I **STRONGLY SUPPORT** the Agritourism efforts with the caveat there be rules that are enforced, and that if the rumor is true re: commercial hog operation, the manure smell be mitigated should the scale and space of the operation create a negative impact on others.

Respectfully,

James C. Roseman  
300 Eastside Road  
Etna, CA 9627  
530.467.3192



**From:** [Mayor Eb Whipple - 1st Lady Cheusa Wend](#)  
**To:** [Christy Cummings Dawson](#)  
**Cc:** [Planning](#); [Terry Barber](#); [Ray Haupt](#); [Lisa Nixon](#); [Edward Kiernan](#); [Brandon Criss](#); [Michael Kobseff](#); [dist2sup@sbcglobal.net](mailto:dist2sup@sbcglobal.net)  
**Subject:** RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION and MULTISPECIES CATEGORICAL EXEMPTION  
**Date:** Wednesday, March 06, 2019 10:51:00 PM  
**Attachments:** [March 5 Letter.pdf](#)  
[Calder Letter - Attachment Agritourism Email.pdf](#)

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Ms. Dawson,

Attached please find our letter regarding the Agri-Tourism and MultiSpecies issue that will be coming before the Planning Commission on March 20, 2019.

Please confirm you have received our letter.

Thank you.

Che'usa Wend  
Eb Whipple

Etna, CA

467-5815

**From:** [Mary Roehrich](#)  
**To:** [Planning; Christy Cummings Dawson](#)  
**Subject:** Agri-tourism amendment:  
**Date:** Thursday, March 07, 2019 4:56:15 PM

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I do not think enough time has been given to the public to fully understand the scope of this amendment. Additional time and greater details of prospective participants in these activities need to be brought to light.

I have had a hog farm next to me on McConaughy Gulch. It was impossible to enjoy our life here, due to the smells and noise. My Mother got it shut down, because of unsanitary conditions brought to her home from the industry. We need to make sure this cannot happen here. It is not consistent with the Scott Valley Plan and how people here want to live.

I am not against some agri-tourism, but this open-ended seeming amendment has serious room for things happening we may not want to see. Please determine that no flood plain, deer wintering areas, or other aspects can be impacted.

Others besides those benefiting from the amendment should have been part of the development process.

Give us more time and substantive discussion. I just found out about the time limit today in the newspaper, which only leaves a week or so to comment. This is unfair.

Thank you for considering seriously my comments,

Mary Roehrich  
McConaughy Gulch

Sent from [Mail](#) for Windows 10

**From:** [Felice Pace](#)  
**To:** [Allie Hostler](#); [Amber Shelton](#); [Amy Cordalis - Yurok Tribal Attorney](#); [Annelia Norris](#); [Bill Cross](#); [Bill Kier #1](#); [Chet Ogan - Redwood Audubon](#); [Cliff Marshall](#); [Craig Tucker](#); [Crystal Robinson](#); [Dan Bacher](#); [Dania Rose Colegrove](#); [Dave Bitts - PCFFA](#); [Dave Hillemier](#); [Eli Asarian](#); [erik ryberg](#); [Frankie Myers](#); [Frieda Bennett](#); [Glen Spain-PCFFA alt](#); [Grant Wilson](#); [Earthlaw Ctr](#); [James Wheaton](#); [Jessica Clayburn YT Watershed](#); [John Corbett](#); [Josh Strange](#); [Karuna Greenberg](#); [Kerul Dyer](#); [Larry Glass](#); [Louisa McCovey YTEP Program Director](#); [Maven's Notebook](#); [Mike Belchik](#); [Mike Orcutt](#); [Nat Pennington](#); [Nathaniel Kane - ELF](#); [Noah Oppenheim PCFFA ED](#); [Pete Nichols](#); [Petey Brucker](#); [Regina C](#); [Robert Franklin](#); [Ron Stork](#); [Sue Masten](#); [Susan Fricke - Karuk Tribe](#); [Tim Hayden \(thayden@yuroktribe.nsn.us\)](#); [Tim Palmer Kalmiopsis Audubon](#); [Tom Schlosser](#); [Tom Stokely](#); [Toz Soto](#); [Vi Orcutt](#); [Vivian Helliwell](#); [Will Harling](#); [John Livingston - ShastaGp Mother Lode SC](#)  
**Cc:** [Christy Cummings Dawson](#)  
**Subject:** Fwd: SCOTT VALLEY GROUNDWATER EXTRACTION ALERT  
**Date:** Friday, March 08, 2019 1:27:31 PM  
**Attachments:** [CURRENT FILE FW Harris Pig Farm strategy.pdf](#)  
[CURRENT FILE PC 20170621 PlanningCommissionStaffMemoEnhanced Animal Production-2.pdf](#)  
[CURRENT FILE TAC 20180606 MultispeciesTACResolution Signed20180517.pdf](#)  
[CURRENT FILE Comment Letter re Resolution of the Multispecies.doc](#)  
[SisCo Agritourism ISMND Draft 2-14-2019.pdf](#)

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Klamath tribal and other colleagues,

Below is my message to Matt St John, EO of the NCRWQCB, concerning two proposed zone changes that Siskiyou County appears ready to make without CEQA review and without informing any state agencies or authorities. Allowing large factory-style hog and other animal agriculture without a use permit or CEQA review, and allowing an unlimited amount of Agritourism without a use permit or CEQA review, each have a high likelihood to significantly increase groundwater extraction. That in turn will extend the period of time each year that the Scott and major tributaries are dewatered and make it even more problematic to get Chinook and even Coho to spawning grounds in and above Scott Valley; both species have not made it into and above the Valley in several recent years; consequently salmon spawn on top of each other in the Canyon and salmon production is greatly reduced.

In addition, these proposed zoning changes will result in degradation of surface and groundwater quality and will make it more difficult to achieve a groundwater plan that meets the FS right to flows for fish in Scott River. That in turn will mean we will have to open the Scott River and other Scott Valley Adjudications to fix their flaws and problems.

Please consider also urging Matt St. John to get the NCRWQCB weighed in on these and consider contacting Siskiyou County directly. The staff member for these is:

Christy Cummings Dawson, Deputy Planning Director:  
[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)

Planning Division, Community Development



806 Main Street  
Yreka, CA 96097

If you do weigh in please send me a copy of your message.

Felice

Felice Pace  
Klamath, CA 95548  
707-954-6588

"Ring the bells that still can ring.  
Forget your perfect offering.  
There is a crack, a crack in everything,  
That's how the light gets in."

Anthem, Leonard Cohen

----- Forwarded message -----

From: **Felice Pace** <[unofelice@gmail.com](mailto:unofelice@gmail.com)>  
Date: Fri, Mar 8, 2019 at 12:24 PM  
Subject: Fwd: SCOTT VALLEY GROUNDWATER EXTRACTION ALERT  
To: Matt St. John, EO <[Matt.St.John@waterboards.ca.gov](mailto:Matt.St.John@waterboards.ca.gov)>  
Cc: Annie Marsh <[annie\\_marsh@hotmail.com](mailto:annie_marsh@hotmail.com)>, Eli Scott\_NCWQCB Scott & Shasta <[Elias.Scott@waterboards.ca.gov](mailto:Elias.Scott@waterboards.ca.gov)>, Claudia Villacorta\_Ass EI NCRWQCB <[Claudia.Villacorta@waterboards.ca.gov](mailto:Claudia.Villacorta@waterboards.ca.gov)>, Jonathan Warmerdam - Non-Point Chief <[Jonathan.Warmerdam@waterboards.ca.gov](mailto:Jonathan.Warmerdam@waterboards.ca.gov)>

Dear Matt,

It has come to my attention that the Siskiyou County Planning Commission will on March 20th consider a zoning text amendment that, if approved, will allow large factory style animal agriculture, including dairies and large hog operations, without a use permit or environmental review on parcels zoned for agriculture. Sis Co is claiming that the change is categorically exempt from CEQA.

**ATTACHMENT 2**

As you will readily recognize, the types of operations they propose to allow without a use permit and without notice to your agency have been shown to have a high likelihood of polluting surface water and groundwater. In addition, these activities will extract and consume a lot of groundwater which is, as is clear from USGS and other reports, closely interconnected with surface flows. Thus, this zone change will very likely exacerbate the current impairments of Scott River surface water quality via reduced flows and likely additional discharges of animal wastewater.

Below is a message from Annie Marsh, former SisCo Supervisor, who monitors Sis Co planning issues, including her attachments. She is cc'ed on this message.

I am asking you to weigh in on this issue before the March 20th meeting and to have a staff member attend the meeting. Because this zone change represents a major new threat to ground and surface water quality in a water quality impaired watershed, please also have your legal counsel review the proposed change to determine if the County has misinterpreted CEQA's applicability. It seems to me that, if they approve the proposed change, Siskiyou County will have usurped your authority to review new developments that have great potential to further degrade already impaired water quality in the Scott River Basin.

Please let Annie and I know what you intend to do in this regard and please provide us with copies of any input or comment the NCRWQCB makes on this proposed zoning text amendment.

Siskiyou County also has out a draft Negative Declaration (attached) to allow agritourism without a use permit or CEQA review. Allowing agritourism without a use permit has significant potential to increase groundwater extraction and, thereby, to exacerbate current water quality impairments. For this reason i am asking you to comment on that draft document as well.

Finally, both changes will result in on-farm wells being used as a drinking water source by tourists doing farm stays and events and by animal ag workers. As you know, the SWRCB has ordered that all such wells be tested regularly;y for pollutants that can harm human health and that the results are to be reported to the SWRCB. The changes by Siskiyou County described above would allow on farm wells to be used for drinking water

without informing the owners of the testing and reporting requirement. Thus Siskiyou County is considering enabling the avoidance of that SWRCB requirement. I am asking you to inform the proper officials at the State Board of this situation since I do not know who should be informed. Otherwise, I believe we will see widespread disregard for this SWRCB requirement in Siskiyou County as a result of the proposed zone text changes.

It is really important, and I believe critical to the NCRWQCB's mission, that you weigh in on both these issues. I hope you agree and will do it.

Felice

Felice Pace  
Klamath, CA 95548  
707-954-6588

"Ring the bells that still can ring.  
Forget your perfect offering.  
There is a crack, a crack in everything,  
That's how the light gets in."

Anthem, Leonard Cohen

----- Forwarded message -----

From: **Annie Marsh** <[annie\\_marsh@hotmail.com](mailto:annie_marsh@hotmail.com)>  
Date: Thu, Mar 7, 2019 at 7:28 PM  
Subject: Re: SCOTT VALLEY GROUNDWATER EXTRACTION ALERT  
To: Felice Pace <[unofelice@gmail.com](mailto:unofelice@gmail.com)>, Nathaniel Kane - ELF  
<[nkane@envirolaw.org](mailto:nkane@envirolaw.org)>, James Wheaton <[wheaton@envirolaw.org](mailto:wheaton@envirolaw.org)>

To add to Felice's email: I learned earlier this week that Siskiyou County Planning will seek approval of the "Multispecies" Zone Change Text Amendment at the March 20, 2019 Siskiyou County Planning Commission meeting. The public will not be noticed of this because the County intends to claim that the Amendment is Categorically Exempt from CEQA under the "General Rule" Exemption which was changed to the "Common Sense" Exemption (§ 15061(b)(3)) in December 2018. "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity

in question may have a significant effect on the environment, the activity is not subject to CEQA." A Staff Report for the Agenda Item will not be available until shortly before the Planning Commission meeting.

I have attached four documents: 1) The Harris Pig Farm Strategy PDF is a copy of an email from Allan Calder, Community Development Director (February 2017 - March 2018) dated June 7, 2017 to Terry Barber, County Administrator and Ray Haupt, County Supervisor District 5. In that email Mr. Calder states that the project will trigger CEQA and that the person wanting the zoning change should apply for a conditional use permit. 2) The PC\_20170621\_Planning Commission Staff Memo Enhanced Animal Production (Multispecies) dated June 21, 2017 which suggests appointment of Technical Advisory Committees. 3) The Resolution by the TAC dated May 17, 2018 to allow permitted by right "pastured" hog and poultry operations on Prime AG, Non-Prime Ag and Rural Residential properties. 4) My comment letter dated May 31, 2018 regarding the TAC Resolution.

I disagree that the zone change should be approved as Categorical Exempt, and will forward my letter to you as soon as I complete it.

Sincerely,  
Anne Marsh

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**From:** Felice Pace <[unofelice@gmail.com](mailto:unofelice@gmail.com)>  
**Sent:** Thursday, March 7, 2019 4:07 PM  
**To:** Nathaniel Kane - ELF; James Wheaton  
**Cc:** Annie Marsh  
**Subject:** SCOTT VALLEY GROUNDWATER EXTRACTION ALERT

Nat and Jim,

I am told by Annie Marsh, former county supervisor who monitors planning issues, that on March 20th Siskiyou County Planning Commission will consider and likely vote to "allow factory style hog and mixed animal production on land zoned for agriculture." That can consume a lot of additional groundwater and should not be allowed without a use permit and environmental review. I hope y'all will weigh in to stop SisCo from approving additional significant groundwater extraction without considering impacts to beneficial uses, etc. And that will likely extend the dewatering period for Scott River.

Annie is Cc'ed here in case she has more info to add.

I will likely be commenting for Redwood and Mother Lode Chapters Sierra Club if i can get approval from Mother Lode.

The agenda has been posted as yet:

[https://www.co.siskiyou.ca.us/meetings?field\\_microsite\\_tid\\_1=28](https://www.co.siskiyou.ca.us/meetings?field_microsite_tid_1=28)

Felice

Felice Pace  
Klamath, CA 95548  
707-954-6588

"Ring the bells that still can ring.  
Forget your perfect offering.  
There is a crack, a crack in everything,  
That's how the light gets in."

Anthem, Leonard Cohen

**From:** [Tom Menne](#)  
**To:** [Christy Cummings Dawson](#); [Ray Haupt](#); [Michael Kobseff](#)  
**Subject:** NO to Agritourism  
**Date:** Saturday, March 09, 2019 8:59:55 AM

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Ms Dawson,

I'm 100% opposed to the Agritourism Zoning Amendment as it is written.

I do understand the concept, but this plan has turned into something no one will support. My family and I have a large farming operation in Scott Valley and it's easy to see how this will impact us at some point. With 2,700 acres, our farm has multiple neighbors that border our property. We just had a neighbor sell to someone that plans to host a Hipcamp and have Agritourism on her place. Her plan is to place campers right next to our field in an attempt to impact our family farming operation.

But the planners of this Amendment will say, you have the right to farm. This sounds good until there are 10 land owners (camps) around your farm complaining about dust, pesticide and equipment noise.

How will the sheriffs office contend with the increase in citizens, traffic and crime? Can our local trash company handle more trash? Can our only septic company handle the massive increase?

How will our natural resources hold up with the potential of large groups of people staying year round? When the GSA has to come up with a GSP just where will this fit in? How will the road dept. deal with more traffic on our old roads?

This plan has set the bar so low that a snake could slither over it and that's just what will happen. We will have people moving here just to make a profit off this plan.

Is the County prepared to hire more staff to deal with this as it grows?

My suggestion would be, don't ask people that will only profit from the plan, help with it's writing.

Most of the citizens in Siskiyou County have only heard of this plan in the last 4 days, that's not how you represent the tax payers.

The Scott Valley Area Plan has worked damn well for the last 50 years and it's not time to kick it to the curb just yet!

Regards,

Tom Menne  
Menne Ranch Hay Inc  
530-598-0280

**From:** [Annie Marsh](#)  
**To:** [Christy Cummings Dawson](#); [Planning](#); [Vurl Trytten](#); [Ray Haupt](#); [jeffowle96027@gmail.com](mailto:jeffowle96027@gmail.com)  
**Subject:** Comment Letter -Multispecies Zoning Text Amendment  
**Date:** Sunday, March 10, 2019 10:40:46 PM  
**Attachments:** [Comment Letter re Multispecies Zoning Text Amendment.doc](#)  
[CURRENT FILE FW - Harris Pig Farm strategy.pdf](#)  
[CURRENT FILE Comment Letter re Resolution of the Multispecies.doc](#)

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Dear Christy,

Attached is my comment letter on the Multispecies Zoning Text Amendment which I understand will be on the March 20, 2019 Planning Commission agenda. I have also attached two (2) documents which must be included as part of my comment. 1) The Allan Calder email dated June 7, 2017 mail entitled CURRENT FILE Harris Pig Farm Strategy; and 2) My comment letter dated May 31, 2018 regarding the Multispecies Resolution by the TAC entitled CURRENT FILE Comment Letter Re Resolution of the Multispecies. Please assure that the entire content of my email is made available to the Planning Commissioners.

Thank you,  
Anne Marsh

**From:** [Dan Menne](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** Siskiyou County Community Development Planning Division, Ms. Dawson  
**Date:** Sunday, March 10, 2019 8:49:56 PM

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Siskiyou County Community Development  
Planning Division  
Christy Cummings Dawson  
806 South Main Street  
Yreka, CA 96097  
[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)  
530-841-2100

Dear Ms. Dawson,

We are writing you to express our complete opposition to the proposed Agritourism Zoning Amendment in its current form. Our family has owned and operated a large farming operation in Scott Valley for nearly 50 years. We, along with our other family members, also work and reside on our farm in Scott Valley. This Agritourism Zoning Amendment will directly and negatively affect our livelihood, as well as the livelihood of our employees and our residences.

Dan, myself and our four daughters are currently dealing with a new property owner/neighbor who is planning to establish a Hipcamp and have Agritour events on the property that runs adjacent to our residence and alongside our hay field. This planned Hipcamp and Agritour business will immediately impact our ability to produce our crops, as we have done for decades, due to having campers in tents alongside the field and also while hosting Agritour events throughout the year.

We have spoken to many of our neighbors and other farmers who are absolutely NOT in favor of this proposal and would like our concerns to be taken seriously by those who make decisions within our county government. We believe the county should NOT adopt this vague, irresponsible, not well thought out proposed amendment, without consulting with and seriously considering the negative effects upon those who have supported and are the backbone of their communities and this county. We are quite sure we are not the only established farmers, ranchers, business owners and Siskiyou County residents who will have the wonderful quality of life we have come to know and love completely diminished by some who would like to push their short sighted agenda.

Thank you for your consideration in this important matter.

Regards,



Dan Menne  
Menne Ranch Hay, Inc.  
530-598-2300

Cindi Menne  
530-598-2301

March 10, 2019

Ray Haupt, Siskiyou County Board of Supervisor

PO BOX 750

Yreka, CA 96097

From: Pamela and David Merchant

13028 Tyler Gulch Rd.

Fort Jones, CA 96032

RE: Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/Siskiyou County Code

We own a small piece of property next to Kim Cienello in Fort Jones. We contacted the planning department first by phone, then e-mail, then in person. Everyone was quite helpful with our situation. But the problems we've had is with a landowner that clearly doesn't follow even the current zoning guidelines and still has a website up promoting camping and agritourism even though her parcel is only 9 ½ acres. She is not residing at the location and threatened us with vandalism and trespassing for which the sheriff was called.

We have attended city council and valley wide meetings to discuss the upcoming amendment and would like to offer the following solutions:

- 1 No level 1
- 2 Minimum acreage 20
- 3 All Agritourism events must be approved by the **Scott Valley Area Plan Council** prior to permit.
- 4 Landowner must reside on property to be used.
- 5 Establish minimal fees for permits and maximum fines for failure to follow guidelines.

Thanks for your time and consideration,

*Pamela Merchant*

*David Merchant*

Pamela and David Merchant

March 10, 2019

Siskiyou County Planning Commission  
Deputy Director Christy Cummings Dawson  
806 South Main Street  
Yreka, CA 96097

From: Pamela and David Merchant  
13028 Tyler Gulch Rd.  
Fort Jones, CA 96032

RE: Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/Siskiyou County Code

As you may remember, we own the property next to Kim Cienello in Fort Jones. We contacted your department first by phone, then e-mail, then in person. Everyone was quite helpful with our situation. But these problems we've had is with a landowner that clearly doesn't follow the current zoning guidelines and still has a website up promoting camping and agritourism even though her parcel is only 9 ½ acres. She is not residing at the location and threatened us with vandalism and trespassing for which the sheriff was called.

We have attended city council and valley wide meetings to discuss the upcoming amendment and would like to offer the following solutions:

- 1 No level 1
- 2 Minimum acreage 20
- 3 All Agritourism events must be approved by the **Scott Valley Area Plan Council** prior to permit.
- 4 Landowner must reside on property to be used.
- 5 Establish minimal fees for permits and maximum fines for failure to follow guidelines.

Thanks for your time and consideration,

  
Pamela and David Merchant



March 11, 2019

To Whom It Should Concern:

We are writing to you to once again to voice our opposition to any AgriTourism and Multispecies Zoning amendments as currently written and being proposed for passage this month. There is far too much more review and discussion to be done on this by the county and those affected by these proposed amendments to the Scott Valley Plan and zoning.

Since we are working ranchers that live on Eastside Road, Fort Jones, and have been and are currently affected by the active agritourism camping glamping operations up the road from us and the other proposed large scale hog farms and multi species ranching we are writing to urge you to put this decision on hold. Open this process up to all valley residents not just hand picked special interest individuals making up committees to push through their self interests. Avoid future law suits because these operations are going to have an affect on adjacent properties and the rivers and streams. There are slews and other shared water ways that will be contaminated.

We do not agree with the Planning Departments opinion that these proposed changes to the zoning text for Agritourism and Multi-species should be Categoricaly Exempt from CEQA (California Environmental Quality Act passed in 1970) under the General Rule Exemption which basically translates as: it can be said with certainty that there is NO possibility that the activity in question may have a significant effect on the environment. It is already having an impact on our ranching abilities, our quality of life, health of our livestock, and future of our ranch for generations to come.

How can it be stated that there is no impact on the environment? What about slaughter houses and waste disposal systems? We have Rivers running through the valley with ranches on all sides. Too many animals and mixed species means disease, soil depletion and water contamination. What about the smell of large operation hog farms and the impact of traffic on our small country roads? What about the ranchers that are growing crops now and the future of little 5 and 10 acre organic farmettes surrounding commercial operations and causing issue with crop management next door that does not fit their beliefs.

We moved here nineteen years ago to escape the same thing that is being proposed. It ruined our small communities and is an absolute zoo now. Families cannot afford to buy a home let alone a ranch. The once abundant thriving ranching/farming communities are covered with subdivisions, malls, wineries, and tourist attractions. We moved here and cherished this community. We learned to fit in to what was here and had no intention of changing it to what we left as some of the recent transplants have been doing. We are not Instagram or Facebook farmers feeding the public a scripted reality show. Those of us that truly work the land and struggle to have this way of life for ourselves and our children and all future generations resent the fake news of ranching/farming that is put out there today.

My husband and I grew up in Sonoma County, in a small town called Healdsburg in Dry Creek Valley. Same little town as Fort Jones & Etna, same valley type with narrow two lane roads and ranches of mixed crops and cattle. Then grapes went in and wineries. My mother still lives on the family ranch which has been in our family for 5 generations. There are now over 60 wineries in the area alone. Bikes, marathons, limos, and tourists crawling all over the place all week long. Yelling at my mother when she unloads her groceries in front of the house or backs out of her garage as she lives right on the road which divides the ranch.

Just like many places here, the ranch is divided by a narrow two lane road with the house built close to say hello to neighbors as they drove their buggies by. The ranch has been in our family for well over 150 years. My mom was born and raised there. She can tell you how tourism has ruined the reason for living in the country and how she can't even cross the street to get her mail because the cars will run over you. She had to get a post office box. They park in her front yard, take pictures and pee on the feed room door. They think that every property on the Ag tourist route is part of their right to use and exploit. They pick her fruit in her front yard and her flowers by the mailbox. No rules, no respect, no boundaries. Best of all most of the time they have been drinking and/or are drunk and driving. I used to ride my horse on the roads and all over the valley. If I tried that now I would be killed immediately. I know its progress but if those wineries were not out there in such abundance and things were not allowed to get so out of control it would not be near as bad.

You say it's not the same. Oh yes it is and it is coming and coming fast. If you pass these 10 acre everyone can do what they want with no consequences zoning amendments then our valley life as we know it is doomed. They will subdivide, they will build, and they will come. Look at Jacksonville Oregon or Ashland. Most ranches that were there sold out and properties were subdivided into 5 and 10 acre ranchettes with their mini farms, people, and traffic all over. You know why? If you can't fight them then sell out because farming on the scale that is done in Scott Valley will be difficult while you are dodging cars with your equipment or they are running through your cattle drive. We already have cyclists in a large volume come through and gripe about having to ride through the cow poop.

Unfortunately we are already experiencing the above as having a large volume tree nursery; you pick berry operation, camping glamping, and field to fork dinner's right next door. Makes it hard to cross the road safely with the equipment or cattle as the tourists just don't want to stop or slow down. Commissioner Veale is from Sonoma County he knows what we are talking about.

Please do the right thing for all the people of Scott Valley and Siskiyou County. Do not pass these proposed amendments. Review and re-examine the proposed changes and how they fit in with the Scott Valley Plan and the wishes of the people. Have the guts to stand up and say no to opening up this beautiful area to exploitation and irreversible change.

Respectfully,

Jerry and Elizabeth  
8212 Eastside Road  
Fort Jones, California

**From:** [Carl Eastlick](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** Scott Valley Plan  
**Date:** Tuesday, March 12, 2019 9:18:20 AM

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Ms Dawson,

A select few people are wanting to benefit from breaking up the large family owned ranches in the Scott Valley for their own personal gain. We have a working plan developed to handle the area and it should not be changed for profit.

Carl Eastlick  
Fort Jones, Ca.

Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131

March 12, 2019

Christy Cummings Dawson, Deputy Planning Director  
Planning Division, Community Development  
806 Main Street  
Yreka, CA 96097

VIA EMAIL

Dear Ms. Dawson:

RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED  
NEGATIVE DECLARATION – PART ONE

Please accept my comments on the above referenced project.

I am opposed to the approval of the Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declaration (DIS/MND). My comments below support my reasons for opposing approval.

### **INADEQUATE TIME FOR PLANNING COMMISSION REVIEW OF PUBLIC COMMENTS**

The Agritourism Zoning Text Amendment (Z-17-03) DIS/MND was circulated for 30-day public comment on February 14, 2019. It was sent to the Office of Planning and Research, State Clearing House where it was given a Review Period End of March 18, 2019. Despite knowing this end of review period date, Siskiyou County Planning scheduled the Agritourism Zoning Text Amendment (Z-17-03) DIS/MND for the March 20, 2019 Planning Commission. For that reason, I am submitting Part One of my comment letter now so the Planning Commissioners will have adequate time to read said comments. Part Two and any further comments will be submitted timely by 5:00 PM March 28, 2019. The Planning Department worked on this for two years. It would seem only courteous to review the public's comments for more than one day.

### **OVERVIEW**

According to the DIS/MND, "The proposed project encompasses all parcels in the unincorporated area of Siskiyou County, California, 10 acres and larger, that are zoned Prime Agricultural (AG-1), Non-Prime Agricultural (AG-2), and/or Rural Residential Agricultural (R-R). The zoning text amendment would differentiate between generally permissible, less intensive "Level I Agritourism" and more intensive "Level II Agritourism" and would subject "Level II Agritourism" to Agritourism Performance Standards and approval of an administrative use permit or a conditional use permit depending upon the intensity of use."

## **THE DIS/MND IS FLAWED AND INADEQUATE**

The Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declaration (DIS/MND) is flawed and inadequate.

The DIS/MND states that there are approximately 634 parcels that are 10 acres or larger with AG-1 zoning, 871 parcels that are 10 acres or larger with AG-2 zoning, and 953 parcels that are 10 acres or larger with R-R zoning. That is a total of 2,458 parcels. (Note that the DIS/MND does not identify whether these are Appraiser Parcels or some other type parcels.) Combined these parcels include approximately 304,429 acres of AG-1, 984,944 acres of AG-2, and 3,441,952 acres of R-R for approximately 4,731,325 total acres. Federal and state lands account for approximately 3,716,386 acres or 78% of the project area. That would leave 1,014,939 non-federal or state land parcels (the type of parcel is not defined – although I had requested such definition in my May 31, 2018 comment letter on the Agritourism Resolution). However, the DIS/MND fails to provide the number of parcels (undefined) on which Agritourism activities could take place in Siskiyou County. That information is necessary to evaluate the environmental impacts of the project. The DIS/MND further states that, according to the 2017 Siskiyou County Crop & Livestock Report, there were 1,153,246 acres in farms and ranches in 2017, which is equivalent to approximately 24 percent of the project area, excluding state and federal lands. Of those agricultural properties actively being utilized for agriculture, approximately 419,721 acres are currently subject to a Williamson Act contract.” That statement does nothing to disclose the number parcels on which Agritourism activities could be held. The number of parcels and type of parcels must be provided to allow for informed and adequate public comment.

If the owners of only one-quarter of the 2,458 undefined parcels began or expanded Agritourism Activities, then under the Agritourism Zoning Text Amendment, 615 parcels would bring a maximum of 645,750 Agritourists to Siskiyou per year – permitted by right. However, CEQA requires that the entire project be evaluated. That has not been done here. The 2,458 undefined parcels would bring 2,580,900 Agritourists to Siskiyou per year – permitted by right. That is an over Two and One-Half MILLION Agritourists per year. And that is what must, and has not been, considered and evaluated.

In reviewing the DIS/MND it is clear that County took a “Resolution for Agritourism” prepared by the Planning Commission appointed Technical Advisory Committee (TAC) and is trying to make the environmental review fit that document, rather than actually evaluating potential environmental impacts.

## **ENVIRONMENTAL CHECKLIST**

### **AESTHETICS.**

The project will very likely create new sources of substantial light or glare that would adversely affect day or nighttime views in the area, and Section 10-6.5602 of the Siskiyou County Code which requires that exposed sources of light, glare, or heat be shielded so as not to be directed outside the premises will do little or nothing to prevent the glare. That is true for the lighting restrictions for Level II Agritourism (i.e., the only level of agritourism that would allow overnight guests) which states, “Any new exterior lighting installed related to a



permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.”

As an owner/resident on a one-acre parcel near an approximately 150-acre parcel, I can assure you that shielding of light sources, as required in Section 10-6.5602 of the Siskiyou County Code or Level II Agritourism will do little to nothing to prevent light glare from affecting neighboring or even distant parcels. Nor will the Section of the Siskiyou County Code or the restraints in Agritourism Level II prevent light pollution of our night skies. Scott Valley is the only place I have lived, except the Neighbor Islands of Hawaii, where I can actually see the Milky Way. Agricultural uses do not involve the type of lighting that will be used for Agritourism uses. A Mitigation Measure requiring that lighting for Agritourism use be turned off when there is no Agritourism activity, and at a reasonable hour when there is, would be a reasonable solution.

## **AGRICULTURE AND FORESTRY RESOURCES**

Although the DIS/MND determines that there would be “Less than Significant Impact” on Agriculture Resources, it is very likely that the project could convert either Prime Farmland, Farmland of State Importance, Farmland of Local Importance or Unique Farmland as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use because the Agritourism Zoning Text Amendment does not prohibit an owner of more than one qualifying parcel from conducting Agritourism activities on each qualifying parcel with absolutely no environmental review under Level I Agritourism. Limitation must be placed on how many parcels one owner or group of owners can develop as Agritourism operations. In order to accomplish such limitation, Level 1 Agritourism must be not be allowed as permitted by right use.

Additionally, in order to protect Prime Agriculture lands, the Agritourism Zoning Text Amendment must include some mechanism to prohibit Agritourism activities on land zoned Prime Agriculture (AG-1).

It is unfortunate that the County did not include maps by the Farmland Mapping and Monitoring Program of the California Resources Agency. The (Farmland) maps for Siskiyou County can be accessed at:  
<ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/>

The Agritourism Zoning Text Amendment will definitely conflict with Williamson Act contracts because of the low level of income used to define a working farm or ranch: “A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more.” The Williamson Act states that, “Land enrolled in the Agricultural Preserve Program is to be used principally for commercial agricultural production. However, it may be appropriate to allow secondary uses on contracted land that is either incidental to, or supportive of, the agricultural operation on the property.” For example a working farm or ranch which has annual sales of agricultural products of only one thousand dollars (\$1,000) and an Agritourism income of one thousand dollars (\$1,000) or more would be disqualified from the Williamson Act contract because the use could not be construed to be either incidental to, or supportive of the agricultural operations on the property based on income. Some other criteria must be used to define a working farm or ranch to avoid conflict with the Williamson Act, and that criteria should be applied to the entire Agritourism Zoning Text Amendment.

The statement: “Agritourism uses included in the proposed zoning text amendment were evaluated by the County’s Agritourism Technical Advisory Committee for consistency with County standards, which made the finding that ‘limited agritourism as an allowed agricultural accessory use will not change any standards necessary for the protection of agricultural lands nor is it intended to conflict with agricultural zoning or existing agricultural uses in Siskiyou County, the Siskiyou County General Plan or the Scott Valley Land Use Plan,” is very concerning for several reasons. First, the members of the Agritourism Technical Advisory Committee (TAC), while all very intelligent, well-educated, and experts in their fields, have no experience in planning or CEQA and are hardly qualified to evaluate agritourism uses for consistency with County standards or CEQA requirements. Secondly, the intent to “not conflict with agricultural zoning” is all well and good, but the potential for such conflict certainly exists. A deeper analyses by environmental planning experts who are well versed in planning and CEQA is required.

## **HYDROLOGY AND WATER QUALITY**

While the DIS/MND states that Agritourism uses would have a “less than significant impact on hydrology and water quality,” the fact is that a project of this magnitude has the potential to deplete aquifers and pollute the waters in Siskiyou County.

Where is review of compliance with the Clean Water Act (CWA)? Although the current Federal Administration has rolled back parts of the CWA, the CWA is still in effect and the roll back is opposed by the State of California. Compliance with the CWA is required.

The Agenda for a meeting of the Regional Water Quality Control Board, North Coast Region on February 20, 2019, discussion on ITEM: 4, SUBJECT: Update on East San Joaquin Agricultural Order and Ag-Related Litigation (Emel Wadhvani, Assistant Chief Counsel, State Water Board) contained this statement: **“The ESJ (East San Joaquin) Petition Order is precedential for agricultural programs statewide and the State Water Board has directed regional water boards to incorporate elements in subsequent regional water board orders.”** Discussion regarding how this precedent for agricultural programs affects Siskiyou County and Agritourism must be included in the DIS/MND.

As recently as the February 5, 2019, the Siskiyou County Board of Supervisors voted: ” ... to extend the local emergency related to drought conditions, in particular conditions and curtailed irrigation deliveries to the Tulelake Irrigation District as declared by Resolution 18-39.” That vote indicates that the potential for a deeper drought and the concomitant effect on our water supply is a real threat. The water issues must be revisited and reviewed with that reality in mind.

I am not a water expert, but I have lived in the Scott Valley area of Siskiyou County for over 20 years. In that time, I’ve seen high-impact wells permitted and installed on the historically dry Eastside of Scott Valley and seen domestic wells on the Westside of Scott Valley dry up during summer months. Domestic well users do not want to lose their water supply. However they would be more tolerant of losing it to agricultural uses which are at least feeding us than to Agritourism uses which are jeopardizing our water supply with no evident benefit except profit for those engaged in Agritourism.

## **LAND USE AND PLANNING**

The Agritourism Zoning Text Amendment at least conflicts with the Scott Valley Area Plan (SVAP), and may very well be in conflict with the County General Plan.

The statement, “County staff enforce all applicable County policies pertaining to where and how development activity can safely occur at the time of building permit application ...” is patently false. In 2018 County Staff signed off on a building permit which was dependent on the applicant receiving permitting for expansion before such building could be done. As of now, the buildout has been completed and is no doubt being utilized, yet the applicant still has no permit to do.

“...Further, proposed Level II Agritourism would be subject to approval of an administrative use permit or conditional use permit, either of which would require project-specific and site-specific analysis of the particular agritourism activities relative to County policies, including those contained in the Siskiyou County General Plan and Scott Valley Area Plan.” Yet a Level II Agritourism project requiring an administrative permit would not be circulated to the public for review and comment, and the period for filing an appeal of approval of such a permit would pass un-noticed by the public. .

The DIS/MND states, **“Because the General Plan Land Use Element contains Policy 37, which allows only agricultural uses on prime agricultural land, and the Scott Valley Area Plan contains Policy 1, which permits only agricultural and public uses on prime agricultural soils, project compatibility with all General Plan and Scott Valley Area Plan policies is somewhat dependent upon whether the agritourism activities being permitted by the proposed zoning text amendment are classified as agricultural land uses, commercial land uses, or something other. This isn’t to say that compatibility of the proposed zoning text amendment with the General Plan and Scott Valley Area Plan hinges upon the ability of agritourism activities to locate on soils mapped ‘prime agricultural.’**

That is not the case, however, it does warrant the question of whether agritourism is considered a permissible activity in areas mapped prime agricultural and, therefore, whether the project is compatible with General Plan Policy 37 and Scott Valley Area Plan Policy 1. At its core, **the project is a proposed zoning text amendment intended to support agriculture by facilitating the marketing and promotion of agricultural products grown and produced in Siskiyou County through incidental onsite agritourism.** Agritourism would be defined in the proposed zoning text amendment as “the act of visiting a working farm or ranch as a guest for the purpose of enjoyment, education or other active participation in the activities of the farm. A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more. Agritourism shall not include concerts or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch.

Therefore, **because the proposed zoning text amendment would specifically exclude “other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch”, and would likely entail agritourism-related activities, such as harvesting agricultural products or other active participation in the activities of a farm or ranch, the agritourism activities included in the proposed zoning text amendment are considered consistent with Policy 37 and Policy 1, as well as the other policies of the Siskiyou County General Plan Land Use Element and the Scott Valley Area Plan, and potential impacts are considered less than significant.”**

This discussion does not conclude that agritourism activities are agriculture. Agritourism is tourism plain and simple. It is incidental to agriculture, and if it is not, then every Williamson Act contract must be cancelled on owners of parcels including agritourism activities on their land,

“The Scott Valley Area Plan was prepared to direct land use within the Scott Valley watershed of Siskiyou County, and was adopted by the Board of Supervisors in November 1980. The Scott Valley Area Plan was adopted as an amendment to the Siskiyou County Land Use Element for the Scott Valley Watershed area, and policies therein supersede those identified in the County Land Use Element for that particular overlay map. The goal and technique used for the development of the Scott Valley Area Plan is similar to that of the County General Plan, consisting of a series of overlay maps identifying development constraint areas in an effort to allow and guide development to occur in areas that are easiest to develop without entailing great public service costs, and that do not displace or endanger the Scott Valley’s critical natural resources, nor subject future populations to natural hazard.”

When the Agritourism and Multispecies uses were first being considered, in their STAFF REPORT ON AGRITOURISM AND BY RIGHT FARMING OF MULTI-SPECIES TO BOARD OF SUPERVISORS dated August 8, 2017, ALLAN CALDER, COMMUNITY DEVELOPMENT DIRECTOR and BRIT DVERIS, SENIOR PLANNER asked a set of questions to be answered by the Technical Advisory Committees (TAC) being considered. Although the questions listed here pertained only to Multispecies TACs, where those questions don’t seem to have been answered fully, they should also have been answered by the Agritourism TAC.

The questions are:

1. What intensity of animal production should be permitted by right, that is without a use permit? 2. Should different standards be created for different types of animals (e.g., swine, cattle, fowl/poultry, sheep/goats, etc.)? 3. Should enhanced commercial animal production be allowed by right in both the AG-1 and AG-2 districts? 4. **Should enhanced animal production not be allowed in certain areas of the County (e.g., Scott Valley).** 5. What limitations should be placed on the number or density per acre of different types of animals? 6. What other performance standards are warranted to ensure land use compatibility and avoid nuisance conflicts? 7. How should potential environmental impacts (e.g., odor, noise, water quality) of commercial animals kept in large numbers be addressed? 8. What bearing does having animals kept in enclosed structures versus in the open have on land use compatibility and environmental protection concerns?

2.

Neither enhanced animal production/Multispecies (Hog Farms) nor Agritourism should be allowed in Scott Valley. The Scott Valley Area Plan (SVAP) is designed to prohibit the type of intensity and density that Agritourism will bring to the area.

The Agritourism Zoning Text Amendment provides neither acreage, parcel count nor parcel definition for Scott Valley. These components would have had to be provided to assess the effects on the environment in Scott Valley which, as stated, is a Unique Area covered by the SVAP.

From the DIS/MND, “(b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards.

(1) Applicant is actively engaged in the production of Unique Agricultural Products and the majority of inputs for the Unique Agricultural Products is raised or grown on the proposed Agritourism Property.

(2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires permanent structural improvements to facilitate the use then the improvements shall occupy no more than ten percent of the proposed Agritourism Property’s total acreage or five acres, whichever is the lesser.”

Agricultural Tourism Performance Standards.1 and 2 combined would allow for a level of intensity of development that is in conflict with the SVAP. Neither the DIS/MND nor the seminal TAC Resolution contain any limitation on the size of “production of Unique Agricultural Products.” There is no size specification or siting specification for “permanent structural improvements.” With only Planning Director approval and no opportunity to even know about let alone review or comment on what is being proposed, there is nothing to stop up to five-acres production factories from being allowed in Scott Valley.

Additionally, since the 2,458 parcels included in the Agritourism Zoning Text Amendment are not defined as Appraiser Parcels or other type parcels; and since “Agritourism Property’ means one or more contiguous parcels [again undefined] that are under common ownership or lease and upon which an Agritourism activity operated by the owner or lessee occurs and which produces agricultural products as a primary use,” there is nothing to prohibit one owner or a group of owners with enough acreage from having multiple "Agritourism" events (one on each qualifying parcel) - Permitted by right or even worse combining five-acre allowed “permanent structural improvements” on contiguous Agritourism Property to create massive Event Centers or Product Factories. There is nothing that requires “the improvements [that] shall occupy no more than ten percent of the proposed Agritourism Property’s total acreage or five acres, whichever is the lesser” to be in one block of acreage. The permanent structural improvements could be sited in various spots on the Agritourism Property with Agritourists traveling by foot or other method between the improvements and thus destroying not only Prime Agriculture Land, but ruining the land for any type of agriculture production.

Allowing the up to five-acre areas of permanent structural improvements could create a de facto subdivision of land which is not allowed under Prime Agriculture Policies 2 and 3. Such de facto subdivision could destroy the agriculture industry in Scott Valley.

Not only the SVAP Prime Agriculture, Policy1 – “Only agriculture and public uses may be permitted on prime agriculture soils” must be considered. Prime Agriculture Policies 2 and 3; Deer Wintering Policies 5, 6 and 7; Flood Plain Policies 8, 9 and 10; and Excessive Slope Policies 16, 17, 18, and 19 must be considered and evaluated.

The Agritourism Zoning Text Amendment is not compatible with any of these Policies. Agritourism Activities must be prohibited in areas covered by the SVAP.

## **WILLIAMSON ACT**

According to the 2017 Siskiyou County Crop & Livestock Report, there were 1,153,246 acres in farms in 2017. Of these, approximately 419,721 acres or 36% are subject to a Williamson Act contract. The County General Plan recognizes the importance of agriculture to the County's economy, identifying prime agricultural land as a sensitive environmental resource. County policies encourage conservation of agricultural lands through minimum acreage requirements that deter conversion to more intensive uses.

As stated earlier, The Agritourism Zoning Text Amendment will definitely conflict with Williamson Act contracts because of the low level of income used to define a working farm or ranch: "A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more." The Williamson Act states that, "Land enrolled in the Agricultural Preserve Program is to be used principally for commercial agricultural production. However, it may be appropriate to allow secondary uses on contracted land that is either incidental to, or supportive of, the agricultural operation on the property." For example a working farm or ranch which has annual sales of agricultural products of only one thousand dollars (\$1,000) and an Agritourism income of one thousand dollars (\$1,000) or more would be disqualified from the Williamson Act contract because the use could not be construed to be either incidental to, or supportive of the agricultural operations on the property based on income. Some other criteria must be used to define a working farm or ranch to avoid conflict with the Williamson Act, and that criteria should be applied to the entire Agritourism Zoning Text Amendment.

### **PROJECT MUST BE CONSIDERED DISCRETIONARY UNDER CEQA**

The Agritourism Zoning Text Amendment (Z17-03) states, "...would allow limited agritourism incidental to active agricultural operations on parcels 10 acres and larger that are zoned AG-1, AG-2, and/or R-R. To minimize, to the greatest extent practicable, off-site impacts associated with agritourism-related activities, the zoning text amendment would differentiate between **generally permissible, less intensive "Level I Agritourism" and more intensive "Level II Agritourism" and would subject "Level II Agritourism" to Agritourism Performance Standards and approval of an administrative use permit or a conditional use permit depending upon the intensity of use.**"

Level I Agritourism would be permissive with no application or permit required and absolutely no environmental review. Level II Agritourism would be allowed with approval of an administrative permit with no environmental review (ministerial) or a conditional use permit (discretionary). A ministerial permit is not subject to the California Environmental Quality Act (CEQA), while a discretionary permit is subject to CEQA.

Since the three (3) levels of permitting in this Project include ministerial and discretionary permitting, the Project must be considered discretionary as a whole.

Refer to CEQA Guidelines 15268. MINISTERIAL PROJECTS which states, "(a) Ministerial projects are exempt from the requirements of CEQA. The determination of what is "ministerial" can most appropriately be made by the particular public agency involved based upon its analysis of its own laws, and each public agency should make such determination either as a part of its implementing regulations or on a case-by-case basis.

(b) In the absence of any discretionary provision contained in the local ordinance or other law establishing the requirements for the permit, license, or other entitlement for use, the following actions shall be presumed to be ministerial:

- (1) Issuance of building permits.
- (2) Issuance of business licenses.
- (3) Approval of final subdivision maps.
- (4) Approval of individual utility service connections and disconnections.

(c) Each public agency should, in its implementing regulations or ordinances, provide an identification or itemization of its projects and actions which are deemed ministerial under the applicable laws and ordinances.  
(d) Where a project involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA.”

To assure that there is no discretionary provision contained in the local ordinances, I 1) Researched Siskiyou County’s codified Ordinances online and found no discretionary nor ministerial provision, 2) On February 25, 2019 sent an email to Christy Cummings Dawson, Deputy Planning Director requesting under the California Public Records Act identification or itemization of projects and actions which are deemed ministerial under the applicable laws and ordinances of Siskiyou County. On February 26, 2019 Ms. Cummings Dawson replied “...the Department has not created an itemized list of projects it deems ministerial under applicable laws and ordinances,” and 3) On March 2, 2019 sent an email to Christy Cummings Dawson, Deputy Planning Director requesting under the California Public Records Act identification or itemization of projects and actions which are deemed discretionary under the applicable laws and ordinances of Siskiyou County. On March 4, 2019 Ms. Cummings Dawson replied “...the Department has not created an itemized list of projects it deems discretionary under applicable laws and ordinances.”

Therefore, because Siskiyou County does not have a discretionary or ministerial provision regarding these projects in its ordinances and because this Project contains both a ministerial and a discretionary action, the project must be deemed discretionary and subject to CEQA requirements.

**TO BE CONTINUED WITH COMMENTS ON NOISE, TRAFFIC, ETC. IN PART TWO**

Thank you for accepting my initial comments on the Agritourism Zoning Text Amendment.

Sincerely,

Anne Marsh

**From:** [Annie Marsh](#)  
**To:** [Christy Cummings Dawson](#); [Planning](#); [Vurl Trytten](#); [Ray Haupt](#); [jeffowle96027@gmail.com](mailto:jeffowle96027@gmail.com)  
**Subject:** Correction Page 1 Comment Letter -AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION – PART ONE  
**Date:** Tuesday, March 12, 2019 7:02:22 PM

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The Comment letter I emailed shortly before 5 PM contained the incorrect end of review date of March 28, 2019. That was a typo. I have corrected the letter to read the correct date: March 18, 2018 and will submit my further comments by that time. Corrected Page 1 below.

Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131  
March 12, 2019  
Christy Cummings Dawson, Deputy Planning Director  
Planning Division, Community Development  
806 Main Street  
Yreka, CA 96097  
VIA EMAIL  
Dear Ms. Dawson:  
RE:

Please accept my comments on the above referenced project.  
I am opposed to the approval of the Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declaration (DIS/MND). My comments below support my reasons for opposing approval.

**INADEQUATE TIME FOR PLANNING COMMISSION REVIEW OF PUBLIC COMMENTS**

The Agritourism Zoning Text Amendment (Z-17-03) DIS/MND was circulated for 30-day public comment on February 14, 2019. It was sent to the Office of Planning and Research, State Clearing House where it was given a Review Period End of March 18, 2019. Despite knowing this end of review period date, Siskiyou County Planning scheduled the Agritourism Zoning Text Amendment (Z-17-03) DIS/MND for the March 20, 2019 Planning Commission. For that reason, I am submitting Part One of my comment letter now so the Planning Commissioners will have adequate time to read said comments. Part Two and any further comments will be submitted timely by 5:00 PM March 18, 2019. The Planning Department worked on this for two years. It would seem only courteous to review the public's comments for more than one day.

**OVERVIEW**

According to the DIS/MND, "The proposed project encompasses all parcels in the unincorporated area of Siskiyou County, California, 10 acres and larger, that are zoned Prime Agricultural (AG-1), Non-Prime Agricultural (AG-2), and/or Rural Residential Agricultural (R-R). The zoning text amendment would differentiate between generally permissible, less intensive "Level I Agritourism" and more intensive "Level II Agritourism" and would subject "Level II Agritourism" to Agritourism Performance Standards and approval of an administrative use permit or a conditional use permit depending upon the intensity of use."



**From:** [Mayor Eb Whipple - 1st Lady Cheusa Wend](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** Question regarding Amendment Text AgriTourism  
**Date:** Tuesday, March 12, 2019 3:24:05 PM

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Christy,

1) The attached posting this morning by 5 Marys begs a few questions to be answered:

*"We do not personally support the draft proposal AS PRESENTED . . . and did not agree WITH EVERYTHING in this draft . . . especially in its INCLUSION of SMALL PARCELS DOWN to 10 ACRES in size."*

It has been our understanding that the TAC committees (including Niki Harris and Brian Heffernan) gave their 'expert advice' on this.

So WHO wrote up the Draft as presented?

And most particularly WHO wrote in the part about the 10 acres in size and 10% clause and its specific wording???

Was it you, or County Counsel or Scott Friend?

The answer to those questions are necessary information that we need before this can be discussed by the larger community.

2) Also, their Post admits that they have been conducting agritourism activities for four years as a marketing tool for their products.

As many times as there have been complaints filed with the county about their agritourism activities, use of their non-permitted outdoor kitchen, etc. we have seen *no* closure, *no* fines, *no* repercussions what so ever to them as there have been in the past to others who have done far less. Why?

Actually they have been applauded by giving them a seat at the table on the TAC.

We await the answer to our questions.

Thank you.

Che'usa Wend  
Eb Whipple

Etna

**From:** [Annie Marsh](#)  
**To:** [Christy Cummings Dawson](#); [Planning](#); [Vurl Trytten](#)  
**Subject:** Recusal of Planning Commissioners from the Agritourism Zoning Text Amendment (Z-17-03)  
**Date:** Wednesday, March 13, 2019 3:31:06 PM

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Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131

March 13, 2019

Christy Cummings Dawson, Deputy Planning Director  
Planning Division, Community Development  
806 Main Street  
Yreka, CA 96097

VIA EMAIL

Dear Ms. Dawson:

RE: Recusal of Planning Commissioners from the Agritourism Zoning Text Amendment (Z-17-03)

Planning Commissioners Jeff Fowle and Blair Hart are involved in the agricultural industry. Jeff Fowle is the Owner/Operator of KK Bar Ranch in Scott Valley and is Past President and a current Director of the Siskiyou County Farm Bureau. Commissioner Fowle's mother, Melanie Fowle, is the owner of Siskiyou Angus, Herefords, Hampshires and Suffolks. Blair Hart is the General Manager of the family owned Hart Ranch/Hart Cattle/Rabbit Hill LLC in the Montague area.

The two commissioners appear to have conflicts of interest in voting on the Agritourism Zoning Text Amendment based on the State of California Fair Political Practices Commission (FPPC) Regulations and the State of California Attorney General Publications.

Approval of the Agritourism Zoning Text Amendment will increase the value of their property because of the new uses allowed by right on agricultural property, and because both Commissioners will be afforded of the ability to expand into the Agritourism industry on their properties, by right with no county government oversight..

Commissioners Fowle and Hart both appear to have conflicts of interest based on their agriculture interests and ownership. They both need to answer these questions posed by Financial Conflict of Interest Political Reform Act, Gov. Code, § 87100 et seq.:

"GUIDEPOSTS

Is a state or local official (Planning Commissioners are considered public officials because they are appointed by the Board of Supervisors) participating in a government decision?

Does the decision affect an interest in real property or an investment of \$2,000 or more held by the official?

Or a source of income to the official of \$500 or more?

Or gifts to the official of \$420 or more?

If so, is there a reasonable possibility that the decision will affect significantly any of the economic interests (e.g., real property, business entities, or sources of income or gifts) involved?

Are the official's economic interests affected differently than those of the general public or a significant segment of the public?

If the answer to these questions is yes the official may have a conflict of interest and be required to disqualify from all participation in that decision. (See Ch. I.)"

Additionally, the State of California Attorney General (AG) explains the "appearance of financial conflict of interest under common law: *"Appearance of Financial Conflict of Interest Common Law - Court-made law, based on avoiding actual impropriety or the appearance of impropriety in the conduct of government affairs, may require government officials to disqualify themselves from participating in decisions in which there is an appearance of a financial conflict of interest."*

For further information regarding both the questions to be answered about conflict of interest and the Common Law information, refer to the website:

<http://ag.ca.gov/publications/coi.pdf> (Accessed 13March2019)

Planning Commissioner Jeff Fowle and Planning Commissioner Blair Hart have the appearance of financial conflict of interest based on the questions asked, and under the "Common Law" statement. They should be required to recuse themselves from discussion of, or voting on, the Agritourism Zoning Text Amendment (Z-17-03).

Sincerely,  
Anne Marsh

Barbara Raitz  
PO Box 1145, Fort Jones CA 96032  
[braitz@gmail.com](mailto:braitz@gmail.com), 650-868-5200

### **Agritourism Zoning Text Amendment (Z-17-03)**

Christy Cummings Dawson – Deputy Director  
Siskiyou County Community Development  
Planning Division 806 South Main Street Yreka, CA 96097  
[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us), (530) 841-2100  
<https://www.visitscottvalley.org/education>

### **Introduction**

Hello, my name is Barbara Raitz. My husband and I have recently purchased 5500 acres near Fort Jones. We consider ourselves stewards of the beautiful land and are excited and fully committed to restoring it to its full healthy vitality through regenerative agriculture techniques. We have goals of rebuilding the soil, improving the watershed, and reducing greenhouse gasses by sequestering carbon from the air back into the soil. We will support forestry operations, plan to ranch, and will grow foods and create products as the ecosystem (and time) allows. Additionally, we imagine various endeavors, including many that seem to fall within your new definition of agritourism, that will provide a diversified revenue stream to support and essentially make the whole dream financially viable.

### **We Object**

With that introduction as a backdrop, **we strongly object to many of the restrictions introduced in the zoning amendment.** We understand the need for planning to protect the aesthetics and quality of life in Scott Valley. But this plan won't achieve that. These regulations are not based on measuring results, they are based on limiting activity and access. **And by severely restricting complementary revenue sources that can keep operations stable and resilient, you are severely undermining the economic vitality of the region!**

The activities you aim to restrict would otherwise provide supplemental income to families trying to preserve the true aesthetic and essence of rural agricultural living. Why would you want to restrict people visiting to enjoy and to directly support the very things we value about our community? Or discourage education to teach better farming techniques? Or prevent people from getting out on the land and picking healthy fruit that could sustain a small orchard operation? These experiences are completely in line with what we should promote, not discourage. They are compatible, not destructive, to rural living.

Over regulation does not promote healthy regenerative practices. Rather it stifles all endeavors that build appreciation for, fund, and improve our environment and the quality of life we are trying to protect. If families in our community cannot achieve financial stability, the area will

stagnate and people will leave (wikipedia suggests 23% below poverty line and recent -18% in population loss). With this trend, it's inevitable that you lose small farms and bring bigger industry in.

### **The Goals of the Project**

Recall that economic vitality is one of the primary goals stated in the original Scott Valley Area Plan. Paraphrased:

1. Protect natural resources, water quality, and economic viability
2. Limit development to avoid hazardous conditions
3. Intense development should happen in close proximity to existing services
4. Existing public services should not be overburdened by development
5. Uses of the land shall occur in a manner that is compatible with existing/planned land uses

If the real goals of this new proposed amendment are to be inline with these original goals, I think you missed. Certainly you overstepped.

**I appreciate the thoughtful definition of agritourism -- that is a good addition. But I do not understand how severely limiting these complementary endeavors or making the permitting process so costly can benefit anything other than bureaucracy.**

Of course if anything, including agritourism, damaged natural resources, introduced hazardous conditions, or overburdened development -- yes, absolutely, those things should be restricted as covered in the code. But how does restricting access to a corn maze or pumpkin patch do anything but hurt our local economy? Shouldn't we support fun things that keep our community together?

How does preventing a farm directly selling to consumers (or to your neighbors) improve anything? By selling direct, you avoid the process and costs needed to market and transport and maintain freshness, etc. By selling direct, you form real connections with people and share something you love. By selling direct, you can stay small and even part-time -- you don't need to become big industry to survive.

Again I ask: what are the goals of this initiative? If it aims to protect the the agricultural lifestyle, it restricts the very things that might allow it to thrive. If it is to help small family businesses and the local Scott Valley economy, it went the wrong way.

On the other hand, if you want to mandate that "*a certain amount of agriculture or regenerative activity*" must be occur to claim ag. zoning -- that makes sense -- find a way to measure and enforce that. Similarly, if we agree that "*any agritourism must indeed complement and support the agriculture venture*" -- OK, great. Perhaps require an application explaining and justifying

the endeavor and any specific benefits to the region and community. And then yearly, require a follow-up report that documents the real improvements and gains the project facilitated.

## **Specifics**

If you insist on staying within the regulate-through-limiting-access format, here are some specifics of the zoning amendment proposal that jump out, and opinions.

- Instead of a limit of 20 agritourism events a year, perhaps limit to 3 per week (150 per year). Instead of a limit of 3 single day agritourism events a year with over 30 people, perhaps limit to 52 per year (~once a weekend).
- Why why why would you object to educational tours? Why do you object to any promotional activities that would share the joy of the experience and financially support the agricultural endeavor? We are excited about regenerative agriculture and want to share ideas with our neighbors, a generation of children, passionate inspired college students, and indeed any curious soul who want to understand and improve the world.
- Why restrict onsite fruit and vegetable picking operations? If allowed, this would encourage appropriate-for-the-zone agricultural use of the land, efficient pollution-friendly harvesting, healthy family outings, community building -- so much good.
- Why restrict onsite sales of unique agricultural products or merchandise? I sincerely don't get it -- do you want us to buy everything from Walmart? Do you want to stifle all craft and entrepreneurial business? Said another way, allowing these efforts could make the region a destination hub for travelers seeking out unique opportunities and products. And it would do so in ways that directly benefit the people of the local community.
- All the triggers around Level 2 Agritourism requiring repeated conditional use and other permits, environmental studies, etc, will be extremely costly. It is doubtful that any small event could recoup the costs needed to achieve a permit, or make the effort worth it. Further, infrastructure investments are discouraged, since permits could be revoked at any time.

## **Summary**

I have tried very hard to keep my response brief, but also capture the intensity of my concerns. Having studied the details, I am now even more distressed that the zoning regulations could be this misguided. I very sincerely request that they be re-considered, and to that note, I suggest we revisit the goals. Does this proposal truly advance those goals? Is this proposal in line with other initiatives that benefit the community and region. I am concerned.

RECEIVED MAR 14 2019

**Date:** March , 2019

**To:** Siskiyou County Community Development - Planning Division  
Deputy Director, Christy Cummings Dawson  
806 South Main Street  
Yreka, CA 96097  
E-Mail: cdawson@co.siskiyou.ca.us  
Fax: 530-841-4076  
Phone: 530-841-2100

**From:** (Your Name) *Janet B. Muzinich*  
(Your Address) *9321 OROFINO Rd  
FORT JONES, CA. 96032*

**RE:** Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/ Siskiyou County Code

Dear Christy Cummings Dawson:

In response to the open comment period through March 18<sup>th</sup>, at 5:00pm, I would like to provide the following comment on the Agritourism Zoning Text Amendment (Z-17-03) and/or the Draft Initial Study/Mitigated Negative Declaration.

**My comment, as a resident of Scott Valley and Siskiyou County, is as follows:**

*I am opposed to the adoption of the Agritourism Zoning Text Amendment (Z-17-03) and the Draft Initial Study/Mitigated Negative Declaration.*

*Keep the Scott Valley Area Plan for Scott Valley! Protect prime agriculture land.*

Date: March 14, 2019

To: Siskiyou County Planning Commission  
Deputy Director Christy Cummings Dawson  
806 South Main Street  
Yreka, CA 96097  
E-Mail: CDAWSON@CO.SISKIYOU.CA.US  
Fax: 530-841-4076  
Phone: 530-841-2100

Ray Haupt, Siskiyou County Board of Supervisor, District 5  
P.O. Box 750  
Yreka, CA 96097  
E-Mail: RHAUPT@CO.SISKIYOU.CA.US  
Phone: 530-925-044

From: Betsy Stapleton  
5104 French Cr. Rd.  
Etna, Ca. 96027

RE: Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/  
Siskiyou County Code

Dear Commissioners and County Supervisor,

I am writing to comment on the proposed Agritourism Zoning Text Amendment. I support the effort to find ways to increase the economic vitality of Scott Valley, my community, however I think the proposed Agritourism Zoning Amendment is ill conceived and dangerous. If allowed to move forward as currently written, I believe it would end up destroying the ability of agricultural producers to continue their operations, in exact contradiction to the purported purpose of the amendment.

The amendment would allow a 10% or 5 acre, (whichever is smaller) build out of physical infrastructure on each and every 10 acre or larger RR, Ag2, or Ag 1 parcel in Scott Valley. This is in direct contradiction to the Scott Valley Area Plan's citizen goals of:

Major Goal #1: The Scott Valley Watershed's natural resources, water quality, and economic vitality shall be protected.



Major Goal #2: Development shall not be permitted at a density or intensity that will subject people or property to hazardous conditions.

Major Goal #3: In order to minimize the cost of providing public services in the Scott Valley Watershed, intense development should only occur in close proximity to public services.

Major Goal #5: All uses of the land shall occur in a manner that is compatible with other existing and planned uses, and

Development Goal #1: In order to protect the number one economy of the Scott Valley Watershed, prime agricultural land must be protected from non-compatible or intense development.

I live on 60 acres with Ag2 soils and we have a small agricultural operation. Touching on our property there are 7 adjoining parcels. If each of those started even "Level 1" agritourism activities it would bring 7,350 people onto the roads and parcels surrounding me (each parcel would be entitled by right to have 3 events with 150 people and 20 events with 30 people=1050 x 7 parcels) . That is not compatible with any sort of agricultural operation. If each of those same parcels moved onto "Level 2" Agritourism, they could each have 25 overnight guests for 365 nights a year- that's 9,125 overnight visitors x 7 parcels, adding up to 63,875 overnight guests around me. Absolutely 100% *not* compatible with my agricultural activities. I can hear people saying that "Well, only agricultural parcels will be doing this, so don't worry". The level 1 activities are "by right", so how would the County even begin to know if there are agricultural activities as no permit is needed? If I were to complain, would the County allocate staff to review the parcels and ask for verification of agricultural products? My experience tells me that there isn't staff or mechanisms to do this; can you assure me that there are? Even for Level 2- how is the County going to determine that a \$1000 of products are being sold to meet this incredibly low standard? I see no procedures to do so, and even if there are, a \$1000 check is easy to come by. This is a TOURISM proposal with "agri" stuck in front to try hide its true intention.

My last set of comments have to do with the inadequacy of the environmental analysis. I see no actual data or studies in the Mit. Neg Dec. How was it determined that there will be no impacts to my Creek from water usage and sewage production from 63,875 overnight visitors? How about the cumulative impacts of this happening on many, many times this number of parcels? Remember my numbers are only for those parcels adjacent to me. Again, I can hear someone saying, well that would never really happen, but the point is that it could, and from watching other areas with tourism development, something like it will. Think of the problems neighbors are experiencing with vacation rentals and multiply that many

times on properties next to agricultural operations. I don't think this proposed zoning change is at all compatible with agriculture.

40+ years ago Scott Valley thought about what it wanted its future to look like and wrote the Scott Valley Area Plan. It was voted on and passed by  $\frac{2}{3}$  of the citizens and adopted by the Board of Supervisors as our land use plan. It is clear in its intention to preserve our Valley and its agricultural production. Let's honor our elders who had the vision and wisdom to write this guiding document.

I ask you to listen to what our community wants and disallow this zoning change. Take time to develop a proposal that will genuinely support agriculture instead of pushing it out in favor of tourists and the tourist dollar. There needs to be community input from a broad and diverse group of community members, and well advertised community meetings. Last night, on Thursday 3/14, approximately 75 community members turned out, on short notice, to discuss the issues involved with the proposed zoning amendment. It was heartwarming meeting with a consensus that we all value the incredibly special and precious place that is Scott Valley, and that this proposed amendment rips a hole through the Scott Valley Area Plan and puts our community, and our children and grandchildren's future, at risk. While there was a desire to make specific, positive recommendations for a zoning ordinance that supports those values, the timeline is too short to do a thoughtful job in doing so. The specific action that can be taken now is to NOT APPROVE the proposed ordinance and return it to County staff for further evaluation and input.

Thank You,

Betsy Stapleton

March 15, 2019

Ray Haupt, Siskiyou County Board of Supervisor, District 5

P.O. Box 750

Yreka, CA 96097

Wade and Shelley Dickinson

P.O. Box 88

Etna, CA 96027

My name is Wade Dickinson, I am a longtime resident of Scott Valley. I am a husband and father of three. I am also a self-employed Contractor. I have been contracting in Siskiyou County since 1996. Even though I could potentially benefit financially from this proposed amendment, I believe the planning commission should OPPOSE THE PROPOSED AMENDMENT. This amendment will possibly compromise the Scott Valley Area Plan and the reasons for which the plan was established.

One of my concerns is the potential impact on our wildlife environment. Many of the proposed parcels are in deer wintering areas. Our deer population already struggles. I think "potentially" adding more public pressure to these areas would worsen our deer herds; which in effect trickles down to more wildlife species. Another concern is to do with the event of multiple campsites/glamping, is the health of the environment (ie: water equality, sewage, fire safety). One porta potty per 100 campers is insufficient. Most people do not actually use these structures. A permitted bathroom with permitted septic is what I would recommend as a solution. Drinking water for public consumption is also a concern. Is there an abundance of water to potentially supply every parcel in affected zones? Obviously, fire safety is a big issue in California. Are we interested in campfires in our area during the warm dry months? Life, safety and air quality could be a huge issue.

I understand that from a local government point of view this proposed amendment could create revenue. That is a valid argument however, as a self-employed contractor that sees the potential financial opportunity as well, I feel we have plenty of spaces in or close to incorporated areas that can absorb these business opportunities.

Siskiyou County has determined that this proposal will have no negative impact. I do not see how the determination (no negative impact) can be accurate if the potential numbers or math are factored into this proposed amendment and include all or even most of the parcels. Therefore, I would suggest a full impact analysis report from an outside third party. I believe we would find many potential negatives. I have stated these concerns in my previous comments.

In addition to these, is the concern of traffic. If potentially millions of visitors per year are on our roadways and infrastructure, would our area be able to support this? Please reevaluate the Mitigated Negative Declaration. There are too many unanswered questions, has this analysis been presented with a full buildout? If not, the findings on that level could be potentially devastating.

I would like to thank the Siskiyou County staff and Planning Commission for hearing my concerns regarding the Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/Siskiyou County Code. **PLEASE DO NOT APPROVE THE AMENDMENT.**

Thank you,

Wade and Shelley Dickinson

March 15, 2019

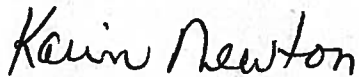
Siskiyou County Planning Commission:  
Agricultural Zoning Text Amendment

RECEIVED MAR 18 2019

I am against any changes to the Scott Valley Plan and any county zoning changes as they stand now. There seems to be much information that needs to be studied and understood and made public before moving forward, or not, with this proposed amendment to any zoning changes in Siskiyou County, including any eventual effect this may end up having on our Williamson Act status in this county which is vital in keeping our ranching, logging, and rural economy and lifestyle that we all value. I have seen Scott Valley's rural ranching/logging lifestyle chipped away at for many years, at times it seems because of recreation or tourism interference with agriculture and my hope is it never changes to the opposite, which would be agriculture's interference with recreation or tourism.

I would like to end by defining the word "agriculture". "Agriculture is defined as the science, occupation, or practice of farming, including cultivation of the soil for the growing of crops, and the rearing of animals to provide food, wool, and other products and in varying degrees the preparation and marketing of resulting products". Nowhere in the definition of agriculture is the word or concept of "agritourism" mentioned. As a rancher myself I would like it to be known that I take great offense to the word agriculture being tweaked into a new word that actually has nothing to do with agriculture. Call it tourism or recreation or education, but don't belittle farmers and ranchers by trying to slide in under the guise of such an honorable word and occupation such as agricultural.

Sincerely,



Karin Newton

**From:** [Tom O'Brien](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/Siskiyou County Code  
**Date:** Friday, March 15, 2019 10:12:20 PM

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March 14, 2019

Siskiyou County Planning Commission  
Deputy Director Christy Cummings Dawson  
806 South Main Street  
Yreka, CA 96097

RE: Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/Siskiyou  
County Code

Dear Ms. Dawson,

My husband and I are permanent residents of Scott Valley, living in Fort Jones. Although we ourselves do not raise alfalfa or cattle on our small acreage, we love the rural agrarian nature of Scott Valley and chose to live here for that very reason. We also have close friends who have both alfalfa and cattle ranches in Scott Valley. These ranches have been in their families for many generations and their children and grandchildren continue to work on them.. These families and their ranches would suffer grave consequences if the Agritourism Zoning Amendment were passed.

We are aware of the Scott Valley Area Plan that was approved and passed by the Board of Supervisors in November of 1980. As you know, the above plan was approved because it was essential to protect prime agricultural land from the kind of development that would be incompatible with the unique resources of Scott Valley. And today, in 2019, The Scott Valley Area Plan remains pertinent to the protection of those same resources.

Therefore, we urge you to VOTE NO on the Agritourism Zoning Text Amendment (Z-17-03). This amendment is not compatible with the Scott Valley Area Plan and would weaken and possibly negate the protections built into the Scott Valley Area Plan. Rather than approve this potentially destructive amendment, we would urge you to

**ATTACHMENT 2**

help make sure the provisions in the Scott Valley Area Plan are enforced as they were meant to be.

We appreciate the opportunity to add our comments to those of other concerned citizens in Scott Valley and urge you to hear our voices and VOTE NO on the Agritourism Amendment.

Thank you,

Thomas and Sharon O'Brien

5616 Scott River Road

Fort Jones, CA 96032

Patricia Pearson

March 15, 2019

Siskiyou County Planning Commission

Christy Dawson [cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)

Re: RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION and MULTISPECIES CATEGORICAL EXEMPTION

Dear members of the commission,

As a resident of Scott Valley in an unincorporated area of Siskiyou County I am writing to implore you to not consider any amendment, in any way, to the Scott Valley Area Plan .

The idea of allowing for this "MULTISPECIES CATEGORICAL EXEMPTION" is especially concerning to me. As it stands, there appears to be people ignoring the SVAP already, with hog farms extending down to Scott River, polluting the water. Where is the oversight for this and if the rules cannot be enforced now, who knows what will happen when freer rein is given to a privileged few to do what they like to our land and our water? A poultry farm would be just as disadvantageous to our environment. The way this exemption is written I feel that any recent law school graduate would find as many loopholes as they like.

The same goes for the "AGRITOURISM ZONING TEXT AMENDMENT". The SVAP writers and the people that VOTED for it saw the writing on the wall after witnessing the overtaking of ranch land in the San Francisco bay area with miles of subdivisions and shopping malls. The SVAP prevents this from happening here and this protection is one reason we, my husband, son and I, moved here from formerly sleepy Half Moon Bay, CA, 23 years ago—we have witnessed what this kind of sprawl does to a community – It destroys the community. As property owners of 63 acres, we would well be within our rights, as these exemptions are written, to take advantage of either of these exemptions. Our love and respect for this valley and our neighbors would prevent us from ever doing so. As with the multispecies categorical exemption, this exemption has the very real potential to be torn apart and allow for more than a few campers on someone's property.

Some have mentioned that we need these exemptions to bring money to our valley and as an incentive for our youth to stay on. They will do neither. A few ranch owners will profit and the only jobs that will be here will be service industry, low paying, no future kind of jobs. Our son left after high school for college and has worked hard to build a career that will enable him to return to this valley. This is how life works – you work hard with a vision and reasonable goal in mind. I would be sorrowful if he returns in the next year he finds a sorry version of the valley he left.

We are not "anti-growth" but rather growth that respects the area. There are the towns of Fort Jones, Greenview, Etna that would be better suited (and already zoned for commercial activity) for fresh, viable ideas of improving the economy and would not have an impact on the very reason that Scott Valley is so special. Perhaps you need to encourage the entrepreneurs, artists and small business people that can make that happen.

There seems to be no environmental impact, water usage or waste treatment studies required for either of these exemptions which gives me pause that they were purposely excluded to make slipping through the cracks a whole lot easier.

Enforcement of the SVAP needs to be strengthened and not more loopholes for those that wish to destroy this valley for the purpose of lining their purses.



In closing, if in fact the SVAP supersedes these exemptions, I strongly urge that be put in writing by both the planning commission and the Siskiyou County Board of Supervisors.

Thank you for considering what I have written

Respectfully yours,

Patricia Pearson

Cc: Ray Haupt [rhaupt@co.siskiyou.ca.us](mailto:rhaupt@co.siskiyou.ca.us)

**From:** [marcia waldow](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** Agritourism Zoning Text Amendment(Z-17-03) to Siskiyou General Plan/ Siskiyou County Code  
**Date:** Friday, March 15, 2019 11:58:45 AM

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Christy,

My Name is Marcia Waldow, I live at 4550 S.Kidder Loop, Etna. I moved here from Sonoma County almost 20 years ago. I came here after retiring from a very demanding and stressful job because of the beauty and peacefulness this valley had to offer.

I live on 5 acres with the deer roaming freely, birds, skunk, fox, squirrels, etc.

It has come to my attention that the Amendment (Z-17-03) plans to change that.

Every year the Kidder Creek Camp has a festival in Sept. Many people come, the road is busy and we put up with that. Some people leave garbage along the road; on our walks we pick it up. With the changes of the amendment this could lead to 20 days per year (level 1) or more (level 2). Has an environment study been made on the impact of this? I worry about how this will impact the deer migration; fire, water, sewer, noise, exhaust pollution and me.

Thank you for considering my comments

I stand by the Scott Valley Area Plan to protect our valley from too much expansion and deterioration. Please vote no on this amendment.

Marcia Waldow

**From:** [Jan Corrigan](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** Agritourism Zoning Text Amendment  
**Date:** Saturday, March 16, 2019 6:48:58 PM

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My name is Jan Corrigan, I was born in Yreka, raised in Scott Valley and reside there currently. I am concerned what will happen to Siskiyou County is this amendment is passed. We have seen a big increase in Scott Valley, the past 10 years or so and that would increase again. Also, I have heard that some of these businesses that are for this amendment are currently not operating under the guidelines of the Scott Valley Plan, but are still allowed to operate. I hope you will consider the impact this amendment will have on our county. Thank you for your time.

Jan M. Corrigan  
166 Main St.  
Etna, CA 96027

March 16, 2019:

TO: Christy Cummings Dawson, Deputy Director of Planning and  
Siskiyou County Planning Commissioners

RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL  
STUDY/MITIGATED NEGATIVE DECLARATION and MULTISPECIES  
CATEGORICAL EXEMPTION

I was born and raised in Scott Valley and knew most of the original writers of  
the Scott Valley Area Plan.

It is interesting to hear people say, 'the Scott Valley Area Plan is old and maybe  
now is the time to revise it'.

When REALLY, this is the first time we have had to pull that document out of  
the file cabinet and use it for its original purpose, that of preserving prime  
agricultural land for agricultural use and not for dividing up into subdivisions  
or for commercial use.

In other words THAT was and still is the whole purpose of the Scott Valley Area  
Plan: to hold the County responsible for preserving our prime agricultural  
land.

It was voted on by the people and passed with a majority vote and is still the  
guiding principle for this valley and MUST be enforced.

Sincerely,

Carrie Hayden  
Callahan, CA.

**From:** [pamelajmerchant@gmail.com](mailto:pamelajmerchant@gmail.com)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** agritourism zoning  
**Date:** Saturday, March 16, 2019 12:46:13 PM  
**Attachments:** [planning and board of sup.pdf](#)

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March 10, 2019

Siskiyou County Planning Commission  
Deputy Director Christy Cummings Dawson  
806 South Main Street  
Yreka, CA 96097

From: Pamela and David Merchant  
13028 Tyler Gulch Rd.  
Fort Jones, CA 96032

RE: Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/Siskiyou County Code

As you may remember, we own the property next to Kim Cienello in Fort Jones. We contacted your department first by phone, then e-mail, then in person. Everyone was quite helpful with our situation. But these problems we've had is with a landowner that clearly doesn't follow the current zoning guidelines and still has a website up promoting camping and agritourism even though her parcel is only 9 ½ acres. She is not residing at the location and threatened us with vandalism and trespassing for which the sheriff was called.

We have attended city council and valley wide meetings to discuss the upcoming amendment and would like to offer the following solutions:

- 1 No level 1
- 2 Minimum acreage 20
- 3 All Agritourism events must be approved by the **Scott Valley Area Plan Council** prior to permit.
- 4 Landowner must reside on property to be used.
- 5 Establish minimal fees for permits and maximum fines for failure to follow guidelines.

Thanks for your time and consideration,

Pamela and David Merchant

**Date:** March 16, 2019

**To:** Ray Haupt, Siskiyou County Board of Supervisor, District 5  
P.O. Box 750  
Yreka, CA 96097  
E-Mail: rhaupt@co.siskiyou.ca.us  
Phone: 530-925-0444

**From:** Bill Parry and Patti Parry  
424 Naomi Drive  
Etna, CA 96027  
bill@northriversconstruction.com

**RE:** Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/  
Siskiyou County Code

Dear Ray Haupt:

In response to the open comment period through March 18<sup>th</sup>, at 5:00pm, I would like to provide the following comment on the Agritourism Zoning Text Amendment (Z-17-03) and/or the Draft Initial Study/Mitigated Negative Declaration.

**My comment, as a resident of Scott Valley and Siskiyou County, is as follows:**

The Scott Valley Area Plan was drafted and approved by ranchers, farmers and citizens who wanted to protect the Scott Valley way of life and protect prime agricultural land. Even those of us who are not ranchers or farmers appreciate the protection the Scott Valley Plan gives our open spaces and wildlife habitat and the rural lifestyle we enjoy. The Agritourism Zone Amendment should have been presented to the general population or at least to those involved in ag in Scott Valley for discussion. We are against this amendment because of the changes to our way of life. On a side note, we also do not appreciate the seemingly backdoor approach made by the Ag Technical Advisory Committee to get this amendment passed.

If other areas of Siskiyou County are looking for this type of zoning, it should be presented to those areas for acceptance. Leave Scott Valley Plan as is.



**Date:** March 16, 2019

**To:** Siskiyou County Community Development - Planning Division  
Deputy Director, Christy Cummings Dawson  
806 South Main Street  
Yreka, CA 96097  
E-Mail: cdawson@co.siskiyou.ca.us  
Fax: 530-841-4076  
Phone: 530-841-2100

**From:** Bill and Parry Parry  
424 Naomi Drive  
Etna, CA 96027  
bill@northriversconstruction.com

**RE:** Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/  
Siskiyou County Code

Dear Christy Cummings Dawson:

In response to the open comment period through March 18<sup>th</sup>, at 5:00pm, I would like to provide the following comment on the Agritourism Zoning Text Amendment (Z-17-03) and/or the Draft Initial Study/Mitigated Negative Declaration.

**My comment, as a resident of Scott Valley and Siskiyou County, is as follows:**

The Scott Valley Area Plan was drafted and approved by ranchers, farmers and citizens who wanted to protect the Scott Valley way of life and protect prime agricultural land. Even those of us who are not ranchers or farmers appreciate the protection the Scott Valley Plan gives our open spaces and wildlife habitat and the rural lifestyle we enjoy. The Agritourism Zone Amendment should have been presented to the general population or at least to those involved in ag in Scott Valley for discussion. We are against this amendment because of the changes to our way of life. On a side note, we also do not appreciate the seemingly backdoor approach made by the Ag Technical Advisory Committee to get this amendment passed.

If other areas of Siskiyou County are looking for this type of zoning, it should be presented to those areas for acceptance. Leave Scott Valley Plan as is.



Tracy Pearson

March 16, 2019

Siskiyou County Planning Commission

Christy Dawson [cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)

Re: RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED  
NEGATIVE DECLARATION and MULTISPECIES CATEGORICAL EXEMPTION

Dear members of the commission,

As a resident of the unincorporated area of Siskiyou County located in Scott Valley, this letter is being written to strongly oppose the above-mentioned amendments that would, I believe, destroy the land, water and community of Scott Valley.

We have enjoyed the foresight of the makers and voters of the Scott Valley Area Plan that has protected this valley from uncontrolled growth -be it development of commercial buildings or factory farms. Now it is being threatened by a few that really are only interested in their own bank accounts and not the welfare of all. As things are, one can get a day permit for a bus of school kids to visit a ranch and see how things are done!! That is learning where one's dinner came from.

Starting with the committee that came up with the wording of both amendments, one can see that the general population of Scott Valley, both ranchers without an agenda to brand their products and those that live outside town but do not farm commercially, seem to be missing from this group. We all have a stake in the preservation of the water quality, the density of cars on the road and the well being of our migrating animals that cross the boundaries of the properties that are included in these exemptions.

Where are the environmental studies on the affect these proposals would bring to our valley? Where was the community outreach besides the 2 meetings, both in Etna, both at 7 in the evening, eliminating the participation of a broader section of our population?

My understanding is the SVAP would supersede these exemptions, yet I wonder how that will be when currently there is thin enforcement of the plan when it comes to a privileged few. Perhaps if there was specific wording in this amendment that addressed this issue of the SVAP superseding the amendment, how it will be enforced and the consequences that would be faced for ignoring the law I could wrap my head around it a bit better.

Sincerely,

Tracy Pearson

Cc: Ray Haupt [rhaupt@co.siskiyou.ca.us](mailto:rhaupt@co.siskiyou.ca.us)



**From:** [linda priem](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** Agritourism and Multispecies Zoning Regulation  
**Date:** Saturday, March 16, 2019 9:13:54 AM

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I oppose the proposed county wide Agritourism and Multispecies zoning change. As a Scott Valley resident and supporter of the Scott Valley Area Plan, I am especially concerned that 30 years of watershed protection would be threatened. This change is too open ended, allows development, and violates the Scott Valley Plan. Further more, it appears the individuals on the committee who recommended the changes are those who stand to benefit from them. Thank you.

Linda Priem  
Etna, CA

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Virus-free. [www.avast.com](http://www.avast.com)

To Siskiyou County Planning Commission     March 16, 2019

RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION and MULTISPECIES CATEGORICAL EXEMPTION

Eb and I submitted a letter on March 5, 2019.

In discovering and reviewing the TAC Agenda from April 20, 2018 Review and Discussion stating: '*Brian Heffernan drafted language incorporating past discussion for group to review*' and '*emphasis on protecting agriculture / production*', we are also submitting this letter with our comments of *Opposition to the AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION and MULTISPECIES CATEGORICAL EXEMPTION.*

AGRITOURISM TECHNICAL ADVISORY COMMITTEE  
REGULAR MEETING  
APRIL 20, 2018

The Agritourism Technical Advisory Committee (TAC) meeting was called to order by Chair Klever at 10:00 a.m. in the Agriculture Department Conference Room, 525 South Foothill Drive, Yreka, California.

**PRESENT:**                 Jacob Barr, Mark Klever, Gareth Plank, Craig Thompson, Brian Heffernan, Jim Smith, Carissa Koopmann-Rivers

**ABSENT:**                 Niki Harris

**ALSO PRESENT:**       Christy Cummings Dawson, Deputy Director of Planning;

**PRESENTATIONS FROM THE PUBLIC:** None

**ESTABLISH A MISSION STATEMENT**  
Group decided to wait until further discussion.

- REVIEW AND DISCUSS OTHER MODELS**
- Brian Heffernan drafted language incorporating past discussions for group to review
  - Emphasis on protecting agriculture/production as first priority, agritourism to support sales/marketing/added revenue for agriculture operations
  - Frequency and number of guests to be limited by right, caps discussed based off of ADTs and other models

Also, this from the June 6, 2018 Planning Commission meeting discussion where Commissioner Fowle asked for clarification of '*unique agricultural products*' and how they came up with the term rather than what most rural counties refer to as '*value added products*':

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Commissioner Fowle asked for clarification of the term “unique agricultural products,” and asked how they came up with the term and the differentiation between this term and the term “value added products”.

Mr. Klever referred to Mr. Brian Heffernen who said that the intent was to focus on utilizing ranches for branding and marketing. He said it is products where the physical state of the produce has changed, like jellies and flour, or marketing driven direct connection with the end consumer. He said that the impetus for the definition is for those who are more engaged in direct marketing where it is mission critical to develop a brand for direct marketing of their products. He said that people want to know the story, know the farm and the farmer from whom they are purchasing the products. As opposed to someone who raises hay to send out on trucks and now wants people to stay on the ranch; and, in this case, there is no nexus between the farm stay and the product. Mr. Klever said that the TACs had looked at other counties that have done this, and tried to glean items and ideas from other rural counties.

The response of Mr. Heffernan is very telling as to his **entire motivation** behind their four years of already hosting agritourism events and that motivation shines through in what he drafted in the Resolution.

It is ALL ABOUT *‘utilizing ranches for branding and marketing’* and *‘the impetus for the definition is for those who are more engaged in direct marketing where it is mission critical to develop a brand for direct marketing of their products.’*

We found the statement *‘as opposed to someone who raises hay to send out on trucks and now wants people to stay on the ranch’* as very condescending. It is the commercial agriculture community that has been a mainstay of this valley for generations.

Anyone who has looked at 5 Marys marketed-life-on-the-Farm Facebook, Instagram and Twitter posts would attest to the fact: *YEP..... they are ALL ABOUT BRANDING AND MARKETING.*

This has absolutely NOTHING to do with *‘emphasis on protecting agriculture/production’* as stated on the April 20, 2018 TAC Agenda.

PLEASE, Mr. Heffernan . . . just because we grow alfalfa here, does not mean we are hay-seeds.

And once a Petition was circulated for opposing the Agritourism Zoning Text Amendment, all of a sudden the Heffernans began backpedaling double time with this pathetic March 12, 2019 Posting on Scott Valley News . . .

### Scott Valley News

As the owners of Five Marys, we are aware of the countywide agritourism proposal draft, as well as some misconceptions circulating. We'd like to make a few things clear.

First, we do not personally support the draft proposal as presented. We were included in the public committee to propose some regulation for events, but did not agree with everything in this draft. We believe it opens the door too wide, especially in its inclusion of small parcels down to 10 acres in size.

'We do not *personally* support . . . '. Does that mean *as business people* they DO support it? He was the main drafter of the language!

In my email question to Ms. Dawson of March 13, 2019: *WHO wrote up the Draft????* This was the response I received from her:

"The Technical Advisory Committee is the group that crafted the recommended language, including the 10-acre and 10% provisions cited below."

Second, we have no intention of expanding agritourism activities on our ranch. We have hosted periodic small events (12-25 persons) on our ranch during the last four years. Those events have been an effective tool for our family to market the livestock we raise. However, regularly hosting events distracts from our primary responsibilities of ranching, selling meat and running a restaurant in this community.

This is a great and unique community. Any movement forward on agritourism should only be with the thoughtful input of that community. We support putting the brakes on any formal consideration of the proposal until that happens.

Sincerely,  
Brian and Mary Heffernan

Pretty clever sidestep in their '*we have no intention of expanding agritourism activities on our ranch*'.

Why would they need to expand on the ranch??

They can just continue on with the MANY (not so small or periodic) events they have hosted during the last four years. The expansion now comes in the form of e-commerce '*Small Business from Scratch*' workshops being hosted at their AirBnB Guesthouse in downtown Ft. Jones. <https://youcandoitcourse.com>

It's clever they are now calling for everyone else to '*put on the brakes*'.

That is something **they** should have considered when they first moved here. It didn't take them long to test the oft-held view: '*Just do what you want and IF the County comes calling, smile, act dumb, apologize and when the County leaves, continue doing it.*'

That has worked for some. Most have had to toe the mark, many were even closed down entirely.

Their looking out for this *great and unique community* was and is a sham.

The Agritourism and MultiSpecies amendments were hatched, encouraged, drafted, and are now passing through the County approval system by and for a few self-serving *marketeers* with total disregard of the Scott Valley Area Plan and the long lasting effects on our lands and water, let alone the traffic, noise, and waste that will be produced.

As a *Great and Unique Community*, we deserve more respect.

Sincerely,

Che'usa Wend  
Eb Whipple  
Etna, CA.

**From:** [Jan Corrigan](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** Agritourism Zoning Text Amendment (Z-1703)  
**Date:** Sunday, March 17, 2019 11:32:49 AM

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My name is Jan Corrigan, I was born in Yreka and raised in Scott Valley and currently reside there. After reading the purposed amendment, I hope you will vote against it. The thing that worries me most is the added amount of traffic, it would bring to our area. Also, from what I have heard is that some of the people, that are for this, are not in compliance with the Scott Valley Plan. From what I understand, these people are still being allowed to do business. The Scott Valley Plan was put into place for a reason and I believe it is not being followed by some. I hope you will consider what this amendment will do to Siskiyou County. Thank you for your consideration.

Jan M. Corrigan  
166 Main St.  
Etna, CA 96027

**From:** [Universidad Javeriana Admin](#)  
**To:** [Christy Cummings Dawson](#)  
**Cc:** [Ray Haupt](#)  
**Subject:** Agritourism zoning text amendment (Z-17-03) to Siskiyou Generaol Plan/siskiyou County Code  
**Date:** Sunday, March 17, 2019 10:06:49 PM

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From: BJ Grubb, 1605 N. Hwy. 3 Etna, CA 96027

To All whom it may concern...I have lived here 49 years, 3 months and the Scott Valley Plan was in place when my family, the Pimentels, arrived in Scott Valley. We believed it to be a sensible and well thought out plan to maintain the status quo as to land use and life style in an agricultural community..

As you know, The Scott Valley Area Plan was approved by a 2/3 majority vote BY THE PEOPLE OF SCOTT VALLEY. If I understand this newly proposed zoning amendment correctly, there will NOT BE A VOTE BY THE PEOPLE OF SCOTT VALLEY WHO VOTED BY 2/3 in favor of the plan but rather, It is to be decided by a handpicked, (also NOT elected) body of a few individuals who may or may not have an interest in Scott Valley or its residents or the intent of the Scott Valley Area Plan. It seems this is to be decided because a few "newcomers" have grouched about the limitations set by the Plan and they have made enough noise to gain the attention of the Board. It is often simpler to grant requests than to deal with the reality of the any potential detriment by the proposed changes. These are people with money, who moved here to make more money and in the process will disrupt the goals and aims of existing family ranches which abide by the Scott Valley Plan.

Although I believe there is a way to allow certain agritourism practices to exist with the current land use practices I do not believe it requires a hasty vote by a select few...it ought to be brought to a ballot vote by the people and everyone would have the opportunity to research, study and deliberate the pros and cons. The zoning amendment if approved will have long lasting and profound effects on Scott Valley and its residents and the children and grandchildren to come.

As you may be aware...there are many agritourism practices already in place. around the valley, .without permitting, without regulations, without concern for the ramifications of NO PLAN. Practices that involve prime ag land used in non ag endeavors.. As far as I can tell there is No Plan as to disposal of human sewage, No Plan for thrifty water use in a drought burdened state like CA, lack of thought as to potential increase of fire dangers, wear and tear on road use, (expanded # of people using the roads), human population moving into deer wintering areas as well as a lack of consideration for neighboring family ranches who are adjacent and who bought land and moved here to live as described by the Scott Valley Area Plan..

Thank you for your consideration of my opinion and comments. I hope and wish you to reconsider the manner in which this decision is made to be fair and equitable to all concerned and NOT simply the few who want to come here and change the way we live in Scott Valley. This should be decided by the PEOPLE by a ballot measure.

sincerely,  
BJ Grubb



March 17, 2019:

TO: Christy Cummings Dawson, Deputy Director of Planning and Siskiyou County Planning Commissioners

RE: **Opposition to** AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT & MITIGATED NEGATIVE DECLARATION and MULTISPECIES CATEGORICAL EXEMPTION

I was born and raised in Scott Valley and knew most of the original writers of the Scott Valley Area Plan.

In 1991, my husband and I bought property on French Creek Road and in 2000 we camped on our property and were beginning the process of building. I went to the Planning Department to get an address and was told because we didn't have a Building Permit that we could not camp there more than 30 days in one year without the permit. I left there very scared.

So my question is: how is it that people who have been conducting Agritourism activities for profit and using large tents to house their guests have been able to do this for the last few years?

I have also known people who were building their houses and were red-tagged, but continue to build as they know the County doesn't have the staff to control all this.

The rules need to be enforced the same for all, no matter who you are. And it is because of this inequity that we are now in the situation we are. People have looked at how JH Ranch and now Mt. Hermon-Kidder Creek have abused the system, but because the County fears lawsuits, they continue on. And we have seen for the past four years, this is exactly what has enabled the Agritourism business to become out of control.

And now we see that camping is popping up near commercial agricultural lands, which is opening up more problems for fertilizing, noise, water, campfires, etc.

The agritourism and campers are using OUR small community resources for their profit. This must stop.

Sincerely,  
Gladys Hayden  
Callahan, CA.

Date: March 17, 2019

To: Siskiyou County Planning Commission  
Deputy Director Christy Cummings Dawson  
806 South Main Street  
Yreka, CA 96097  
E-Mail: CDAWSON@CO.SISKIYOU.CA.US  
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Ray Haupt, Siskiyou County Board of Supervisor, District 5  
P.O. Box 750  
Yreka, CA 96097  
E-Mail: RHAUPT@CO.SISKIYOU.CA.US  
Phone: 530-925-044

From: Shirley Johnson  
4737 French Creek Rd  
Etna, Ca 96027

***RE: Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/Siskiyou County Code***

Dear Deputy Director, Commissioners and County Supervisor,

I am a property owner and resident in Scott Valley and having read, reviewed and studied the Scott Valley Area Plan, as well as discussed it with some of the originators it is my belief that this zoning amendment is not in compliance with the Scott Valley Area Plan, therefore not in compliance with the land use element for the Scott Valley Watershed. The SVAP under joint resolution of the Siskiyou County Board of Supervisors and the Siskiyou County Planning Commission was adopted Nov. 13, 1980.

I am in appreciation of the Technical Advisory Committee for the hard work and commitment to searching for solutions for bringing themselves and others into compliance with the County zoning regulations and participating in this process.

I do, however, have some questions. 1. Who on the committee had read the SVAP prior to or during the process of formulating the zoning recommended changes? 2. Who invited who to sit on the committee and did any of the members apply, or were they all asked and why? 3. Why was the open process to participate created over the holidays, where most people are

engaged in family functions? 5. Did the planning department guide the committee into making recommendations? Why were 4 out of the 7 committee members from Scott Valley?

Change is what life is all about. I accept and embrace it. I do want to see farmers and my friends make a living, raise their families and leave legacies for their children and ours.

The originators of the SVAP named themselves “The citizens for orderly growth”.

The Citizens Main Goals are as follows:

1. “The Scott Valley Watershed’s natural resources, water quality and economic vitality shall be protected.”

The Zoning Amendment does not include any mitigation measures regarding the discovery of the long-term effect this amendment will have on the natural resources, water quality. As we move in and out of drought periods and climate change is here to stay the need to project out is even more necessary to protect the water quality and supply for the future.

2. “Development shall not be permitted at a density or intensity that will subject people or property to hazardous conditions.”

Have the density issues really been addressed for the potential density increases that this amendment could possibly create if even ¼ or ½ of the parcels were to engage in agritourism?

3. “In order to minimize the cost of providing public services in the Scott Valley Watershed, intense development should only occur in close proximity to existing public services.”
4. Existing public services should not be overburdened by development.

Public services in Scott Valley are minimal a best with a lot of emergency and fire services relying on volunteers. How will the potential of thousands of guests to the valley be cared for as well as our citizens when emergencies arise.

5. All uses of the land shall occur in a manner that is compatible with other existing and planned land uses.

Has this been evaluated? Have adjacent property owners been contacted for review of the possible changes and had an opportunity to respond to the potential changes. It may have been a good thing to have a neighbor of the proposed property owners who wish to engage in agritourism activities participate on the TAC committee.

**Prime Agricultural Land Development Goal #1** – “In order to protect the number one economy of the Scott Valley Watershed, prime agricultural land must be protected from non-compatible or intense development.”

I recommended that this Zoning Amendment is evaluated and revised to include:

1. How the planning committee can enforce Agritourism Business restrictions.
2. Place restrictions by permits on Level 1
3. Modify and reduce the capacities for Level 2
4. Increase the dollar value of Unique Agricultural Product annual sales or use a different system
5. Modify the 5 acres or 10% (whichever is less) to square footage amounts and location on use property
6. Better define Unique Agricultural Products
7. Do a complete Environmental Impact Report.

Thank You,

Shirley Johnson

March 18, 2019

Deputy Director Christy Cumming Dawson  
Siskiyou County Planning Commission

Ray Haupt  
District 5 Supervisor Siskiyou County

I am, Janice Baker, one of the original Scott Valley Plan members. I am a former Fort Jones City Mayor, (17 years) and retired Fort Jones Teacher, having taught three generations of students in Scott Valley. Many of the Original Plan Members were Natives of Scott Valley, which I am not. My husband's family is 3<sup>rd</sup> generation, our daughter is the 4<sup>th</sup>.

The original intent of the Scott Valley Plan was to block the sub divider, who had purchased the Alexander Parker Ranch, and planned to build 10,000 second homes on the 9,000 acre ranch. We met weekly with the County Planner, David Hedger, to construct the Plan. The Plan was rewritten twenty one times to obtain our goal of maintaining Scott Valley resources within our ranching and farming community. Our major concerns were transportation, road maintenance, water, tribal resources, fire and police coverage, and recreational land use. This plan has been in place since 1980 and I believe served Scott Valley well.

My concern at this time is to block the Agritourism Zoning Amendment. Scott Valley cannot support this plan to allow Agritourism, for the same major concerns stated above. My understanding is that there are at least five ranches (facilities) who by having this Amendment pass would then have permission to host as many as 150 guests for a week at a time, either camping or being housed on said properties. For instance, long weekends would be perfect for extended events, Memorial Day, 4<sup>th</sup> of July, Labor Day or even Spring Break. You could possibly be adding an additional 750 vehicles to our county roads. Drivers who are unfamiliar with rural areas, two lanes, farm equipment and livestock. Do you have the additional law enforcement to cover the additional traffic? It would be like Scott Valley yard sale weekend, drive at your own risk! And what about fire danger? In recent years we have seen both JH Ranch and Kidder Creek Camp have wildfires approach their facilities. I am very familiar with both areas. Are our fire fighters going to have to endanger their lives to rescue campers? When they should be aggressively fighting the fire to save our timber, homes and businesses? Is Siskiyou County going to have the funds to maintain our roads? We are all well aware of the fact that residents that boarder both Kidder Creek Orchard Camp and JH Ranch have experienced trespassers and harassment on their own land. Is Siskiyou County going to be able to provide additional law enforcement from the Sheriff's office?

It is also my understanding that the Members planning the Amendment are either owners and or managing operators of the Ranches and Facilities that will financially gain from this Amendment

being passed. It does not appear that there is true representation of Scott Valley residences on this Committee. It appears the Committee does not have maintaining Scott Valley's ranching and farming Community in mind, just financial gain.

As one of the original Scott Valley Plan members, and a concerned citizen I wish to go on record that I consider the Agritourism Zoning Amendment irresponsible. It would only drain Siskiyou County of funds from the Counties Road Department, local Fire Departments, and the Sheriff's Office. Who would gain, a handful of said Agritourism Ranches and Facilities? Are we on our way of becoming another Napa Valley?

If my attending a Supervisors Meeting or Planning Commission Meeting would further my cause please feel free to contact me at 530-468-5163. Please submit my letter voicing my concerns in my absence.

Respectfully yours,



Janice L. Baker  
Original Scott Valley Plan Committee Member

March 18, 2019

Siskiyou County Community Development, Planning Division  
Christy Cummings Dawson, Deputy Director  
806 S. Main St  
Yreka, CA 96097  
cdawson@co.siskiyou.ca.us

Jill J. Beckmann  
624 Bryan St  
Etna, CA 96027

Subject: Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan / Siskiyou County Code

Siskiyou County Planning Division,

As a resident of Etna, California, Scott Valley, and Siskiyou County, I would like to provide the following comments on the Agritourism Zoning Text Amendment (Z-17-03) and the Draft Initial Study/ Mitigated Negative Declaration for the amendment.

1. Agritourism activities such as camping, education, and entertainment are confounded with direct agricultural sales, including U-Pick and farm stand operations, in the proposed Zoning Amendment and Negative Declaration. I believe these activities deserve separate mention and zoning rules. I unconditionally support any direct agricultural sale, U-Pick, and farm stand operations on agricultural lands greater than 10 acres between the hours of 7 am and 8 pm. However, I believe the other proposed agritourism activities, such as educational tours, camping, hospitality dinners, etc that involve sale of items other than essential agricultural products, ought to be treated under a separate proposed zoning amendment, with modifications to what is proposed in Z-17-03, as stated below. The reasoning behind the separation of these two categories of activities is due to the nature of the former activities as essential to agricultural uses and sale, and the increased potential environmental impact and disturbance of the later activities, which also deviate from traditional agricultural use.
2. I proposed the following changes to proposed zoning amendment regarding the later (camping, education, and entertainment, etc) agritourism activities:
  - a. They should occur only on parcels greater than 40 acres, not 10 acres. This size is compatible with the Scott Valley Area plan which does not permit subdivision of agricultural lands in parcels less than 40 acres. In addition, limiting these activities to larger parcels helps to ensure less impact on neighboring properties and helps maintain the essential nature of agricultural land as described in the Scott Valley Area Plan. It also helps to discourage incidental increases in the density of non-agricultural, essentially commercial activities, habitation, and recreation on agricultural lands, in spirit with the Scott Valley Area Plan. While I am mainly concerned with the Scott Valley, I believe that this change in the proposed rules would benefit all Siskiyou County agricultural lands to which this proposed Zoning Amendment would apply for the same purposes.
  - b. They should not occur within 1000 feet of neighboring residents under any circumstances (not just limited to between the hours of 7am – 8pm). Separating direct sale activities from these later (camping, education, and entertainment, etc) activities makes this reasonable for those interested in opening up

their properties to these activities, as the former, direct sales would be permitted within these areas during daytime hours, but the later, more impactful, activities would not. Again, the reasoning behind this is adherence to the spirit of the Scott Valley Area Plan and to discourage incidental increases occupancy (and/or visitor) density, especially adjacent to neighboring properties, who will surely feel an impact from these activities within the proposed distance of 1000 feet. Camping especially, ought to be designated only in areas that are visually screened from neighboring residences (via distance and/or vegetation/trees) and audibly screened as well (via distance and/or vegetation/trees/water-courses).

3. In general, my main concern with the zoning amendment is the allowed increase in development on agricultural lands within the Scott Valley. I believe that 10%, up to 5 acres, of allowable development on these lands may lead to incidental loss of the agricultural character of these areas. This is especially possible if parcels developed for agritourism are later subdivided or sold. Given the possibility of the associated development and increased density from this amendment, I question whether a negative declaration is adequate under CEQA. In any case, there are a few modifications to what is proposed that can be made to ensure that the agritourism provisions do not lead to incidental increases in density in agricultural lands:
  - a. Not allowing more impactful (camping, education, and entertainment, as stated in #1 above) activities on agricultural land less than 40 acres. And,
  - b. Not allowing lands with development/improvements made for agritourism to be subdivided below 40 acres. This should already apply to lands in Scott Valley (as designated in the Scott Valley Area Plan), but should also apply to agritourism parcels in other areas of Siskiyou County. And,
  - c. Clarifying the amount and type of development allowed on 10%, up to 5 acres of land, per agritourism permit. There is a big difference between development of 5 acres for rustic tent camping and outdoor educational activities, verses development that includes construction of several cabins and/or guest houses and recreational halls. However, the proposed amendment makes no distinction between these. I believe that the former would be in spirit with the Scott Valley Area Plan, but that the later would not. Consider limiting the number of permanent structures, especially guest stay buildings (cabins, guest houses), per permit to a reasonable amount (maybe 10? – public outreach needed to come up with a reasonable number).
4. Lastly, I believe that public outreach in developing the proposed Agritourism Zoning Text Amendment (Z-17-03) and the Draft Initial Study/ Mitigated Negative Declaration was sorely lacking. Many community members feel that insufficient outreach was made to advertise for positions on the committee that drafted the amendment. In addition, the drafting committee did not hold any meetings seeking early public input on the proposed changes. This kind of zoning plan change has a big impact on the community, so *early* public input is essential. Community workshops, such as those utilized during the drafting of the Scott Valley Area Plan, should take place prior to proposing these kind of zoning changes, especially, those allowing development of agricultural lands within the Scott Valley.

Thank you!

Sincerely,



Jill J. Beckmann

Cc: Ray Haupt, Siskiyou County Board of Supervisors, District 5



**From:** [Ray Haupt](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** FW: agritourism zone proposal  
**Date:** Monday, March 18, 2019 7:49:50 PM

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Ray A. Haupt  
District 5 Supervisor  
Siskiyou County  
530-925-0444

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**From:** tony bishop [kbishop@sisqtel.net]  
**Sent:** Monday, March 18, 2019 2:05 PM  
**To:** Ray Haupt  
**Subject:** agritourism zone proposal

Dear Ray,

I realized just now while looking at the newspaper that the comment period for the agritourism zone proposal is officially over but I wanted you to know that Tony and I think this plan is a good one....unless there is a lot of regulatory expense for the land owner to make it happen.

As you know the economy is really poor on the Klamath River (no logging, mills or mining allowed) and services are limited. Our schools are down to a handful of students as less families live here....no jobs. This zone change may help our area.

We have often thought of agritourism as a way to help us make our small ranch more profitable, especially considering the amount of property taxes we pay as Prop. 13 nor the Williamson Act apply to us. This might also add value to our property should the need to sell arise. We are after all in our sixties, the average age of our nations farmers and ranchers. As the younger farmers and ranchers who will replace this aging/retiring group try to get established they must be very diversified in order to make a living, paying for the property and the accompanying property taxes. Unless they are fortunate enough to take over the family ranch this younger group needs the freedom and opportunity to use their property in creative and nonconventional ways.

I encourage you and the planning commission to pass this zone change. Thank you for your time.

Sincerely,  
Kathy Bishop

Sent from [Mail](#) for Windows 10

**ATTACHMENT 2**

March 18, 2019

To: Siskiyou County Planning Commission  
Deputy Director Christy Cummings Dawson  
806 South Main Street  
Yreka, CA 96097

From: Gary and Shannon Black Family  
5916 Eastside Rd.  
Etna, CA 96027

Eric and Rachel Black Family  
5225 Scarface Rd  
Fort Jones, Ca 96032

RE: Agritourism Zoning Text Amendment (Z-17-03) To Siskiyou General Plan/Siskiyou County Code

We are farming families who have property and farm in Scott Valley. Our Father, Dave Black, was instrumental in development of the Scott Valley Plan. We are opposed to the proposed Agritourism Zoning Text Amendment. We hold no animosity toward those promoting the proposed amendment.

**We are opposed to the Agritourism Zoning Amendment as it currently proposed AND also request holding on advancing an approval of the multi-species policy until the community and decision makers better understand the relationships between the two proposed amendments.** We recognize the intended need and support local, unique and value added agricultural products. We feel there is a process that could allow some of the proposed items to advance but not as currently drafted. The proposed amendment does not have the support of the community because the community was largely unaware of the process. Secondly, the representation of the Technical Advisory Committee (TAC) was too narrow as developed. Had the process sought to incorporate broader opinions about development, local economies and potential impacts, we may be at a different point today. At this point we are left with divided opinions and feeling of distrust as a result of a somewhat closed process and a very questionable current CEQA finding. For these reasons, we also support halting further advancement of the multi-species policy until the links between the two proposals are better understood by the full community and analyzed against existing policy including the Scott Valley Plan.

We are not sure how far this process needs to go back to find a starting point to acquire broader support from the community, but we believe many of the foundational metrics selected in this proposal require full revision. Further, we understand even a significant percentage of the TAC that worked to develop the proposed amendment language are not in support of the proposed policy. This finding supports our opinion that the current amendments should not be approved at this time or as currently proposed.

We feel there should be opportunities to market local, unique value added products, and expanding local agricultural economies. In fact, we believe "you-pick" berry, floral and orchards should be exempt from being considered agro-tourism or should be easily approved. Farm stand operations, locations and products could be defined properly and

possibly exempt as well. However, this proposed amendment fails when it attempted to permanently convert thousands of acres of rural and agricultural land from production and allow camping. The act of camping is selling Siskiyou County's beautiful open space, not a unique agricultural product. The camping components of the proposed amendment and events exceeding 100 people is where much of the community concern lies as those actions negatively impact many other citizens as well as our natural resources.

We are most disturbed by the initial CEQA findings by Siskiyou County resulting in a finding that a Mitigated Negative Declaration (MND) of no significant impact as a result of just 7 general mitigation measures. It is the role of the CEQA document to analyze the impacts of the full build-out of the proposed amendment. Instead, the CEQA document concludes the impacts will be small or insignificant because participation will be minimal. Those conclusions fail the intent of the analysis, which is supposed to analyze the impacts of the full "build-out" the agritourism amendment is proposing. The developer of the MND should have analyzed the maximum impact of what is allowed under the proposed amendment but instead refused to follow process, which fosters further doubt in the process and the proposed amendment.

This proposal affects at least of 2,458 parcels. As defined in the amendment, Tier 1 agritourism allows 30 people per parcel or up to 73,740 people to access the County parcels on any given day (nearly twice the population of the County). This would add roughly 25,000 vehicles to our rural transportation system on any given day. Per the amendment, over the 20 agritourism days are allowed in Tier 1 agritourism. Up to 1,474,800 people would be allowed to enter the County with approximately 490,000 vehicles as a result of the proposed amendment. In fact, Tier 1 allows a maximum of 368,700 people to enter Siskiyou County on a single day. The document fails to analyze full build-out of the proposed zoning change and dismisses the impact as a text amendment. The current proposal cannot be dismissed as a simple "text amendment" as the County MND attempts several times. The proposed amendment allows up to an estimated 12,000 + acres of rural and agricultural property to be permanently converted from agricultural land to whatever is considered to be a structural improvement to facilitate the agro-tourism market that entity is proposing. The MND also ignores the analysis it was supposed to conduct by saying they don't think a full build-out will happen or existing structures would most likely be used in lieu of new construction rather than analyzing the full impact the amendment allows.

The proposed policy allows new construction on affected parcels and allows permanent conversion of thousands of acres for agricultural property, including prime agricultural zone ground (a violation of the Scott Valley Plan). The proposed policy allows potentially millions of people annually to access and camp throughout Siskiyou County that would be not be allowed otherwise. The cumulative impacts, must be analyzed at full build-out in this document and cannot be dismissed as a simple text amendment. A CEQA finding of no significant impact by adopting this zoning change (with just 7 general minimization measures that do not consider exclusions for sensitive areas, wetlands, archeological sites, admission of strain on transportation and traffic), is a risky assumption made by Siskiyou County, if the County elects to move forward with the current proposal.

Specific Concerns and inadequacies are identified in the bullets points below:

- Area affected under proposal includes permanent impacts of far too many acres
- Camping does not belong in this amendment. There are numerous, currently established campgrounds that deserve patronage and will be impacted.
- Current language is too loose and begs for abuse and unpredicted impacts.

- Assumption water availability exists and existing water rights are valid for the allowed activities.
- Lacks definition which encourages abuse. Needs a glossary of definitions for this policy
- Enforcement of this amendment seems literally impossible and was not contemplated, making it unsupportable. Enforcement and violations must be defined and funding of such should be provided by participants.
- No defined recourse for violations. Who counts the number of events per entity? Is this to be self-regulated? An enforcement section needs to be developed.
- Any future revision should include requirements for participants to pay annual fees to public schools in the affected district.
- Stress on local services, increase risk of wildfire(s) and first responders at full build-out was not contemplated b
- Farm stays need much more definition and analysis.
- A financial process needs to be developed so administration and enforcement of this amendment is not an impact to the County.
- Advertising of some current entities conducting agritourism and proposing change are selling a rural experience, selling Scott Valley, selling hiking, selling access to back country. There is a difference between selling a unique product versus promoting a dude ranch experience. This needs to be better defined. This is not an amendment to analyze "dude ranches" and needs to be defined to prevent confusion.
- Some definition separating religious exemptions versus promoting agricultural products should be clarified. There are some grey areas that need to be better defined so the issues of JH Ranch resolution can be separated from the intended objectives this proposal.
- **MND concludes:** *"Because the agritourism uses included in the proposed zoning text amendment are intended to be compatible with resource-based land uses, the proposed zoning text amendment would not conflict with any zoning for forestry-related uses, including the County's Timberland Production District (TPZ). Furthermore, because the project only involves properties zoned and used for agriculture, the project would not result in the conversion of forest land to non-forest use nor would it involve other changes to the environment that would result in the conversion of farm land or forest land. For these reasons, the project would have a less than significant impact on agriculture and forestry resources."*

We contend this is a false conclusion as it allows conversion, including development of campgrounds on R-R1 and wooded lots to be included the most likely the place to be converted. Increase of 1.4 million visitors/campers will certainly result in increase fire risk and damage to production timber. The Proposal will increase stress on local resources and first responders and analysis refuses to acknowledge risk.

- **MND concludes:** "Agritourism activities including buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, "u-pick" sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural uses" (Siskiyou County 2012).

As such, the project would not conflict with existing zoning for agricultural uses or supersede limitations established by the County's Williamson Act Guidelines. This is also due in part to the proposed zoning text amendment expressly excluding "concerts or other commercial activities or events that are not related to the promotion of the primary use of the property as a working

farm or ranch.”

We contend this is a false conclusion made by the MND. Simply put, the MND cannot dismiss the impacts of the proposed zoning amendment because it does not conflict with what is allowed in other zoning and land use policies. Siskiyou County sent letters to these entities saying their actions are not allowed under current zoning and initiated this process. The impacts of this proposal including permanent conversion of thousands of acres of land, adding camping and increased visitation of 1.5 million people annually must be addressed as that is specifically what this amendment proposes... a change to the zoning plan to allow these activities including conversion of land and camping. It is specifically what Siskiyou County asked the TAC draft, and they did. Now, the MND must analyze the full impact of the proposed amendment, which it does not.

In closing, the proposed amendment does not address the risks and eliminate unintended consequences from an implementation standpoint. Specific to Scott Valley this is an amendment that, if approved, conflicts and therefore risks guts the Scott Valley Plan, the very plan that has retained and protected what some of these entities are actually attempting to sell... Scott Valley or the beauty of our rural county. In the very least we ask you to exempt Scott Valley from this amendment, keeping the Scott Valley Plan as the guiding planning and zoning document for that part of Siskiyou County.

But this amendment should not be accepted within any portion of Siskiyou County as currently written. While I agree that ranching entities deserve to market their products and we support value added approaches to local products, a near total rewrite of the amendment is necessary. Even more than that, a significant number of the TAC and intended participants no longer support the amendment or do not intend on pursuing agritourism anymore. Given that information, we should investigate why is this even being considered at this point? Perhaps some recent articles are correct that agritourism is a saturated, exhausted fad. Consumers do still care where their food is produced and deserve to know their producers, but they don't need to camp with it. Let's get back to a pathway of promoting local products and support methods to advance local economies, but get rid of the complexities of camping, reduce large group sizes that stress our rural infrastructure and work to eliminate permanent conversion of agricultural and rural property.

We appreciate all the efforts made by Siskiyou County and its staff and are confident correct decisions and processes will result. Thank you for the opportunity to comment.

Thank you,

Gary and Shannon Black Family

Eric and Rachel Black Family



**Emailed to:** [cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)

**March 18, 2019**

Siskiyou County Planning Department  
Attn: Christy Cummings Dawson  
Deputy Director, Planning  
806 S. Main St.  
Yreka, CA 96097  
530-842-8206  
cdawson@co.siskiyou.ca.us

**RE: Public Comments Regarding Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/ Siskiyou County Code**

Dear Ms. Dawson:

My name is Oliver Dowling and I'm the sixth generation on our Scott Valley ranch on Eastside Road. I can see the necessity of amending the permitting process for some building and activities necessary to provide supplemental income on an agricultural operation in this valley. People have a right to make a living on their own property. However, we must strike a balance between allowing new sources of income and allowing the destruction of the character and tradition of our beautiful home.

The proposal before the Commission fails in this effort and I am strongly opposed to its passing. Should it pass, I would be part of a campaign to repeal it.

Furthermore, the process by which the proposal was conceived was not inclusive of the many stakeholders who have the right to have a say in their own destiny. No one stands accused of a purposeful lack of transparency, but this should be viewed as a teachable moment concerning communication with one's neighbors.

I find the efforts of the TAC to be worthwhile and well-intentioned, but their proposal must be killed. The Commission should call for a newly-formed TAC, and the current proposal should go back to the drawing board.

Sincerely,

Oliver and Jamie Dowling

**Emailed to:** [cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)

**March 18, 2019**

Siskiyou County Planning Department  
Attn: Christy Cummings Dawson  
Deputy Director, Planning  
806 S. Main St.  
Yreka, CA 96097  
530-842-8206  
cdawson@co.siskiyou.ca.us

**RE: Public Comments Regarding Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/ Siskiyou County Code**

Dear Ms. Dawson:

My name is Smokey Dowling and I'm a sixth-generation Scott Valley resident from a ranching family.

I think changing the Scott Valley plan is a mistake. I understand the position of the committee, but I believe their proposal has not been properly considered and will have very negative consequences. Scott Valley remains one of the most beautiful places in the state thanks to the foresight of the folks who wrote the Scott Valley plan. I say don't fix what's not broken.

Sincerely,

Smokey and Taylor Dowling



**From:** [Tery](#)  
**To:** [Ray Haupt](#); [Christy Cummings Dawson](#)  
**Subject:** Agrotourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/Siskiyou County Code  
**Date:** Monday, March 18, 2019 6:56:22 AM

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I am a 6th generation Siskiyou County/Scott Valley resident. I spent much of my career working with Peregrine Falcon recovery in the western United States. In doing such I was responsible for working with the state on many projects that required CEQA and CESA compliance. I just learned of this Zoning Amendment last Thursday (March 15th). I reviewed the 122 page document and find it hard to believe that CEQA requirements for a Negative Declaration for 1,633,567 acres over an entire county could be completed in the 30 day window you had to complete it. I would like to have the opportunity to review the back-up materials used to fulfill this requirement.

I admit that I have not had enough time to fully examine all of the documents that are available to me on line but I am wondering why everyone affected was not contacted by mail. I am not a face book fan so was not aware of this process in enough time to review or contribute. I have many question and would like to request that the review plan is extended, and everyone is notified properly so that educated responses and comments can be considered before a decision is made. Thank you for your time.

Tery Drager

**Debra Schroeder**

---

**From:** Karl Drexel <karl@kdmanagement.us>  
**Sent:** Monday, March 18, 2019 4:06 PM  
**To:** Planning  
**Subject:** Agritourism Amendment Comments  
**Attachments:** Letter re Agritourism Amendment-signed.pdf

Please accept the attached comment letter regarding the Agritourism Amendment on behalf of the Town of Fort Jones. Thank you.

Karl

*The Town of Fort Jones*  
*Gateway to the Marble Mountains*

Karl Drexel, SDA, City Administrator  
11960 East St.  
Fort Jones, CA 96032  
(530) 468-2281  
Direct (707) 318-7369  
[karl@kdmanagement.us](mailto:karl@kdmanagement.us)

 Please consider the environment before you print

Town Council

Chris Flynn, Mayor  
Michelle DeCausmaker  
Kate Tasem  
Mercedes Garcia  
Bill Beckwith



City Administrator  
Karl Drexel, SDA

City Clerk  
Paula Basteys

March 13, 2019

Siskiyou County Community Development  
Planning Division  
Christy Cummings Dawson, Deputy Director  
806 South Main Street  
Yreka, CA 96097

Dear Ms Cummings Dawson,

On behalf of the City Council of the Town of Fort Jones, located in the bucolic Scott Valley, we would like to express our concerns about the Agritourism Zoning Amendment that seems to be being rushed through without proper vetting by the community. Although the Council is not against the premise of the amendment, the issue was brought to our attention for the first time at our regularly scheduled Council Meeting on March 11, 2019, with comments due by March 18<sup>th</sup>. Even though it is probably due for upgrading and revisions, the Scott Valley Plan is still in place and this amendment to the Zoning laws, seems to be rejecting the basic premise of the Valley plan. This amendment opens up over 1.7 million acres of prime land to unfettered, unrestricted development with no oversight to speak of, without the input, without the understanding and without the vote of the people.

Although Agribusiness and Agritourism have vital roles in the future of Siskiyou County and the Scott Valley, we have some very definite concerns about this amendment.

1. The proposed project could definitely have "a significant effect on the environment" so an EIR should be performed.
2. Nowhere in the Initial Study do we see a specific number of parcels this could affect, both in the Scott Valley, and in the rest of the County. We would like staff to determine the possible number of parcels in the County and in the various parts of the County under existing general plans. On the surface it appears there could be hundreds of properties participating in this in the Scott Valley alone.
3. There is the concern about the impact these Agritourism businesses will have on the land, the wildlife, and the surrounding areas with traffic and people.
4. What will the impact be on the neighboring property and their way of life with these new changes? What happens when a farmer wants to till or spray their field and the Glampers next door complain? What about possible overspray because they are set up too close to


the property line? What happens if the increased activity causes animals to spook and get out on the roads or destroy property?

5. There could be a negative impact on the fire, medical and police resources with the additional 30 to 150 people on multiple properties throughout the county at the same time. Small departments are not equipped for the influx of hundreds or thousands of people at one time.
6. There are not enough guidelines, regulations or control for this to be implemented without further study, Level 1 Agritourism events have virtually no oversight and Level 2 has minimal.
7. Much of Siskiyou County and the Scott Valley have two lane narrow roads that are the single access in and out of these properties. There is a real concern for the evacuation of thousands of additional people on these small sometimes narrow winding roads.
8. The minimal requirement of a property to sell \$1,000 of produce or product a year to be determined to be agricultural is way too low to effectively define an agricultural operation. People can do that out of the trunk of their car on a busy weekend.

There are 19 environmental issues that are supposed to be evaluated in order to satisfy the CEQA process providing that none of them are significant or are mitigated to the states satisfaction. This report arbitrarily lists them all as minimal or no significant impact. We have concerns about that.

The Town of Fort Jones supports the ranching and farming industry and welcomes Agribusiness and Agritourism by our neighbors. We feel however that this process has been rushed and needs more time, more development and more input from the people before it is passed by the Board of Supervisors as the new law that it is.

Respectfully,



Karl Drexel  
City Administrator

Date: March 18, 2019

To: Siskiyou County Community Development - Planning Division  
Deputy Director, Christy Cummings Dawson  
806 South Main Street  
Yreka, CA 96097  
E-Mail: cdawson@co.siskiyou.ca.us  
Fax: 530-841-4076  
Phone: 530-841-2100

From: Amy Hayden Friend

RE: Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/ Siskiyou  
County Code

Dear Christy Cummings Dawson:

In response to the open comment period through March 18th, at 5:00pm, I would like to provide the following comment on the Agritourism Zoning Text Amendment (Z-17-03) and/or the Draft Initial Study/Mitigated Negative Declaration.

My comment, as a fifth generation Scott Valley native, a property owner and a local realtor is as follows: I am opposed to the Agritourism zoning amendment as it is currently written. I am for an amendment that would promote and develop economic growth of Siskiyou County, but that would not drastically change the Scott Valley plan and . The language in the document is vague and makes assumptions that are inaccurate and allow for exploitation of our natural and community resources.

Some specific points that I would like addressed are the amount of income that a farm needs to make annually in order to be consider to be eligible for agritourism, the amount of acres that could be develop into permanent structures, that are no limitations to number of days overnight guest can stay, and the development on prime agricultural land. One thousand dollars of income is about ten jars of honey or one horse. A farmer with only one thousand dollars in profit would spend more in advertising to promote their agritourism venture than the profit they would make from product. Any true profit would be from agritourism. I would suggest that the committee change the income amount to a percentage of income from agricultural products, specifically that any farm that would like to participate in agritourism must show that greater than 65% of their income comes from the direct sales of the agricultural products directly to the consumer. This income must be verifiable. California in general is losing farmland at an alarming rate to

urban development. I would suggest that less than one percent of all Ag 1 soils in Scott Valley be developed with permanent structures. I would also like to suggest that the proposed development of permanent structures be changed from 1% of acreage up to 5 acres to a square footage amount. Specifically, that those in participating in agritourism can build permanent 1000 square feet of permanent structures for every 10 acres up to 10,000 square feet maximum, with a strong emphasis that if there is a part of the property at that is not prime AG1 soil, the structures be built on that portion. I would also like to propose that there is a limitation on non-permanent structures such as glamping and event tents and rv sites to less than 3000 square feet or to the max amount of days to less than 180 days per year. I would also suggest that overnight guests cannot stay for more than 15 consecutive nights or more than 60 nights in one year and that total number of guest stays must be less than 200 per year.

The agritourism zoning amendment makes no mention of noise, signage, light pollution, impact to public services, including the safety of guests in emergencies such as an evacuation of larger numbers of people in the event of wildfire or traffic impact on small rural roads. It also makes no mention of a distance all facilities (both permanent and “glamping” more temporary) should be from a property boundary. I would suggest that noise from events must be minimized after 10 pm and no outside lights to be visible after 10 pm from buildings and events without a conditional use permit, which could be obtained for special events, less than 5 times per year. I would also limit signage size and style in order to maintain scenic views. A percent of monies received from hospitality taxes need to be returned to the community for improvement of road safety, fire protection services and refuse collection and processing. Any facilities and camping should also be a certain distance from property boundaries, so nothing is built right on top of the neighbors property.

You need to clarify your limitations and assumptions to determine the environmental impacts to proposed actions. Currently, I do not feel the document addresses environmental concerns adequately over the long-term. In order to support proposed actions I suggest that you look at the environmental impacts of the max development projections. Environmental review should also include a long range (five, ten, etc. year outlook, based on potential growth of agritourism).

I feel that the TAC advisory should reconvene and revise the agritourism zoning amendment. This committee should include a more representational group of members of the local community, including representation from agricultural community which does not intent to move forward with agritourism on their properties. The comments and suggestions from me and my peers should be considered. When making these revisions the committee should review the overall goals and policies of the Scott Valley area plan and specifically policy 1 and 37 of SVAP. After revision, the agritourism zoning amendment should be released for public comment.

Sincerely,

Amy Hayden Friend  
[Amy@AmyFriend.com](mailto:Amy@AmyFriend.com)  
(530) 518-6416



**From:** [Dave Guiney](#)  
**To:** [Christy Cummings Dawson](#)  
**Cc:** [Ray Haupt](#)  
**Subject:** The Scott Valley Area Plan  
**Date:** Monday, March 18, 2019 7:23:42 AM  
**Attachments:** [20190318-DOC.pdf](#)

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Hello, Mrs. Dawson and Mr. Haupt

Please see attached letter from Janice Baker, regarding Agritourism in Scott Valley.  
If you have any question please give her or my self a call. If you have something you want to get to her please fill free to email it to me and i'll see that she gets it.

My wife and I fill this is a bad plan for Scott Valley as well.

Thank you

Dave & Kim Guiney

--

David J Guiney

OSP Engineering Manager

Siskiyou Telephone Company

530-467-6107 office

530-598-5107 cell

[d.guiney@siskiyoutelephone.com](mailto:d.guiney@siskiyoutelephone.com)



Charles Nerva Hayden  
Pamela Tozier Hayden  
2400 Holzhauser Lane  
Etna, CA 96027

March 18, 2019

Siskiyou County Planning Department  
Attn: Christy Cummings Dawson  
Deputy Director, Planning  
806 S. Main St.  
Yreka, CA 96097

**RE: Public Comments Regarding Agritourism Zoning Text Amendment (Z-17-03)  
to Siskiyou General Plan/Siskiyou County Code**

Dear Ms. Dawson:

On 3/14/2019 we attended an informational meeting about the proposed agritourism amendment to the Scott Valley Area Plan. Since we were not informed about this issue through any format, we were made aware of this issue only days before. Apparently, the recent petition alerted residents, because the location for the meeting had to be moved to accommodate a larger crowd; it was very well attended with many people standing in the hall. Citizens from various backgrounds were there: ranchers, farmers, building contractors, new-comers, town dwellers, environmentalists, Republicans and Democrats. People that never agree were united in their opposition of this proposed amendment.

As ranchers, we well know the overwhelming burden of regulations, monitoring, etc. and do not need anymore pressure from neighboring properties, which could possibly host agritourism.

**We strongly oppose any change to the Scott Valley Area Plan.** We understand there is already a permit process for many rural activities. Both Fort Jones and Etna, along with the Quartz Valley Indian Reservation and numerous public campgrounds, have existing facilities for a multitude of outdoor gatherings.

Thank you for your time.

Charlie and Pam Hayden  
530-467-3915  
pamelahayden47@yahoo.com

**Date:** March 18, 2019 @ 4:51pm

**To:** **Siskiyou County Community Development - Planning Division**  
Deputy Director, Christy Cummings Dawson  
806 South Main Street  
Yreka, CA 96097  
E-Mail: cdawson@co.siskiyou.ca.us  
Fax: 530-841-4076

**From:** **Kory Hayden**  
5708 Eastside Road  
Etna, CA 96027  
Email: koryhayden@gmail.com  
Phone: (530) 643-2456

**RE:** Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/ Siskiyou County Code

**Dear Christy Cummings Dawson and Members of Planning Commission:**

I understand the purpose the Agritourism Zoning Amendment (Z-17-03) is to address the lack of specificity in the Code for uses traditionally interpreted by the Planning Director as **incidental to agriculture**. As an invested member of the Siskiyou County community, a citizen of Scott Valley, and a supporter of Agritourism, I ask the commission to please **move to table** the Agritourism Zoning Amendment (Z-17-03) to consider revisions, which will support Level 1 use for Agritourism and modify Level 2 in a way that is also responsible to the land use designations of AG-1 and AG-2 zones, where the primary use is for producing agriculture.

*01. Allow **Level 1 Agritourism** by annual permit-- as opposed to generally permitted.*

*02. Regarding **Agritourism Performance Standard (3) and (11)***

*Please state that new development for Agritourism would not be permitted to displace production land on AG-1, AG-2 and R-R zones.*

***Standard (3)***

*Consider limiting improvements and new development to less than one acre for all properties, which can generously support Level 1 use.*

***Standard (11)***

*Consider striking **Agritourism Performance Standard (11)** as an appropriate accessory use to agriculture on AG-1 and AG-2 zones.*

*03. Replace the minimum annual income of \$1,000, which is too low, and instead require that 65% of owner income be derived from direct sales of the Unique Agricultural Product, which would qualify the owner as a viable entity in agriculture, thereby warranting Agritoursim support.*

## Introduction:

I am a resident of Siskiyou County, and the only decedent of my father's working beef ranch on AG-1, AG-2 and R-R zones in Scott Valley. I am a community member of the eastside of Scott Valley: a route known for ranches and farms, between Fort Jones and Callahan. Along the 23.8 mile stretch, there are 20 farms and ranches who would qualify for accessory use for Agritourism if they produced a Unique Agricultural Product. I am providing this comment a supporter of Agritourism.

I respectfully request that the commission **consider revisions, which will support Level 1 use for Agritourism and modify Level 2 in a way that is also responsible to the land use designations of AG-1 and AG-2 zones, where the primary use is for producing agriculture.**

### 01. Determine Level 1 Use- by Annual Permit

- 1.1 *An annual permit for Agritourism use would serve as verification for the four (4) requirements for Level 1 use.*
- 1.2 *An annual permit would allow the county to know the number of properties participating in Agritourism each year, an important data point for our economic footprint in Siskiyou.*
- 1.3 *An annual permit would allow Emergency Services to forecast those locations eligible to host up to 150 individuals in very rural areas of Siskiyou County.*

### 02. Agritourism Performance Standard (3) and (11)

#### a. **Standard (3)** 5 acres of development for Agritourism is equivalent to 3.7 football fields.

01. *Development of 5 acres or 10% of the property, or whichever is less, would be a significant impact on AG-1 and AG-2, where the primary use is for producing agriculture.*
02. *Reducing the acreage eligible for development or improvement to 5,000 square feet would still support Level 1 day use, and may be more aligned with the intended use of AG-1 and AG-1, where the primary use is for producing agriculture.*
03. *Please state that development for Agritourism would not be permitted to displace production land on AG-1, AG-2 and R-R zones.*

#### b. **Standard (11)** Agricultural Camping

01. *Consider striking **Agritourism Performance Standard (11)** on AG-1 and AG-2, where the primary use is for producing agriculture.*
02. *Should Agriculture Camping still persist in the amendment, please limit the use to zone R-R only, for a limited number of occupancy days, and state that RV camping is ineligible for all Agriculture Camping stays and state that Agriculture Camping would not be permitted to displace production land.*
03. *Accessory use to Agriculture in the form of camping on AG-1 and AG-2 is not a compatible use on Prime Ag Land, as stated in Section 04, Page 29 of the Agritourism Zoning Amendment.*

04. *Accessory use to Agriculture in the form of camping increases the potential for fires in the region given the dry summer climate with hot days and wind. While campground rangers are trained to enforce Fire Safety Regulations in campgrounds, ranchers are not.*
05. *With no municipal sewer infrastructure in the unincorporated agricultural areas of the county, wastewater services would be provided by individual septic systems and/or chemical toilets. I am concerned about the intensity of development of new septic systems to support overnight camping use on AG-1, AG-2 and R-R zones for Agritourism.*
06. *Camping may not reflect the majority needs or interests of property owners in Siskiyou County on AG-1 or AG-2 zones.*

03. **Replace the minimum annual income of \$1,000, to instead require that 65% of owner income be derived from direct sales of the Unique Agricultural Product, which would qualify the owner as a viable entity in agriculture, thereby warranting that owner Level 1 Agritourism need for marketing support.**

#### 04. Discussion of Impact in the DIS/ND

01. Of the five environmental factors identified as potentially affected by the project, “Land Use and Planning” was not selected as being potentially affected by this project. I would like to site the following for consideration to select Land Use as one of the factors effected by this project.
02. **Section 4.0 Pg 1**— states that pursuant to the Williamson Act guidelines, agritourism cannot displace agricultural production on properties subject to a Williamson Act contract, and guest lodgings is confined to those dwellings developed prior to the execution of the contract.

It seems to me that **new development and camping** is not in alignment with properties in the Williamson act.

03. **Section 4.0 Pg 3**— selects the option “less than significant impact” for “Convert Prime Farmland, to nonagricultural use” and “less than significant impact” for “Conflict with existing zoning for agricultural use, or a **Williamson Act contract.**”
04. **Section 4.0 Pg 3**— selects the option “less than significant impact” for “Would involve other changes in the existing environment which could result in conversion of Farmland to nonagricultural use.”

**I am concerned the Agritourism Zoning Amendment (Z-17-03) as written, would displace agriculture producing lands, in exchange for development, camping, septic and parking to support of Agritourism and Agricultural Camping. Please reconsider General Plan Policy 37 and Scott Valley Area Plan Policy 1 in future findings.**

05. **Section 4.0 Pg 4** states— “Agritourism uses in the proposed zoning text amendment were evaluated by the County’s Agritourism Technical Advisory Committee for consistency with County standards which made the finding that “**limited agritourism, as an allowed agricultural accessory use will not change any standards necessary for the production of agricultural lands** nor is intended to conflict with agricultural zoning or excising agricultural uses in Siskiyou County, the Siskiyou County General Plan or the Scott Valley Land Use Plan.”

**Level 1 Agritourism would align with the findings. I am concerned Level 2 development and camping would provide inconsistencies with County Code, the Williamson Act and**

**the Scott Valley Area Plan- particularly so, when development for Agritourism and Agricultural Camping is permitted to displace agriculture lands on AG-1 and AG-2.**

06. **Section 4.0 Pg 2**— states that it's unlikely that many agricultural operations would choose to sacrifice productive land for agritourism improvements.
07. **Section 4.0 Pg 2**—states “Most owners and operators of farms and ranches would continue to utilize the most productive land for agricultural purposes and to allocate lesser quality land for agritourism improvements.”

**This rational, for determining impact, is concerning.**

08. **Section 4.0 Pg 28**— states “In addition to assessing project compatibility with General Plan Land Use Element policies, the proposed zoning text amendment was evaluated relative to all policies contained in the **Scott Valley Area Plan**. As with the potential applicability of nearly all General Plan Land Use policies, the Scott Valley is an agriculturally rich area and as a result, many of the policies included in the Scott Valley Area Plan are potentially applicable to agritourism and agritourism improvements in the Scott Valley.

**Please review the Scott Valley Area Plan regarding minimum parcel sizes, allowable development, and the citizens goals, particularly on AG- 1 and AG-2 land. .**

**Agriculture production, on AG-1, AG-2, and RR does not necessarily align with the goals for Agritourism in the area of development.**

09. **Section 4.0 Pg 29**— acknowledges the conflict between the Agritourism zoning amendment, General Plan Policy 37 and Scott Valley Area Plan Policy 1 .

**Many thanks,**

**Kory Hayden  
5708 Eastside Rd.  
Etna, CA 96027**

**[koryhayden@gmail.com](mailto:koryhayden@gmail.com)  
(530) 643-2456**

**Date:**     **March     , 2019**

**To:**       **Ray Haupt, Siskiyou County Board of Supervisor, District 5**  
P.O. Box 750  
Yreka, CA 96097  
E-Mail: rhaupt@co.siskiyou.ca.us  
Phone: 530-925-0444

**From:**

**RE:**     Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/ Siskiyou  
County Code

Dear Ray Haupt:

In response to the open comment period through March 18<sup>th</sup>, at 5:00pm, I would like to provide the following comment on the Agritourism Zoning Text Amendment (Z-17-03) and/or the Draft Initial Study/Mitigated Negative Declaration.

**My comment, as a resident of Scott Valley and Siskiyou County, is as follows:**

**From:** [Carson Herold](#)  
**To:** [Christy Cummings Dawson](#); [Ray Haupt](#)  
**Subject:** Agritourism Zoning Text Amendment to Siskiyou General Plan/Siskiyou County Code  
**Date:** Monday, March 18, 2019 3:46:12 PM

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My name is Carson Herold, I was born and raised in Scott Valley. I graduated from Etna High in 2012 and since then I have moved back and forth to several different places but I'll always consider Scott Valley my home. My parents chose Scott Valley to live and raise their children in for it's quiet charm, close knit community and beautiful scenery.

Far be it from me to stand in the way of progress in small towns but after carefully considering the implications of this amendment, I don't think it has the best interests of the community in mind. We don't have the resources or the infrastructure to welcome thousands of people into Scott Valley. There's not enough water, law enforcement or medical facilities to keep hoards of tourist safe in this area.

I hope that we will have the opportunity to vote on this important issue that will effect so many people. I urge you NOT to approve this amendment and thank you for you time.

- Carson

**From:** [Mary Kay & Toby Herold](#)  
**To:** [Christy Cummings Dawson](#); [Ray Haupt](#); [Mary Kay & Toby Herold](#); [Carson Herold](#)  
**Subject:** Agritourism Zoning Text Amendment to Siskiyou General Plan/Siskiyou County Code  
**Date:** Monday, March 18, 2019 12:24:12 PM

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My name is Mary Kay Herold and I have lived in Scott Valley for 38 years. I have done some research into this amendment and must admit that at first glimpse it looks as though Scott Valley is finally about to explode into the big time! The world will finally see what is so great about this little microcosm! Then I realized that being undiscovered is just what makes this valley special. It's why we have been featured in several magazines and the San Francisco Chronicle. It's why I moved here many years ago.

Aside from my nostalgic feelings and love of small town America, we all know that we don't have the water, we don't have the law enforcement, we don't have the infrastructure and we don't have the fire protection to allow this to happen. In theory, this amendment allows for tens of thousands of people to pass through this valley annually. We do not have the resources to provide health and safety for these masses.

Since the Scott Valley Plan was a document that was voted into place, I feel any amendment to this document should also be determined by vote.

Thank you for your consideration and hope you will NOT approve this amendment

Mary Kay Herold po box 502  
Etna Ca 96027



**From:** [Carolyn Hewes](#)  
**To:** [Christy Cummings Dawson](#); [Ray Haupt](#)  
**Subject:** Agritourism Zoning Amendment  
**Date:** Monday, March 18, 2019 4:29:48 PM

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To Ms. C. Dawson and Mr. Ray Haupt,

From: Carolyn Hewes

*2003 North Kidder Creek  
P.O. Box 158  
Greenvview  
Ca. 96037*

*When I first moved to Scott Valley in February 1978 my husband and I learned about the Scott Valley Plan and attended a couple of the meetings. Having arrived from the peninsula area below San Francisco we were quite impressed at the forward thinking of the planning committee. Little did I know I would be involved in the Agritourism Zoning Amendment this many years later. As my dad used to say "there's more than one way to skin a cat". We must keep that in mind lest we think we have fixed this current amendment with our letters.*

*It is my hope that my small comment today will influence the vote of the Planning Commission.*

*I am not against the growth of the valley but I do feel it should be done in a responsible manner and in careful increments. It is no secret that we all know we live in God's country and somehow has magically stayed under the radar for a very long time. With the new restaurants and quaint businesses that expose new visitors to the area as well as the ease of travel the secret is no more. I won't even mention the growth potential of some of the summer camps which may add enrollments in spring and fall.*

*There is a lot of big money these days and investors with enthusiastic ideas. Changes could happen small at first and then.....*

*I worry about fire danger and the ways to escape those fires. I also have concerns about all of our wells and dry water years. We must watch over our natural resources.*

*It would be good if we could establish an ecological study prior to any final decision.*

*Thank you for your attention,*

*Carolyn Hewes  
March 18 , 2019 4:24pm*

Kay Isbell  
14302 Indian Cr Rd  
Fort Jones, CA 96032

March 18, 2019  
Ray Haupt, Siskiyou County Board of Supervisor, District 5  
PO Box 750  
Yreka, CA 96097  
[rhaupt@co.siskiyou.ca.us](mailto:rhaupt@co.siskiyou.ca.us)

Dear Mr. Haupt,

As a fifth generation rancher, property owner and small business owner I am opposed to the Agritourism zoning amendment as it is currently written. I am for an amendment that would promote and develop economic growth of Siskiyou County. The language in the document is vague and makes assumptions that are inaccurate and allow for exploitation of our natural and community resources.

Some specific points that I would like addressed are the amount of income that a farm needs to make annually in order to be consider to be eligible for agritourism, the amount of acres that could be develop into permanent structures, that are no limitations to number of days overnight guest can stay, and the development on prime agricultural land. One thousand dollars of income is about ten jars of honey or one horse. A farmer with only one thousand dollars in profit would spend more in advertising to promote their agritourism venture than the profit they would make from product. Any true profit would be from agritourism. I would suggest that the committee change the income amount to a percentage of income from agricultural products, specifically that any farm that would like to participate in agritourism must show that greater than 65% of their income comes from the direct sales of the agricultural products directly to the consumer. This income must be verifiable. California in general is losing farmland at an alarming rate to urban development. I would suggest that less than one percent of all Ag 1 soils in Scott Valley be developed with permanent structures. I would also like to suggest that the proposed development of permanent structures be changed from 1% of acreage up to 5 acres to a square footage amount. Specifically, that those in participating in agritourism can build permanent 1000 square feet of permanent structures for every 10 acres up to 10,000 square feet maximum. I would also like to propose that there is a limitation on non-permanent structures such as glamping and event tents and rv sites to less than 3000 square feet or to the max amount of days to less than 180 days per year. I would also suggest that overnight guests cannot stay for more than 15 consecutive nights or more than 60 nights in one year and that total number of guest stays must be less than 200 per year.

The agritourism zoning amendment makes no mention of noise, signage, light pollution, impact to public services, including the safety of guests in emergencies such as an evacuation of larger

numbers of people in the event of wildfire or traffic impact on small rural roads. I would suggest that noise from events must be minimized after 10 pm and no outside lights to be visible after 10 pm from buildings and events without a conditional use permit, which could be obtained for special events, less than 5 times per year. I would also limit signage size and style in order to maintain scenic views. A percent of monies received from hospitality taxes need to be returned to the community for improvement of road safety, fire protection services and refuse collection and processing.

You need to clarify your limitations and assumptions to determine the environmental impacts to proposed actions. Currently, I do not feel the document addresses environmental concerns adequately over the long-term. In order to support proposed actions I suggest that you look at the environmental impacts of the max development projections. Environmental review should also include a long range (five, ten, etc. year outlook, based on potential growth of agritourism).

I feel that the TAC advisory should reconvene and revise the agritourism zoning amendment. This committee should include a more representational group of members of the local community, including representation from agricultural community which does not intent to move forward with agritourism on their properties. The comments and suggestions from me and my peers should be considered. When making these revisions the committee should review the overall goals and policies of the Scott Valley area plan and specifically policy 1 and 37 of SVAP. After revision, the agritourism zoning amendment should be released for public comment.

Sincerely,

Kay Isbell

**Emailed to:** [cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)

**March 18, 2019**

Siskiyou County Planning Department  
Attn: Christy Cummings Dawson  
Deputy Director, Planning  
806 S. Main St.  
Yreka, CA 96097  
530-842-8206  
[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)

**RE: Public Comments Regarding Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/ Siskiyou County Code**

Dear Ms. Dawson:

My name is Theodora Johnson and I am a sixth-generation rancher in Scott Valley. My husband and I raise commercial cows here. My comments address the process by which the Agritourism amendment has been developed, as well as my significant concerns with its contents. We would like to see the amendment done away with as it stands today.

**Process**

We and most of our neighbors found out about the proposed amendment after it had already been submitted to the County and had undergone environmental analysis. My feeling is that ag landowners in Scott Valley, at the very least, should have been notified directly that this proposal was being developed--not just via the newspaper or whatever channels this went through, which apparently didn't reach most of us. The fact that hardly anyone attended the public meetings on this amendment should have raised concerns with the Technical Advisory Committee and Planning Commission that there was a general lack of awareness.

I would suggest halting this process; providing information to the public regarding current regulations; explaining the reasoning behind the perceived need for changes; and opening up a comment period where residents may indicate whether they believe amending the current code is necessary. If the majority of residents' comments indicate they want to see amendments, the proposal process should start over from scratch, starting with the call for a new technical advisory committee.

Those who have commented on the current process. should be notified as the new process unfolds. That may include creating an emailed newsletter, or a paper newsletter for those who don't use computers. In any event, radio ads are a cost-effective option, and posters can be put up around the valley.

If the majority of locals believes land planning changes to be necessary, Scott Valley residents should direct those changes in a fashion similar to the forming of the Scott Valley Area Plan.

**Concerns with proposed amendment**

Three major concerns stood out to me.

1. **Opportunity for increased development.** “If the Agritourism to be permitted ... requires permanent structural improvements to facilitate the use then the improvements shall occupy no more than 10 percent of the proposed Agritourism Property’s total acreage or five acres, whichever is the lesser.” My preference is to strike the entire concept of adding new, permanent buildings for the sole purpose of agritourism for the following reasons:
  - a. The amendment appears to allow five acres (or 10 percent of the property) to be covered with agritourism buildings (cabins, mess hall, the like). If every ranch in Scott Valley were to build cabins, etc. on five acres of their place, our valley would be completely transformed—both in the daylight and at night, when the lights come on.
  - b. With the potential for livable cabins comes another issue: enforcement. How will the County ensure that these “agritourism” cabins don’t just become, in effect, subdivisions or rentals?
  - c. If we open the door to development on our ag lands, property values will skyrocket. Then, will anyone be able to afford to produce as usual, or will we all be forced to bring in tourists to supplement our income to pay the property taxes?
  - d. Growth and development are inevitable, but we should try to influence where and how it happens in our valley. Once development happens on 5 acres or 10% of a ranch, it's never going to go backwards from there. In fact, the likelihood is that the permissible acreage for development will someday grow.
2. **Low bar for what qualifies as a “working farm or ranch.”**
  - a. I considered this aspect at length, trying to come up with numbers that seemed reasonable. I finally decided that, while the numbers may sound low (10 acres and \$1000 farm income), it’s not my place to determine who qualifies as a farmer or rancher. All I know is that if permanent or non-permanent housing is put up for agritourism, it’s going to affect the neighbors, especially if it’s close to the property boundary or the road. The effects are likely to be worse if the activities are on a 10-acre parcel rather than a 100-acre parcel. I don’t think we need to encourage such agritourism structures or agritourism camping with new code. If people want to do that on their property, I believe special use permits can be obtained under current regulations. If those permits are prohibitively expensive, maybe the permitting process is something that needs to be improved upon. That can be done without introducing a new Agritourism amendment.
  - b. While I’d like to strike the whole thing, it is imperative that the 10-acre minimum, should it remain in place, does not override the acreage minimums provided in the Scott Valley Area Plan (80-acre minimums on Prime Ag, 40-acre minimums on Ag II). I’ve been assured that the Scott Valley Area Plan minimums would not be affected by this amendment, but the point bears repeating.
3. **Increased opportunity for conflict between agricultural practices and agritourists.**
  - a. The work we in agriculture are doing providing food and fiber is very important to the nation. It isn't entertainment, it's production. And there's a reason there is ag zoning: having lots of people around--especially those not educated on ag--is not compatible with ag production. Not only might they get in the way (think fast traffic and slow cattle drives), they might see things that shock them and could turn someone in for, say, "cruelly" branding his calves, or getting after his cowdog for not listening. While there is a need for outreach and education, I want us to continue to be true producers, not entertainers. Because it's vital to the nation that we continue to produce.

- b. “Agritourism camping” seems to be an unnecessary new term. The definition appears to put no limits on the length of stay or the distance of the camps from neighboring properties, which could cause serious issues when normal agricultural activities start affecting campers’ good time. Although in theory we’re in a place where “agriculture is king,” if enough tourists complain about a farmer plowing or spraying his fields, that farmer is going to have trouble. I inquired about the current camping regulations, and was told that campgrounds are only allowed in highway commercial (C-H) zones. However, you can camp on private property with no residence for up to 30 days a year, if you get a (free) administrative permit. This doesn’t preclude people from camping on private property with an established residence (for example, your friend can come park his RV indefinitely by your house). The camping regulations already existing indicate to me that “agritourism camping” doesn’t need special attention in the code.

## **Conclusion**

We all know there’s a delicate balance between preserving our valley the way we want it, and allowing enough economic growth and flexibility for the next generation to keep the ranch going (after all, what happens to these ranches if the next generation can’t make a go of it?) Some people have had success using new techniques to make the old way—hay and livestock ranching—work. We shouldn’t penalize them for their creativity with overly burdensome permitting processes or conditions.

At the same time, we do not care to see our valley dotted with campgrounds and cabins, with a steady stream of traffic on our roads. Some may call the Scott Valley Area Plan too vague. For example, it prohibits “intensive development” in certain zones. But perhaps the vague language encourages us to govern ourselves better—by talking to our neighbors about our concerns, rather than calling the authorities and “throwing the book at them.”

New laws and regulations usually come with unintended consequences. And when we start turning our neighbors in to the authorities, we’re simply asking bureaucrats to come in and start regulating us, because we’ve proven we can’t do it ourselves.

Should the County decide to initiate another planning amendment process, we hope to be kept informed as it unfolds.

Sincerely,  
Dave and Theo Johnson

**From:** [Paula Johnson](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** Agritourism in Scott Valley  
**Date:** Monday, March 18, 2019 4:55:43 PM

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To whom it may concern,

I would like to express my concerns that The Scott Valley area plan is being ignored and that the county planning commission is ignoring the facts that our infrastructure is not capable of handling such development that is proposed by organizations such as JH Ranch, the 5 Mary's operation and other Agribusiness. I am not opposed to development. I am, however opposed to the county not requiring a EIS and other concerns such as watershed, overdevelopment and too much impact on Scott Valley in general.

Thank you,  
Paula Johnson

## **Scott Valley Area Plan Agritourism Amendment, public comment opportunity.**

First, I would like to start by saying that the rural lifestyle and specifically the agriculture dominated economy offered in the Scott Valley Watershed are the reason my wife and I recently purchased land here. I grew up in a rural community and have lived in both urban and rural areas throughout my life. I am, and forever will be, a country boy to the core. We are currently transitioning from our present jobs and location to Scott Valley to embark on Regenerative Agriculture, Agro-Forestry and Ranching Operations on our land. Our statement of purpose is: To ensure our land is managed Regeneratively and sustainably while providing Quality of Life and Financial Security for current and future generations.

So now to the subject at hand. While reading all of the provided information both the proposed Amendment and the related documents, my list of comments grew to an unmanageable size for timely review by the decision makers. So I have condensed it to only a few in two categories, ones directly aimed at the Amendment and others that address the issue at a higher level.

Start at the beginning. The Scott Valley Area Plan was created with the intent "to make sure growth was orderly" while maintaining the quality of life and an agriculture based economy in this beautiful rural area. At the core of the Plan are the Citizen Goals: Goal #1, The Scott Valley's Natural Resources, Water Quality and Economic Vitality Shall be protected. And 4 other goals.

The primary motivation for this amendment appears to be with the restrictions on Prime ag land usage in the Scott Valley Area Plan and the intent to add Agritourism to the allowable uses. We live in a very different economic environment today than 38 years ago when the plan was created and increasing the diversity of income sources in Agricultural enterprises is MUCH needed. Based on the following three paragraphs this amendment is far too restrictive to add any measurable benefit financially to the farmer/rancher or to the overall Economic Vitality of the area. The "examples" listed in Level 1 Agritourism are likely the MOST EFFECTIVE advertising any business could use, as it uses that Uniquely rural approach, meet your customers face to face, shake their hand and answer their questions why they should buy your products. Social media is a not so close second best option. Additionally I see no better way to promote to the next generation of farmers/ranchers than through "educational classes and/or activities, school tours" about the primary use of a working farm or ranch, **to enjoy a quality of life, WHILE earning a living!** I do not see any benefit to restricting this activity?

A. "Agritourism" is an event or activity that brings visitors to a working farm or ranch as a guest for the purpose of enjoyment, education or other active participation in the activities of the farm. A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more. Agritourism shall not include concerts or other commercial activities or events that are not related to the



promotion of the primary use of the property as a working farm or ranch.

B. "Level I Agritourism" is Agritourism on Agritourism Property ten (10) acres or larger that is limited to (i) twenty single-day Agritourism events per year with no more than thirty (30) guests per event; and (ii) three single-day Agritourism events per year involving guests in excess of thirty (30), but no more than one hundred fifty (150) guests per event. Examples of such single-day events include **farm tours**, field days, ranch or farm sponsored hospitality dinners, **educational classes and/or activities**, **school tours**, farm-focused corporate events and similar activities that relate to the promotion of the primary use as a working farm or ranch.

C. "Level II Agritourism" is Agritourism on Agritourism Property ten (10) acres or larger that is in compliance with the Siskiyou County Agricultural Tourism Performance Standards and involves any of the following:

1. Single-day Agritourism events in excess of Level I Agritourism frequency limits or guest number limits, up to a maximum of twice the limits set forth in Level I Agritourism, and as more specifically limited in an Administrative Permit;
2. **On-site fruit and vegetable picking and associated sales, often referred to as "U-Pick" operations;**
3. **Onsite sales of Unique Agricultural Products or merchandise related to the working farm or ranch;**
4. Farmstays;
5. Agritourism Camping.

It appears that many of these uses are already addressed in other county regulations for Agricultural land and are far less restrictive. As shown below: There is no obvious benefit to adding a new regulation that is more restrictive.

The County Code provides for certain specific agritourism-related uses, such as guest ranches, bed and breakfasts, and **roadside farm stands**. Traditionally, some agritourism uses, such as **farm tours**, **educational events**, pumpkin patches, etc., have been interpreted by County staff as being "incidental to agriculture" and therefore allowed pursuant to County Code Sections 10- 6.4802(c), 10-6.4902(c), and 10-6.5002(b).

Compatible agritourism activities under the County's Williamson Act Guidelines include "buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, "u-pick" sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural uses."

**This amendment will create regulations that limit activities and not achieve the desired goal.** The SVAP Goal #1 ... economic vitality, Shall be protected.... the significant restrictions imposed by this amendment will unintentionally undermine economic vitality of any farm/ranch operation and the area in general. This regulation will take away or limit opportunities for the farm/ranch operation to increase their profits and vitality. NOT make them stronger or resilient to economic fluctuations!!

### **From a High level perspective**

One of the founding principles of capitalism: The opportunity for anyone to find a need and fill it. I include this because I am making an assumption that there have been a number of citizens inquiring about conducting Agritourism activities because there is a demand for it in the market and they would like to "Capitalize" on this opportunity!! There is likely another group of "not in my backyard" (NIBY) citizens that don't want it.

Regulations such as this Amendment are damaging the resiliency of Rural and Agricultural Economies across this country.

There is a crisis in America facing the family Farmer/Rancher.

- Profitability is increasingly more difficult to achieve
- Average age of the farmer in America is 60 years old
- Most ageing farmers do not have a family member that will take over the operation. Most often they move away to seek work that pays a better salary than what they could earn on the land, or more often the farm/ranch isn't profitable enough to support two salaries/families.
- 50% of Family farms in America will be sold in the next 15 years, for the above reason, no family member to take over the operation. Most are purchased by large "corporate farmers" or by Urbanites that buy "property in the country" but then do not continue the agricultural usage on the land. Thus removing it from the productive agricultural uses and economy.
- In the 1940's farmers earned approximately 70% of the market price of the goods they sold, today it is 9%. The two main causes of this are High cost of inputs and the other is regulations that limit/control how the market is reached and generally how and what

activities are allowed. This has caused a shift away from direct to consumer and toward wholesale/commodities sales, same work and cost, less profit!

I want to use the example below to demonstrate the “Unintended Effects” this amendment would cause on “Regular” Scott Valley Ag Businesses. These businesses would become regulated by this new Agritourism amendment.

This example is for a fictitious farmer:

A Hay farmer selling 1/3 of their crop to the local community in 2 and 3 string bales and the other 2/3 to regional Volume Buyers, Large cubes/rolls

- The local community business is 15 individuals or small operations, They purchase in Pick-up truck or small trailer size loads that they pickup at the farmers onsite hay barn. Each buyer makes 2-5 purchases/pickups per year.
- The volume buyers are two businesses, one a local retail feed store and the other is a dairy operation that needs hay for winter feeding. They use trucking companies to pickup and deliver.

Note: The pricing for the two types of customers varies but typically the bales sell for 20-30% more (by ton) than do the cubes/rolls.

Strictly following the Agritourism definition and requirements for level I and level II activities, this hay farmer would be out of compliance and need to apply for, pay for, and hope to receive a conditional use permit (CUP) or administrative use permit to continue their current business practices for the following reasons:

- 15 Customers 2-5 times each adds up to 30 to 50 “one day events” customers/guests come to the farm, which is more than the 20/year allowed.
- Since these customers will likely help loading bales onto their vehicles this fits the “active participation in the activities of the farm”
- Sells “unique Products” - Value added small bales (easy handling without tractor) directly on site. Equivalent to “Farm Stand” direct sales.
- During the on-site visit the farmer tells/teaches the customer/guest about how they are improving the quality and performance of the hay sold here and about how the two size bales they offer to make “life easier” has been working out well for the customer. This involves some “education” and some “Direct Promotion of the Farm”

While it might sound unrealistic that this farmer would have to get a CUP to continue “business as usual” if this new law/amendment **is strictly enforced**, it would be required!

Continuing with this example, it may seem insignificant that a 20%-30% higher price for the small bale consumer would make much difference to the overall profitability of the operation, but it is HUGE. The **net profit** for sales to the 2 volume buyer is **likely 10%- 15% or less** because it is **sold at commodity/wholesale price** not retail. Now you will see that 20%-30% higher price nets twice the profit (just in the extra price) PLUS the base 10%-15% profit of the wholesale price. It thus **allows a farmer to triple their bottom line profits for the small bales by having**

**the direct to consumer sales model available and doubles it for the entire operation!!!**

This amendment will make it unduly expensive and complicated in both effort and financially for a farmer to get permission to do many things that have historically been “incidental to agriculture operations”.

## **In conclusion**

I feel that Agritourism is a vital “New” source of income and profitability for farmers, ranchers and the community in general. But this amendment, in my opinion, appears to be trying to pacify a NIBY movement that is opposed to several local “development projects” and not driven by a sound forward looking direction for Scott Valley to maintain the quality of life, natural beauty and resources as well as economic vitality of this community. When regulations dictate specific activities that “can and can not be done” and not measurable desired goals or outcomes it is ineffective at obtaining the desired results.

**I am strongly Against this Amendment!!** But I am in favor of continuing the efforts to develop BETTER and EFFECTIVE regulations surrounding Agritourism.

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March 18, 2019

Christy Cummings Dawson, Deputy Planning Director  
Planning Division, Community Development  
806 Main Street  
Yreka, CA 96097

VIA EMAIL

Dear Ms. Dawson:

**RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION – PART TWO**

Please accept my continued comments on the above referenced project.

I am opposed to the approval of the Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declaration (DIS/MND). I submitted Part One of my comment letter on March 12, 2019 to allow for adequate Planning Commission review prior to their March 20, 2019 meeting. The continued comments below also support my reasons for opposing approval.

**COMMENTS CONTINUED**

**ENVIRONMENTAL REVIEW - CONTINUED**

**NOISE**

Restricting outdoor agritourism activities within one thousand feet of a residence on neighboring property to between the hours of 7:00 a.m. and 8:00 p.m. will do nothing to assure that noise-sensitive receptors that are more than one thousand feet from outdoor agritourism activities will not be negatively affected by such noise. Tourists are noisy by nature. Sound carries when it echoes off mountains, as it does here in Scott Valley. Most people are aware of

noise complaints about the out-of-compliance and rapidly expanding JH Ranch (JH), and the expanding but yet to be approved Kidder Creek Orchard Camp (KCOC). Based on residents' experience with these two entities here in Scott Valley, and the County's inability or unwillingness to enforce either sound levels or compliance, some time limit for noise from these activities should be imposed. Perhaps restricting outdoor agritourism activities to between the hours of 7:00 a.m. and 10:00 p.m. No amplified sound should be allowed on properties conducting outdoor agritourism activities. Agritourism activities have been taking place here in Scott Valley for the past four years or more. There is proof that the County Planning Department was aware of these activities. A Noise Study done at those locations during the past year or so, while this zoning text amendment was being drafted and refined, would have shown the effect of noise from these operations and led to better control of noise.

### **POPULATION AND HOUSING**

The Agritourism Zoning Text Amendment, with the allowed agritourism activities, has great potential to “induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure.” The agritourism activities by right are new businesses. Out-of-towners who have bought property here are ready to jump on the Agritourism bandwagon seeking “streams of income” from those activities. New subdivisions will be proposed; new roads will be required. The developers are standing in the wings, rubbing their hands, awaiting the degradation of our agriculture lands and the ranchers selling cheap so the lands can be rezoned, subdivided and sold for big bucks. I've seen this happen time and again – in the San Joaquin Valley, in Kailua-Kona Hawaii, the list could go on and on. It can happen here. It will happen here if this Agritourism Zoning Text Amendment isn't denied.

### **PUBLIC SERVICES**

The DIS/MND states that there will be no substantial population or housing growth. The above paragraph shows that statement to be false. Therefore, there would be the need for new or altered governmental facilities to provide fire protection, police protection, and more schools. This possibility must be addressed and discussed with a view to the future of Scott Valley and Siskiyou County.

### **RECREATION**

Discussion in the DIS/MND states, “While increased tourism resulting from the proposed zoning text amendment could cause in [sic] a minor increase in the use of recreation facilities

throughout Siskiyou County, it would not accelerate degradation of these facilities or result in their substantial physical deterioration.” Obviously the writer isn’t from Scott Valley. Here it is common knowledge that overuse by the out-of-compliance JH Ranch and Kidder Creek Orchard Camp which is expanding without permits has degraded almost all of our public parks, our Wilderness area, and other public places. Both JH and KCOC take their attendees to off-site park locations for camping and recreation. I don’t know how it will be this year, but in past years local residents have been turned away because one or both of the entities had “booked” camping at the parks and no one else was being allowed in. There is nothing in the Agritourism Zoning Text Amendment to prohibit Agritourists from leaving Agritourism properties, venturing to our parks, further degrading them, keeping local residents from enjoying them, and ultimately destroying them. This issue must be addressed.

### **TRAFFIC/TRANSPORTATION**

I was told, but can’t remember, which counties the TAC used to draft the Agritourism Resolution. Having reviewed the discussion on Traffic and Transportation, I can only conclude they must have been Third-World counties.

There is no definition of Average Daily Trips (ADT) in the Agritourism Zoning Text Amendment, so the public is perhaps confused about what ADT actually is. I like this from a California County: “ADT means Average Daily Trips. [A project must] provide traffic generation information in one-way trips. This means that a single round trip is counted as two (2) trips (ADT) i.e., a vehicle driving to the property is counted as one trip. The same vehicle leaving the site is counted as a second trip.” Weekend trips should be included. Also included should be Pass-By Trips, which are trips generated by the proposed Project. The co-owner of one of the unpermitted Agritourism sites recently said that because of their inability to currently operate, people should drive by their ranch. This creates a Pass-By Trip, which should not be allowed until the Agritourism Zoning Text Amendment is approved.

The Agritourism Zoning Text Amendment allows for 25 daily campers; an unmentioned number of Farmstay “guests” (where I’m from [the banks of the Stanislaus River in Stanislaus County] guests didn’t pay to come to our ranch – they were invited as friends and family and sometimes those “down on their luck,” and they ate and enjoyed for free); 30 “guests” at 20 single day event; and between 31 and 150 “guest at 3 single day events. Since Health and Safety Code section 113893 (a)(2) allows for 15 Farmstay “guests” per day, I’ll use that figure. That is  $25+15=40$  potential guests per day for daily campers and Farmstays alone. Forty is the least number of trips per day that must be considered to meet CEQA requirements. Since the number of daily trips far exceeds the number allowed by the Agritourism Zoning Text Amendment; and

since there is no way of determining how many parcels could qualify as Agritourism properties; and since the number of parcels in the unique and sensitive area of Scott Valley which is covered by the Scott Valley Area Plan was never disclosed, traffic from the Agritourism Zoning Text Amendment must be reevaluated.

The Agritourism Zoning Text Amendment states, “(3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, **excluding school buses**. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.” There is no rationale for excluding school buses from the ADT. If the school buses are serving the Agritourism properties, they must be included in the count, and CEQA requires that they be included in the CEQA evaluation. Additionally, the generation of over 10 ADT has already been proven. A conditional use permit must be required.

The DIS/MND also concludes, “Coupled with the low traffic volumes anticipated as result of the project, additional trips generated by the proposed zoning text amendment would not impair emergency access throughout the county or create off-site impediments to emergency access vehicles.” Low traffic volumes can be “anticipated,” but CEQA requires that the actual potential for an increase in traffic volumes be considered. Emergency access must be required on the Agritourism properties. To not require adequate emergency access puts both the Agritourism property owners and the County (as the permitting Governmental Agency) in danger of being the subject of time consuming and costly litigation. The requirements for points of access to ensure public safety need to be included in the Zoning Text Amendment.

Agritourism is not a new concept in Siskiyou County. A former County Supervisor said in public forum, that when it was looked at before the issues of insurance and traffic (amongst others) came up. To the best of my knowledge nothing was ever done to seriously promote Agritourism until now.

I will suggest that we in Scott Valley have direct experience with the type and volume of traffic that will be allowed if this Agritourism Zoning Text Amendment is passed. We have the Scott Valley Yard Sale Extravaganza on the first Saturday in the month of June. Everyone who has something to sell is having a yard sale; everyone who is seeking a treasure or bargain is out looking at the yard sales. Our roads are clogged with traffic from local folks, out-of-towners, and tourists. We have a hard time getting out of our driveways, and if we manage to get out we have a long wait getting onto Highway 3 because of the traffic there. It is great fun and people are tolerant for the most part because they realize that it is a one-day yearly event. Come Sunday morning the remnants of yard sales can be seen at some places and the out-of-towners and tourists have either gone home or are on their way. That won't be the case with traffic from



the Agritourism Zoning Text Amendment. That traffic will be allowed year around. Such intensity of traffic should not be permitted in Scott Valley.

We in Scott Valley also have direct experience with the impacts of traffic from the out-of-compliance JH Ranch, which is always taking its attendees off-site to keep their occupancy count down. Since JH is under the same ownership as Scott River Lodge, there has been a great increase in traffic between these two projects. Kidder Creek Orchard Camp is a smaller project that has less traffic, but that too adds to our experience of traffic. The cumulative effects of this traffic is not mentioned in the Agritourism Zoning Text Amendment – more on that later.

The following statement in the DIS/MND is false and not based on true CEQA environmental review. To say, “Overall, the proposed zoning text amendment has the potential to result in a minor increase in the use of rural roads to access the working farms and ranches of Siskiyou County and potential impacts to traffic and circulation are considered less than significant,” is proven incorrect and is flagrant violation of CEQA. It puts our elected officials and their appointees in a position where they will vote to approve the Agritourism Zoning Text Amendment without realizing that they are relying on fatally flawed information.

Based on the Traffic portion alone, approval of the Agritourism Zoning Text Amendment needs to be denied and the whole Amendment sent back for a rewrite and an Environmental Impact Report (EIR).

## **WILDFIRE**

The CEQA Guidelines were updated on December 28, 2018, and the updates are included in the 2019 CEQA Statute and Guidelines Handbook. The updates included the addition of “Wildfire” in Appendix G, the CEQA Checklist that is used by some planners to evaluate the significant effects of a project.

This section of the CEQA Checklist needs to be considered and answered.

XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?
- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

As you will see from mapping of statewide fire hazards, much of Siskiyou County is at high risk from wildfire. You can identify the valley floor of Scott Valley as one of the few places that is free from such risk. That does not preclude a fire starting on the valley floor from burning upslope with dire consequences. Refer to the map link at this URL:

[http://frap.fire.ca.gov/webdata/maps/statewide/fhszs\\_map.pdf](http://frap.fire.ca.gov/webdata/maps/statewide/fhszs_map.pdf)

The California wildfires of 2018 were a wakeup call to all communities in the State of California, especially those sited in wildfire sensitive areas, such as much of Siskiyou County. Wildfire most definitely needs to be discussed in this DIS/MND.

### **UTILITY AND SERVICE SYSTEMS**

The DIS/MND states, “Discussion of Impacts: 4.18(a)-4.18(g): Less Than Significant Impact. Farms and ranches engaged in agritourism would typically be served by individual domestic water wells and individual conventional on-site sewage disposal systems. Any new wells or new or expanded septic systems resulting from the project would require a permit from the County’s Environmental Health Division. In addition to ensuring adequate water supply for new wells, Environmental Health would determine whether the proposed septic improvements could serve the use without adversely impacting groundwater or exceeding applicable RWQCB standards. As a result of mitigation measures contained in other sections of the initial study, any potential environmental impacts associated with construction of these improvements would be reduced to a level that is considered less than significant.”

Since permitting of wells is done on an individual basis, little is being done to assure that our aquifer will not be depleted. Some method of protecting our aquifer must be included in this Agritourism Zoning Text Amendment. Well permitting by the County must include protection of the aquifer. Greater care must be taken to assure that existing and future septic systems are not negatively impacting our groundwater.

### **MANDATORY FINDINGS OF SIGNIFICANCE**

The DIS/MND opines, “There are no recently approved projects in the region that together with the proposed project would have the potential to result in cumulatively significant impacts to the physical environment.”

For EIRs, CEQA requires “A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the agency...”

A Mitigated Negative Declaration (MND) assumes a lower level of “Significant Impact” than an Environmental Impact Report (EIR). The MND cannot only consider “recently approved projects in the region.” Since the region is the entire County, cumulative impacts of past, present, and probable future projects for the entire County must be considered.

Since I am most concerned with Scott Valley and the SVAP, I believe that impacts from the following projects that required or are requiring a County Conditional Use Permit should be included regarding at least traffic; noise; dust; water; septic tanks; population growth; and others:

JH Ranch Guest Resort; Kidder Creek Orchard Camp; Scott River Lodge; Nash/Kiewit Gravel Mine; Jenner (Formerly Tschopp) Gravel Mine; Moore Gravel Mine; and others. This list will be added to and expanded upon if the Agritourism Zoning Text Amendment should proceed towards approval.

For clarification, a member of the Agritourism TAC is rumored to have said that once a Level II Agritourism permit is received the permit goes with the owner and is extinguished on the land if the owner sells the land or goes out of business. In Siskiyou County a permit from the Planning Department is said to “run with the land” and can only be extinguished by a County Revocation Hearing. Some of the projects on my list are dormant now, but can come roaring back to life when the owner of the property wishes to engage in the use permitted.

### **OTHER COMMENTS**

The Codification of the Agritourism Zoning Text Amendment is poorly written. To say Level I and Level II Agritourism in County Code and require the public to search the Code for definitions of those uses leaves the door open for inadvertent violation of County law.

There must be some method of determining that the guest and event numbers of Level I and Level II Agritourism are not violated.

The Agritourism Zoning Text Amendment requires that both Agritourism Camping and Farmstay activities require that the operators of those activities acquire a transient occupancy registration certificate. However, the Zoning Text Amendment sets no standards for reporting

the part of income from Retreats that is allocated to transient occupancy. Unpermitted Retreats that have been held over the past 4 or so years charge for the weekend retreat. The guests stay in tents overnight. Some method or standard must be set so that the camping portion of Retreat income is broken out equitably, and the County collects the tax. Some method of reporting that can be enforced must be set for all Agritourism operators.

The issues of insurance required for both Agritourism operators and the County; the possibility and liability of both Agritourism operators and the County for trespass; the sale and use of alcohol on Agritourism properties and the concomitant liability for both Agritourism operators and the County; and the requirements of and compliance with the American Disability Act (ADA) must be considered; discussed and made a requirement of this Zoning Text Amendment.

## **CONCLUSION**

The Agritourism Zoning Text Amendment is not in compliance with the Scott Valley Area Plan (SVAP). Agritourism should be prohibited in the area of the SVAP.

CEQA sets a low bar for the requirement of an Environmental Impact Report. My comment letters Part One and Part Two show that this project may have a significant negative effect on the environment. An EIR must be required. CEQA Guidelines 15064 (a)(1).

Please deny the Agritourism Zoning Text Amendment. If it is to go forward in any way at any time, require Scoping meetings so that the public is involved; require a rewrite which bans the use in the area of the Scott Valley Area Plan; and require an Environmental Impact Report for the impacts on the rest of the County.

Thank you for accepting my continued comments on the Agritourism Zoning Text Amendment.

Sincerely,

Anne Marsh

**From:** [Marlene Martin](#)  
**To:** [Christy Cummings Dawson](#); [Planning](#)  
**Subject:** Agritourism Zoning text Amendment  
**Date:** Monday, March 18, 2019 10:09:09 AM

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Dear All,

Please know that we oppose the current amendment for Agritourism and Multispecies Amendments. We are long time farm owners and are not against change. We feel there should be more community involvement in the drafting of something that might potentially change our Scott Valley Area Plan and may directly affect our way of life.

Thank you for your consideration.

Sincerely,

Charles D. And Marlene Martin  
7712 N. Hwy 3  
Fort Jones, Ca 96032  
530-468-5174

## To: Siskiyou County Planning Commission

This letter is being sent to stop, allow more study time or change the Agritourism Zoning text Amendment (z-17-03).

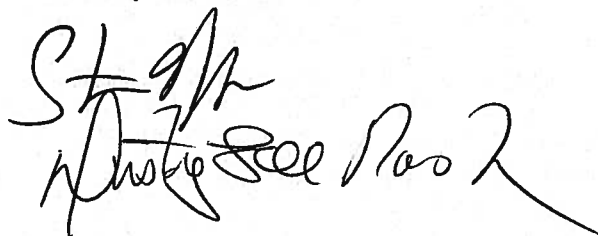
As Siskiyou county ranchers we feel that this zoning change will have an adverse effect on real agriculture and those of us trying to make our living in agriculture. We have enough input from non-agriculture groups overseeing our business practices without adding campers challenging our practices who have no knowledge or understanding of what we do and why. If our practices somehow disturb or offend their recreational experience they have and will try and stop our business and have a huge impact on our ability to make a living. Farmers and ranchers work extremely hard to make that living while providing food for all of America and beyond.

We understand that sometimes change is necessary and good, but please don't do it under the guise of agriculture.

We are the true environmentalists that take care of our lands. If we, as ranchers and farmers, are allowed to do what we do Americans will always have a safe food supply.

Thank you for your consideration,

Steve and Dusty Nash  
5816 N. State Hwy. 3  
Etna, Ca 96027

Handwritten signature of Steve and Dusty Nash, written in black ink. The signature is stylized and appears to read 'Steve and Dusty Nash'.

**From:** [Thomas O'Brien](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** Re: Public Input of the proposed Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/Siskiyou County Code  
**Date:** Monday, March 18, 2019 1:44:26 PM

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Attn: Deputy Director Christy Cummings Dawson

Siskiyou County Planning Commission

Please consider my following comments additional to those stated in a letter recently sent via email by my wife, Sharon O'Brien. Although, her letter bore my name as well as hers, it was she that composed it. Knowing that our views on this amendment issue are fully compatible, I felt comfortable also attaching my name to that letter. Subsequently, I have thought of some additional issues not covered in my wife's letter, which I wish to address in this email. Hopefully, the points I and others in the community raise will convince you that it is in the best interests of the citizens of Siskiyou County, especially those of Scott Valley, to leave the Siskiyou General Plan/Siskiyou County code (approved by the Board of Supervisors in 1980) as it is--**unchanged**. That is to say, the proposed amendment should be soundly denied.

There are many, many reasons for me to take this justified position, and I suspect you have already received input from many that share this view. But the purpose of this email, is to share a few considerations that may not have yet been presented, which are just small part of a much longer list of valid concerns.

The concerns I present in this email (all of which my wife, Sharon O'Brien is in full agreement) are as follows:

--[if !supportLists]-->1. <!--[endif]-->**If it is in the economic interests of the Cannabis spp. Industry to challenge its exclusion in this amendment—they will challenge it, and they will prevail.**

The proposed plan amendment states that Cannabis spp. (i.e., marijuana) is to be excluded. But if legally challenged, is this really enforceable? I believe it is not, and here is why. If money is to be made in agritourism, the marijuana industry will be interested. There is no shortage of money behind this industry. Are they not rolling in it? If anyone doubts this, they should ask anyone who sold their property to growers for substantially over its market value; or ask Sheriff Lopey who was offered (and rejected) a million dollar bribe to look the other way when enforcing the law. Even if Siskiyou County Planning Department officials and our Board of Supervisors are of the opinion that such legal challenges to the marijuana exclusion are without merit, they should ask themselves if they would support the spending of tens of thousands of precious, public dollars defending their position.

As a lay person I can envision a legal challenge being presented by marijuana interests saying you are discriminating against them because you do not morally condone their enterprise's legal production and sale? I believe their smart lawyers could make it very costly for our county to enforce this exclusion, if they simply had a mind to. **Just as wine tasting rooms at vineyards are common-place today, we may someday have marijuana toking rooms at marijuana farms. Is this a risk you are prepared to take? If your answer is no, please reject this amendment!**

--[if !supportLists]-->2. <!--[endif]-->**This amendment as it is now written is fraught with loopholes.** These loopholes, if exploited, will lead to unintended consequences. Last week my wife and I attended a meeting in Etna regarding this proposed amendment. At this meeting it was demonstrated that

many, many tens of thousands of people annually could become agritourists in our valley without their hosts violating this proposed amendment. If so, good-bye Scott Valley as we know it.

**Increased traffic on our limited Scott Valley roads;** To me, and many others, Scott Valley has a charm that has been preserved, in contrast to it unfortunately having been lost in many other rural areas of California. The fact that there is not a single traffic light in the entire valley, nor a need for one, is a bragging point of mine as a resident of this lovely valley. I fear, in time, that would change as agricultural tourism is developed in order to reap its optimal financial returns. With the increased traffic (and resulting accidents) it is reasonable to expect that eventually we will have traffic lights in Fort Jones, Greenview, and Etna. Who knows, perhaps there would in time be a need for passing lanes (such as currently exist over Forest Mountain) between Fort Jones and Etna. All of this would, in my view, detract from the charm of the valley that we are now so blessed to have.

--[if !supportLists]-->4. <!--[endif]-->**Increased demand on our limited water resources;** The more water consumed supporting this new agritourism industry is less water that would have otherwise flowed in to our Scott River. We have been told over and over that this water is critical to the reproduction of our Coho Salmon. If this concern is valid, should it not compel one to vote against this proposed amendment?

--[if !supportLists]-->5. <!--[endif]-->**Increased risk of fires;** this would come with the increased land use due to agritourism uses, especially camping. Given our recent experiences with devastating fires this risk should not be minimized.

Yours truly,

Thomas O'Brien

5616 Scott River Road

Fort Jones, CA 96032

(correspondence sent via email @1:44 P.M on March 18, 2019))



**From:** [truemelinda@gmail.com](mailto:truemelinda@gmail.com)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** Agritourism/Multi- Species Farming  
**Date:** Monday, March 18, 2019 6:23:15 AM

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Greetings,

Please note that this is my letter addressing the above. I would support agritourism if a permit process was in place...a zone change opens up too many issues...and does not comply with the Scott Valley Plan. Regarding Multi-Species Farming...Again a permit not zone changing should be the way. Too many issues were not addressed here...Number of animals allowed...How to protect waterways from free ranging animals..How to eliminate noise and odors for nearby neighbors. This also is in conflict with the Scott Valley Plan. Ms. Dawson Your plate is FULL! Thank you for your hard work and efficiency.....Melinda Field Perlman

Sent from my iPad



# Quartz Valley Indian Reservation

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March 18, 2019

To: Christy Cummings Dawson, Deputy Planning Director  
Planning Division, Community Development  
806 Main Street  
Yreka, CA 96097

From: Crystal Robinson, Environmental Director  
Quartz Valley Indian Reservation  
13601 Quartz Valley Road  
Fort Jones, CA 96032

**RE: SISKIYOU AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

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Ms. Cummings Dawson,

I have reviewed the *Draft Initial Study/Negative Declaration for Agritourism Zoning Text Amendment (Z-17-03)* and offer the following comments on behalf of the Quartz Valley Indian Reservation.

We agree that these types of activities should be regulated by the county as they are already occurring without any guidelines. However, the proposed zoning change would permit agritourism activities without a use permit if within the specified limits. We feel that the impact to water and aquatic organisms should be considered on a site by site basis and require an environmental review through CEQA.

Increased water usage will only exacerbate the existing issues facing Scott Valley. If flows are impacted due to increased water usage from agritourism the following issues arise – violations to the Scott TMDL for temperature and sediment, depletion of the Klamath National Forest water right at the USGS gage, ‘take’ of federally and state listed coho salmon, and violation of the Sustainable Groundwater Management Plan currently in development by the Scott Advisory Committee.

The natural resources of the Scott basin are intrinsically tied to tribal cultural, water being of the utmost importance. We hope you will consider these comments and revise the agritourism zoning amendment accordingly.

Sincerely,

Crystal Robinson  
Environmental Director  
Quartz Valley Indian Reservation

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Administration: 530-468-5907

Fax: 530-468-5908

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13601 Quartz Valley Road, Fort Jones, CA 96032

**ATTACHMENT 2**

**Debra Schroeder**

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**From:** Stefanie Root <stefanieroot@gmail.com>  
**Sent:** Monday, March 18, 2019 4:40 PM  
**To:** Planning  
**Subject:** Agritourism Zoning Amendment

Stefanie Root  
4737 French Creek Rd.  
Etna, CA 96027

3/18/2019  
Christy Dawson - Deputy Planning Director  
806 Main St.  
Yreka, CA 96097

Dear Ms. Dawson

While I fully support the idea of local Scott Valley families being able to make a decent living farming and ranching and engaging in low-impact cottage industry-type endeavors on their properties, I am opposed to the Agritourism Zoning proposal as currently written.

Among other issues, it does not take into consideration the potential for future high-density development on prime agricultural lands, limited water resources, handling of sewage, or increased traffic.

Last year's Grand Jury Report made it clear that the county has been unwilling, or unable, to monitor and enforce compliance with the Siskiyou County General Plan and Scott Valley Area Plan as regards the JH Ranch, which continues its unpermitted incremental expansion. Throwing the doors open to allow a potentially heavy influx of tourism of any kind is not the answer to the lack of enforcement.

What is to prevent another wealthy corporate entity from buying up hundreds of acres of Scott Valley land and breaking it up into multiple agritourism destinations?

That might sound attractive to greedy folks who want to exploit and extract profit from our beloved valley, but that is what the Scott Valley Area Plan was adopted to disallow.

Please consider tableing this proposal until it has been subjected to comprehensive revision with input from local citizens other than those who stand to directly benefit from its passage.

Thanks for your attention  
Stefanie Root

March 18, 2019

To: Christy Cummings Dawson, Deputy Director of Planning, Siskiyou County Planning Commissioners, and Siskiyou County Board of Supervisors

Subject: Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study / Mitigated negative Declaration

Comments:

I will make general comments and then will break it down to issues and solutions with the proposed Agritourism Zoning Text Amendment.

It is very disappointing that the Siskiyou Planning Dept. does not recognize the zoning restrictions and limitations set forth in the Scott Valley Area Plan. This 1.6 million acres "one size fits all" zoning change for all of Siskiyou County simply cannot be applied to Scott Valley in its current form. The Scott Valley Area Plan was written to restrict development and to protect real agriculture and the natural resources of Scott Valley. These are clearly stated in the "Citizen and Development" Goals" in the Plan. Please defend the Scott Valley Area Plan rather than trying to override it. This Resolution is too loosely written.

Issue #1- Applying this zoning change to all Rural- Residential, AG-2, and AG-1 parcels on 10 acres and larger should not be allowed. This should be changed to 20 acre minimum parcel size and no permanent development allowed on AG-2 and AG-1 zoned land. This land was intended for agricultural production not tourism in Scott Valley.

Issue #2 - The Level 1 and Level 11 permitting process needs to be revised and it is too loosely written. Level 1 allows too many visitors as that many visitors could be detrimental to neighboring properties and should be restricted to 250 visitor days per year. All Level 11 usage should require a "Conditional Use Permit" and should include any activity that that charges for any product or admission, etc. as this is a commercial activity and once again be restricted to 350 visitor days per year including Level 1 usage. No overnight camping should be allowed. There are commercial and government campgrounds available and this activity should not be allowed on agricultural land. There are just too many issues including structures needed, sewage, water, fire, lighting, noise, ingress-egress, traffic, parking, and impacts to neighboring land.

Issue #3 – Allowing permanent development on 10% of a parcel or a maximum of 5 acres is in clear defiance of the Scott Valley Area Plan. This intense of development is only allowed within the "Spheres of Influence" around the four towns in Scott Valley. Infrastructures should be limited to a total of 2500 square feet per parcel involved in agritourism.

Issue #4 – The level of environment review is inadequate considering that it affects the zoning in 1.6 million acres in Siskiyou County. It is unfortunate that the citizens of Siskiyou County had to hold their own public information meeting on this proposed Resolution and that information on the Resolution had to be placed in the local paper by citizens (other than hidden in the Legal Notices). This proposed Resolution is very controversial for the citizens of Scott Valley and the

Planning Department should easily have known that. The way this Resolution was written by those that stand to benefit from it and how it was “quietly” ushered through with hopes of it passing without opposition is a failure in our governmental process. An Environmental Impact Report” needs to be written for this level of Resolution and there are several significant impacts to the citizens of Siskiyou County. Most citizens outside of Scott Valley (and many in Scott Valley) don’t even know about the Resolution.

Issue #5 – The \$1000 requirement as proof of being in agriculture would be difficult to verify, is too low, and easy to manipulate. It should be set at a minimum of \$3000 or an appropriate portion of income derived from agriculture to qualify.

This Resolution should not be approved as it is written. I believe that citizens of Scott Valley would support agritourism that is very limited in scope and restricted to agriculture product “stands” and an occasional educational tour with a maximum of 50 visitors per tour.

Thank you for the opportunity to comment.

Michael Stapleton

French Creek Ranch

5104 French Creek Rd.

Etna, CA 96027

March 18, 2019

To: Siskiyou County Planning Commission  
Deputy Director Christy Cummings Dawson  
806 South Main Street  
Yreka, CA 96097

From: Stacey (Black) Stover  
1655 Thrasher Lane  
Medford, Oregon 97504

RE: Agritourism Zoning Text Amendment (Z-17-03) To Siskiyou General Plan/Siskiyou County Code

I am writing as one who spent the first 20 years of my life living in Scott Valley, who frequently visits the area, one who will inherit part of a farm in Scott Valley, and one who was party to the formation of the Scott Valley Plan. While I do not currently live in Scott Valley, I am aware of the current Agritourism Zoning Amendment and I am opposed to it as it currently proposed. I am not sure if I can make a such a request as a non-resident of Siskiyou County but if I can, I request holding on advancing an approval of the multi-species policy until the community and decision makers better understand the relationships between the two amendments. I recognize the intended need and support local, unique and value added agricultural products. I feel there is a process that could allow some of the proposed items to advance but not as currently drafted. The proposed amendment does not have the support of the community because the community was unaware of the process. Secondly, the representation of the Technical Advisory Committee (TAC) was too narrow as developed. At this point we are left with divided opinions and feeling of distrust as a result of a somewhat closed process and a very questionable current CEQA finding. For these reasons, we also support halting further advancement of the multi-species policy until the links between the two proposals are better understood by the full community and analyzed against existing policy including the Scott Valley Plan.

I feel there should be opportunities to market local, unique value added products, and expanding local agricultural economies. However, this proposed amendment fails when it attempted to permanently convert thousands of acres of rural and agricultural land from production and allow camping. The act of camping is selling Siskiyou County's beautiful open space, not a unique agricultural product. The camping components of the proposed amendment and events exceeding 100 people is where much of the community concern lies as those actions negatively impact many other citizens, and local and natural resources. Our family farm lies next to a farm that has dabbled in destination camping and already there are issues and impacts with even a relatively small number of people.

We are most disturbed by the initial CEQA findings by Siskiyou County resulting in a finding that a Mitigated Negative Declaration (MND) of no significant impact as a result of just 7 general mitigation measures. It is the role of the CEQA document to analyze the impacts of the full build-out of the proposed amendment. Instead, the CEQA document

concludes the impacts will be small or insignificant because participation will be minimal. Those conclusions fail the intent of the analysis, which is supposed to analyze the impacts of the full "build-out" the agritourism amendment is proposing. The developer of the MND should have analyzed the maximum impact of what is allowed under the proposed amendment but instead refused to follow process, which fosters further doubt in the process and the proposed amendment.

This proposal affects at least of 2,458 parcels. As defined in the amendment, Tier 1 agritourism allows 30 people per parcel or up to 73,740 people to access the County parcels on any given day (nearly twice the population of the County). This would add roughly 25,000 vehicles to our rural transportation system on any given day. Per the amendment, over the 20 agritourism days are allowed in Tier 1 . Up to 1,474,800 people would be allowed to enter the County with approximately 490,000 vehicles as a result of the proposed amendment. In fact, Tier 1 allows a maximum of 368,700 people to enter Siskiyou County on a single day. The document fails to analyze full build-out of the proposed zoning change and dismisses the impact as a text amendment. The current proposal cannot be dismissed as a simple "text amendment" as the County MND attempts several times. The proposed amendment allows up to an estimated 12,000 + acres of rural and agricultural property to be permanently converted from agricultural land to whatever is considered to be a structural improvement to facilitate the agro-tourism market that entity is proposing. Again, the MND also ignores the analysis it was supposed to conduct by saying they don't think a full build-out will happen or existing structures would most likely be used in lieu of new construction.

The proposed policy allows new construction on affected parcels and allows permanent conversion of thousands of acres for agricultural property, including prime agricultural zone ground (a violation of the Scott Valley Plan). The proposed policy allows potentially millions of people annually to access and camp throughout Siskiyou County that would be not be allowed otherwise. The cumulative impacts, must be analyzed at full build-out in this document and cannot be dismissed as a simple text amendment. A CEQA finding of no significant impact by adopting this zoning change with just 7 general minimization measures that do not consider exclusions for sensitive areas, wetlands, archeological sites, admission of strain on transportation and traffic. This, in turn, could put the County in a liable position that will likely be challenged if the County elects to move forward with the current proposal.

Specific Concerns and inadequacies are identified in the bullets points below:

- Area affected under proposal includes permanent impacts of far too many acres
- Camping does not belong in this amendment. There are numerous, currently established campgrounds that deserve patronage and will be impacted.
- Current language is too loose and begs for abuse and unpredicted impacts.
- Lacks definition which encourages abuse. Needs a glossary of definitions for this policy
- Enforcement of this amendment seems literally impossible and was not contemplated, making it unsupportable. Enforcement and violations must be defined and funding of such should be provided by participants.
- Any future revision should include requirements for participants to pay annual fees to public schools in the affected district.
- Stress on local services, increase risk of wildfire(s) and first responders at full build-out was not contemplated but would be insurmountable as currently staffed

- Farm stays need much more definition and analysis.
- No defined recourse for violations. Who counts the number of events per entity? Is this to be self-regulated? An enforcement section needs to be developed.
- A financial process needs to be developed so administration and enforcement of this amendment is not an impact to the County.
- Some current entities proposing change are selling a rural experience, selling Scott Valley, selling hiking, selling access to back country. There is a difference between selling a product versus a dude ranch experience. This needs to be better defined. This is not an amendment to analyze "dude ranches".
- Some definition separating religious exemptions versus promoting agricultural products should be clarified. There are some grey areas that need to be better defined so the issues of JH Ranch resolution can be separated from the intended objectives this proposal.
- **MND concludes:** *"Because the agritourism uses included in the proposed zoning text amendment are intended to be compatible with resource-based land uses, the proposed zoning text amendment would not conflict with any zoning for forestry-related uses, including the County's Timberland Production District (TPZ). Furthermore, because the project only involves properties zoned and used for agriculture, the project would not result in the conversion of forest land to non-forest use nor would it involve other changes to the environment that would result in the conversion of farm land or forest land. For these reasons, the project would have a less than significant impact on agriculture and forestry resources."*

I contend that this is a false conclusion as it allows conversion, including development of campgrounds on R-R1 and wooded lots to be included the most likely the place to be converted. Increase of 1.4 million visitors/campers will certainly result in increase fire risk and damage to production timber. The Proposal will increase stress on local resources and first responders and analysis refuses to acknowledge risk.

- **MND concludes:** *"Agritourism activities including buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, "u-pick" sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural uses" (Siskiyou County 2012).*

As such, the project would not conflict with existing zoning for agricultural uses or supersede limitations established by the County's Williamson Act Guidelines. This is also due in part to the proposed zoning text amendment expressly excluding "concerts or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch."

I contend that this is a false conclusion made by the MND. Simply put, the MND cannot dismiss the impacts of the proposed zoning amendment because it does not conflict with what is allowed in other zoning and land use policies. Siskiyou County sent letters to these entities saying their actions are not allowed under current zoning and initiated this process. The impacts of this proposal including permanent conversion of thousands of acres of land, adding camping and increased visitation of 1.5 million people annually must be addressed as that if specifically what this amendment proposes. Further, it is specifically what you asked the TAC draft, and they did. Now, the MND must analyze the full impact of the proposed amendment, which it does not.



In closing, the proposed amendment does not address the risks and eliminate unintended consequences from an implementation standpoint. Specific to Scott Valley this is an amendment that, if approved, conflicts and therefore risks gutting the Scott Valley Plan, the very plan that has retained and protected what some of these entities are actually attempting to sell... Scott Valley or the beauty of our rural county. In the very least we ask you to exempt Scott Valley from this amendment, keeping the Scott Valley Plan as the guiding planning and zoning document for that part of Siskiyou County.

But this amendment cannot be accepted within any portion of Siskiyou County as currently written. While I agree that ranching entities deserve to market their products and we support value added approaches to local products, a near total rewrite of the amendment is necessary. Even more than that, a significant number of the TAC and intended participants no longer support the amendment or do not intend on pursuing agritourism anymore. Given that information, we should investigate why is this even being considered at this point? Perhaps some recent articles are correct that agritourism is a saturated, exhausted fad. Consumers do still care where their food is produced and deserve to know their producers, but they don't need to camp with it. Let's get back to a pathway of promoting local products and support methods to advance local economies, but get rid of the complexities of camping, reduce large group sizes that stress our rural infrastructure and work to eliminate permanent conversion of agricultural and rural property.

Thank you,

Stacey (Black) Stover

**From:** [Ray Haupt](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** FW: Agritourism zoning amendment  
**Date:** Monday, March 18, 2019 7:56:40 PM

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Ray A. Haupt  
District 5 Supervisor  
Siskiyou County  
530-925-0444

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From: curtis sweezey [sweez43@hotmail.com]  
Sent: Monday, March 18, 2019 8:26 AM  
To: Ray Haupt  
Subject: Agritourism zoning amendment

To: Siskiyou County planning Commission deputy planning director Christy Cummings Dawson, and Ray Haupt Siskiyou County board supervisor, district 5

From: Curtis Sweezey, Etna, Ca

Dear commissioners and county supervisor,

My name is Curtis Sweezey and I strongly oppose the agritourism amendment. I'm a third generation Scott Valley commercial farmer (not a 100 acre hobby farmer nor a social media propaganda pusher) My family was established here in 1969 and as agriculture goes, our business has had many ups and downs. We have worked very hard year after year to improve our operation and continue to make it more sustainable for the future. We have accomplished this over the last 50 years without a single penny from agritourism. We didn't need it then, and we certainly won't need it now.

This amendment directly contradicts the Scott Valley Area Plan and would be absolutely horrible for Scott Valley and Siskiyou County farmers and residents.

**lauren sweezey**

**From:** lauren sweezey <laurens@sisqtel.net>  
**Sent:** Monday, March 18, 2019 7:43 AM  
**To:** 'rhaupt@co.siskiyou.ca.us'  
**Subject:** Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/ Siskiyou County Code

Date: March 17, 2019

**To:** Siskiyou County Planning Commission Deputy Director Christy Cummings Dawson and  
 Ray Haupt Siskiyou County Board of Supervisor, District 5

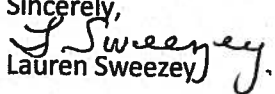
VIA: E-Mail

**From:** Lauren Sweezey, Etna California**RE:** Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/ Siskiyou County Code

Dear Commissioners and County Supervisor,

My name is Lauren Sweezey and I am a resident of Scott Valley California. I have lived in Scott Valley for 40 years. I have been working on our family ranch for 33 years. I am writing to comment on the proposed Agritourism Zoning regulation Amendment. I support the effort to find ways to increase the economic vitality of Scott Valley and my community, however I do not agree with the proposed New Agriculture Zoning regulation! I have read the Scott Valley Area Plan and the Siskiyou County Code of Ordinances. With this knowledge I realize that the zoning proposal would override the SVAP. The Level 2 proposed zoning proposal to allow **camping on prime agricultural land is not compatible with farming practices**. Currently camping, such as paid camping, is allowed in Commercial District only. Therefore, there are places to camp in Siskiyou County. Also the proposed Unique Agricultural Product starting as low as \$1,000, is unrealistic to call yourself a farmer, this would be a hobby. The \$1,000 dollar amount would more than likely be a very small amount of product that could easily be sold at a farmers market, and should not be a benchmark for defining the two levels of Accessory use for Agritourism. I feel that 65% of your income should come from your farming practice, and therefore would qualify you for Agritourism on your farm or ranch. I am in favor of farms and ranches hosting educational field trips and day events related to agriculture. I am in favor of hosting wedding events for additional income on a farm or ranch; there would be no better place to say "I do."

I would like to see the current plan for **Agritourism amendment** to be **dismissed**, and a **"NO VOTE."** If the new Agritourism zoning is approved, I believe it would end up destroying the ability of agricultural producers to continue their operations. Just the nature of farming and ranching practices would not be in harmony with campers along your bordering fence line with your neighbor. Agriculture is the number one business in Siskiyou County that is a major contributor to the beauty of Siskiyou County. It is where the **Wide Open Spaces** continues. I would be in favor of starting a new citizen committee group selected from all walks of occupations and life styles. I encourage the process to be organized much like the Scott Valley Area Plan was back in 1970 ; "The creation of the Scott Valley Plan was an example of grass roots citizenship at its very best" ( Murry Taylor SVAP). **We are Unique in Siskiyou County- We are a small group of people with a large heart for agriculture and nature. Let's continue to keep our County unique and beautiful. Good planning will always make for good growth.**

Sincerely,  
  
 Lauren Sweezey

March 18, 2019

RECEIVED MAR 18 2019

Siskiyou County Planning Commission

806 Main Street

Yreka, Ca 96097

Dear Commissioners,

I am writing you regarding the proposed Agritourism Zoning Text Amendment, Z-17-03 to the Siskiyou County General Plan.

My name is Paul Sweezey and I have been involved in commercial agriculture in Siskiyou County for about 45 years. My family purchased a hay and cattle operation in Scott Valley in 1969 which I now own, and have run for the past 35 years.

I feel that that the proposed amendment is poorly written, short sighted and deeply flawed. I am strongly opposed to this amendment as it is written, however I am not opposed to orderly growth nor to anyone in this county running and growing a profitable business.

My primary objection to the proposal is the allowance of development and camping on agricultural land in the Scott and Shasta Valleys for the promotion of Agritourism. Commercial Ag production is one of the primary drivers of Siskiyou County's economy and has been for over one hundred years.

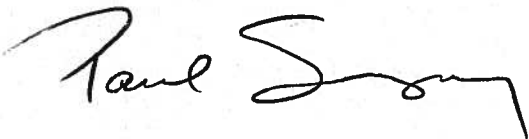
Agritourism, as trendy as it is now, is not going to provide our county or its resident's sustainable economic growth into the future, and may very well destroy farmers and ranchers ability to perform the jobs that we do. Camping on Ag land is not compatible with modern farming and ranching practices.

As residents of California we've all seen the impacts of development in rural areas and the negative effects that it has on agriculture and open spaces.

Commissioners, please vote no this proposal and protect our way of life in this beautiful county.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Paul Sweezey". The signature is written in a cursive style with a large, sweeping initial "P".

Paul Sweezey

Date: March 18, 2019

To: Siskiyou County Planning Commission  
Deputy Director Christy Cummings Dawson  
806 South Main Street  
Yreka, CA 96097  
E-Mail: CDAWSON@CO.SISKIYOU.CA.US  
Fax: 530-841-4076  
Phone: 530-841-2100

Ray Haupt, Siskiyou County Board of Supervisor, District 5  
P.O. Box 750  
Yreka, CA 96097  
E-Mail: RHAUPT@CO.SISKIYOU.CA.US  
Phone: 530-925-0444

From: Freda Walker  
5415 South Kidder Loop

RE: Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/  
Siskiyou County Code  
TO: County Planning Commissioners, County Supervisor and County Staff

I am writing to comment on the proposed Agritourism Zoning Text Amendment.

My name is Freda Walker, as a citizen of Scott Valley since 1974, I have lived on French Creek, Etna and now off Kidder Creek Road. This amendment is important to me, as I believe it does not support the Scott Valley Area Plan and opens the door to dramatically changing the beauty and "culture" of the valley and Siskiyou County, places I call home.

I live in a development that is accessed by a private dirt road. One of the parcels is a 10-acre parcel. So this amendment could affect me in a very personal way related to increased traffic, dust created by traffic, noise, lights, and water use.

My Suggested Solution: Currently there is the option for folks and business to get a Special Use Permit from the county to conduct Agritourism. That is a solution for those interested in developing Agritourism on their property. Why would the county want to have businesses of which they are not aware or unable to monitor? I understand current zoning does not permit Agritourism, so zoning needs to be changed but not without a Special Use Permit or other permit that will require the county to monitor and enforce.

County Procedures:

1. I have issue with timing of the announcement for folks to apply for the TAC and the selection of the committee. Additionally the majority of those selected were from Scott Valley, yet this amendment will apply to the entire county. How did the county assure there was equitable representation not only for all those living in the county but that there was representation of diverse viewpoints? It appears to me that most of the folks appointed were currently conducting Agritourism without a permit. Is that true? Increasing diversity can assist the county in addressing many more concerns that arise when a change is needed or desired.
2. I wonder how the County or the Planning Commission would have time to review public and agency comments when the 30-day comment period ended on March 18 and the Planning Commission has the amendment on their agenda for March 20, 2019. Does that allow for thoughtful and in depth understanding?
3. Have those Commissioners on the Planning Commission that could benefit by the passing of this amendment recused themselves from voting? If not that would be a conflict of interest. Is this information been provided to the public?

#### Permits and Scale:

1. Permits or discretionary land use entitlements provide data that can inform Scott Valley residents if the goals of the SVAP are being meet. We need data related to the number of operations and people that are part of those operations.
2. Permits supply a means to monitor operations and compliance. Monitoring provides data to assure compliance to the SVAP and the County General Plan.
3. Will unpermitted operations be small or large scale? How will the county know the scale?
4. Yes, permits cost operators in terms of money, time and effort. This is true for all business opportunities/ventures. It is part of doing business. Entrepreneurs know this and accept the risks to owning and conducting business.
5. I have been told that getting a Special Use Permit is expensive and has lots of steps to complete. Also, that rancher/farmers/agriculture producers do not know if they will be successful with Agritourism, so want to give it a try without the expense and going through the process of getting a permit. Anyone starting a new business knows there are risks and expenses, as well as not knowing if they will or will not be successful. Why would the county allow some folks to have the “right” to conduct business and with others require a permit?
6. All residents in Siskiyou County are required to apply and pay for permits that relate to many operations such as marijuana growing, building permits, businesses out-side city limits etc. Why would some folks need permits while others do not? I find this to be an issue of equity, where some folks have privileges and others do not. Why are the doors being open for only certain operations and not others?

Number of activities, persons participating, road use, water quality and quantity air quality:

1. The Agitoursim Resolution states numbers but does not indicate the full impact by predicting the total numbers of possible operations with the number of tourist and road trips. What are those total numbers for 2019, five years out, then 10-years and then 20-years in the future?
2. What are the predictions of an increase in traffic? Will current roads be able to handle the predicted increase in traffic?
3. Who will contribute to the cost to improve or widen roads to handle increased traffic?
4. What studies have been conducted to estimate the impact of water use from an increase in the number and kind of operations related to these resolutions?
5. What are the future predictions about rainfall and the increase in temperature that will affect Scott Valley? Will there be enough water? There may not be an absolute answer but there are models that can help predict.
6. Will any of the Agritourism activities be allowed in primary or secondary flood plains or close to creeks that feed into the Scott River? If so how will that runoff affect water quality? What will be the effect on the life cycle of salmon that return to Scott River annually? Has any research been done by the committee or county to make decisions and recommendations to change the zoning? Has any of that research been presented for public review?
7. What are the predictions about septic tanks or systems needed to accommodate the predicted number of operations or tourists? What will be the effect on water consumption and quality?

Concerns about Fire in Siskiyou County including Scott Valley

1. Will concentrating more people on farms and ranches for Agritourism, camping and "Gambling" contribute to fires in the county?
2. Fire Safety is a big concern, as well as who pays for firefighting services.
3. Fire is not only a current issue but will be with us into the future.
4. How does fire figure into the Environmental Checklist? What data has been collected to identify fire issues?

Concerns about The County's Draft Initial Study/Mitigated Negative Declaration

To make important decisions, generally impacts are determined by collecting and analyzing data. The County's Draft Initial Study/Mitigated Negative Declaration seems to make assumptions without data. The following are some examples, but not all examples, in the document:

4.1 AESTHETICS.

- 1) "Agricultural operations are more likely to utilize existing structures, such as

farm houses and/or repurposed barns, than they are to invest in new structures to support incidental agritourism.” Yet this amendment would allow new structures and there are no details of how many new structures could be erected currently, in five years or 25 years. How many new structures could possibly be built? If the 5-acres/10% building idea was fully developed, the landscape would change. Will that change the aesthetic value of the County? It certainly would for me.

- 2) “It is unlikely that many agricultural operations would choose to sacrifice productive land for agritourism improvements.” Would this depend on how much one decides to charge for products, services and accommodation? Could that amount change over the next 10, 20 50 years? What are very wealthy people willing to pay to spend time and money in our beautiful area?
- 3) “Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.” I am concerned with the increase in night lighting from increased tourist activities, tourist traffic and new construction. Part of the beauty of Scott Valley is the night sky. What if your next-door neighbor has bright lights on all night long? The amendment states new lighting must not project onto other properties, yet it will light up the sky. How will animals and birds react to more light? Will humans have better sleep at night when the sky is not dark?

#### 4.3 AIR QUALITY

- 1) “Agritourism-related uses included in the proposed zoning text amendment are also unlikely to generate significant air pollutants.” Where is the data to provide evidence of this assumption?

#### 4.4 BIOLOGICAL RESOURCES

1) “As discussed elsewhere herein, it is anticipated that most agritourism-related activities resulting from the proposed zoning text amendment would occur at preexisting farms and ranches. It is further anticipated that because of the incidental nature of agritourism, farms and ranches are more likely to utilize existing structures than to construct additional improvements, while those farms and ranches subject to a Williamson Act contract may be required to do so. As a result, the project is not expected to result in substantial development activity.” Where is the data and proof that farms and ranches are more likely to utilize existing structures than to construct additional improvements? Is that the case with those that already conduct Agritourism? If water amount and quality are effected what will be the



impact on fish in the many waterways in the county and especially on the Scott River and the Klamath, both being breeding grounds for salmon?

These few examples from The County's Draft Initial Study/Mitigated Negative Declaration are an indicator that more research and deliberation needs to be done before action is taken.

I thank the county staff for their work and consideration of my comments. I encourage the County Staff and the Planning Commission to rethink the total impacts for all of Siskiyou County, then to develop zoning, regulations and amendments that support the Scott Valley Area Plan and control the future growth in Scott Valley, as well as the entire county. Do not approve this amendment as written or any amendment that allows business to be unmonitored without enforcement of potential problems.

Regards,  
Freda Walker

**Debra Schroeder**

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**From:** David Brown <dabrownsoj@gmail.com>  
**Sent:** Tuesday, March 19, 2019 10:10 PM  
**To:** Planning  
**Subject:** Agribusiness

I am opposed to the current proposal to allow agribusiness opportunities in Siskiyou County as it is currently written.

The minimum acreage for this proposal should be 100 acres.

Defining it at 20 acres allows many of the illegal growers around Scott Bar to use this proposal as a means to legitimize their pot growing funds to banks through the use of "agribusiness". The vague definition of "speciality crops" allows hops, honey, potentially cords of wood to be sold that would exceed the \$1000 threshold, and allow illegal marijuana money to be funneled in. Unless the county can address the illegal farms of marijuana on plots of land less than 100 acres,, I am opposed to the entire plan

David Brown

**From:** [Mayor Eb Whipple - 1st Lady Cheusa Wend](#)  
**To:** [Christy Cummings Dawson; Planning](#)  
**Cc:** [Terry Barber; Ray Haupt; Lisa Nixon; Edward Kiernan; Brandon Criss; Michael Kobseff; dist2sup@sbcglobal.net](#)  
**Subject:** Opposing Agritourism and Multispecies for Mar. 20, 2019 Plan Comm. meeting:  
**Date:** Tuesday, March 19, 2019 3:01:11 PM  
**Attachments:** [Screenshots\(131\).jpg](#)  
[tac\\_20180606\\_agritourismtacresolution\\_signedMay17-2018.pdf](#)  
[tac\\_20180606\\_multispeciesticresolution\\_signedMay\\_17-2018.pdf](#)

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Ms. Dawson and Planning Commissioners, et al:

This program was aired March 13, 2019 on KOB Channel 5:

**Farm Bureau is promoting Agri-tourism:**

<https://kobi5.com/news/regional-news/cultivating-agritourism-in-klamath-county-97931/>

*"If you like good food, and a slower, quieter pace, you might consider a farm or ranch for your next vacation.*

*Efforts are underway to expand 'agri-tourism' in Klamath County.*

*Farms are growing in popularity as tourist destinations.*

*Patrick Lynch is the Rural Tourism Coordinator for Discover Klamath, he's planting seeds for agritourism in Klamath County."*

**This is the website for Siskiyou County Farm Bureau:**

<http://www.siskiyoucountyfarmbureau.org/team>

Mark Klever **2nd VP and on TAC**

Brian Heffernan **Director and on TAC**

Jeff Fowle **Director** ---**another reason for him to recuse himself from this entire Agri-Tourism discussion and vote!** The first reason is that his wife Erin does horse training workshops, all part of the Agri-Tourism being pushed forward here for the past few years.

See attached Screenshot about Discover Siskiyou by Niki Brown (Harris), Program Manager and member of BOTH the Agri-tourism and Multi-species Farming TACs.

**Just as an easy reference, here are the TAC members they appointed:**

**Agritourism TAC**

- **Niki Harris** aka **Niki Brown** – co-owner **California Heritage Ranch** and

Scarface Cattle Company ~ <http://californiaheritagefarms.com/> and Program Manager for Siskiyou Economic Council ~ <https://www.siskiyoucounty.org/our-team/> and Discover Siskiyou ~ <http://discoversiskiyou.com/>

**Note this on the her Bio of ‘Team Siskiyou‘ of Siskiyou Economic Council:** *“Since coming to northern California, Niki has had the opportunity to combine her experience in marketing with her passion for driving the successful implementation of Discover Siskiyou forward. In her spare time, Niki and her husband run a small farm in Scott Valley where they raise their four small children.”*

**However, on her California Heritage Ranch website ‘Our Story – How it Started’** the Bio says this: *“In 2012, Rich convinced his future wife, Niki, to move from high rise living in Portland, OR down to the farm and the two launched California Heritage Farms, a pastured based heritage pork operation. We hit the road delivering whole and half shares from Portland to the Bay Area and quickly realized how much people were craving to connect with their food and contribute to a better food and agriculture system.” . . . Not quite the ‘small farm’ operation.*

- **Brian Hefferman** – Attorney and co-owner H & H Land and Livestock Company, Five Mary’s Farms, Camp Five Marys and Five Mary’s Burger House ~ <http://www.fivemarysfarms.com/> ~ <http://www.fivemarysfarms.com/camp-five-marys/> ~ <https://fivemarysburgerhouse.com/> ~ This Instagram page pretty much tells the story of all the agri-tourism activities already in place on their farm: <https://www.instagram.com/fivemarysfarms/>  
**2018-19 Director on Siskiyou County Farm Bureau**
- **Mark Klever** – Rancher and Pres. of Board of Directors of Siskiyou Economic Council, Director of the Yreka Campus of the College of the Siskiyous, Chairman of the Rockside Ranch Board of Directors.  
**2018-19 2nd VP on Siskiyou County Farm Bureau**
- **Carissa Koopmann Rivers** – livestock and natural resource mgr for Siskiyou County
- **Gareth Plank** – owner Scott River Ranch ~ <http://scottriverranch.com/events/>
- **Jim Smith** – Siskiyou County Department of Agriculture Commissioner. Remember his ‘after the deadline’ letter says he has a ‘vested interest’ in promoting both Agri-Tourism and Multi-species.
- **Craig Thompson** – owner Rockside Ranch ~ <https://rocksideranch.org/> and ‘The Cedars’ for Glamping Vacations: <https://www.hipcamp.com/discover/california/rockside-ranch>

## Multi-species TAC – pretty much the same people

- Jacob Barr -???? (I didn't see any Letter of Interest from him)
- Niki Harris – see above
- Brian Hefferman – see above
- Mark Klever – see above
- Carissa Koopmann Rivers – see above
- Gareth Plank – see above
- Jim Smith – see above

As you can see, most have a definite 'vested interest' in promoting Agritourism and MultiSpecies in Siskiyou County and Scott Valley.

They are the people 'advising and writing the drafts' and are also the ones who will most benefit from the changes THEY will present to the Planning Commission and to the Board of Supervisors.

They are also the people who voted yes on the Draft Resolutions. (see copies attached).

Pages 5 and 6 on AgriTourism Draft Resolution shows the votes.

Page 2 on MultiSpecies Draft Resolution shows the votes.

Respectfully submitted Tuesday, March 19, 2019 at 3:00 pm.

Ms. Dawson, please confirm this was received for tomorrow's meeting.

Thank you.

Che'usa Wend  
Eb Whipple  
Etna, CA.

March 20, 2019

TO: Siskiyou County Planning Commission  
Deputy Director Christy Cummings Dawson  
806 South Main Street  
Yreka, CA 96097

RE: Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/  
Siskiyou County Code

My name is Jeanie (Eva Jean) Dickinson and I live at 1212 Sawyers Bar Road in Etna. We moved to Scott Valley in 1970 from San Jose with two children (4 years and 10 months) eventually having two more children. My parents owned a ranch on the Island Road near the airport, and we knew this was where we wanted to raise our family; this was a much safer and slow-paced environment.

Scott Valley is a very unique and special place. The people who put together the **Scott Valley Area Plan** knew this deeply and in their hearts. They understood that this could change very quickly if something wasn't done. They organized people from the entire community to help write this important document and worked tirelessly for months. With the help of the County, it was passed.

We're certainly not against anyone making a living or working hard to improve their community. That's what we did. We were very involved in numerous service groups, fire department and church. We started the Etna Deli, which we had for 10 years. It was a wonderful life and still is. Between my husband and I, we have six children. They all live right here in Scott Valley and all have found a way to make a living and raise their children.

Our concern, if you decided to pass this new zoning amendment, is that the Scott Valley Area Plan would be lost forever. It would be terrible to create another JH Ranch. We're concerned about the impact on our roads, not to mention the Scott Valley water system with the sewage that would be created. The deer habitats are already at risk with the tremendous growth that has occurred around the edges of the Valley and up the mountain sides.

Thank you all for considering my opinion in this process.

Jeanie Dickinson  
Etna

March 20, 2019

TO: Ray Haupt, Siskiyou County Supervisor, District 5  
P.O. Box 750  
Yreka, CA 96097

RE: Agritourism Zoning Text Amendment (Z-17-03) to Siskiyou General Plan/  
Siskiyou County Code

My Name is Ken Dickinson and I have lived in Scott Valley my entire life. I have some concerns about the proposed agritourism amendment to the Siskiyou County General Plan and the Scott Valley Area Plan.

It seems the amendment would change current zoning laws, which could make it prohibitive for people to own their property due to the increase in taxes.

Siskiyou County is a special place. Allowing extra growth without the proper environmental studies is very questionable.

Let's hear more on wildlife, water issues, traffic, safety and sanitation issues.

It seems our existing regulations are sufficient and do not need to be changed. I am hoping you will give a no vote on this proposed amendment by the Planning Commission.

Thank you for considering my concerns and opinion.

Ken Dickinson  
Etna

## Vurl Trytten

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**From:** Debra Schroeder  
**Sent:** Wednesday, April 03, 2019 3:01 PM  
**To:** Vurl Trytten  
**Subject:** FW: agritourism zone proposal

Vurl – FYI....

Debra A. Schroeder  
Planning Technician  
Siskiyou County Community Development  
806 S. Main Street, Yreka, CA 96097  
[dschroeder@co.siskiyou.ca.us](mailto:dschroeder@co.siskiyou.ca.us)  
Ph: (530) 841-2148

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**From:** tony bishop [<mailto:kbishop@sisqtel.net>]  
**Sent:** Wednesday, April 03, 2019 2:47 PM  
**To:** Planning  
**Subject:** FW: agritourism zone proposal

Sent from [Mail](#) for Windows 10

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**From:** [tony bishop](#)  
**Sent:** Monday, March 18, 2019 2:05 PM  
**To:** [rhaupt@co.siskiyou.ca.us](mailto:rhaupt@co.siskiyou.ca.us)  
**Subject:** agritourism zone proposal

I realized just now while looking at the newspaper that the comment period for the agritourism zone proposal is officially over but I wanted you to know that Tony and I think this plan is a good one....unless there is a lot of regulatory expense for the land owner to make it happen.

As you know the economy is really poor on the Klamath River (no logging, mills or mining allowed) and services are limited. Our schools are down to a handful of students as less families live here....no jobs. This zone change may help our area.

We have often thought of agritourism as a way to help us make our small ranch more profitable, especially considering the amount of property taxes we pay as Prop. 13 nor the Williamson Act apply to us. This might also add value to our property should the need to sell arise. We are after all in our sixties, the average age of our nations farmers and ranchers. As the younger farmers and ranchers who will replace this aging/retiring group try to get established they must be very diversified in order to make a living, paying for the property and the accompanying property taxes. Unless they are fortunate enough to take over the family ranch this younger group needs the freedom and opportunity to use their property in creative and nonconventional ways.

I encourage you and the planning commission to pass this zone change. Thank you for your time.

Sincerely,  
Kathy and Tony Bishop  
Seiad Valley



Sent from [Mail](#) for Windows 10

*Anne Marsh*

Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131

May 1, 2019

Christy Cummings Dawson, Deputy Planning Director  
Planning Division, Community Development  
806 Main Street  
Yreka, CA 96097

VIA EMAIL

Dear Ms. Dawson:

RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED  
NEGATIVE DECLARATION – PART THREE - CORRECTED

Please accept my continued comments on the above referenced project. Also, please present this letter to the Planning Commissioners in a timely manner, so they will have had the opportunity to read it prior to the May 15<sup>th</sup> Planning Commission Meeting.

I am opposed to the approval of the Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declaration (DIS/MND). I submitted Part One of my comment letter on March 12, 2019 to allow for adequate Planning Commission review prior to their March 20, 2019 meeting. I submitted Part Two of my comment letter, timely, on March 18, 2019. The continued comments below also support my reasons for opposing approval.

**COMMENTS CONTINUED**

**PERMANENT STRUCTURAL IMPROVEMENTS**

This part of the Project Description is stated in varying ways throughout the DID/MND; “The project is a proposed zoning text amendment intended to both address the lack of specificity in the Code for uses traditionally interpreted by the Planning Director as “incidental to agriculture” and to facilitate the marketing and promotion of agricultural products grown and produced in Siskiyou County through onsite agritourism activities not yet contemplated by the Code.”

Yet the zoning text amendment adds to the lack of specificity by totally ignoring the mention of “Permanent Structural Improvements” in the Staff Report, and by not making absolutely clear exactly what type of structures will be allowed, what the use the structures can be, and where the structures can be located.

This from the DIS/MND:

“Section 10-6.4802.5, of Chapter 6, of Title 10, entitled “Administrative permit uses permitted.”

Christy Cummings Dawson, Deputy Director of Planning  
RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED  
NEGATIVE DECLARATION – PART THREE

May 1, 2019

Page 1

## *Anne Marsh*

B. (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires permanent structural improvements to facilitate the use then the improvements shall occupy no more than ten percent of the proposed Agritourism Property's total acreage or five acres, whichever is the lesser."

One of the uses permitted pursuant to an Administrative Use Permit is "Onsite sales of Unique Agricultural Products or merchandise related to the working farm or ranch." Because of the permitting of Unique Agricultural Products, it can be interpreted that Permanent Structural Improvements will be allowed to produce these products. For example, Beef Jerky would be considered to be a Unique Agricultural Product, so a permanent structural improvement (factory) to produce the Beef Jerky would be allowed with nothing more than an Administrative Permit.

Community Development Director Christy Cummins Dawson stated in a series of emails with me that they would not be allowed, but that statement would have no bearing in a court of law.

Rather than clarifying anything about the lack of specificity, this only creates another gray area.

Additionally, the Planning Director has no authority in County Code to make the interpretation of what is "incidental to agriculture." The only authority given is to determine whether a use is "permitted by right" or requires a conditional use permit.

"Sec. 10-6.303. - Zone district land use interpretation.

**Siskiyou County Zoning Ordinance is a permissive Zoning Ordinance. That means that only those uses which are described as permitted within each zoning district will be allowed within that district.**

Attempting to ensure that all classes of uses have been included within the Zoning Code, the County has utilized the Standard Industrial Classification Manual as prepared by the Executive Office of the President, Office of Management and Budget, dated 1987.

Rather than call out each specific use that could be allowed in each zone, this chapter classifies major categories of use as either permitted or conditionally permitted as grouped by the Industrial Classification Manual.

As a result of this classification system, certain uses may be included within the topic heading, but not called out as specifically allowed either by right or by Use Permit. In these instances, **the Planning Director is authorized to evaluate the use proposed against the General Standards as set forth in the district relative to permitted uses vs. conditionally permitted uses and determine into which category the use should be included.**"

The most important reason that "permanent structural improvements" should not be included nor be allowed with this type of permitting is to protect our Prime Agriculture land. Other reasons are that this is an end run around the California Environmental Quality Act (CEQA), that there is no opportunity for public review or input, that it adds to the misinterpretation of County Code and it adds lack of transparency on the part of those involved in doing "the People's Business" at the Local Government level.

Please remove the "permanent structural improvements" from any Agritourism Zoning Text Amendment.

### **AGRITOURISM CAMPING**

"An Agritourism Camping use or activity shall meet all of the following additional requirements: i. The Agritourism Camping operation shall be limited to no more than twenty-five guests." There is total lack of specificity in that statement to be codified and made part of our zoning laws. Camping, even Glamping, should

Christy Cummings Dawson, Deputy Director of Planning

RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED  
NEGATIVE DECLARATION – PART THREE

May 1, 2019

Page 2

*Anne Marsh*

not be allowed without perfectly clear restraints as to duration of stay by guests, siting of the camping, and notification to the public.

**CONCLUSION**

Please deny this Zoning Text Amendment that is ill-written, obscure, and detrimental to the health, safety and welfare of the people of Siskiyou County.

Thank you for accepting my continued comments on the Agritourism Zoning Text Amendment.

Sincerely,

Anne Marsh

**From:** [Annie Marsh](#)  
**To:** [Christy Cummings Dawson](#); [Vurl Trytten](#); [Planning](#); [jeffowle96027@gmail.com](mailto:jeffowle96027@gmail.com); [Ray Haupt](#); [Terry Barber](#); [William Carroll](#)  
**Subject:** Agritourism & Multispecies Farming Zoning Text Amendments Frequently Asked Questions  
**Date:** Tuesday, May 07, 2019 3:27:21 PM  
**Attachments:** [FACT CHECKING COUNTY'S FAQ SHEET- 2nd Edition.doc](#)

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Dear Christy,

Please include my Fact Checking of the Agritourism & Multispecies Farming Zoning Text Amendments Frequently Asked Questions document in both the Agritourism & Multispecies Zoning Text Amendment comment letter files.

My document (which was copied from PDF to Word) is both attached and copied below for security purposes.

Anne Marsh

COUNTY OF SISKIYOU  
COMMUNITY DEVELOPMENT DEPARTMENT  
Building ♦ Environmental Health ♦ Planning  
806 South Main Street · Yreka, California 96097  
Phone: (530) 841-2100 · Fax: (530) 841-4076  
[www.co.siskiyou.ca.us/community-development](http://www.co.siskiyou.ca.us/community-development)  
CHRISTY CUMMINGS DAWSON, DIRECTOR  
STEPHEN KOLPACOFF, MD PUBLIC HEALTH OFFICER  
Agritourism & Multispecies Farming Zoning Text Amendments  
Frequently Asked Questions

**FACT CHECKED by Anne Marsh on May 7, 2019**

In an effort to add clarity to the Siskiyou County code in reference to agritourism activities and multispecies farming, there is a proposed zoning text amendment before the Planning Commission. Both locally and throughout the state and nation, there is a growing movement to bring agricultural consumers to production facilities such as working farms and ranches to educate them and assist in marketing agricultural products. Many other California counties have enacted agritourism ordinances, and studies on the topic have been conducted by institutions like UC Davis.

**FACT: Many other California counties have enacted agritourism ordinances. Many of those ordinances were approved only after an Environmental Impact Report (EIR) was completed and certified.** Here the County is trying to use a Mitigated Negative Declaration (MND) by saying that with mitigations there will be NO significant adverse impact on the environment. **The County fails to address the Project as whole as is required by the California Environmental Quality Act (CEQA). To address the Project as a whole would mean that the impact of the uses proposed would have to be evaluated for all the parcels involved.**

Currently, the County Code is ambiguous as to what can and should be included as “incidental” to agricultural operations, and what constitutes a separate use. **FACT: The County Code is not that ambiguous regarding agricultural operations. These two sections below when combined would mean that Agritourism is not a permitted use.**

Sec. 10-6.5002. - Uses permitted.

The following uses shall be permitted in the AG1 District:

(b) Accessory uses incidental to agriculture;

Sec. 10-6.3602.6. - Agriculture.

"Agriculture" means the tilling of the soil, the raising of crops, viticulture, livestock farming, dairying, and/or animal husbandry, including all uses customarily incidental thereto, but not including commercial feed lots, stockyards, commercial hog raising, slaughterhouses, fertilizer yards, bone yards, or plants for the reduction of animal matter or any other industrial use which is similarly objectionable because of noise, odor, smoke, dust, or fumes.

(Ord. No. 13-11, § II, 8-6-2013) To help clarify that ambiguity, in 2018, the Planning Commission advertised for interest in serving on two Technical Advisory Committees (TACs) to discuss Agritourism and Multispecies Farming. Seven members were appointed to the Agritourism TAC and eight to the Multispecies Farming TAC. **FACT: Four of the TAC members were already involved in Agritourism activities and three of them received a letter dated June 30, 2017 from Allan Calder, then Community Development Director** stating in part:

*“The Community Development department has become aware that you may be conducting group agricultural tourism (i.e., agritourism) activities on your property during various periods throughout the year. Currently, because your property is located in an agricultural zoning district, **such activities are not permitted by right and can be permitted only by applying for and receiving approval of a use permit by the County Planning Commission.** Agritourism activities and uses are not recognized in the Zoning Ordinance on agriculturally-zoned land; as such, these uses and activities are prohibited.*

***Please understand that the County is not interested in curtailing or otherwise interfering with your business, recognizing that that such uses and activities may constitute an economic benefit to the County and such operations may not result in land use incompatibility or environmental impacts. Therefore, rather than recommend that you apply for a use permit, we have begun the process of revising the Zoning Ordinance to recognize agritourism uses and activities. To this end, the Planning Commission has recommended to the Board of Supervisors that an ad hoc committee be formed for the purpose of determining how best to revise the Zoning Ordinance to accommodate agritourism uses with the minimum level of regulation.”***

**The other member of the TACs who wanted to expand her hog farm received similar assurances via email from Allan Calder.**

These groups came together for several public meetings **FACT: (The meetings were made public only after much effort by the Public to assure that Brown Act [Sunshine Law] provisions were enforced.)** and brought recommended code changes back to the Planning Commission at its June 2018 meeting. These recommendations were then evaluated and modified by staff, underwent environmental review, and resulted in the currently proposed zoning text amendments. These amendments are now before the Planning Commission for review. A number of public comments have been received regarding these projects and this document seeks to clarify some of the most frequently discussed topics. **FACT: A large number of comments have been received. They are posted on the County Website. As well as providing a Fact Sheet, the County must consider these comments, especially the comments that the Agritourism Zoning Text Amendment should require an EIR based on the comments; and the Multispecies Zoning Text Amendment could not be approved as Categorically Exempt (not requiring environmental review) because it would have a significant adverse effect on the environment.**

Is this an amendment to the Scott Valley Area Plan?

No. The Scott Valley Area Plan (SVAP) remains in place as it is. The law requires that all zoning within an area covered by a specific plan to be consistent with that plan, and this

ordinance was designed to be consistent. **FACT: The ordinance may have been designed to be consistent, however, it seems that the potential density and intensity of Agritourism as proposed here would not meet that goal.** If any provision of the new zoning code related to agritourism or multispecies farming conflicts with the SVAP, the SVAP takes precedence.

**FACT: For that reason, Agritourism and Multispecies would not be allowable as written in the area of the SVAP.** For example, all of the acreage minimums in the SVAP will not be affected by this proposed zoning text amendment.

Will this allow subdivisions?

No. The acreage provisions of the County Code and the procedures laid out in the Subdivision Map Act remain in place as they are and are not overridden in any way by the proposed text amendment. **FACT: A de facto subdivision of parcels could be created by the segregation of 1 to 5 acre parcels for permanent structural improvements and by allowing adjoining parcels to make up the 10 acre limit required by the Agritourism Zoning Text Amendment.**

Which parcels will be impacted by these proposed changes?

The agritourism amendments are proposed for properties zoned Prime Agricultural (AG1), Non-Prime Agricultural (AG2), and Rural Residential Agricultural (RR), which are 10-acres or larger.

What agritourism activities are proposed to be allowed by right?

- 20 single-day agritourism events per year with no more than 30 guests per event
- 3 single-day agritourism events per year with more than 30, but no more than 150 guests per event.

Examples of such single-day events include farm tours, field days, ranch or farm sponsored hospitality dinners, educational classes and/or activities, school tours, farm-focused corporate events and similar activities that relate to the promotion of the primary use as a working farm or ranch. **FACT: Including the term “similar activities” will only continue the ambiguity that the Agritourism Zoning Text Amendment is meant to clear up.**

What agritourism activities would require an administrative permit?

An administrative permit is reviewed/approved at the Department level and does not go before the Planning Commission. The following activities would be allowed with an administrative permit provided they meet the limits of the agritourism performance standards. •Single-day agritourism events in excess of the Level I guest number or frequency limits, but no more than twice the limits.

- On-site fruit and vegetable picking and associated sales
- Onsite sales of Unique Agricultural Products or merchandise related to the working farm or ranch
- Farmstays **FACT: Up to 15 “guests” a day.**
- Agritourism camping **FACT: Up to 25 “guests” a day.**

**FACT: An administrative permit is reviewed/approved at the Department level and does not go before the Planning Commission. That means there will be no notice to neighboring properties, no environmental review, and no posting anywhere. The Public won’t know about it until it is too late.** While appealable to the Planning Commission, the 10-day window to file an appeal will be long past before the use has any effects.

What do the Agritourism Performance Standards include?

•Actively engaged in the production of Unique Agricultural Products and the majority of the inputs for those products is raised or grown on the property. **FACT: The term “Unique Agricultural Products” has not been adequately defined. Additionally, the use of “permanent structural improvements” to produce these products must be clarified. Unless it is specifically prohibited, from 1 to 5 acres of agricultural land could be used as factories to produce these products.**

•If permanent structural improvements are needed, those improvements shall occupy no more

than 10% or the proposed property's total acreage or 5 acres, whichever is less. **FACT: The nexus between "Unique Agricultural Products" and permanent structural improvements must be expanded upon. Again, unless it is specifically prohibited, from 1 to 5 acres of agricultural land could be used as factories to produce these products.**

- Agritourism shall generate no more than 10 Average Daily Trips per calendar month, excluding school buses. **FACT: School buses are vehicles and must be considered in evaluating traffic as well as air quality and greenhouse gases under CEQA.**
- When agritourism activities take place within 1000 feet of a residence on neighboring property, outdoor agritourism activities shall be limited to the hours of 7am to 8 pm. **Fact: That is a positive first step. All agritourism activities should be subject to noise limits.**
- Adequate on-site parking for all employees and participants; shall not rely upon on-street parking
- New exterior lighting shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside the premises
- Property owner or lessee operator shall be present during events **FACT: Enforcement will be an issue.**
- Parcel boundaries and entrance signs shall be clearly posted
- Adequate portable toilets or restroom facilities shall be provided; any septic system utilized shall be adequate to accommodate the additional use
- When barns or outbuildings are substantially rehabilitated or demolished, a biologist shall conduct a roost assessment
- No land disturbance for agritourism improvements within 150 feet of the top of the bank of a perennial waterbody or within 50 feet of the centerline of seasonal streams or wetlands **FACT: Unless the setbacks are made larger, building improvements that close to these waterways could cause severe damage.**
- Discovery of any paleontological resources requires cessation of work and evaluation by a paleontologist
- All soils disturbed for agritourism improvements shall be revegetated upon completion of construction/ground disturbing activities
- Use of heavy equipment and other noise and ground-borne vibration generating equipment associated with agritourism improvements shall be limited to Monday through Friday, 7am to 7pm and Saturdays from 8am to 6pm, and is prohibited on Sundays and federal holidays
- Farmstay requirements:
  - oShall be located on property with an existing dwelling occupied by the owner or operator
  - oOwner or lessee operator shall obtain transient occupancy tax certificate
  - oOwner or lessee operator shall be personally present
- Agritourism camping requirements:
  - oShall be limited to no more than 25 guests
  - oOwner or lessee operator shall obtain transient occupancy tax certificate
  - oOperation shall provide evidence of compliance with the CA Dept. Housing and Community Development (HCD) regulations and permit requirements for its camping area **FACT: Owner or operator should be required to be personally present to avoid damage to agricultural land and prevent trespass on other properties.**

What about uses that do not fit within the Level I or Level II limits?

Any agritourism use that does not fit within the limits outlined as Level I or Level II Agritourism would require a conditional use permit. A conditional use permit is subject to environmental review under CEQA and is reviewed/approved by the Planning Commission at a public hearing.



**FACT: Enforcement of requirement for a use permit is not being done now for agritourism activities. It is doubtful that this would be enforced.**

What constitutes a “working farm or ranch” for the purposes of agritourism?

The proposed definition of a “working farm or ranch” in the agritourism text amendment is “a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more. This is consistent with the definition of “farm” from the California Food and Agricultural Code, Section 52262.

**FACT: While “annual sales of agricultural products of one thousand dollars (\$1,000) or more, which is consistent with the definition of “farm” from the California Food and Agricultural Code, Section 52262,” may be true, setting this low level of income could lead to very undesirable results, such as a non-working farm or ranch being given status to be covered by the Agritourism Zoning Text Amendment. A higher level of income would provide better results.**

The full text of the proposed changes and the associated staff reports and supporting documentation is available on the Planning Commission website:

<https://www.co.siskiyou.ca.us/planningcommission/page/planning-commission-meeting-4>

Consideration of these proposed zoning text amendments is a public process and comments are encouraged. Please submit your comments in writing to the Planning Department or Planning Commission at 806 S. Main St., Yreka, CA 96097, or email them to [planning@co.siskiyou.ca.us](mailto:planning@co.siskiyou.ca.us)



**North Group-Redwood Chapter-Sierra Club  
Felice Pace, Water Chair**

28 Maple Road Klamath, Ca 95548 707-954-6588 unofelice@gmail.com

May 7, 2019

Christy Cummings Dawson, Deputy Planning Director  
Planning Division, Community Development  
806 Main Street  
Yreka, CA 96097

VIA EMAIL TO: cdawson@co.siskiyou.ca.us

**SUBJECT: Agritourism and Multi-species zoning text amendment items before the SisCo Planning Commission at the May 15<sup>th</sup>**

Dear Ms. Dawson:

These are the comments of the North Group Redwood Chapter of the Sierra Club on proposed Agritourism and Multi-species zoning text amendment items that will be before the Planning Commission at the May 15<sup>th</sup> meeting. Please accept my comments on behalf of the North Group on the above referenced zoning text changes and please honor this request that you share a copy of this letter with each member of the Commission well in advance of the meeting.

The North Group opposes these zoning text changes. We oppose them not because we oppose agritourism or multi-species farming but rather for the following essential reasons:

1. The proposed text changes will make it possible for future multi-species animal agriculture that include unspecified amounts of time in Confined Animal Feeding Operations (CAFOs) and for unspecified agritourism operations to significantly degrade the environment, including but not limited to degrading water quality and riparian areas in violation of the North Coast Basin Plan which implements the state and federal Clean Water Acts. Multi-species agriculture and agritourism need to be evaluated based on specific operational impacts and site characteristics. The existing zoning text provides for that evaluation via the Special Use Permit Process. The proposed changes would eliminate the evaluation in violation of California Zoning Laws, including CEQA.
2. The proposed zoning text changes would prevent the North Coast Water Quality Control Board from being aware of multi-species agriculture and agritourism operations that have the potential to violate the Basin Plan and therefore the State and Federal Clean Water Acts. Thus it seeks to illegally usurp the authority of the NCRWQCB and illegally prevent them from doing their duty. For these reasons adoption would be illegal.

3. The proposed zoning text changes have the potential to significantly degrade the environment because the exceedingly loose text provisions would allow agricultural and tourism operations that are known to significantly degrade the environment, including but not limited to degrading water quality and impairing water supplies, including groundwater that is interconnected with surface flows.

4. The proposed zoning text changes would authorize the extraction and use of significant and unspecified amounts of water from groundwater and/or surface supplies without either reporting that use to the State Water Board (as required by law), changing the purpose of the use of surface water as required by state law or assessing the impacts of that water use via the appropriate level of environmental review.

5. By relieving them of requirements to which other tourism businesses must comply, the proposed zoning text changes would provide agritourism operations with an unfair competitive advantage relative to other non-agriculture based tourism. As a matter of fairness, governments should not be in the business of providing competitive advantages to some citizens and businesses over other citizens and businesses.

For the above essential reasons we oppose the proposed zoning text changes. We also endorse the more extensive comments of Annie Marsh on these matters and incorporate them into this comment by reference.

To summarize, the proposed zoning text changes go much too far by authorizing unspecified and loosely defined agricultural operations in violation of California law, including CEQA, and usurping the authority and prerogatives of other governments, including the State of California. However, I believe it would be possible for the Planning Commission to define and adopt zoning text changes that would authorize small-scale multi-species agriculture and small-scale agritourism without a use permit if the proposed operations do not include unspecified periods of confinement, do not utilize significant amounts of water and if the operations protect riparian areas and water quality, therefore posing very low risk of significant environmental impact.

The North Group urges the Siskiyou County Planning Commission to reject the proposed changes that are illegal and to develop alternative zoning text changes that will authorize truly *de minimis* agritourism and truly *de minimis* multi-species agriculture while protecting the environment and water supplies and complying with applicable law. Such a text amendment could utilize a check list by which the Commission would determine if a proposed multi-species agriculture or agritourism operation is, in fact, *de minimis* and which therefore can be authorized without a use permit and with minimal environmental review.

Sincerely,

Signed Via Email

Felice Pace, Water Chair

**From:** [Christy Cummings Dawson](mailto:Christy.Cummings.Dawson)  
**To:** [Vurl Trytten](mailto:Vurl.Trytten)  
**Subject:** FW: Comment for SisCo Planning Comm: Proposed multi-species ag & agritourism Zoning Text Amendment  
**Date:** Tuesday, May 07, 2019 12:07:19 PM  
**Attachments:** [image.png](#)  
[NG SC Cmt Ltr Agritourism-Multi-species ag ZoningTxtAmend 5-7-19.docx](#)

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**From:** Felice Pace [mailto:[unofelice@gmail.com](mailto:unofelice@gmail.com)]  
**Sent:** Tuesday, May 07, 2019 11:56 AM  
**To:** Christy Cummings Dawson  
**Cc:** Annie Marsh; Melinda Field; Michael Stapleton; Betsy Stapleton; Erik Ryberg; Jill Beckmann - Karuk Tribe; Ray Haupt; Murry Taylor  
**Subject:** Comment for SisCo Planning Comm: Proposed multi-species ag & agritourism Zoning Text Amendment



## North Group-Redwood Chapter-Sierra Club

### Felice Pace, Water Chair

28 Maple Road Klamath, Ca 95548 707-954-6588 [unofelice@gmail.com](mailto:unofelice@gmail.com)

May 7, 2019

Christy Cummings Dawson, Deputy Planning Director

Planning Division, Community Development

806 Main Street

Yreka, CA 96097

VIA EMAIL TO: [cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)

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3. The proposed zoning text changes have the potential to significantly degrade the environment because the exceedingly loose text provisions would allow agricultural and tourism operations that are known to significantly degrade the environment, including but not limited to degrading water quality and impairing water supplies, including groundwater that is interconnected with surface flows.
4. The proposed zoning text changes would authorize the extraction and use of significant and unspecified amounts of water from groundwater and/or surface supplies without either reporting that use to the State Water Board (as required by law), changing the purpose of the use of surface water as required by state law or assessing the impacts of that water use via the appropriate level of environmental review.
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The North Group urges the Siskiyou County Planning Commission to reject the proposed changes that are illegal and to develop alternative zoning text changes that will authorize truly *de minimis* agritourism and truly *de minimis* multi-species agriculture while protecting the environment and water supplies and complying with applicable law. Such a text amendment could utilize a check list by which the Commission would determine if a proposed multi-species agriculture or agritourism operation is, in fact, *de minimis* and which therefore can be authorized without a use permit and with minimal environmental review.

Sincerely,

Signed Via Email

Felice Pace, Water Chair

RECEIVED MAY 08 2019

May 7, 2019

To: Siskiyou County Planning Commission  
806 Main Street  
Yreka, CA 96097

From: Patricia Pearson  
4320 S Shell Gulch Rd.  
Etna, CA 96027

Re: Multispecies Zoning Amendment (Z-17-04)

Attached please find an online petition that I started in opposition to the proposed Multispecies Amendment (Z-17-04). Included are the signatures and comments gathered on the change.org generated petition. Please note that the signatures show location information per the individuals face book account and though some appear not to be from Siskiyou County, they do in fact reside here or are from here.

This amendment eliminates any oversight to additional, or expansion of, hog farms as well as other species. As it stands, these operations are allowed with the condition of environmental reviews and the fulfillment of obtaining a permit. The idea to change the zoning to allow a free for all in Scott Valley and the rest of Siskiyou County for the probable gain of a very few is reprehensible.

I urge you to reconsider changing the zoning laws that have worked well for quite some time.

Sincerely,



Patricia Pearson



**patricia pearson started this petition to Siskiyou County Planning Commission**

#### **Petition to Stop Proposed Hog Farms**

The Undersigned oppose the Multispecies Zoning Text Amendment (Z-17-04) which will allow Hog Farms on all lands zoned Agricultural in Siskiyou County. By signing this petition, you will help stop the imminent changes that will affect all the County, especially the Scott Valley area and our rural way of living in this beautiful Valley. Currently commercial hog raising is allowed with an approved use permit. Although the term "pastured" has been added so that these Hog Farms are more acceptable, if this amendment passes Hog Farms will be permitted by right (no use permit, no complaints accepted, no County oversight and no County enforcement) on Prime Agriculture, Non-Prime Agriculture and Rural Residential zoned lands. The Amendment sets no size limits for amount of land required or number of animals allowed. The County intends to approve the Amendment as Categorically Exempt from Environmental Review because "there is not substantial evidence, in light of the whole record before the County, that the proposed text amendment may have a significant effect on the environment." Written comments have been submitted to the County that Hog Farms could and will have an extreme negative effect on the environment. If the Amendment is approved, since the County has no way of enforcing the definition "pastured", it will allow large-scale Hog Farms with confinement housing, concentrated animal feeding operations (CAFO), cesspool-like lagoon storage of hog feces and urine, and the spreading or spraying of manure on open fields. The cost to our health and well being, the destruction of our agriculture lands and pollution of our surface and ground waters is just not worth it. We respectfully request that our County officials deny the Multispecies Zoning Text Amendment, and continue to require use permits for all Hog Farms.



Petition update

# The red herring

[Edit](#)

[Delete](#)



**patricia pearson**

etna, CA, United States

Apr 12, 2019 —

The committee is using FFA and 4H projects as a ploy to get this amendment passed --I questioned Christy Dawson of the planning department about this and she responded

"It has traditionally been interpreted that student livestock projects were allowed as accessory uses. When the multispecies amendment was being considered, the desire arose to expressly allow student projects so as to protect them into the future and avoid a situation where a different interpretation could consider them not to be allowed uses."

My question is why, if these projects have been allowed for years and years, they now need protection --- My belief is you mention our youth and people get worried. There is no worry about these projects being taken away (how would the Fair continue w/o the livestock?!) Please don't let this ploy to allow large, commercial hog, chicken and multispecies operations to slip on through -- Our youth are safe. This is all about the bank accounts of a few that would prefer not to go through the existing channels to alter our landscape.

Please read the proposed amendment and form your own opinion about what I believe is an underhanded ploy to push this through--Thanks you

[https://www.co.siskiyou.ca.us/sites/default/files/fileattachments/planning\\_commission/meeting/packets/14994/pc\\_20190320\\_z1704\\_multispeciesstaffreportpacket.pdf](https://www.co.siskiyou.ca.us/sites/default/files/fileattachments/planning_commission/meeting/packets/14994/pc_20190320_z1704_multispeciesstaffreportpacket.pdf)

**change.org**

Recipient: **Siskiyou County Planning Commission**

Letter: **Greetings,**

**Petition to stop proposed hog farms in siskiyou county**

# Comments

| Name                 | Location         | Date       | Comment   |
|----------------------|------------------|------------|---|
| patricia pearson     | etna, CA         | 2019-04-09 | I am not opposed to hogs, chickens, goats, sheep or cows (I eat them all!) what i am opposed to is the industry being unregulated and not permitted - we have a system in place as it is to permit these businesses and folk should need to comply before we start looking and smelling like the CAFO that one sees down in central CA                  |
| Anna Marsh           | Etna, CA         | 2019-04-09 | I am signing this Petition because I do not want the Large Hog Farms in our Beautiful Scott Valley!   |
| Anna Marsh           | Etna, CA         | 2019-04-09 | Save our Agriculture! No Commrcial Hog Farms!   |
| Eb Whipple           | Etna, US         | 2019-04-09 | We do NOT need commercial hog farms that would have no Use Permit, no oversight and no enforcement. We have enough of that going on already.  |
| Cheusa Wend          | Etna, CA         | 2019-04-09 | The last few Planning Department heads seem to be more Lobbyists for special interests or Tourism promoters rather than abiding by and enforcing the County Codes. They prefer to 'interpret' the Codes. And if it is not them doing the 'interpreting' then we need to know WHO is and sending that message down the food chain. This has to stop.     |
| Elizabeth Giacomelli | Fort Jones, CA   | 2019-04-09 | Drive down Eastside Road or other areas of the valley and take a whiff of air after the rains on over grazed pastures with too many multi species on the land now. Now imagine even more multi species on those same pastures. Please consider signing the petition to hold the county accountable and provide adequate oversight regarding this issue. |
| Kristi Bigham        | Fort Jones, CA   | 2019-04-10 | We lived in MO for a year and saw first hand the problems created by the large hog farms there. The worst of it was the runoff when it rained. We need to stop this in order to keep our rivers and waterways clean!  |
| dori mondon          | Mount Shasta, CA | 2019-04-11 | It is unconscionable to think of this happening in Siskiyou county for a variety of reasons - we do not need nor want to be known for these kinds of operations or the cruelty and pollution they inflict.  |
| John Sanguinetti     | Mt Shasta, CA    | 2019-04-11 | Without governmental limits that are reasonable and enforced by the county, hog farms are not acceptable in Siskiyou County. And since the county government will not enforce environmental limits on anything I say NO !   |
| Sunny Johnson-Joyner | Mount Shasta, CA | 2019-04-11 | I grew up in an area in Minnesota that has hog farms. It will destroy this area as it did there.  |
| Elizabeth Giacomelli | Fort Jones, CA   | 2019-04-11 | Check this site out:<br><a href="https://www.theguardian.com/us-news/2017/sep/20/north-carolina-hog-indu">https://www.theguardian.com/us-news/2017/sep/20/north-carolina-hog-indu</a>   |
| Melinda Perlman      | Etna, CA         | 2019-04-12 | Opposed as presented....No permits,no boundaries...Permits not zone changes...  |

| Name                | Location            | Date       | Comment  |
|---------------------|---------------------|------------|--|
| Chris Gussmann      | Sparks, NV          | 2019-04-12 | I oppose the Multispecies Zoning Text Amendment (Z-17-04). The Scott Valley Plan is & was set in concrete. No amendments or changes! That was the original idea of the Plan! Scott Valley is a unique gem. Let's keep it that way. NIMBY!  |
| Rae Ann Engdahl     | US                  | 2019-04-13 | The health and environmental degradation make this unacceptable to Scott Valley agricultural practices.  |
| Nicole Edwards      | Mount Shasta, CA    | 2019-04-15 | We don't need our valleys to look & smell like the central valley. We need them to stay beautiful & rural. They are so special   |
| John Brennan        | Hammond Ranch, CA   | 2019-04-15 | Hog farms are far more harmful than small family owned farms who raise hogs.   |
| Cecelia Reuter      | Fort Jones, CA      | 2019-04-15 | No oversight, what will be over looked? Environmental issues, hog health, human health, there must be regulations and inspections to insure health and safety of all three   |
| MICHELLE UMBERGER   | Los Molinos, CA     | 2019-04-15 | all you have to do is read this article - harmful to ALL involved! <a href="https://www.newyorker.com/news/news-desk/could-smithfield-foods-hrel="nofollow">https://www.newyorker.com/news/news-desk/could-smithfield  |
| Meredith Seawell    | Weed, CA            | 2019-04-15 | Stop hog farming altogether! Is this cruelty and pollution worth it for a slice of bacon?  |
| Donna Brucker       | Forks of Salmon, CA | 2019-04-15 | What would be the benefit of such a zoning change to current residents and our environment? None that I can see. I do see potential for great degradation, and an opening for vile corporate agribusiness.   |
| Stefanie Root       | Etna, CA            | 2019-04-16 | I am not against family farms raising some hogs and making a living, but a zoning change opens the door to undermining the Scott Valley Area Plan.   |
| Susan Brown-Burgess | California          | 2019-04-17 | Im against any kind of animal cruelty. If animals are being used for food then they deserve a happy and stress free existence to the end. Hog farming is notorious for awful conditions.   |
| Laurie Carpenter    | Spring, TX          | 2019-04-19 | As a former resident and an animal lover I have read multiple reports on corporate pig farms and they are brutal. They Keep their animals in gestation crates. The filth is unimaginable. They only care about profits. And once they have a foothold more will come. We need to stop this now. God bless and thank you. |
| Felice Pace         | Klamath, CA         | 2019-04-19 | The proposed zoning change would allow large factory style ag and ruin our rural quality of life. Let's keep Scott Valley and Siskiyou a place people want to live and support agriculture rather than being burdened with foul smells, water pollution, etc.  |
| Elisabeth Markus    | Mount Shasta, CA    | 2019-04-22 | Environmental human hazard impacts due to unregulated oversight on the amounts and operations of multiple livestock livestock. Possible Waste contamination on waters ways and aquifers that could negatively Impact water quality for residents in Scott Valley.  |
| Sonia Fletcher      | Mount Shasta, CA    | 2019-04-25 | I don't want to see CAFOS in our county.   |

**change.org**

Recipient: **Siskiyou County Planning Commission**

Letter: **Greetings,**

**Petition to stop proposed hog farms in siskiyou county**

# Signatures

| <b>Name</b>          | <b>Location</b>       | <b>Date</b> |
|----------------------|-----------------------|-------------|
| patricia pearson     | etna, CA              | 2019-04-09  |
| Sarah Schaefer       | Citrus Heights, CA    | 2019-04-09  |
| Anna Marsh           | Etna, CA              | 2019-04-09  |
| Jason Riessland      | Kotzebue, US          | 2019-04-09  |
| Alice Rogers         | Mount Shasta, CA      | 2019-04-09  |
| Catherine Mcelroy    | Etna, CA              | 2019-04-09  |
| Eb Whipple           | Etna, US              | 2019-04-09  |
| Cheusa Wend          | Etna, US              | 2019-04-09  |
| kathy clark          | Bellingham, MA        | 2019-04-09  |
| Elizabeth Giacomelli | Sacramento, US        | 2019-04-09  |
| Donna Hungerford     | Plumas Ntl Forest, CA | 2019-04-09  |
| Stacy Feller         | Upland, CA            | 2019-04-09  |
| Judith Somerset      | Mount Shasta, CA      | 2019-04-09  |
| Viola Cafferata      | Forks of Salmon, CA   | 2019-04-09  |
| Denise Brown         | Altamonte Springs, FL | 2019-04-09  |
| Anne Marsh           | US                    | 2019-04-09  |
| barbara coatney      | Etna, CA              | 2019-04-09  |
| aura dadadadad       | England, US           | 2019-04-10  |
| Kristi Bigham        | Fort Jones, CA        | 2019-04-10  |
| Noah Perlman         | Citrus Heights, CA    | 2019-04-10  |

| <b>Name</b>        | <b>Location</b>     | <b>Date</b> |
|--------------------|---------------------|-------------|
| Marjorie Lawrence  | Yreka, CA           | 2019-04-10  |
| Wendy Ocegüera     | US                  | 2019-04-10  |
| Lily Anderson      | Yreka, CA           | 2019-04-10  |
| Teresa Beatty      | Fort Jones, US      | 2019-04-10  |
| Crystal Arnot      | Yreka, CA           | 2019-04-10  |
| Karen Funderburg   | Montague, CA        | 2019-04-10  |
| Jasmin Smith       | Canyon Country, US  | 2019-04-10  |
| Melody Lewis       | Yreka, CA           | 2019-04-10  |
| setya dewie        | Saratoga, US        | 2019-04-10  |
| Dana Collier-Key   | Seattle, WA         | 2019-04-10  |
| Lamara Contee      | Walnut Cove, US     | 2019-04-10  |
| Ashley Walker      | Gray, US            | 2019-04-10  |
| Oli D              | Wellesley Hills, US | 2019-04-10  |
| Delaney Duncan     | Brooklyn, US        | 2019-04-10  |
| Toni Pollard       | Washington, US      | 2019-04-10  |
| Basit Kazi         | Philadelphia, US    | 2019-04-10  |
| Claudia Whittlesey | Austin, US          | 2019-04-10  |
| Cindy Hana         | Las Vegas, US       | 2019-04-10  |
| Bonnie Wood        | Fort Jones, CA      | 2019-04-10  |
| Adam Kaluba        | Cincinnati, OH      | 2019-04-10  |
| Kathy Shannon      | Montague, CA        | 2019-04-10  |
| Paula Daubin       | Stockton, CA        | 2019-04-10  |

| <b>Name</b>          | <b>Location</b>  | <b>Date</b> |
|----------------------|------------------|-------------|
| Mardiana Viktoria    | Denver, US       | 2019-04-11  |
| Terri Knauber        | Depew, US        | 2019-04-11  |
| Sevinj Alakbarova    | Elkridge, MD     | 2019-04-11  |
| Mercedes Garcia      | Fort Jones, CA   | 2019-04-11  |
| Catherine Goodno     | Weed, US         | 2019-04-11  |
| dori mondon          | Mount Shasta, CA | 2019-04-11  |
| Raven Stevens        | Mount Shasta, CA | 2019-04-11  |
| Jacqueline Hertzog   | Mount Shasta, CA | 2019-04-11  |
| Alexandra Nunn       | Mount Shasta, CA | 2019-04-11  |
| Marcia Rey           | Weed, US         | 2019-04-11  |
| Kristine Melton      | Mount Shasta, US | 2019-04-11  |
| Karen Colton         | Mount Shasta, CA | 2019-04-11  |
| Lewis Elbinger       | Mount Shasta, CA | 2019-04-11  |
| Sharon LoMonaco      | Weed, CA         | 2019-04-11  |
| Jessica Zern         | Mt Shasta, CA    | 2019-04-11  |
| Christopher Darrow   | Portland, OR     | 2019-04-11  |
| John Sanguinetti     | Mt Shasta, CA    | 2019-04-11  |
| Sunny Johnson-Joyner | Mount Shasta, CA | 2019-04-11  |
| Greg Dinger          | Mount Shasta, CA | 2019-04-11  |
| Ted Rees             | Philadelphia, PA | 2019-04-11  |
| Brennen Hartman      | Paducah, US      | 2019-04-11  |
| Arnold Schulter      | Burleson, TX     | 2019-04-11  |



| <b>Name</b>        | <b>Location</b>    | <b>Date</b> |
|--------------------|--------------------|-------------|
| CC George          | Concord, CA        | 2019-04-11  |
| Arthur Scharf      | Mount Shasta, CA   | 2019-04-11  |
| Duane Eastlick     | Fort Jones, CA     | 2019-04-11  |
| Richard Mcfarland  | Mccloud, CA        | 2019-04-11  |
| Harry Wehrman      | Fort Jones, CA     | 2019-04-11  |
| Mary Thomas        | Weed, US           | 2019-04-11  |
| karen smith        | Montpellier, US    | 2019-04-11  |
| Diana Sottana-Lugo | Concord, CA        | 2019-04-11  |
| Bruce Hillman      | Mount Shasta, US   | 2019-04-11  |
| Dan Deppen         | Etna, CA           | 2019-04-11  |
| Janell Roseman     | Etna, CA           | 2019-04-11  |
| Bhaskar Jain       | East Brunswick, US | 2019-04-11  |
| Kathleen Hansen    | Mount Shasta, CA   | 2019-04-11  |
| Andy Fusso         | Weed, US           | 2019-04-11  |
| Elizabeth MacGuire | Yreka, CA          | 2019-04-11  |
| Shawn Zubicek      | YREKA, CA          | 2019-04-11  |
| Brett Lucido       | Yreka, CA          | 2019-04-11  |
| Gloria Endres      | Weed, CA           | 2019-04-11  |
| Kathy MCBROOM      | Sawyers Bar, CA    | 2019-04-11  |
| Marci Zied         | Philadelphia, PA   | 2019-04-11  |
| Chris Hughes       | Etna, CA           | 2019-04-11  |
| Cyndi Rappoport    | Glenside, PA       | 2019-04-11  |

| <b>Name</b>          | <b>Location</b>  | <b>Date</b> |
|----------------------|------------------|-------------|
| Cathryn Mathews      | Napa, CA         | 2019-04-12  |
| Rhona Haley          | Mishawaka, IN    | 2019-04-12  |
| Stephanie Reynolds   | Etna, CA         | 2019-04-12  |
| Zion Johnson         | Mount Shasta, CA | 2019-04-12  |
| dom catrone          | New Albany, US   | 2019-04-12  |
| Melinda Perlman      | Etna, CA         | 2019-04-12  |
| Patricia McCallister | Fort Jones, CA   | 2019-04-12  |
| Bryson Shimenas      | Albuquerque, US  | 2019-04-12  |
| Elaine 123           | Boca Raton, US   | 2019-04-12  |
| Isaac Hall           | Seattle, US      | 2019-04-12  |
| Tracy Pearson        | Etna, US         | 2019-04-12  |
| Chris Gussmann       | Sparks, NV       | 2019-04-12  |
| Mary Streeter        | Fort Jones, CA   | 2019-04-12  |
| Rae Ann Engdahl      | US               | 2019-04-13  |
| Laura Winkel         | Somers Point, US | 2019-04-13  |
| Lisa Melton          | Tucson, AZ       | 2019-04-13  |
| Penelope Davis       | Mount Shasta, CA | 2019-04-13  |
| J D Marsh            | Etna, US         | 2019-04-13  |
| Robert Causey        | Weed, CA         | 2019-04-14  |
| Brooke Eustis        | Mount Shasta, CA | 2019-04-14  |
| Steven Pearson       | cottonwood, CA   | 2019-04-14  |
| Denise Willey        | Dunsmuir, CA     | 2019-04-15  |

| <b>Name</b>       | <b>Location</b>    | <b>Date</b> |
|-------------------|--------------------|-------------|
| Judith Purdom     | Novato, CA         | 2019-04-15  |
| Marc Williams     | Etna, CA           | 2019-04-15  |
| Tom Grimes        | Etna, CA           | 2019-04-15  |
| Susan Meek        | Yreka, CA          | 2019-04-15  |
| Jennifer Arfsten  | Mount Shasta, CA   | 2019-04-15  |
| Chad Hunt         | Crawfordsville, IN | 2019-04-15  |
| Ray Coapman       | Montague, CA       | 2019-04-15  |
| Leah Maples       | Montague, CA       | 2019-04-15  |
| Michelle Knudsen  | Weed, US           | 2019-04-15  |
| David Inghram     | Fort Jones, US     | 2019-04-15  |
| Nicole Edwards    | Mount Shasta, CA   | 2019-04-15  |
| John Brennan      | Hammond Ranch, CA  | 2019-04-15  |
| Pam Blashaw       | Fort Jones, CA     | 2019-04-15  |
| Patricia Davis    | Weed, CA           | 2019-04-15  |
| Jacalyn McNamara  | Yreka, US          | 2019-04-15  |
| Sally Harrold     | Chico, CA          | 2019-04-15  |
| Leslie Frank      | Sierra Vista, AZ   | 2019-04-15  |
| Christopher Liles | Etna, CA           | 2019-04-15  |
| Jennifer Romo     | Yreka, CA          | 2019-04-15  |
| Diane Herman      | Etna, CA           | 2019-04-15  |
| alicia godwin     | novato, CA         | 2019-04-15  |
| Cecelia Reuter    | Fort Jones, CA     | 2019-04-15  |

| <b>Name</b>          | <b>Location</b>     | <b>Date</b> |
|----------------------|---------------------|-------------|
| Jayden Redhorn       | Klamath Falls, US   | 2019-04-15  |
| linda priem          | Etna, CA            | 2019-04-15  |
| Randy Parker         | Etna, CA            | 2019-04-15  |
| Keri Daniels         | Fort Jones, CA      | 2019-04-15  |
| Chris Voigt          | Etna, CA            | 2019-04-15  |
| MICHELLE UMBERGER    | Los Molinos, CA     | 2019-04-15  |
| Meredith Seawell     | Weed, CA            | 2019-04-15  |
| chai perlman         | Fort Jones, CA      | 2019-04-15  |
| Kenn Altine          | Etna, US            | 2019-04-15  |
| Eric McCormick       | Fort Jones, CA      | 2019-04-15  |
| Sunshine Mallory     | Medford, OR         | 2019-04-15  |
| Donna Brucker        | Forks of Salmon, CA | 2019-04-15  |
| Jean George          | Etna, CA            | 2019-04-16  |
| Peggy & John Johnson | Weiser, ID          | 2019-04-16  |
| Kay George           | Etna, CA            | 2019-04-16  |
| Tanner Griggs        | Etna, US            | 2019-04-16  |
| David Reacts         | Ithaca, US          | 2019-04-16  |
| Stefanie Root        | Etna, CA            | 2019-04-16  |
| Ayla Dillard         | LA, CA              | 2019-04-16  |
| Skye Harley          | Reno, US            | 2019-04-16  |
| Warren Draper        | Meridian, US        | 2019-04-16  |
| Rita Thio            | Walnut, US          | 2019-04-16  |

| <b>Name</b>               | <b>Location</b>        | <b>Date</b> |
|---------------------------|------------------------|-------------|
| Michele LaPorte           | Schaumburg, US         | 2019-04-16  |
| Lisa Barclay              | Kent, OH               | 2019-04-16  |
| Felix Gillett             | Berrien Springs, US    | 2019-04-16  |
| angela neubauer           | providence village, US | 2019-04-16  |
| Krystal Mora              | Yuma, US               | 2019-04-16  |
| moises terrero            | CORONA, US             | 2019-04-16  |
| James Sturgeon            | Riverview, US          | 2019-04-16  |
| Lyndle Colvin             | Orlando, US            | 2019-04-16  |
| Bonnie Beckwith           | Grand Rapids, US       | 2019-04-16  |
| Annette Healy             | Citrus Heights, CA     | 2019-04-16  |
| Nathan Farley             | Gainesville, US        | 2019-04-16  |
| Zaineb Sharief            | Mission Viejo, US      | 2019-04-16  |
| Archibald Davis           | US                     | 2019-04-16  |
| david pierce              | Los Angeles, US        | 2019-04-16  |
| Hayden Moore              | Orange, US             | 2019-04-16  |
| Amy McVicker              | Half Moon Bay, US      | 2019-04-16  |
| Gloria Gomez Diaz         | Arlington, US          | 2019-04-16  |
| Shannon Plante            | Sterling, US           | 2019-04-16  |
| Eric Davis                | Missoula, US           | 2019-04-16  |
| Paige Kohler              | The Colony, US         | 2019-04-16  |
| Sheebensh Prophilien      | Naples, US             | 2019-04-16  |
| Shubh Karan Singh Rathore | Aurora, US             | 2019-04-16  |

| <b>Name</b>        | <b>Location</b>    | <b>Date</b> |
|--------------------|--------------------|-------------|
| Patrice Wallace    | Santa Cruz, CA     | 2019-04-16  |
| Meg Vanwormer      | Poughkeepsie, US   | 2019-04-16  |
| Derick Mena        | Portland, US       | 2019-04-16  |
| Emily Soto         | Woodbridge, US     | 2019-04-16  |
| Johnny Hawthorne   | Oakland, US        | 2019-04-16  |
| Beatriz Abrantes   | Parkland, US       | 2019-04-16  |
| Kim Kelley-Wagner  | Winchester, US     | 2019-04-16  |
| Rey Dominguez      | Sunnyvale, US      | 2019-04-16  |
| Brian Gillis       | West Chester, US   | 2019-04-16  |
| Mark Jones         | Yreka, US          | 2019-04-16  |
| Stephy Ferrari     | Shepherdsville, US | 2019-04-16  |
| Kailey Sao         | San Francisco, US  | 2019-04-16  |
| McKenzi Burmeister | Bemidji, US        | 2019-04-16  |
| Joshua Updegraff   | Riverside, US      | 2019-04-16  |
| Judy Kays          | Klamath River, US  | 2019-04-16  |
| Marcus Ladu        | Rochester, US      | 2019-04-16  |
| Sumaya Wilkie      | San Mateo, US      | 2019-04-16  |
| Michael Lugo       | Brooklyn, US       | 2019-04-16  |
| Carlos Garcia      | San Antonio, US    | 2019-04-16  |
| Ashley Nazario     | Orlando, US        | 2019-04-16  |
| Ever Gaytan        | Mt shasta, CA      | 2019-04-17  |
| brianna hissem     | New stanton, US    | 2019-04-17  |

| <b>Name</b>            | <b>Location</b>     | <b>Date</b> |
|------------------------|---------------------|-------------|
| Tori Kasik             | Los Altos, US       | 2019-04-17  |
| Linda Chigbrow         | Rowland Heights, NM | 2019-04-17  |
| N A                    | US                  | 2019-04-17  |
| Darri Stoner           | Etna, CA            | 2019-04-17  |
| Thomas Thilman         | Denver, CO          | 2019-04-17  |
| Rosemary Burnell Hyser | US                  | 2019-04-17  |
| Jalen Luther           | Asheboro, US        | 2019-04-17  |
| April Gutierrez        | bonita, US          | 2019-04-17  |
| Cyenna Spiess          | Cape Coral, US      | 2019-04-17  |
| promesse fsent         | Louisville, US      | 2019-04-17  |
| marcia jordan          | Toledo, US          | 2019-04-17  |
| Marcia Brown           | Brooklyn, US        | 2019-04-17  |
| Kristin Davis          | Columbia, US        | 2019-04-17  |
| Elijah Lauer           | Woodland, US        | 2019-04-17  |
| Bella Kurek            | Minneapolis, US     | 2019-04-17  |
| Jacob Snocker          | Fort Collins, US    | 2019-04-17  |
| Liam Dwyer             | US                  | 2019-04-17  |
| Aex S                  | Exeter, US          | 2019-04-17  |
| Susan Brown-Burgess    | California          | 2019-04-17  |
| Seth Horwitt           | Yreka, US           | 2019-04-18  |
| Rena Rountree          | Mount Shasta, CA    | 2019-04-18  |
| Rosanna Rostad         | Duluth, GA          | 2019-04-18  |

| <b>Name</b>          | <b>Location</b> | <b>Date</b> |
|----------------------|-----------------|-------------|
| Loraina akasha       | Redding, US     | 2019-04-18  |
| James Wilson         | Fort Jones, US  | 2019-04-18  |
| Stacey Martinez      | Stockton, CA    | 2019-04-18  |
| Amy Beer             | Fort Jones, US  | 2019-04-18  |
| veronica mclemore    | Weed, CA        | 2019-04-18  |
| Adam Taylor          | Weed, CA        | 2019-04-18  |
| cathy Rogers         | Cottonwood, CA  | 2019-04-18  |
| Elvia Garcia         | Stockton, CA    | 2019-04-18  |
| Mohammed Sharabi     | Pasadena, CA    | 2019-04-18  |
| Marsha Barton        | Portland, OR    | 2019-04-18  |
| Amanda Bur           | Fort jones, CA  | 2019-04-18  |
| Kaletta Tasem        | Fort Jones, CA  | 2019-04-18  |
| Mother Kypriane      | Etna, CA        | 2019-04-18  |
| Redith Kleinebecber  | Macdoel, CA     | 2019-04-18  |
| Laurie Carpenter     | Spring, TX      | 2019-04-19  |
| Stephanie Gonzalez   | Antioch, CA     | 2019-04-19  |
| Shawn Page           | Etna, CA        | 2019-04-19  |
| Felice Pace          | Klamath, CA     | 2019-04-19  |
| Christi Beer         | Ft Jones, CA    | 2019-04-19  |
| Sean Luddy           | San Jose, US    | 2019-04-19  |
| Barbara Schuyler     | Sacramento, CA  | 2019-04-20  |
| Christopher Sorenson | Montague, US    | 2019-04-20  |



| <b>Name</b>         | <b>Location</b>     | <b>Date</b> |
|---------------------|---------------------|-------------|
| Marcia Ludwig       | Sebastopol, CA      | 2019-04-20  |
| Laura Tippit        | Fort Lauderdale, FL | 2019-04-20  |
| Brian Frick         | Etna, CA            | 2019-04-20  |
| Mellisa Harris      | Yreka, CA           | 2019-04-20  |
| Vera Bevis          | Etna, CA            | 2019-04-20  |
| Megan Valadez       | Etna, US            | 2019-04-20  |
| Kimberlee Henderson | Happy Camp, US      | 2019-04-20  |
| Mary Hiatt          | Etna, CA            | 2019-04-20  |
| Alexandra Goodson   | Rochester, US       | 2019-04-20  |
| lois atkinson       | Little Rock, US     | 2019-04-20  |
| Olin Speare         | Missoula, US        | 2019-04-20  |
| Stephanie Johnson   | Darien, US          | 2019-04-21  |
| Roslyn McCoy        | Mount Shasta, CA    | 2019-04-21  |
| Katherine Mahon     | Fort Jones, US      | 2019-04-21  |
| Kritika Tak         | Downey, US          | 2019-04-22  |
| Mario Valle         | El Paso, US         | 2019-04-22  |
| Elisabeth Markus    | Mount Shasta, CA    | 2019-04-22  |
| boston nichols      | Forks Of Salmon, US | 2019-04-22  |
| Jackie Samallo      | Valley Village, CA  | 2019-04-22  |
| Kallie Grey         | Fort Jones, CA      | 2019-04-22  |
| Lydia Moya          | Fort Jones, CA      | 2019-04-23  |
| Melissa Chandra     | North Hollywood, CA | 2019-04-23  |

| <b>Name</b>       | <b>Location</b>    | <b>Date</b> |
|-------------------|--------------------|-------------|
| Erfin Hartojo     | Valley Village, CA | 2019-04-23  |
| Jesse Mills       | Ferndale, WA       | 2019-04-24  |
| Emily Falkenrath  | Eugene, OR         | 2019-04-24  |
| Sonia Fletcher    | Mount Shasta, CA   | 2019-04-25  |
| William Trindl    | Milwaukee, US      | 2019-04-28  |
| Charlotte Serazio | Milwaukee, US      | 2019-04-28  |
| misti rivera      | Jamestown, US      | 2019-04-29  |
| Marsha Bland      | Newington, US      | 2019-04-29  |

*Anne Marsh*

Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131

May 13, 2019

Christy Cummings Dawson, Community Development Director  
Planning Commissioners  
806 Main Street  
Yreka, CA 96097

VIA EMAIL

Dear Ms. Dawson and Planning Commissioners:

RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED  
NEGATIVE DECLARATION – PART FOUR

Please accept my continued comments on the above referenced project. Also, please present this letter to the Planning Commissioners in a timely manner.

I am opposed to the approval of the Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declaration (DIS/MND). I submitted Part One of my comment letter on March 12, 2019 to allow for adequate Planning Commission review prior to their March 20, 2019 meeting. I submitted Part Two of my comment letter, timely, on March 18, 2019. I submitted Part Four of my comment letter on May 1, 2019. The continued comments below also support my reasons for opposing approval.

**COMMENTS CONTINUED**

**WILLIAMSON ACT CONSIDERATIONS**

Many of the parcels affected by the Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declaration receive County Property Tax breaks because they have contracted with the County to be covered by the Williamson Act, which is also known as the California Land Conservation Act of 1965. The Williamson Act allows local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use.

The Agritourism Zoning Text Amendment Draft Initial Study/Negative Declaration (Z-17-03) (DIS/MND), “4.2 AGRICULTURE AND FORESTRY RESOURCES. b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? Is answered “In addition, the County’s Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts (i.e., Williamson Act Guidelines) already expressly permit agritourism as a compatible use within agricultural preserves subject to specific limitations. Specifically, the Williamson Act Guidelines allow: “Agritourism activities including buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, “u-

Christy Cummings Dawson, Deputy Director of Planning

RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED  
NEGATIVE DECLARATION – PART FOUR

May 13, 2019

Page 1

*Anne Marsh*

pick” sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural uses” (Siskiyou County 2012). As such, the project would not conflict with existing zoning for agricultural uses or supersede limitations established by the County’s Williamson Act Guidelines. This is also due in part to the proposed zoning text amendment expressly excluding “concerts or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch.”

However, The Siskiyou County Rules for the Establishment and Administration of Agriculture Preserves and Williamson Act Contracts adopted February 7, 2012 makes these two statements in Section B – Compatible Uses on page Seven (7).

*“12. Agritourism activities including buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, “u-pick” sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural uses.*

*13. Home occupation enterprises conducted entirely within existing conventional single-family residential structures as determined by the Planning Director, and operated by permanent residents. Home enterprises on contracted lands shall not create any significant traffic impacts that affect contracted parcels.”*

These two statements would make lodging in tents incompatible with the Williamson Act because the lodging is in neither a dwelling that pre-existed the Williamson Act contract nor in an existing conventional single-family residential structure.

**The Finding that the project would not conflict with existing zoning for agricultural uses or supersede limitations established by the County’s Williamson Act Guidelines cannot be made.**

Additionally, although the State of California, Natural Resources Agency, Department of Conservation, Division of Land Resource Protection did not make a comment on the DIS/MND, I believe their letter dated November 18, 2015 to the County of Santa Barbara as an opinion regarding Vacation Rentals on Williamson Act contracted land applies here. A copy of the letter can be found at the end of my comment letter. Please consider its content and intend in your deliberations.

CONCLUSION

The Zoning Text Amendment, if approved, would subject many Williamson Act parcels to be required to withdraw from the Act.

Thank you for accepting my continued comments on the Agritourism Zoning Text Amendment.

Sincerely,

*Anne Marsh*

Anne Marsh

Christy Cummings Dawson, Deputy Director of Planning  
RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED  
NEGATIVE DECLARATION – PART FOUR

May 13, 2019

Page 2

**From:** [Vurl Trytten](#)  
**To:** [Janine Rowe](#)  
**Subject:** FW: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION – PART FOUR  
**Date:** Tuesday, May 14, 2019 8:41:33 AM  
**Attachments:** [Comment Letter re Agritourism Text Amendment Part Quatre.doc](#)  
[Dept of Conservation to County of Santa Barbara.pdf](#)

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**From:** Annie Marsh [mailto:[annie\\_marshall@hotmail.com](mailto:annie_marshall@hotmail.com)]  
**Sent:** Monday, May 13, 2019 2:51 PM  
**To:** Christy Cummings Dawson; Planning; Vurl Trytten; [jeffowle96027@gmail.com](mailto:jeffowle96027@gmail.com); Ray Haupt  
**Subject:** AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION – PART FOUR

I have attached my comment letter on the above referenced subject and copied it below for security purposes. I have also attached the Department of Conservation letter to the County of Santa Barbara dated November 15, 2015. Please assure that the Planning Commissioners receive my letter as well as the Department of Conservation letter. Thank you. Anne

Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131  
May 13, 2019

Christy Cummings Dawson, Community Development Director  
Planning Commissioners  
806 Main Street  
Yreka, CA 96097  
VIA EMAIL

Dear Ms. Dawson and Planning Commissioners:

RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION – PART FOUR

Please accept my continued comments on the above referenced project. Also, please present this letter to the Planning Commissioners in a timely manner.

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**COMMENTS CONTINUED**

**WILLIAMSON ACT CONSIDERATIONS**

Many of the parcels affected by the Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declaration receive County Property Tax breaks because they have contracted with the County to be covered by the Williamson Act, which is also known as the California Land Conservation **Act** of 1965. The Williamson Act allows local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use.

The Agritourism Zoning Text Amendment Draft Initial Study/Negative Declaration (Z-17-

03) (DIS/MND),

“4.2 AGRICULTURE AND FORESTRY RESOURCES. b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? Is answered “In addition, the County’s Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts (i.e., Williamson Act Guidelines) already expressly permit agritourism as a compatible use within agricultural preserves subject to specific limitations. Specifically, the Williamson Act Guidelines allow: “Agritourism activities including buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, “u-pick” sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural uses” (Siskiyou County 2012). As such, the project would not conflict with existing zoning for agricultural uses or supersede limitations established by the County’s Williamson Act Guidelines. This is also due in part to the proposed zoning text amendment expressly excluding “concerts or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch.”

However, The Siskiyou County Rules for the Establishment and Administration of Agriculture Preserves and Williamson Act Contracts adopted February 7, 2012 makes these two statements in Section B – Compatible Uses on page Seven (7).

*“12. Agritourism activities including buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, “u-pick” sales, navigating a corn maze, feeding animals, or **lodging in a dwelling that pre-existed the Williamson Act contract** where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural uses.*

*13. **Home occupation enterprises conducted entirely within existing conventional single-family residential structures** as determined by the Planning Director, and operated by permanent residents. Home enterprises on contracted lands shall not create any significant traffic impacts that affect contracted parcels.”*

These two statements would make lodging in tents incompatible with the Williamson Act because the lodging is in neither a dwelling that pre-existed the Williamson Act contract nor in an existing conventional single-family residential structure.

**The Finding that the project would not conflict with existing zoning for agricultural uses or supersede limitations established by the County’s Williamson Act Guidelines cannot be made.**

Additionally, although the State of California, Natural Resources Agency, Department of Conservation, Division of Land Resource Protection did not make a comment on the DIS/MND, I believe their letter dated November 18, 2015 to the County of Santa Barbara as an opinion regarding Vacation Rentals on Williamson Act contracted land applies here. A copy of the letter can be found at the end of my comment letter. Please consider its content and intend in your deliberations.

CONCLUSION

The Zoning Text Amendment, if approved, would subject many Williamson Act parcels to be required to withdraw from the Act.

Thank you for accepting my continued comments on the Agritourism Zoning Text Amendment.

Sincerely,

*Anne Marsh*

Anne Marsh

**From:** [Cheeseville Mayor Emeritus Eb Whipple - 1st Lady Che'usa Wend](#)  
**To:** [Ray Haupt](#); [Lisa Nixon](#); [Michael Kobseff](#); [District 2 Supervisor](#); [Brandon Criss](#); [Planning](#); [William Carroll](#); [Edward Kiernan](#); [Terry Barber](#)  
**Cc:** [Planning](#); [Rick Dean](#); [Danielle Jester - SDN](#)  
**Subject:** 5 Marys being honored but still out of compliance on AgriTourism  
**Date:** Thursday, August 22, 2019 12:32:00 AM  
**Attachments:** [8-21-SDN - Ally Aware page 1.jpg](#)  
[8-21-SDN - Ally Aware page 2.jpg](#)  
[2019 Retreats01.jpg](#)

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TO: Planning Commissioners, Supervisors, County Counsel and anyone left in Planning Dept.,

Here we are almost to September, 2019 and nothing completed on AgriTourism, yet the Siskiyou Economic Development Council's '*AgriTourism Poster Darlings*' have yet another front page hoopla writeup (attached), even touting on page two that 45 woman have come to their farm on retreat. (That may just be a single year's figure.)

The part of the story they **don't** tell is that all the while they have been building their business and creating their '*Brand*' and selling their online '*how to*' course to others, they have been *out of compliance with county regulations*, while the rest of us **MUST** be compliant with county regulations.

Pretty disreputable way to run a county.

Che'usa Wend  
Eb Whipple

Etna

# Five Marys honored for support of local cattle industry



The Siskiyou County Cattlemen's Association presented Five Marys Farms with its Ally of the Industry award for 2019. From left are SCCA President Dave Cowley, Five Marys Farms co-owner/operator Brian Heffernan, MaryMarjorie "Maisie" Heffernan, Five Marys Farms co-owner/operator Mary Heffernan, MaryTeresa "Tessa" Heffernan, MaryJane "JJ" Heffernan, MaryFrances "Francie" Heffernan, and SCCA Vice President Sam Jackson. The group is standing at the site of Five Marys' future meat processing plant.

PHOTO BY  
DANIELLE JESTER

## Montague meat processing plant to open next year

By Danielle Jester

MONTAGUE – Scott Valley's Five Marys Farms has been awarded the distinctive "Ally of the Industry" honor by the Siskiyou County Cattlemen's Association. SCCA President Dave Cowley and SCCA Vice President Sam Jackson met with Five Marys owners Brian and Mary Heffernan and their four daughters last week at the site of what will soon be Five Marys's meat processing plant.

When the SCCA decides the recipient of its Ally of the Industry award each year, Cowley said, "We're looking for people who support the Siskiyou County Cattlemen, but more importantly support the cattle industry."

Through their "fresh look" at the cattle industry and their impressive online presence that regularly highlights Siskiyou

County, Cowley believes Five Marys is a shining example of what it means to be an Ally of the Industry.

The Heffernans previously worked in California's Silicon Valley, where Brian was a lawyer at a large firm and Mary ran a series of small businesses. After getting together, the couple also got into the restaurant business.

They explain on their website, "In the quest for super high quality meats, raised ethically but with great flavor, we did a ton of research with our chefs to know exactly what we wanted for our customers ... We searched high and low in small farms and couldn't find anyone who could do this on a large enough scale to supply what we needed. So we decided to do it ourselves."

The Heffernans purchased a ranch in Siskiyou County at the tail end of 2013.

They originally planned to just visit the ranch on the weekends and hire a ranch manager to take care of the day to day operations.

After coming north for the eighth weekend, Mary said, she and her husband looked at each other and questioned why they were leaving the ranch to head back down south. They decided to live in Fort Jones full time and run the ranch themselves.

The lifestyle appealed to the Heffernans because they knew they wanted to work together and raise their four girls in a rural area. When it came time to sell the meat they'd raised on the ranch, Five Marys started out by personally delivering to customers.

SDN 8/21/19

FIVE MARYS, page A3



# FIVE MARYS

Continued from A1

After much trial and error, they eventually worked out an efficient way to ship their product to customers all over the country; meats arrive overnight, packed in dry ice.

Though running a ranch and online business is plenty of work, the ever-ambitious Heffernans opened Five Marys Burgerhouse in Fort Jones on New Year's Eve of 2017. The restaurant serves beef, pork and lamb raised right on the Five Marys ranch.

A large part of the success of Five Marys is the Heffernans' engagement with people and the way they share their story. Five Marys has an impressive social media presence. Mary regularly shares photos and snippets of daily life on the ranch on Facebook and Instagram.

The Heffernans have also started a small business academy to teach others what they've learned about entrepreneurship, shipping and selling products, and social media outreach. Thus far, 300 people have enrolled in the online course. Additionally, 45 women have visited Five Marys Farms in Fort Jones on a retreat that includes a stay on the ranch and learning basic butchery and new cooking skills.

Next on the horizon for Five Marys Farms is the construction of a meat processing plant in Montague, which the Heffernans hope to have operational by the end of 2020.

The love and work that Brian and Mary have put into Five Marys Farms, restaurant and small business course has "brought a lot of exposure to the county," Cowley said. He added, "It paints a good picture for us."

Violation for the  
past few years  
has gone on without  
Cease and Desist issued  
or ANY kind of reprimand.  
Just praise and glory so  
it continues.

# 2019 RETREAT DATES

May 17-19, 2019

June 21-23, 2019

September 7-9, 2019

Our Women's Retreats are our favorite part of our glamping experience here at Five Marys Farms. Join us to stay in luxury lodging, eat delicious meals in the outdoor kitchen and family style dining stable, learn about butchery and cuts of each animal and lots of new recipe inspiration to take home to your family.

Come with daughters or granddaughters (age 12 and up, past retreat guests over 10 years old also welcome) as a great way to spend some quality time together or just come by yourself to meet some like-minded new friends!

Experience a weekend of ranch life with great food, cooking inspiration and ATV rides around the property to help with chores and see all of the animals here on Five Marys Farms.



## TIME

- Arrival 3pm Friday through departure 11am Sunday

## INVESTMENT

- \$1450 per person / deposit \$800 to reserve a space - balance charged 2 weeks prior to arrival

## INCLUDES:

- Lodging at camp, all meals and snacks, beverages and cocktails/wine/champagne

**From:** [Annie Marsh](#)  
**To:** [Kirk Skierski](#); [Planning](#)  
**Subject:** Agritourism Workshop  
**Date:** Thursday, September 19, 2019 7:02:18 PM

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Hi Kirk,

Please consider these comments/suggestions regarding the Agritourism Zoning Text Amendment at the Workshop.

1. The Agritourism Zoning Text Amendment should not apply to Scott Valley because of the Scott Valley Area Plan (SVAP). The Amendment allows for a density and intensity of development that would subject people and property to hazardous conditions. The Draft Initial Study/Mitigated Negative Declaration for the Amendment makes no concrete determination that the effects of the Amendment would be in compliance with the SVAP. Please ban Agritourism in Scott Valley.
2. The allowance for one to five acres of improvements should be deleted from the amendment. Allowing that provision to stand would open the door to large factory operations on prime and non-prime agricultural land.
3. The so called Level 1 uses should require an administrative permit after notification of neighbors within 300 feet of the proposed Level 1 use.
4. The so called Level 2 uses should require a Conditional Use Permit with approval by the Planning Commission.
5. The income to qualify for Agritourism operations should be raised from \$1,000 to \$60,000 to assure that the uses are related to viable agricultural operations.
6. Agritourism should be banned on Williamson Act encumbered property.
7. Agritourism should not be allowed on Rural Residential (R-R) property.
8. The effect of the Published Appellant Case of Environmental Law Foundation, et al. v. State Water Resources Control Board and County of Siskiyou ("ELF") must be considered, and the effect of the Agritourism Zoning Text Amendment on the Public Trust Doctrine (PTD) analyzed and applied. The Public Trust Doctrine requires that the state (and state agencies like the State Water Resources Control Board) take certain public uses in navigable waters into account before allocating water resources in a manner that substantially impairs those uses. The County, as a political subdivision of the state, has an obligation to consider impacts to public trust resources in the Scott River -- such as navigation, recreation and fisheries -- whenever the County issues a permit for a new well that, through the extraction of groundwater interconnected with the Scott River's surface waters, may substantially impair the Scott River's public trust resources. It is certain that the passage of the Agritourism Zoning Text Amendment would create the requirement for new wells, thus invoking consideration of the County's PTD duties. The decision has State-wide implications and may apply to the extraction of groundwater anywhere in the County. Another reason for banning Agritourism in Scott Valley, and perhaps denying the Amendment outright.

9. Cumulative effects of the Agritourism Zoning Text Amendment must be considered.
10. The whole Agritourism Zoning Text Amendment should be denied.

**From:** [Barbara Raitz](#)  
**To:** [Janine Rowe](#)  
**Subject:** Re: Public Workshop - Agritourism Zoning Text Amendment (Z1703)  
**Date:** Thursday, September 19, 2019 1:50:38 PM

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Hello Janine,

Thank you for inviting us to participate in the public workshop for Agritourism Zoning Text Amendment (Z1703). Unfortunately, my husband and I will not be able to attend because we will be out of town. However we still wanted to respond because we are passionate about this project.

To be as succinct as possible:

- We believe that it is difficult to sustain a farming operation through agriculture alone and that **a diversified revenue approach is necessary**. These "incidental to agriculture" activities are the very thing that can supplement and preserve an agriculture lifestyle. They also may create jobs and promote positive tourism in and for the community. Conversely, we believe over-regulation will hurt the viability of any operation and depress the local economy.
- We object to regulations that stray beyond the original ordinance of:
  - protecting natural resources, water quality, economic viability
  - avoid hazardous conditions
  - uses should be compatible with existing planned land uses

Existing planned land uses should be enforced, and any restrictive regulation beyond that should be justified. **What are the specific benefits of the rules that come at the cost of not letting property owners use their land as they envision?** Do the perceived benefits truly outweigh property owner rights?

- Why limit educational opportunities? That sounds positively un-american! How does that relate to the original ordinance? Talking, teaching, and celebrating the rural lifestyle seems completely compatible with and complementary to existing planned uses.
- We think the classification of on-site sales of commodities and products as "tourism" is misguided -- what if we are selling to our neighbors? And we strongly object to regulations that force us to sell to a "middle man", which requires transportation, packaging, price mark-ups, and time (which is a critical component to fresh items). In an industry with thin to no margins, this forces small, local operations out of business.

Again, thank you for inviting us into the conversation. We are sorry we could not attend in person, though I can be more succinct in writing anyway.

Barbara

On Thu, Sep 12, 2019 at 1:30 PM Janine Rowe <[jrowe@co.siskiyou.ca.us](mailto:jrowe@co.siskiyou.ca.us)> wrote:

Please see the attached notice of a Public Workshop scheduled on Wednesday, September 25, 2019, at 9:00 a.m. at the Miner's Inn Convention Center located at 122 East Miner Street in Yreka. The Agenda will be posted on the County Planning Commission website on

Wednesday, September 18, 2019.

If you have any questions, please contact Kirk Skierski, Senior Planner, at 530-842-8203.

**Janine Rowe, Executive Secretary**

**Siskiyou County Community Development – Planning Division**

[jrowe@co.siskiyou.ca.us](mailto:jrowe@co.siskiyou.ca.us)

530-842-2100

**From:** [Betsy Stapleton](#)  
**To:** [Terry Barber](#); [Planning](#)  
**Subject:** Upcoming Agritourism workshop  
**Date:** Monday, September 23, 2019 8:35:16 AM

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Good Day Terry and Planning Department,

Due to turnovers in Planning Staff I am not entirely sure who to address this request to, so I am hoping that it can be directed to the right person by you Terry, or by whoever's in-box "Siskiyou Planning" represents.

I have made comment on the draft Agritourism Zoning change and received notice of the upcoming workshop. On exploration of the Agenda, and then listening to the audio recording of the recent Planning Commission meeting where recusals were discussed, it appears as if Planning Staff may have revisions to the existing proposed ordinance and zoning change in mind. Is there a packet that offers the public an opportunity to review and consider those possible changes prior to hearing about them in the workshop? In listening to the audio recording, it sounded like the procedure is that the Planning Commissioners that have not conflicted out (or drew the card to remain in place) will advise and provide direction to staff, staff will finalize the proposed ordinance and zoning change, the revised document will then proceed to the Supervisors for a vote. Did I get the procedure correctly? If so, it appears as if this workshop will be the only place where the public (and Agencies) can comment on proposed revisions to the currently distributed draft. It does not seem like expecting the public to review and comment on possible changes in the few minutes between hearing of them and the scheduled comment period at the workshop is a reasonable process.

In spite of the comments by several Commissioners indicating that the members of the public who take their personal time to review, research and comment on public documents are solely motivated by "neighbor on neighbor" dislike and "have no understanding of CEQA", I, and those who I know who are taking their time to comment, need to spend hours reviewing documents to ensure that our comments are based on facts and the law. We also find it deeply distressing to sometimes be at odds with our beloved neighbors, and want to ensure that our comments are based on our commitment to the long term quality of life as embedded in our General Plan and the Scott Valley Area Plan, not an in the moment reaction to a verbal presentation of material at a workshop.

So, my specific questions are:

1. Is there additional studies, analysis or possible revisions to the existing document that Planning Staff has that can reviewed prior to the workshop?
2. If not, why not?
3. Is my understanding of the process going forward correct?
4. What is the process going forward for public review and comment on any any proposed revisions before they go to the Supervisors for final vote?

Betsy Stapleton

**From:** [Kirk Skierski](#)  
**To:** [Janine Rowe](#)  
**Subject:** FW: Post Workshop Thoughts  
**Date:** Tuesday, October 01, 2019 11:03:11 AM

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[Let's file this as public comment.](#)

**From:** Betsy Stapleton [mailto:5104stapleton@gmail.com]  
**Sent:** Thursday, September 26, 2019 8:41 AM  
**To:** Kirk Skierski  
**Subject:** Post Workshop Thoughts

Good Day Kirk,

I would like to join the several others who I know have sent you emails appreciating the format of yesterday's workshop, and the time and thought that went into it. There was a feeling of a genuine interest in understanding the issues and the needs of the community from you and the other staff that was extremely refreshing. This type of open and engaged process has been lacking until now, and has reinforced the perception, accurate or not, that deals are being done behind closed doors.

I have a couple of specific follow up comments:

1. I think there is a relatively easy way to differentiate between real educational events and those that are couched as "educational" to avoid restriction, and that is between those events that are free and those that are charged for. 4-H is free, Cattleman tours are free, the tours of restoration practices on my place are free. Learning to cook meat for \$2500 a weekend is not free.
2. I think this concept could also be utilized in sorting what should be permitted with a use permitted, and what might be done by right or with an admin permit. Once an activity starts generating revenue, such as charging for pumpkin patches, overnight stays etc then the activity is less "incidental to" the agricultural production than an actual revenue stream in its own right. If someone has a few people come out to their ranch and hang around so that they can be exposed to agriculture and understand the how the product is produced, but they don't charge, then that is an "incidental to" activity. If the production of the ag product becomes "incidental to" the tourism, then that needs to be permitted, probably with a use permit Tom Menne's proportion of income idea could apply to this. With the horse training example- if the lessons and training events are (for example) 10% of the horse sales income, then it is incidental to the actual agricultural activity, but if the sales revenue of the produced horses are 10% of the training event revenue, then the sales are "incidental to" the non-ag activity of running a horse training program.
3. The points about fire danger, lack of evacuation plans for large groups etc were ones I had not considered and are critically important. In Scott Valley, many of the RR parcels are in the foothills, in the urban/wildland interface, and are therefore at very high risk of endangering people when catastrophic fire occurs. Our wise elders addressed these concerns in the Scott Valley Area Plan with the sections that say that intensive development should be channeled near existing spheres of influence of the towns of



Etna, Ft. Johns, Callahan and greenview and should not overburden public resources. These guidance provisions might help structure how to reduce the overall impact of these new activities/developments. Any "incidental use" should be on AG 1 or AG 2 parcels 80 acres or larger that are within defined distance of the existing Scott Valley towns.

4. For me, in addition to the quality of life/ability to farm impacts, which, in my understanding fall into the land use planning bucket, the main problem with the proposal, as it now stands, is the environmental analysis. This was not addressed at all in the workshop, and is critically important. The Mit Neg Dec that was completed is entirely inadequate, even if the proposal goes forward exactly as it is currently formulated. There was not even basic computations on how much water would be utilized, the number of parcels (specifically in Scott Valley) affected, potential maximum build out, sewage impacts, noise, roads/traffic etc. Also not considered is cumulative impacts with the other significant development projects (JH/Mt Hermon/Scott River Lodge) proposed for the Vally. What are the growth inducing effects of the agri-tourism proposal. This needs to be remedied.

Thank You,

Betsy

Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131

September 28, 2019

Kirk Skierski, Senior Planner  
Community Development Department  
Planning  
608 S. Main Street  
Yreka, CA 96097

VIA EMAIL

RE: Agritourism Zoning Text Amendment Timeline

Dear Kirk Skierski:

I am writing this letter to show a timeline for the Agritourism Zoning Text Amendment and perhaps clear up some misconceptions you and others may have.

The first time the Public heard of Agritourism from Planning Staff or Planning Commission was at the February 15, 2017 Planning Commission Meeting. Under Staff and Commission Comments: “Mr. Chafin said that in addition there is a zoning text amendment project regarding agri-tourism; that would allow tourist-related activities in agricultural zoning.”

“Agri-tourism Zoning – Conceptual Outline Discussion” was an Agenda Item at the May 17, 2017 Planning Commission Meeting. At the meeting, Mr. [Randy] Chafin, Interim Deputy Director of Planning, explained that “...Planning has not received any complaints, but there are operations going on that are not in compliance with the zoning regulations.” Planning Commissioner Jeff Fowle stated at the September 18, 2019 Planning Commission Meeting that the Agritourism Zoning Text Amendment started when complaints were issued against violators. That is patently untrue.

At the May 17, 2017 Planning Commission Meeting, Planning Commissioner Jeff Fowle asked Deputy County Counsel Natalie Reed to report on the potential conflict of interest regarding Agritourism at the next meeting. Niki Brown Harris of the Siskiyou Economic Development Council, and co-owner of two agricultural operations in Scott Valley, attended that meeting and said she is interested in promoting business and economic development in Siskiyou County. It appears that Agritourism was driven largely by the Siskiyou Economic Development Council. Tonya Dowse, Executive Director of Siskiyou Economic Development is married to Rod Dowse, who at the time was a Director of Livestock Operations for Belcampo Farms.

The Planning Commissioners voted at their June 21, 2017 meeting to recommend that the Board of Supervisors appoint an Advisory Committee to address agritourism and amend the Siskiyou County Zoning Ordinance. On June 30, 2017, Allan Calder, Community Development Director wrote a letter to Rockside Ranch, Sugar Creek Ranch, Scott Valley Ranch, Belcampo Meats, McCloud Partners, and Five Marys Farm basically saying that although they were participating in an un-permitted activity, the County would turn a blind eye because a Zoning Text Amendment was being worked on.

When Agritourism was heard by the Board of Supervisors at the August 8, 2017 meeting, the motion “it was moved by Supervisor Nixon and seconded by Supervisor Valenzuela to approve the creation of a Technical

Advisory Committee (TAC) to identify ways to amend the County’s zoning ordinance for uses/activities related to multi-species farming following a legal review by County Counsel” failed. Both Niki Brown Harris and Rod Dowse attended that meeting.

At the November 15, 2017 meeting the Planning Commission voted to prepare a Notice of Vacancy for a Technical Advisory Committee for Agritourism with a 15-day period to submit Letters of Interest.

At the December 20, 2017 Planning Commission meeting, Deputy Director of Planning, Christy Cummings-Dawson stated that the Notice of Vacancy for a Technical Advisory Committee (TAC) for Agritourism had been posted in the Siskiyou Daily News with a response date of January 8, 2018.

At the January 20, 2018 meeting, the Planning Commission appointed members to the Agritourism TAC. At that meeting Deputy County Counsel Dana Burton informed the Planning Commissioners that the TAC would be subject to open meeting laws. Until that time County Counsel representatives had said that the TAC could have closed meetings.

A Public Records Request was only partially fulfilled, but I believe the Agritourism TAC met on March 23, 2018, April 13, 2018 and May 17, 2018, The TAC finalized a Resolution to be presented to the Planning Commission at the May meeting, which I attended.

The Planning Commission held a Special Meeting on June 6, 2018 where the TAC Resolution was presented to the Planning Commission. At that meeting, which I attended, I stated that more people would show up if they didn’t fear retaliation.

The Negative Declaration for the Agritourism Zoning Text Amendment (Z14-03) was posted on the State of California Office of Planning and Research CEQANet page on February 15, 2019 with a Review Period Starting 2/15/2019 and Ending 3/18/2019.

The Agritourism Zoning Text Amendment was placed on the agenda for the Planning Commission meeting of March 20, 2019, only two (2) days following the close of the comment period. It is not surprising that the Planning Commissioners were irritated when they were given stacks of comments that had been received prior to the close of the comment period, but after the Agenda Packet had been sent out. At that meeting, which would have been very well attended, the Planning Commissioners voted to continue the item to the May 15, 2019 meeting to allow Planning Commissioners to review the documents and County Counsel to “address other issues.” The other issues were to request advice from the Fair Political Practices Commission (FPPC) about recusal of two of the Planning Commission members. I texted several people who were on their way that the meeting had been continued so they could go back home.

The FPPC issued Letters of Advice on the two Planning Commission members on August 19, 2019.

Three Planning Commissioners recused themselves at the September 18, 2019 Planning Commission meeting. Cards were drawn and Danielle Lindler was selected to participate in the issue.

The Agritourism Workshop was held September 25, 2019, and was attended by approximately 16 people from Scott Valley. It seems unfortunate that supposedly unbiased Planning Commissioners complained about numbers attending prior meetings, there were plenty of people at the Workshop.

Sincerely,

*Anne Marsh*

Anne Marsh

Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131

September 30, 2019

Kirk Skierski, Senior Planner  
Community Development Department  
Planning  
608 S. Main Street  
Yreka, CA 96097

VIA EMAIL

RE: Agritourism Zoning Text Amendment Workshop – Comments and Clarifications

Dear Kirk:

Below are my random comments and clarifications on the Agritourism Zoning Text Amendment Workshop which I listened to on audio.

Please read and consider this. Don't just "include [this] in [my] public comment in the project records."

Applying mitigations to a Zoning Text Amendment makes for awkward zoning language. It appears that some of the mitigations weren't carried forward to the zoning text change.

It is (Z17-03) not (Z17-030).

Prime Ag and Non-Prime Ag are the only zones that include "Accessory uses incidental to agriculture." Rural Residential zoning states, "Accessory uses and buildings normally incidental to single-family dwellings or small farming." If the Agritourism Zoning Text Amendment (AZTA) is approved, the "Accessory uses" language should be removed from the Zoning, because the intent of the AZTZ is to remove the ambiguity. Leaving the "accessory uses" language in the Zoning Ordinance will lead to other controversial uses.

How is the County going to monitor or enforce the daily trips? How is the County going to monitor or enforce anything if the AZTA is approved with anything allowed by-right? Or by Administrative Permit?

Administrative approvals aren't even noticed to the public; there is no requirement for 300-foot notice to neighbors; the public would not know of approval; and the 10-day deadline for appeal could never be met because by the time Public learned of the approval the deadline would have passed.

Farm labor personnel in farm labor housing would have far fewer number of trips than visiting tourist trips, because the personnel would be living there and making trips as residents. The tourists would be doing what tourists do, traveling all around to see things.

The Scott Valley Area Plan (SVAP) applies to the AZTA, which fails to meet any of the 5 Major Goals or Development Goals 1, and 5, 6, 7, and 8. Agritourism should not be allowed in Scott Valley because of the incompatibility with the SVAP. This must be addressed now, when the AZTA is being approved, because the by-right permitting would not allow for further, site specific review.

On-site sales already permitted by right? AG-1 says “seasonal.” AG-2 doesn’t qualify.

The TACs are disbanded because they were appointed for a specific task. They would have to be reappointed. Before a new TAC is formed, Scoping Meetings should be held in Scott Valley at least.

One farm, not parcels. How is the County going to enforce this if anything is approved by right? Yet, Kirk Skierski gave the “Dean Farm” example of adding a second farm. He said the use wouldn’t be allowed because the RR zoning didn’t allow goat farms. If the zoning had allowed goat farms, would the second farm under the same ownership be allowed? This is complicated, and it must be clarified.

There were no TAC meetings in Scott Valley. TAC meetings were held in Yreka during the daytime when people are working. The TAC was tasked to advise the Planning Department. Public comment on that task was not on the TAC agenda. Further, people did not attend because they didn’t understand the ramifications of what Agritourism would be and how it would affect Scott Valley. The Planning Department and County Counsel kept arguing that the meetings would be closed. They relented and agreed that they would be open meetings at the meeting when the TACs were appointed on January 17, 2018. Had the Planning Department brought properly advertised Scoping Meetings to Scott Valley, the attendance could have been much larger.

Where is it stated that you can have only one type of event per month? Listen at 22m. How is the County going to monitor or enforce this with by right zoning?

I disagree with what Kirk Skierski said regarding Williamson Act properties. I do not believe that Williamson Act contracts preempt the Local (Siskiyou County) zoning ordinance, or that the uses read from the RULES FOR THE ESTABLISHMENT AND ADMINISTRATION OF AGRICULTURAL PRESERVES AND WILLIAMSON ACT CONTRACTS adopted February 12, 2012 would necessarily be allowed whether the AZTZ is passed or not. What Mr. Skierski read was Compatible Uses, as printed below. I am pursuing an expert opinion on this.

*“B. Compatible Uses*

*The following land uses, and those uses which in the opinion of the Planning Director, subject to ratification by the Board of Supervisors, are be substantially similar in nature thereto, shall be deemed compatible with agricultural production uses and thus allowed within agricultural preserves, provided that these land uses are not the principal use, do not displace the agricultural production use, and occur while there is an agricultural production use occurring within the agricultural preserve as described above. Income derived from compatible uses will be capitalized for land valuation purposes. Compatible structures and/or improvements will be taxed at normal rates without any property tax benefits.*

*12. Agritourism activities including buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, “u-pick” sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural uses.”*

I totally agree that amplified music should not be allowed.

Could the handouts and Slide Show be placed online so people who did not attend the meeting could access them?

Thank you for reading and considering my comments.

Sincerely,

*Anne Marsh*

Anne Marsh

**From:** [Kim Ciniello](#)  
**To:** [Janine Rowe](#)  
**Subject:** Re: December 18, 2019 Planning Commission meeting  
**Date:** Thursday, December 12, 2019 10:10:24 AM

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TWIMC,

Again, I object to the Agritourism Ordinance being limited to a minimum of 10 acres. Any AG-1 or AG-2 zoned property should not be limited to size as many parcels in Scott Valley are split or multi-zoned. One acre of land can yield a tremendous amount.

Agritourism is supposed to assist small hobby farms too...not just the big landowners who designed this ordinance.

-Kim Ciniello

On Thursday, December 12, 2019, 8:50:35 AM PST, Janine Rowe <jrowe@co.siskiyou.ca.us> wrote:

Attached is the Agenda for the upcoming Planning Commission meeting.

Janine Rowe, Executive Secretary

Siskiyou County Community Development – Planning Division

806 S. Main St., Yreka, CA 96097

Direct Line: 530-842-8201

Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131  
annie\_marshall@hotmail.com

December 15, 2019

Kirk Skierski, Senior Planner  
Community Development Department  
Planning  
608 S. Main Street  
Yreka, CA 96097

VIA EMAIL

RE: Agritourism Zoning Text Amendment Staff Report for December 18, 2019 PC Meeting

Dear Kirk Skierski and Honorable Planning Commissioners:

Please accept and seriously consider my comments on the above referenced Agritourism Staff Report.

### **INITIAL COMMENTS**

The Agenda for the Agritourism Zoning Text Amendment presents the item as “New Business.” This could be confusing to the Public since the item was on the March 20, 2019 Planning Commission agenda. Definitely “Old Business.”

The Staff Report for the Agritourism Zoning Text Amendment states that Planning Staff presents the Planning Commission with options for consideration and seeks direction to finalize the text amendments. While I am encouraged to see some of the changes that Planning Staff suggests, said Staff is abdicating its duty to inform the Planning Commission in requesting that the Planning Commissioners arbitrarily chose what will be in the Agritourism Zoning Text Amendment. Planning Staff is supposed to be educated and knowledgeable about planning issues. Planning Commissioners are appointed by the County Supervisors, and have no such knowledge or expertise. For that reason, I protest the Planning Commissioners having the power to decide the contents of the Agritourism Zoning Text Amendment.

### **SCOTT VALLEY AREA PLAN**

Back in 2017 when Agritourism was first considered (that the Public knew of) one of the questions that the Planning Staff of that time period asked regarding the Enhanced Animal/Multi-Species (Hog Farms) Zoning Text Amendment was: “Should farming of multi-species not be allowed in certain areas of the County (e.g., Scott Valley)?” That question should have been asked regarding the Agritourism Zoning Text Amendment, but wasn’t. The existence and intent of the Scott Valley Area Plan (SVAP) has been glossed over or ignored throughout the Agritourism Zoning Text Amendment process. Planning Commissioners have a long, well-documented history of wanting to amend, change or get rid of the SVAP. The area of the SVAP should be



exempt from the Agritourism Zoning Text Amendment and no Agritourism allowed within its boundaries. With the SVAP's intent to protect the Watershed and agricultural land, the County will be hard pressed to make a Finding that the Agritourism Zoning Text Amendment is in accord with the SVAP because of the potential density and intensity which the Agritourism Zoning Text Amendment will allow. To repeat, Agritourism should not be allowed in the area of the SVAP.

### **GROUNDWATER – ELF DECISION**

As I have stated previously, the effect of the Published Appellant Case of Environmental Law Foundation, et al. v. State Water Resources Control Board and County of Siskiyou ("ELF") must be considered, and the effect of the Agritourism Zoning Text Amendment on the Public Trust Doctrine (PTD) analyzed and applied. The Public Trust Doctrine requires that the state (and state agencies like the State Water Resources Control Board) take certain public uses in navigable waters into account before allocating water resources in a manner that substantially impairs those uses. The County, as a political subdivision of the state, has an obligation to consider impacts to public trust resources in the Scott River -- such as navigation, recreation and fisheries -- whenever the County issues a permit for a new well that, through the extraction of groundwater interconnected with the Scott River's surface waters, may substantially impair the Scott River's public trust resources. It is certain that the passage of the Agritourism Zoning Text Amendment would create the requirement for new wells, thus invoking consideration of the County's PTD duties. The decision has State-wide implications and may apply to the extraction of groundwater anywhere in the County. Another reason for banning Agritourism in Scott Valley, and perhaps denying the Amendment outright.

Beyond the implications of the ELF decision, the surface and groundwater of our county need more robust protection from the effects of agritourism. Nothing in what the Commissioners will be considering addresses this issue. It should be of utmost importance.

### **IMPROVEMENTS ALLOWED**

While Planning Commissioners are considering things, please consider removing the allowance for improvements on one to five acres from the Agritourism Zoning Text Amendment. True agricultural uses do not require this amount of improvements beyond what is already allowable. To keep the "improvements" allowance in will open the door to slaughterhouses, meat packing facilities and other factory operations that would normally require a Use Permit. Please require a Conditional Use Permit for any such type of use of this type of improvement.

### **CONSIDERING THE OPTIONS**

None of the three Options presented are acceptable to the Public. While Option 3 is the most tenable, the fact that there is no notification to the Public makes it unacceptable.

### **EIR IS REQUIRED BECAUSE A "FAIR ARGUMENT" HAS BEEN PRESENTED**

The Staff Report states, "Members of the public have raised concerns regarding the initial draft text amendments, and in an effort to address those concerns, staff is presenting the Planning Commission options for consideration and is seeking direction to finalize the text amendments." While it is commendable that Planning Staff is making an effort to address Public's concerns, the response should have been to require an Environmental Impact Report (EIR) because the concerns presented a "fair argument" that passage of the Agritourism Zoning Text Amendment would have an extremely negative effect on the environment.

An EIR is crucial based on the verifiable fact that there are companies in the San Francisco Bay area that are ready to step in and run agritourism operations off the farms and ranches in our county. This is big business at its worst, and should definitely not be allowed in Scott Valley. The Staff Report does not disclose whether any of the three comparison counties (Tehama, Yolo and Modoc) required an EIR. Other counties have required an EIR for their Agritourism zoning. Siskiyou County should, too. Further comments will be made following the Planning Commissioner's decisions.

Sincerely,

*Anne Marsh*

Anne Marsh

December 17, 2019

**Michael Stapleton**  
**French Creek Ranch**  
**5104 French Creek Rd.**  
**Etna, CA 96027**  
**530-598-6164**  
**frenchcreek@gmail.com**

**Kirk Skierski, Senior Planner**  
**Siskiyou County Community Development Department**

**Members of the Siskiyou County Planning Commission**

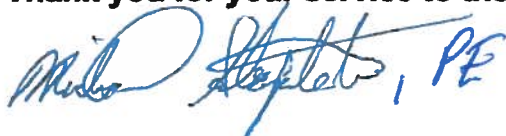
**Subject: Comments on the Agritourism Zoning Text Amendment Staff Report for Planning Commission Meeting December 18, 2019**

**Dear Kirk Skierski and Members of the Siskiyou County Planning Commission:**

**On September 25, 2019 the Siskiyou County Planning Department held a workshop to gather information from the public on the proposed agritourism amendment. All of the speakers were from Scott Valley and were very clear that the level of development in the proposal did not conform to the Scott Valley Area Plan. There were major concerns about allowing 10 percent and up to 5 acres of development on each R-R, AG-1, and AG-2 parcels in Scott Valley. It is very disappointing that this was not even addressed in the recent Staff Report. At the meeting Commissioner Dusty Veale proclaimed that Scott Valley may need a different agritourism zoning code than the rest of Siskiyou Valley because of the Scott Valley Area Plan.**

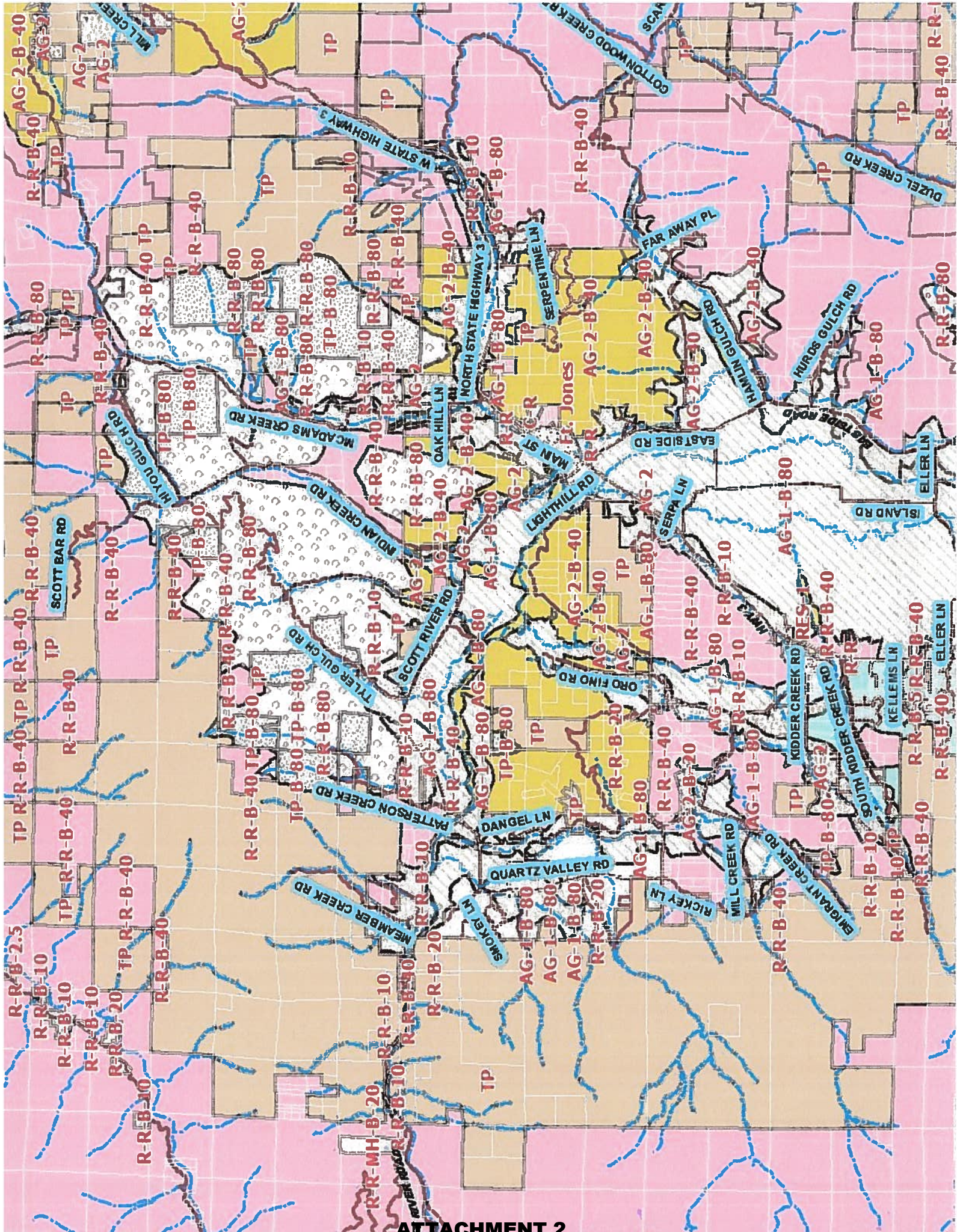
**I would suggest that the Option 3 - Oats Option be required for Scott Valley and that any agritourism related development be restricted to a maximum of 1 acre.**

**Thank you for your service to the residents of Siskiyou County.**

A handwritten signature in blue ink that reads "Michael Stapleton, PE". The signature is stylized and cursive.

**Michael Stapleton**





**From:** [Tom Menne](#)  
**To:** [Janine Rowe](#)  
**Cc:** [Kirk Skierski](#); [Rick Dean](#)  
**Subject:** Comments on Agritourism  
**Date:** Wednesday, January 15, 2020 10:11:36 AM  
**Attachments:** [Comment letter.pdf](#)

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To all,

I have attached a comment letter to show just a few problems that will come up at some point.

At your last meeting one of the commissioners pointed out that, neighbors will need to work things out. That has worked well in the past, as we have a great small farming community. But you have to ask the question, will that dynamic change and with most of the citizens of Scott Valley opposed to this planed change, why are still taking about it?

At the last Planning Commissioner meeting, Mr. Plank stated that the small amount of water used moving forward with the planed agritourism would be of no concern. I don't agree with him, if the county doesn't first consider future expansion of water use in the basin, a lawsuit would be justified.

I do realize that some land owners like this plan and most of then have been engaged in it for some time now. This whole thing is a poor fit for Scott Valley.

When I first heard about this plan, I did my homework. I called and talked to a County Supervisor and a Planing Commissioner, I was told it was about cleaning up some of what should be allowed by right. Perhaps they were just uninformed.

Regards,

Tom Menne

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## Siskiyou County Community Development Department

The following are comments on the proposed “agritourism zoning text amendment”

I will offer my comments in the form of scenarios, as this was used at a meeting you held in Yreka for the public.

### **For all of my scenarios you will have to assume that I have a neighbor that is participating in Agritourism on his or her adjacent property.**

1. It's spring time and I'm land-planing a field (unbelievably dusty ) to plant alfalfa right next to my neighbors property. It's been a dry spring and the dust I'm making is incredible , plus the wind is blowing it straight at my neighbors place. There is rain on the way so I need to get the crop in as fast as I can. My neighbor ( Joe ) tells me to stop because I'm dusting out his event of 20 guest. Next the sheriff shows up and tells me I need to stop until Joes party is over and I tell him rain is coming I need to work fast. The sheriff tells me it's his job to keep the peace so I have to stop.

#### **Impact to me:**

It did rain later the next day. It took 25 days to get back in my field and I missed all the rain. The later planting date made for a weaker stand and more weeds. Joe now says he will call 911 every-time to stop me if it has any impact to him, it worked last time.

2.It's late spring and I'm spraying a field next to Joe's place with insecticide ( Malathion smells terrible) I have a real bad Army Worm problem. I hold a private applicators license, a current permit and the wind is at 7 mph. I have called all the bee keepers near me and given them 24 hour notice as required by law. I'm doing everything by the book.

As I get half way across the field I see Fort Jones fire department show up at Joe's house, next the ambulance and the sheriff all show up. My phone rings, it's the ag commissioner calling me and telling me to stop, he's on his way. ( small town, he has my number ) Jim Smith shows up and puts on all his PPE's, walks out to my sprayer and asked me for a copy of my permit and a copy of the label from the insecticide I'm using.

Jim tells me a guest at Joe's house could smell the “bad chemicals” I was spraying and felt sick. Joe called 911 and the guest was taken to the hospital. I'm told to stop while Jim does a full inspection. Jim tells me he has to look after everyone involved, not just the farming community. Next Jim tells me that everything looks good and I was doing my spraying exactly as the label requires. Now it is too dark to safely spray and Jim has asked me to hold off spraying until he talks to the guest, hospital and the sheriff.

#### **Impact to me:**

It's now 4 days later and the Army Worms have ruined my new stand of alfalfa at a considerable financial lost to me. I received a letter form Jos's attorney and one from his guest. I have had to take time away from trying to make a living and meet with the AG department, Sheriff department and my attorney and I still need to treat that field.

3.

It's mid summer and a soil test shows my PH is real low and my crop of alfalfa is struggling to grow. I need to apply lime at a rate of 2 tons per acre. ( extremely dusty ) This field is across to street from Joe's house. The guy that can apply the lime can only do it on Friday. The wind is low when he starts applying the lime. The wind comes up and blows straight at Joe's house and he calls 911. The sheriff shows up and tells the operator to stop for the day.

**Impact to me:**

The guy that applies my fertilizer tells me I owe him for applying lime to half the field and he will not be coming back as Joe had threatened his operator and he has better things to do. The loss of tonnage was significant on half of the field. I go over to Joe's house and try to explain I have the right to farm.

So I get out of jail in 30 days, it didn't go so well at Joe's house that day and I hope Joe recovers from his broken jaw.

**A little back ground on my fictional neighbor Joe, he was lawyer in Los Angeles before buying a place in Scott Valley. He is now a hobby farmer and doesn't need the \$1,000 he makes from goat yoga. He does love to have events and talk all about himself and goat yoga.**

Make no mistake, my right to farm will be impacted by all of this at some point.

Tom Menne



## To: Siskiyou County Planning Commission

This letter is to stop the Agritourism Zoning Text Amendment (Z-17-03)

I have lived in Scott Valley for 34 years, my whole life and I have never left. I have worked in the timber industry my entire adult life. I would be very disappointed if this amendment was to pass. The people who created the Scott Valley Area Plan knew how special this place was and wanted to protect it. They could see that there was a huge potential for over development and they set rules that everyone should abide by so that we can keep our open space and have agriculture be the foundation of our economy. My grandparents voted in favor of the Scott Valley Area Plan, they thought it was necessary to preserve the rural way of life and community for me, and future generations to come.

I was very disappointed that there was hardly any public knowledge of this proposed amendment, there was so little time that I have to hand deliver this letter. I don't know who is in charge of public information in this matter but I feel like they need to be replaced, the public deserves adequate time to process and comment on this new information.

I believe that the regulations that are already in place need to be enforced. there have been many complaints about JH ranch, and what I've seen in the Shasta Vista and Big Springs area with the mong community things are really getting out of hand. The trash and disgusting lifestyle is a huge environmental impact that no one wants. If the agritourism amendment passes then pretty much anyone with 10 acres can have up to 150 people on there property, just imagine the trash, human waste and complete eye sore this will cause for our entire county. If agritourism and multispecies are to pass then this will bring in environmental agency's that will be breathing down your neck and no body wants any more agency telling you what to do.

I currently live up french creek where I see all of the JH camp traffic, if this proposed amendment passes then we will see increased traffic collisions without a doubt on eastside, where I spend a lot of my time helping on real ranches. Not to mention the possibility of a huge wild fire and no escape route for a ridiculous amount of people. Working in the timber industry I see first hand the devastation that can be caused by careless people most of all, people with no common sense.

I don't believe that the TAC committee has lived in Scott Valley long enough to make decisions of this magnitude for the people who have been here working the land there entire life's. I strongly encourage you to not pass the Agritourism Zoning text Amendment.

Thank you,

Brent Martin

## To: Siskiyou County Planning Commission

This letter is to stop the Agritourism Zoning text Amendment (Z-17-03)

I was born and raised here in Scott Valley and I believe that the proposed Agritourism amendment will seriously impact the future of Scott Valley. This proposal opens the door to over development on prime agricultural soil, and could also allow for hundreds of mini dude ranches or winery's to open up and destroy our current rural lifestyle. I feel that we need to preserve agriculture as the foundation of our economy and our way of life and preserve open space. Agritourism is already having an impact on the traffic on our roads and quality of life, if allowed to expand there is no telling what will become of Scott Valley.

The proposed amendment is also in direct violation of the Scott Valley Area Plan, which was put in place to protect our beautiful valley and prevent over development. To allow a person with 10 acres to have up to 150 people on there property for agritourism purposes is ridiculous in my opinion. The document is to vague about what qualifies as a "working ranch". I started a petition **opposing** the Agritourism Zoning text Amendment and the amount of people who signed is astounding, it just goes to show that the community does not agree with this proposal and they wanted there voices to be heard. I love this valley and I urge you to please listen to what our community wants and not pass the proposed Agritourism Zoning text Amendment and open our valley up to exploitation and over development.

Thank you,

Brianna Moyles

5809 French Creek Road

Etna, Ca 96027



**SISKIYOU COUNTY**  
**PLANNING COMMISSION STAFF REPORT**  
March 20, 2019

**AGRITOURISM ZONING TEXT AMENDMENT (Z1703)**

|                                |  |
|--------------------------------|--|
| <b>SUBJECT:</b>                | The project is a proposed zoning text amendment intended to both address the lack of specificity in the Code for uses traditionally interpreted by the Planning Director as “incidental to agriculture” and to facilitate the marketing and promotion of agricultural products grown and produced in Siskiyou County through onsite agritourism activities not yet contemplated by the Code. It would allow limited agritourism incidental to active agricultural operations on parcels 10 acres and larger that are zoned AG-1, AG-2, and/or R-R. To minimize, to the greatest extent practicable, off-site impacts associated with agritourism-related activities, the zoning text amendment would differentiate between generally permissible, less intensive “Level I Agritourism” and more intensive “Level II Agritourism” and would subject “Level II Agritourism” to Agritourism Performance Standards and approval of an administrative use permit or a conditional use permit depending upon the intensity of use. |
| <b>GENERAL PLAN:</b>           | All  |
| <b>SCOTT VALLEY AREA PLAN:</b> | All  |
| <b>ZONING:</b>                 | Rural Residential Agricultural (RR), Non-Prime Agricultural (AG2), Prime Agricultural (AG1)  |
| <b>LOCATION:</b>               | Countywide   |
| <b>EXHIBITS:</b>               | <ul style="list-style-type: none"><li>A. Resolution PC-2019-008, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending the Board of Supervisors Adopt the Proposed Amendments to Articles 48, 49, 50, and 36 of Title 10, Chapter 6 of the Siskiyou County Code (Z1703)</li><li>A1. Draft Ordinance Amending Chapter 6 of Title 10 of the Siskiyou County Code By Adding Agritourism Definitions and Renumbering Adjacent Sections, and by Adding Agritourism Uses, Administrative Processes and Authority for Permit Fees</li><li>B. Draft Initial Study/Mitigated Negative Declaration (SCH#2019029087)</li><li>C. Public Comments</li></ul>  |

**BACKGROUND**

The Siskiyou County Code is currently ambiguous and many uses have been traditionally interpreted as fitting within those uses “incidental to agriculture”. Both locally and throughout the state and nation, there is a growing agritourism sector. This zoning code amendment seeks to provide some clarity regarding agritourism activities in Siskiyou County and outline some parameters regarding which uses are

permitted, and which would require additional review and/or conditional permitting. These changes are proposed to apply to parcels 10-acres or larger within the Rural Residential Agricultural (RR), Non-Prime Agricultural (AG2), and Prime Agricultural (AG1) zoning districts.

In 2018, the Planning Commission appointed seven members to a Technical Advisory Committee (TAC) to study the County's code and provide recommendations regarding agritourism in Siskiyou County. This TAC provided recommended changes to the Planning Commission at its June 6, 2018, meeting. It was the Commission's direction that staff work with County Counsel to use these recommended changes to draft a zoning code amendment.

**PROPOSED AMENDMENTS TO ARTICLES 36, 48, 49, 50, TITLE 10, CHAPTER 6**

The proposed revisions to Articles 36, 48, 49, and 50 are detailed in Exhibit A1.

The changes to Article 36 include new definitions for "Unique Agricultural Products", "Agritourism Property", "Agritourism Farmstay", "Agritourism Camping", "Agritourism; Level I and Level II" (Exhibit A).

The changes to Articles 48, 49, and 50 include expanding the existing permitted uses sections to allow Level I Agritourism. For Level II Agritourism, a new section in each Article is added titled "Administrative permit uses permitted" (10-6.4802.5, 10-6.4902.5, 10-6.5002.5) that outlines the *Agricultural Tourism Performance Standards* that are required for the issuance of an Administrative Use Permit. Finally, the *Conditional Uses Permitted* section in each Article (10-6.4803, 10-6.4903, 10-6.5003) is amended to add "Agritourism activities that exceed the guest, occupancy, or Average Daily Trips limits defined as Level II Agritourism". This would require the issuance of a conditional use permit to conduct any activity in excess of the limits defined as *Level II Agritourism* and in the *Agricultural Tourism Performance Standards*.

**DISCUSSION**

Staff prepared a zoning text amendment for consideration by the Planning Commission and Board of Supervisors that would provide clarification relative to uses traditionally interpreted as "incidental to agriculture" and to facilitate the marketing and promotion of agricultural products in Siskiyou County. Language was also included to capture any potential new activities not considered in the County Code.

The proposed changes seek to permit limited agritourism activities as accessory to agricultural operations on parcels larger than 10 acres and zoned Rural Residential Agricultural (RR), Non-Prime Agricultural (AG2), and Prime Agricultural (AG1). As part of this zoning text amendment, agritourism would be defined as "the act of visiting a working farm or ranch as a guest for the purpose of enjoyment, education or other active participation in the activities of the farm. A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more. Agritourism shall not include concerts and or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch".

In an effort to minimize any offsite impacts of agritourism activities, those activities have been divided into categories, each with its own requirements and thresholds.

"Level I Agritourism" is Agritourism on Agritourism Property ten (10) acres or larger that is limited to

- (i) twenty single-day Agritourism events per year with no more than thirty (30) guests per event; and

(ii) three single-day Agritourism events per year involving guests in excess of thirty (30), but no more than one hundred fifty (150) guests per event.

Examples of such single-day events include farm tours, field days, ranch or farm sponsored hospitality dinners, educational classes and/or activities, school tours, farm-focused corporate events and similar activities that relate to the promotion of the primary use as a working farm or ranch.

“Level II Agritourism” is Agritourism on Agritourism Property ten (10) acres or larger that involves any of the following:

1. Single-day Agritourism events in excess of Level I Agritourism frequency limits or guest number limits;
2. On-site fruit and vegetable picking and associated sales, often referred to as “U-Pick” operations;
3. Onsite sales of Unique Agricultural Products or merchandise related to the working farm or ranch;
4. Agricultural Farmstays; and
5. Agritourism Camping.

Level II Agritourism is subject to Siskiyou’s County Agricultural Tourism Performance Standards.

Level II Agritourism would be subject to either an Administrative Use Permit or a Conditional Use Permit, depending on the intensity of the proposed use and whether it fits within the Agricultural Tourism Performance Standards. The Agricultural Tourism Performance Standards include provisions regarding permanent structural improvements, traffic, proximity to neighboring residences, parking, lighting, presence of owner/operator, boundary markings, restroom/sanitation facilities, wildlife disturbance, waterway disturbance, archaeological resource protection, erosion prevention, and noise. There are also specific provisions related to Farmstays and Agritourism camping. (Exhibit A1)

Any proposed agritourism activity that did not fit within the restrictions related to Level II Agritourism would require a conditional use permit.

The proposed zoning text amendment would not supersede any existing County or State regulations, including those of the Environmental Health or Agriculture Departments, or those from the CA Department of Fish and Wildlife or Regional Water Quality Control Board. Pursuant to Siskiyou County’s Williamson Act Guidelines, as adopted by the Board of Supervisors on February 7, 2012, “agritourism activities including buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, “u-pick” sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural sales” are allowed as a compatible use and allowed within agricultural preserves “provided that these land uses are not the principal use, do not displace the agricultural production use, and occur while there is an agricultural production use occurring within the agricultural preserve”.

**ENVIRONMENTAL REVIEW**

**CEQA Compliance Requirements**

The approval of the Zoning Code Amendment is a discretionary action by the County and triggers the need to evaluate the project under CEQA. Upon completion of the Initial Study, staff determined that a

**Planning Commission Staff Report  
March 20, 2019**

Mitigated Negative Declaration (MND) of Environmental Significance was the appropriate environmental document for the project because, in staff's opinion, the proposed mitigation measures reduced the level of potential impact below the level of significance. The Initial Study and Mitigated Negative Declaration were sent to the State Clearinghouse (SCH#2019029087). The circulation period began on February 15, 2019 and ended on March 18, 2019.

CEQA requires that prior to approval of a MND, the Planning Commission must consider the proposed MND together with any comments received during the public review process and that the MND shall only be approved if the Commission finds that on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment and that the MND reflects the lead agency's independent judgment and analysis. The following is the description of the comments received.

**PUBLIC COMMENTS:**

Public comments were received. Comments are included in their entirety as Exhibit C.

**AGENCY COMMENTS:**

No comments received as of the preparation of this staff report.

**AB 52 CONSULTATION**

AB 52 mandates early tribal consultation prior to and during CEQA review for those tribes which have formally requested, in writing, notification on projects subject to AB 52, i.e. projects which have published Notices of Preparation (NOPs) for Environmental Impact Reports (EIRs) or Notices of Intent to adopt Negative Declarations or Mitigated Negative Declarations since July 1, 2015 (PRC section 21080.3.1). The bill establishes a new category of Tribal Cultural Resources (TCR's) for which only tribes are expert; these resources may not necessarily be visible or archaeological, but could be religious or spiritual in nature. Significant impacts to a TCR are considered significant effects on the environment (PRC section 21084.2).

In the case of this project, no tribes requested consultation.

**PLANNING DEPARTMENT'S RECOMMENDATION**

- **Recommend** the Board of Supervisors adopt the Mitigated Negative Declaration (SCH#2019029087); and
- **Recommend** the Board of Supervisors adopt the proposed amendments to Articles 36, 48, 49, and 50 of Title 10, Chapter 6 of the Siskiyou County Code (Z1703)

**SUGGESTED MOTIONS**

I move that we adopt Resolution PC-2019-008, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending the Board of Supervisors Adopt the Proposed Amendments to Articles 36, 48, 49, and 50 of Title 10, Chapter 6 of the Siskiyou County Code (Z1703)

**PREPARATION**

Prepared by the Siskiyou County Planning Division.

For project specific information or to obtain copies for your review, please contact:

Christy Cummings Dawson, Deputy Director  
Siskiyou County Planning Division  
806 S. Main Street  
Yreka, California 96097



**RESOLUTION PC 2019-008**  
**A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF SISKIYOU,**  
**STATE OF CALIFORNIA, RECOMMENDING THE BOARD OF SUPERVISORS**  
**ADOPT THE PROPOSED AMENDMENTS TO ARTICLES 36, 48, 49, AND 50**  
**OF TITLE 10, CHAPTER 6 OF THE SISKIYOU COUNTY CODE (Z1703)**

**WHEREAS**, the Planning Division prepared a draft text amendment to Articles 36, 48, 49, and 50 of Title 10, Chapter 6 of the Siskiyou County Code to more clearly define certain uses of property incidental to agriculture and to facilitate the marketing and promotions of agricultural products grown and produced in Siskiyou County; and

**WHEREAS**, the proposed amendments to Articles 36, 48, 49, and 50 of Title 10, Chapter 6 are listed in Exhibit A-2 to this Resolution; and

**WHEREAS**, the Planning Division presented its oral and written staff report on the proposed zoning text amendment at a regular meeting of the Planning Commission on March 20, 2019; and

**WHEREAS**, an Initial Study was prepared pursuant to the California Environmental Quality Act (CEQA) that identified the following environmental factors as being potentially affected by the proposed project: Biological Resources, Cultural Resources, Geology and Soils, Noise, and Mandatory Findings of Significance; and

**WHEREAS**, mitigation measures have been incorporated into the project to reduce all potential impacts to a less-than-significant level; and

**WHEREAS**, a Mitigated Negative Declaration was prepared in accordance with the CEQA Guidelines Section 15070(b) and thereafter circulated with the Initial Study to responsible agencies and made available for public review and comment; and

**WHEREAS**, all mitigation measures have been reproduced in the Mitigation Monitoring and Reporting Program prepared for use by County staff, participating agencies, project contractors, and mitigation monitoring personnel during implementation of the project; and

**WHEREAS**, the Planning Division recommended approval of the proposed revisions to Articles 36, 48, 49, and 50 of Title 10, Chapter 6 of the Siskiyou County Code (Z1703); and

**WHEREAS**, a Notice of Public Hearing was published in the Siskiyou Daily News on March 1, 2019; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on the proposed revisions to Articles 36, 48, 49, and 50 of Title 10, Chapter 6 of the Siskiyou County Code (Z1703) on March 20, 2019; and

**WHEREAS**, on March 20, 2019, the Chair of the Planning Commission opened the duly noticed public hearing on the proposed zoning text amendment to receive testimony both oral

**AGRITOURISM ZONING TEXT AMENDMENT (Z1703)**

and written, following which the Chair closed the public hearing and the Commission discussed the proposed zoning text amendment prior to reaching its decision.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends the Board of Supervisors adopt the Initial Study/Mitigated Negative Declaration (SCH#2019029087) and that the Board of Supervisors adopt the proposed revisions to Articles 36, 48, 49, and 50 of Title 10, Chapter 6 of the Siskiyou County Code, as shown in Exhibit A-1 to this Resolution.

**IT IS HEREBY CERTIFIED** that the foregoing Resolution PC-2019-008 was duly adopted on a motion by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_, at a regular meeting of the Siskiyou County Planning Commission held on the 20<sup>th</sup> day of March, 2019, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

SISKIYOU COUNTY PLANNING COMMISSION

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

WITNESS, my hand and seal this 20<sup>th</sup> day of March, 2019.

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

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE COUNTY OF SISKIYOU  
AMENDING CHAPTER 6 OF TITLE 10  
OF THE SISKIYOU COUNTY CODE  
BY ADDING AGRITOURISM DEFINITIONS AND RENUMBERING ADJACENT  
SECTIONS, AND BY ADDING AGRITOURSIM USES, ADMINISTRATIVE  
PROCESSES AND AUTHORITY FOR PERMIT FEES**

THE BOARD OF SUPERVISORS OF THE COUNTY OF SISKIYOU ORDAINS  
AS FOLLOWS:

**SECTION 1:** Section 10-6.3602.207 of Article 36, of Chapter 6, of Title 10, defining “Zoning Permit” is hereby renumbered to Section 10-6.3602.212.

**SECTION 2:** Section 10-6.3602.206 of Article 36, of Chapter 6, of Title 10, defining “Zoning Map” is hereby renumbered to Section 10-6.3602.211.

**SECTION 3:** Section 10-6.3602.205 of Article 36, of Chapter 6, of Title 10, defining “Zone” is hereby renumbered to Section 10-6.3602.210.

**SECTION 4:** Section 10-6.3602.204 of Article 36, of Chapter 6, of Title 10, defining “Zero lot line” is hereby renumbered to Section 10-6.3602.209.

**SECTION 5:** Section 10-6.3602.203 of Article 36, of Chapter 6, of Title 10, defining “Youth camp” is hereby renumbered to Section 10-6.3602.208.

**SECTION 6:** Section 10-6.3602.202 of Article 36, of Chapter 6, of Title 10, defining “Yard, side” is hereby renumbered to Section 10-6.3602.207.

**SECTION 7:** Section 10-6.3602.201 of Article 36, of Chapter 6, of Title 10, defining “Yard, rear” is hereby renumbered to Section 10-6.3602.206.

**SECTION 8:** Section 10-6.3602.200 of Article 36, of Chapter 6, of Title 10, defining “Yard, front” is hereby renumbered to Section 10-6.3602.205.

**SECTION 9:** Section 10-6.3602.199 of Article 36, of Chapter 6, of Title 10, defining “Yard” is hereby renumbered to Section 10-6.3602.204.

**SECTION 10:** Section 10-6.3602.198 of Article 36, of Chapter 6, of Title 10, defining “Wholesale trade” is hereby renumbered to Section 10-6.3602.203.

**SECTION 11:** Section 10-6.3602.197 of Article 36, of Chapter 6, of Title 10, defining “Waste” is hereby renumbered to Section 10-6.3602.202.

**SECTION 12:** Section 10-6.3602.196 of Article 36, of Chapter 6, of Title 10, defining “Warehouse” is hereby renumbered to Section 10-6.3602.201.

**SECTION 13:** Section 10-6.3602.195 of Article 36, of Chapter 6, of Title 10, defining “Variance, hardship” is hereby renumbered to Section 10-6.3602.200.

**SECTION 14:** Section 10-6.3602.194 of Article 36, of Chapter 6, of Title 10, defining “Vacation rental” is hereby renumbered to Section 10-6.3602.199.

**SECTION 15:** Section 10-6.3602.193 of Article 36, of Chapter 6, of Title 10, defining “Utility, private or public” is hereby renumbered to Section 10-6.3602.198.

**SECTION 16:** Section 10-6.3602.197 of Article 36, of Chapter 6, of Title 10, defining “Unique Agricultural Product” is hereby added as follows:

Unique Agricultural Products.

“Unique Agricultural Products” means specialty agricultural products, including but not limited to, fruits, berries, nuts, eggs, meats, flowers, wine, oils, jams and honey. Producers of Unique Agricultural Products raise or grow traditional commodities, but also create value added products from those commodities by changing the commodity’s physical state or by connecting the farm or ranch directly to consumers or sales intermediaries such as grocery stores, restaurants or similar food service institutions. Establishments producing Unique Agricultural Products are typically family owned and operated facilities. Unique Agricultural Products do not include cannabis or cannabis related products.

**SECTION 17:** Section 10-6.3602.192 of Article 36, of Chapter 6, of Title 10, defining “Trucking terminal” is hereby renumbered to Section 10-6.3602.196.

**SECTION 18:** Section 10-6.3602.191 of Article 36, of Chapter 6, of Title 10, defining “Truck stop” is hereby renumbered to Section 10-6.3602.195.

**SECTION 19:** Section 10-6.3602.190 of Article 36, of Chapter 6, of Title 10, defining “Truck camper” is hereby renumbered to Section 10-6.3602.194.

**SECTION 20:** Section 10-6.3602.157 of Article 36, of Chapter 6, of Title 10, defining “Recreation facility, personal” is hereby renumbered to Section 10-6.3602.161.

**SECTION 21:** Section 10-6.3602.156 of Article 36, of Chapter 6, of Title 10, defining “Recreation facility, commercial” is hereby renumbered to Section 10-6.3602.160.

**SECTION 22:** Section 10-6.3602.155 of Article 36, of Chapter 6, of Title 10, defining “Recreation facility” is hereby renumbered to Section 10-6.3602.159.

**SECTION 23:** Section 10-6.3602.154 of Article 36, of Chapter 6, of Title 10, defining “Recreation, active” is hereby renumbered to Section 10-6.3602.158.

**SECTION 24:** Section 10-6.3602.153 of Article 36, of Chapter 6, of Title 10, defining “Ranch” is hereby renumbered to Section 10-6.3602.157.

**SECTION 25:** Section 10-6.3602.152 of Article 36, of Chapter 6, of Title 10, defining “Quasi-Public use or building” is hereby renumbered to Section 10-6.3602.156.

**SECTION 26:** Section 10-6.3602.151 of Article 36, of Chapter 6, of Title 10, defining “Quasi-Public” is hereby renumbered to Section 10-6.3602.155.

**SECTION 27:** Section 10-6.3602.150 of Article 36, of Chapter 6, of Title 10, defining “Public sewer and water system” is hereby renumbered to Section 10-6.3602.154.

**SECTION 28:** Section 10-6.3602.149 of Article 36, of Chapter 6, of Title 10, defining “Public celebrations” is hereby renumbered to Section 10-6.3602.153.

**SECTION 29:** Section 10-6.3602.148 of Article 36, of Chapter 6, of Title 10, defining “Professional Office” is hereby renumbered to Section 10-6.3602.152.

**SECTION 30:** Section 10-6.3602.147 of Article 36, of Chapter 6, of Title 10, defining “Primary treatment” is hereby renumbered to Section 10-6.3602.151.

**SECTION 31:** Section 10-6.3602.146 of Article 36, of Chapter 6, of Title 10, defining “Planning Commission” is hereby renumbered to Section 10-6.3602.150.

**SECTION 32:** Section 10-6.3602.145 of Article 36, of Chapter 6, of Title 10, defining “Planned unit development” is hereby renumbered to Section 10-6.3602.149.

**SECTION 33:** Section 10-6.3602.144 of Article 36, of Chapter 6, of Title 10, defining “Personal services” is hereby renumbered to Section 10-6.3602.148.

**SECTION 34:** Section 10-6.3602.143 of Article 36, of Chapter 6, of Title 10, defining “Person” is hereby renumbered to Section 10-6.3602.147.

**SECTION 35:** Section 10-6.3602.142 of Article 36, of Chapter 6, of Title 10, defining “Permitted use” is hereby renumbered to Section 10-6.3602.146.

**SECTION 36:** Section 10-6.3602.141 of Article 36, of Chapter 6, of Title 10, defining “Performance Standards” is hereby renumbered to Section 10-6.3602.145.

**SECTION 37:** Section 10-6.3602.140 of Article 36, of Chapter 6, of Title 10,

defining “Park trailer” is hereby renumbered to Section 10-6.3602.144.

**SECTION 38:** Section 10-6.3602.139 of Article 36, of Chapter 6, of Title 10, defining “Parking space” is hereby renumbered to Section 10-6.3602.143.

**SECTION 39:** Section 10-6.3602.138 of Article 36, of Chapter 6, of Title 10, defining “Parking area” is hereby renumbered to Section 10-6.3602.142.

**SECTION 40:** Section 10-6.3602.137 of Article 36, of Chapter 6, of Title 10, defining “Park” is hereby renumbered to Section 10-6.3602.141.

**SECTION 41:** Section 10-6.3602.136 of Article 36, of Chapter 6, of Title 10, defining “Outdoor storage” is hereby renumbered to Section 10-6.3602.140.

**SECTION 42:** Section 10-6.3602.135 of Article 36, of Chapter 6, of Title 10, defining “Outbuilding” is hereby renumbered to Section 10-6.3602.139.

**SECTION 43:** Section 10-6.3602.134 of Article 36, of Chapter 6, of Title 10, defining “Organized camp” is hereby renumbered to Section 10-6.3602.138.

**SECTION 44:** Section 10-6.3602.133 of Article 36, of Chapter 6, of Title 10, defining “Open space, public” is hereby renumbered to Section 10-6.3602.137.

**SECTION 45:** Section 10-6.3602.132 of Article 36, of Chapter 6, of Title 10, defining “Open space, private” is hereby renumbered to Section 10-6.3602.136.

**SECTION 46:** Section 10-6.3602.131 of Article 36, of Chapter 6, of Title 10, defining “Open space, green” is hereby renumbered to Section 10-6.3602.135.

**SECTION 47:** Section 10-6.3602.130 of Article 36, of Chapter 6, of Title 10, defining “Open space, common” is hereby renumbered to Section 10-6.3602.134.

**SECTION 48:** Section 10-6.3602.129 of Article 36, of Chapter 6, of Title 10, defining “Open space” is hereby renumbered to Section 10-6.3602.133.

**SECTION 49:** Section 10-6.3602.128 of Article 36, of Chapter 6, of Title 10, defining “On-street parking space” is hereby renumbered to Section 10-6.3602.132.

**SECTION 50:** Section 10-6.3602.127 of Article 36, of Chapter 6, of Title 10, defining “Off-street parking space” is hereby renumbered to Section 10-6.3602.131.

**SECTION 51:** Section 10-6.3602.126 of Article 36, of Chapter 6, of Title 10, defining “Office” is hereby renumbered to Section 10-6.3602.130.

**SECTION 52:** Section 10-6.3602.125 of Article 36, of Chapter 6, of Title 10,

defining “Occupancy” is hereby renumbered to Section 10-6.3602.129.

**SECTION 53:** Section 10-6.3602.124 of Article 36, of Chapter 6, of Title 10, defining “Nursery” is hereby renumbered to Section 10-6.3602.128.

**SECTION 54:** Section 10-6.3602.123 of Article 36, of Chapter 6, of Title 10, defining “Nuisance” is hereby renumbered to Section 10-6.3602.127.

**SECTION 55:** Section 10-6.3602.122 of Article 36, of Chapter 6, of Title 10, defining “Nonconforming uses” is hereby renumbered to Section 10-6.3602.126.

**SECTION 56:** Section 10-6.3602.121 of Article 36, of Chapter 6, of Title 10, defining “Nonconforming lot” is hereby renumbered to Section 10-6.3602.125.

**SECTION 57:** Section 10-6.3602.120 of Article 36, of Chapter 6, of Title 10, defining “Noise pollution” is hereby renumbered to Section 10-6.3602.124.

**SECTION 58:** Section 10-6.3602.119 of Article 36, of Chapter 6, of Title 10, defining “Noise” is hereby renumbered to Section 10-6.3602.123.

**SECTION 60:** Section 10-6.3602.118 of Article 36, of Chapter 6, of Title 10, defining “Motion picture theater” is hereby renumbered to Section 10-6.3602.122.

**SECTION 61:** Section 10-6.3602.117 of Article 36, of Chapter 6, of Title 10, defining “Motel” is hereby renumbered to Section 10-6.3602.121.

**SECTION 62:** Section 10-6.3602.116 of Article 36, of Chapter 6, of Title 10, defining “Mortuary” is hereby renumbered to Section 10-6.3602.120.

**SECTION 63:** Section 10-6.3602.115 of Article 36, of Chapter 6, of Title 10, defining “Mobile home park” is hereby renumbered to Section 10-6.3602.119.

**SECTION 64:** Section 10-6.3602.114 of Article 36, of Chapter 6, of Title 10, defining “Mobile home” is hereby renumbered to Section 10-6.3602.118.

**SECTION 65:** Section 10-6.3602.113 of Article 36, of Chapter 6, of Title 10, defining “Mini-warehouse” is hereby renumbered to Section 10-6.3602.117.

**SECTION 66:** Section 10-6.3602.112 of Article 36, of Chapter 6, of Title 10, defining “Manufacturing” is hereby renumbered to Section 10-6.3602.116.

**SECTION 67:** Section 10-6.3602.111 of Article 36, of Chapter 6, of Title 10, defining “Lumber yard” is hereby renumbered to Section 10-6.3602.115.

**SECTION 68:** Section 10-6.3602.110 of Article 36, of Chapter 6, of Title 10,

defining “Lot width” is hereby renumbered to Section 10-6.3602.114.

**SECTION 69:** Section 10-6.3602.109 of Article 36, of Chapter 6, of Title 10, defining “Lot, through” is hereby renumbered to Section 10-6.3602.113.

**SECTION 70:** Section 10-6.3602.108 of Article 36, of Chapter 6, of Title 10, defining “Lot, reverse frontage” is hereby renumbered to Section 10-6.3602.112.

**SECTION 71:** Section 10-6.3602.107 of Article 36, of Chapter 6, of Title 10, defining “Lot, minimum area of” is hereby renumbered to Section 10-6.3602.111.

**SECTION 72:** Section 10-6.3602.106 of Article 36, of Chapter 6, of Title 10, defining “Lot line, side” is hereby renumbered to Section 10-6.3602.110.

**SECTION 73:** Section 10-6.3602.105 of Article 36, of Chapter 6, of Title 10, defining “Lot line, rear” is hereby renumbered to Section 10-6.3602.109.

**SECTION 74:** Section 10-6.3602.104 of Article 36, of Chapter 6, of Title 10, defining “Lot line, front” is hereby renumbered to Section 10-6.3602.108.

**SECTION 75:** Section 10-6.3602.103 of Article 36, of Chapter 6, of Title 10, defining “Lot line” is hereby renumbered to Section 10-6.3602.107.

**SECTION 76:** Section 10-6.3602.102 of Article 36, of Chapter 6, of Title 10, defining “Lot frontage” is hereby renumbered to Section 10-6.3602.106.

**SECTION 77:** Section 10-6.3602.101 of Article 36, of Chapter 6, of Title 10, defining “Lot depth” is hereby renumbered to Section 10-6.3602.105.

**SECTION 78:** Section 10-6.3602.100 of Article 36, of Chapter 6, of Title 10, defining “Lot, corner” is hereby renumbered to Section 10-6.3602.104.

**SECTION 79:** Section 10-6.3602.99 of Article 36, of Chapter 6, of Title 10, defining “Lot” is hereby renumbered to Section 10-6.3602.103.

**SECTION 80:** Section 10-6.3602.98 of Article 36, of Chapter 6, of Title 10, defining “Lodging house” is hereby renumbered to Section 10-6.3602.102.

**SECTION 81:** Section 10-6.3602.97 of Article 36, of Chapter 6, of Title 10, defining “Lodge” is hereby renumbered to Section 10-6.3602.101.

**SECTION 82:** Section 10-6.3602.96 of Article 36, of Chapter 6, of Title 10, defining “Kennel” is hereby renumbered to Section 10-6.3602.100.

**SECTION 83:** Section 10-6.3602.95 of Article 36, of Chapter 6, of Title 10,



defining “Junk yard” is hereby renumbered to Section 10-6.3602.99.

**SECTION 84:** Section 10-6.3602.94 of Article 36, of Chapter 6, of Title 10, defining “Junk” is hereby renumbered to Section 10-6.3602.98.

**SECTION 85:** Section 10-6.3602.93 of Article 36, of Chapter 6, of Title 10, defining “Institutional use” is hereby renumbered to Section 10-6.3602.97.

**SECTION 86:** Section 10-6.3602.92 of Article 36, of Chapter 6, of Title 10, defining “Housing unit” is hereby renumbered to Section 10-6.3602.96.

**SECTION 87:** Section 10-6.3602.91 of Article 36, of Chapter 6, of Title 10, defining “Housing, transitional” is hereby renumbered to Section 10-6.3602.95.

**SECTION 88:** Section 10-6.3602.90 of Article 36, of Chapter 6, of Title 10, defining “Housing, supportive” is hereby renumbered to Section 10-6.3602.94.

**SECTION 89:** Section 10-6.3602.89 of Article 36, of Chapter 6, of Title 10, defining “Household” is hereby renumbered to Section 10-6.3602.93.

**SECTION 90:** Section 10-6.3602.88 of Article 36, of Chapter 6, of Title 10, defining “Hotel” is hereby renumbered to Section 10-6.3602.92.

**SECTION 91:** Section 10-6.3602.87 of Article 36, of Chapter 6, of Title 10, defining “Horticulture” is hereby renumbered to Section 10-6.3602.91.

**SECTION 92:** Section 10-6.3602.86 of Article 36, of Chapter 6, of Title 10, defining “Home occupation” is hereby renumbered to Section 10-6.3602.90.

**SECTION 93:** Section 10-6.3602.85 of Article 36, of Chapter 6, of Title 10, defining “Helistop” is hereby renumbered to Section 10-6.3602.89.

**SECTION 94:** Section 10-6.3602.84 of Article 36, of Chapter 6, of Title 10, defining “Heliport” is hereby renumbered to Section 10-6.3602.88.

**SECTION 95:** Section 10-6.3602.83 of Article 36, of Chapter 6, of Title 10, defining “Height of building” is hereby renumbered to Section 10-6.3602.87.

**SECTION 96:** Section 10-6.3602.82 of Article 36, of Chapter 6, of Title 10, defining “Guest house” is hereby renumbered to Section 10-6.3602.86.

**SECTION 97:** Section 10-6.3602.81 of Article 36, of Chapter 6, of Title 10, defining “Group home” is hereby renumbered to Section 10-6.3602.85.

**SECTION 98:** Section 10-6.3602.80 of Article 36, of Chapter 6, of Title 10, defining “Convalescent or care facility” is hereby renumbered to Section 10-6.3602.84.

**SECTION 99:** Section 10-6.3602.79 of Article 36, of Chapter 6, of Title 10, defining “Group care facility” is hereby renumbered to Section 10-6.3602.83.

**SECTION 100:** Section 10-6.3602.78 of Article 36, of Chapter 6, of Title 10, defining “gravel pit” is hereby renumbered to Section 10-6.3602.82.

**SECTION 101:** Section 10-6.3602.77 of Article 36, of Chapter 6, of Title 10, defining “Glare” is hereby renumbered to Section 10-6.3602.81.

**SECTION 102:** Section 10-6.3602.76 of Article 36, of Chapter 6, of Title 10, defining “Garage, private residential” is hereby renumbered to Section 10-6.3602.80.

**SECTION 103:** Section 10-6.3602.75 of Article 36, of Chapter 6, of Title 10, defining “Garage” is hereby renumbered to Section 10-6.3602.79.

**SECTION 104:** Section 10-6.3602.74 of Article 36, of Chapter 6, of Title 10, defining “Frontage” is hereby renumbered to Section 10-6.3602.78.

**SECTION 105:** Section 10-6.3602.73 of Article 36, of Chapter 6, of Title 10, defining “Floodway” is hereby renumbered to Section 10-6.3602.77.

**SECTION 106:** Section 10-6.3602.72 of Article 36, of Chapter 6, of Title 10, defining “Flood plain” is hereby renumbered to Section 10-6.3602.76.

**SECTION 107:** Section 10-6.3602.71 of Article 36, of Chapter 6, of Title 10, defining “Flood insurance rate map” is hereby renumbered to Section 10-6.3602.75.

**SECTION 108:** Section 10-6.3602.70 of Article 36, of Chapter 6, of Title 10, defining “Flood hazard design evaluation” is hereby renumbered to Section 10-6.3602.74.

**SECTION 109:** Section 10-6.3602.69 of Article 36, of Chapter 6, of Title 10, defining “Flood” is hereby renumbered to Section 10-6.3602.73.

**SECTION 110:** Section 10-6.3602.68 of Article 36, of Chapter 6, of Title 10, defining “Fill” is hereby renumbered to Section 10-6.3602.72.

**SECTION 111:** Section 10-6.3602.67 of Article 36, of Chapter 6, of Title 10, defining “Fence” is hereby renumbered to Section 10-6.3602.71.

**SECTION 112:** Section 10-6.3602.66 of Article 36, of Chapter 6, of Title 10, defining “Feed lot, commercial” is hereby renumbered to Section 10-6.3602.70.

**SECTION 113:** Section 10-6.3602.65 of Article 36, of Chapter 6, of Title 10,

defining “Farm stand” is hereby renumbered to Section 10-6.3602.69.

**SECTION 114:** Section 10-6.3602.64 of Article 36, of Chapter 6, of Title 10, defining “Farm labor quarters or housing” is hereby renumbered to Section 10-6.3602.68.

**SECTION 115:** Section 10-6.3602.63 of Article 36, of Chapter 6, of Title 10, defining “Farm” is hereby renumbered to Section 10-6.3602.67.

**SECTION 116:** Section 10-6.3602.62 of Article 36, of Chapter 6, of Title 10, defining “Family” is hereby renumbered to Section 10-6.3602.66.

**SECTION 117:** Section 10-6.3602.61 of Article 36, of Chapter 6, of Title 10, defining “Extended care facility” is hereby renumbered to Section 10-6.3602.65.

**SECTION 118:** Section 10-6.3602.60 of Article 36, of Chapter 6, of Title 10, defining “Existing use” is hereby renumbered to Section 10-6.3602.64.

**SECTION 119:** Section 10-6.3602.59 of Article 36, of Chapter 6, of Title 10, defining “Emergency shelter” is hereby renumbered to Section 10-6.3602.63.

**SECTION 120:** Section 10-6.3602.58 of Article 36, of Chapter 6, of Title 10, defining “Eave” is hereby renumbered to Section 10-6.3602.62.

**SECTION 121:** Section 10-6.3602.57 of Article 36, of Chapter 6, of Title 10, defining “Dwelling units” is hereby renumbered to Section 10-6.3602.61.

**SECTION 122:** Section 10-6.3602.56 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, Two-family (duplex)” is hereby renumbered to Section 10-6.3602.60.

**SECTION 123:** Section 10-6.3602.55 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, triplex” is hereby renumbered to Section 10-6.3602.59.

**SECTION 124:** Section 10-6.3602.54 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, townhouse” is hereby renumbered to Section 10-6.3602.58.

**SECTION 125:** Section 10-6.3602.53 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, single-family” is hereby renumbered to Section 10-6.3602.57.

**SECTION 126:** Section 10-6.3602.52 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, quadruplex” is hereby renumbered to Section 10-6.3602.56.

**SECTION 127:** Section 10-6.3602.51 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, multi-family” is hereby renumbered to Section 10-6.3602.55.

**SECTION 128:** Section 10-6.3602.50 of Article 36, of Chapter 6, of Title 10,

defining “Dwelling, group” is hereby renumbered to Section 10-6.3602.54.

**SECTION 129:** Section 10-6.3602.49 of Article 36, of Chapter 6, of Title 10, defining “Dwelling” is hereby renumbered to Section 10-6.3602.53.

**SECTION 130:** Section 10-6.3602.48 of Article 36, of Chapter 6, of Title 10, defining “Drive-in use” is hereby renumbered to Section 10-6.3602.52.

**SECTION 131:** Section 10-6.3602.47 of Article 36, of Chapter 6, of Title 10, defining “Drainage” is hereby renumbered to Section 10-6.3602.51.

**SECTION 132:** Section 10-6.3602.46 of Article 36, of Chapter 6, of Title 10, defining “Domicile” is hereby renumbered to Section 10-6.3602.50.

**SECTION 133:** Section 10-6.3602.45 of Article 36, of Chapter 6, of Title 10, defining “Developer” is hereby renumbered to Section 10-6.3602.49.

**SECTION 134:** Section 10-6.3602.44 of Article 36, of Chapter 6, of Title 10, defining “Density” is hereby renumbered to Section 10-6.3602.48.

**SECTION 135:** Section 10-6.3602.43 of Article 36, of Chapter 6, of Title 10, defining “Cul-de-sac” is hereby renumbered to Section 10-6.3602.47.

**SECTION 136:** Section 10-6.3602.42 of Article 36, of Chapter 6, of Title 10, defining “Cottage food products” is hereby renumbered to Section 10-6.3602.46.

**SECTION 137:** Section 10-6.3602.41 of Article 36, of Chapter 6, of Title 10, defining “Cottage food operator” is hereby renumbered to Section 10-6.3602.45.

**SECTION 138:** Section 10-6.3602.40 of Article 36, of Chapter 6, of Title 10, defining “Cottage food operation” is hereby renumbered to Section 10-6.3602.44.

**SECTION 139:** Section 10-6.3602.39 of Article 36, of Chapter 6, of Title 10, defining “Cottage food employee” is hereby renumbered to Section 10-6.3602.43.

**SECTION 140:** Section 10-6.3602.38 of Article 36, of Chapter 6, of Title 10, defining “Conditional Use” is hereby renumbered to Section 10-6.3602.42.

**SECTION 141:** Section 10-6.3602.37 of Article 36, of Chapter 6, of Title 10, defining “Community sewer system” is hereby renumbered to Section 10-6.3602.41.

**SECTION 142:** Section 10-6.3602.36 of Article 36, of Chapter 6, of Title 10, defining “Commercial vehicle” is hereby renumbered to Section 10-6.3602.40.

**SECTION 143:** Section 10-6.3602.35 of Article 36, of Chapter 6, of Title 10,

defining “Combining district” is hereby renumbered to Section 10-6.3602.39.

**SECTION 144:** Section 10-6.3602.34 of Article 36, of Chapter 6, of Title 10, defining “Cluster” is hereby renumbered to Section 10-6.3602.38.

**SECTION 145:** Section 10-6.3602.33 of Article 36, of Chapter 6, of Title 10, defining “Club” is hereby renumbered to Section 10-6.3602.37.

**SECTION 146:** Section 10-6.3602.32 of Article 36, of Chapter 6, of Title 10, defining “Campsite” is hereby renumbered to Section 10-6.3602.36.

**SECTION 147:** Section 10-6.3602.31 of Article 36, of Chapter 6, of Title 10, defining “Camping unit” is hereby renumbered to Section 10-6.3602.35.

**SECTION 148:** Section 10-6.3602.30 of Article 36, of Chapter 6, of Title 10, defining “Camping group” is hereby renumbered to Section 10-6.3602.34.

**SECTION 149:** Section 10-6.3602.29 of Article 36, of Chapter 6, of Title 10, defining “Campground” is hereby renumbered to Section 10-6.3602.33.

**SECTION 150:** Section 10-6.3602.28 of Article 36, of Chapter 6, of Title 10, defining “Camper” is hereby renumbered to Section 10-6.3602.32.

**SECTION 151:** Section 10-6.3602.27 of Article 36, of Chapter 6, of Title 10, defining “Business, retail” is hereby renumbered to Section 10-6.3602.31.

**SECTION 152:** Section 10-6.3602.26 of Article 36, of Chapter 6, of Title 10, defining “Business services” is hereby renumbered to Section 10-6.3602.30.

**SECTION 153:** Section 10-6.3602.25 of Article 36, of Chapter 6, of Title 10, defining “Bulk storage” is hereby renumbered to Section 10-6.3602.29.

**SECTION 154:** Section 10-6.3602.24 of Article 36, of Chapter 6, of Title 10, defining “Building, principal” is hereby renumbered to Section 10-6.3602.28.

**SECTION 155:** Section 10-6.3602.23 of Article 36, of Chapter 6, of Title 10, defining “Building height” is hereby renumbered to Section 10-6.3602.27.

**SECTION 156:** Section 10-6.3602.22 of Article 36, of Chapter 6, of Title 10, defining “Building, accessory” is hereby renumbered to Section 10-6.3602.26.

**SECTION 157:** Section 10-6.3602.21 of Article 36, of Chapter 6, of Title 10, defining “Building” is hereby renumbered to Section 10-6.3602.25.

**SECTION 158:** Section 10-6.3602.20 of Article 36, of Chapter 6, of Title 10,

defining “Roominghouse” is hereby renumbered to Section 10-6.3602.24.

**SECTION 159:** Section 10-6.3602.19 of Article 36, of Chapter 6, of Title 10, defining “Boardinghouse” is hereby renumbered to Section 10-6.3602.23.

**SECTION 160:** Section 10-6.3602.18 of Article 36, of Chapter 6, of Title 10, defining “Boarder” is hereby renumbered to Section 10-6.3602.22.

**SECTION 161:** Section 10-6.3602.17 of Article 36, of Chapter 6, of Title 10, defining “Block” is hereby renumbered to Section 10-6.3602.21.

**SECTION 162:** Section 10-6.3602.16 of Article 36, of Chapter 6, of Title 10, defining “Bar” is hereby renumbered to Section 10-6.3602.20.

**SECTION 163:** Section 10-6.3602.15 of Article 36, of Chapter 6, of Title 10, defining “Automotive repair services and garages” is hereby renumbered to Section 10-6.3602.19.

**SECTION 164:** Section 10-6.3602.14 of Article 36, of Chapter 6, of Title 10, defining “Automobile service station” is hereby renumbered to Section 10-6.3602.18.

**SECTION 165:** Section 10-6.3602.13 of Article 36, of Chapter 6, of Title 10, defining “Automobile sales” is hereby renumbered to Section 10-6.3602.17.

**SECTION 166:** Section 10-6.3602.12 of Article 36, of Chapter 6, of Title 10, defining “Apartment unit” is hereby renumbered to Section 10-6.3602.16.

**SECTION 167:** Section 10-6.3602.11 of Article 36, of Chapter 6, of Title 10, defining “Apartment house” is hereby renumbered to Section 10-6.3602.15.

**SECTION 168:** Section 10-6.3602.10 of Article 36, of Chapter 6, of Title 10, defining “Animal hospital” is hereby renumbered to Section 10-6.3602.14.

**SECTION 169:** Section 10-6.3602.9 of Article 36, of Chapter 6, of Title 10, defining “Alley” is hereby renumbered to Section 10-6.3602.13.

**SECTION 170:** Section 10-6.3602.8 of Article 36, of Chapter 6, of Title 10, defining “Airport” is hereby renumbered to Section 10-6.3602.12.

**SECTION 171:** Section 10-6.3602.11 of Article 36, of Chapter 6, of Title 10, defining “Agritourism Property” is hereby added as follows:

Agritourism Property.

“Agritourism Property” means one or more contiguous parcels that are under

common ownership or lease and upon which an Agritourism activity operated by the owner or lessee occurs and which produces agricultural products as a primary use.

**SECTION 172:** Section 10-6.3602.10 of Article 36, of Chapter 6, of Title 10, defining “Agritourism Farmstay” is hereby added as follows:

Agricultural Farmstay.

“Agricultural Farmstay” shall have the same meaning as set forth in Health and Safety Code section 113893 as amended from time to time. The Agricultural Farmstay owner shall maintain a Transient Occupancy Tax registration certificate and remain current on all required reports and payments.

**SECTION 173:** Section 10-6.3602.09 of Article 36, of Chapter 6, of Title 10, defining “Agritourism Camping” is hereby added as follows:

Agritourism Camping.

“Agritourism Camping” means transient overnight occupancy in a detached temporary tent unit or similar temporary structure on a working farm or ranch to facilitate engagement in Agritourism.

**SECTION 174:** Section 10-6.3602.08 of Article 36, of Chapter 6, of Title 10, defining “Agritourism; Level I and Level II” is hereby added as follows:

Agritourism; Level I and Level II.

- A. "Agritourism" is an event or activity that brings visitors to a working farm or ranch as a guest for the purpose of enjoyment, education or other active participation in the activities of the farm. A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more. Agritourism shall not include concerts or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch.
- B. “Level I Agritourism” is Agritourism on Agritourism Property ten (10) acres or larger that is limited to (i) twenty single-day Agritourism events per year with no more than thirty (30) guests per event; and (ii) three single-day Agritourism events per year involving guests in excess of thirty (30), but no more than one hundred fifty (150) guests per event. Examples of such single-day events include farm tours, field days, ranch or farm sponsored hospitality dinners, educational classes and/or activities, school tours, farm-focused corporate events and similar activities that relate to the promotion of the primary use as a working farm or ranch.

C. "Level II Agritourism" is Agritourism on Agritourism Property ten (10) acres or larger that is in compliance with the Siskiyou County Agricultural Tourism Performance Standards and involves any of the following:

1. Single-day Agritourism events in excess of Level I Agritourism frequency limits or guest number limits, up to a maximum of twice the limits set forth in Level I Agritourism, and as more specifically limited in an Administrative Permit;
2. On-site fruit and vegetable picking and associated sales, often referred to as "U-Pick" operations;
3. Onsite sales of Unique Agricultural Products or merchandise related to the working farm or ranch;
4. Farmstays;
5. Agritourism Camping.

**SECTION 175:** Section 10-6.4802, of Article 48, of Chapter 6, of Title 10, entitled "Uses permitted" is hereby amended to add a subsection (l) to permit the use of Level 1 Agritourism and that reads as follows:

Uses permitted.

The following uses shall be permitted in the R-R District:

- (a) One single-family dwelling;
- (b) Small acreage farming, except commercial dairies, commercial kennels, commercial rabbit, fox, goat, horse, and hog farms, commercial chicken or poultry ranches, riding stables, rodeos, or commercial horse rentals;
- (c) Accessory uses and buildings normally incidental to single-family dwellings or small farming;
- (d) Crop and tree farming;
- (e) One mobile home per building site in lieu of a single-family dwelling;
- (f) One guesthouse;
- (g) Greenhouses;
- (h) One residential storage building, subject to the regulations as set forth in Section 10-6.1516 of the General Provisions;
- (i) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code;
- (j) Amateur radio antennas. When used for private, noncommercial purposes, amateur radio antennas may be permitted in the R-R District. Height limitations



may be exceeded by adding one foot yard setback for every foot of height in excess of those permitted by the zoning ordinance; and

- (k) Group care facilities for six (6) or fewer individuals.
- (l) Level I Agritourism.

**SECTION 176:** Section 10-6.4802.5, of Chapter 6, of Title 10, entitled “Administrative permit uses permitted.” is hereby amended to read as follows:

Administrative permit uses permitted.

- (a) Subject to obtaining an Administrative Use Permit from the Planning Director, the following uses shall be permitted in the R-R District:
  - (1) Level II Agritourism.
- (b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards.
  - (1) Applicant is actively engaged in the production of Unique Agricultural Products and the majority of inputs for the Unique Agricultural Products is raised or grown on the proposed Agritourism Property.
  - (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires permanent structural improvements to facilitate the use then the improvements shall occupy no more than ten percent of the proposed Agritourism Property’s total acreage or five acres, whichever is the lesser.
  - (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.
  - (4) When proposed Agritourism activities will take place within one thousand feet of a residence on neighboring property, outdoor Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.

- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
- (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
- (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
- (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.
- (9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per one hundred (100) visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.
- (10) When barns and outbuildings are to be removed or substantially rehabilitated to accommodate agritourism activities, a qualified biologist shall conduct a roost assessment survey of the structure(s) to be removed or substantially rehabilitated. The survey shall occur no more than 14 days prior to demolition or substantial rehabilitation of the structure(s). If the biologist finds no evidence of or potential to support bat roosting, no further measures are required. If evidence of bat roosting is present, the measures described below shall be implemented:
  - (a) When demolition or substantial rehabilitation is planned during August 1 through February 28 (outside the bat maternity roosting season), a qualified biologist shall implement passive exclusion measures to prevent bats from re-entering the structure(s). Demolition or substantial rehabilitation may continue after a follow-up survey confirms that bats are no longer present.

- (b) When demolition or substantial rehabilitation is planned during the maternity roosting season (March 1 through July 31), disturbance to the structure(s) shall be avoided until the maternity roosting season has ended and a qualified biologist has determined the roost has been vacated.
- (11) No land disturbance for agritourism improvements is permitted within 150 feet of the top of bank of any perennial waterbody or within 50 feet of the centerline of seasonal streams and wetlands.
- (12) If, during ground disturbance for agritourism improvements, paleontological resources (e.g., fossils) are discovered, all work shall cease in the area of the find, the Siskiyou County Community Development Department – Planning Division shall be immediately notified, and a qualified paleontologist shall be retained to determine the significance of the discovery. The County shall consider the mitigation recommendations presented by a professional paleontologist and implement any measure or measures that the County deems feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.
- (13) All soils disturbed during construction of agritourism improvements shall be revegetated upon completion of construction and/or ground disturbing activities. If construction activities are suspended for six (6) or more months, disturbed soils shall be revegetated until construction activities resume. Upon completion of construction activities, soils shall be revegetated within six (6) months.
- (14) Use of heavy equipment, blasting equipment, compressors, and other noise and ground-borne vibration generating equipment associated with agritourism improvements is prohibited on Sundays and federal holidays and are limited to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday, and between 8:00 a.m. and 6:00 p.m. on Saturdays.
- (15) A Farmstay use or activity shall meet all of the following additional requirements:

- (i) The Farmstay operation shall be located on Property containing an existing dwelling occupied by the owner or operator.
  - (ii) The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
  - (ii) The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.
- (16) An Agritourism Camping use or activity shall meet all of the following additional requirements:
- (i) The Agritourism Camping operation shall be limited to no more than twenty-five guests.
  - (ii) The Agritourism Camping owner or lessee operator shall secure a transient occupancy registration certificate in compliance with Siskiyou County Code and comply therewith.
  - (iii) The Agritourism Camping operation shall provide evidence of compliance with the California Department of Housing and Community Development's regulations and permit requirements for its camping area.
- (c) The Planning Director's actions on Administrative Use Permits shall be subject to the same appeal and revocation procedures as use permits generally, as set forth in Section 10-6.1402 through 10-6.1405 of this Code.

**SECTION 177:** Section 10-6.4803, of Chapter 6, of Title 10, entitled "Conditional uses permitted" is hereby amended to add a subsection (h) to read as follows:

Conditional uses permitted.

Subject to obtaining a use permit, the following uses shall be permitted in the R-R District:

- (a) Churches, schools, parks, playgrounds, and public utility and public buildings and uses;
- (b) Within a building the following commercial agricultural uses: raising of fur-bearing animals and poultry;
- (c) Home occupations;

- (d) Heavy equipment and vehicle parking, subject to the following limitations:
  - (1) The equipment is resident-owned and operated,
  - (2) Equipment does not include materials, parts, or supplies not incidental to the equipment,
  - (3) The equipment storage area is limited to twenty-five (25%) percent of the ownership, or one-quarter acre, whichever is less,
  - (4) Access shall be sufficient to carry the equipment without sustaining undue damage. Permits issued under this section may require that only unloaded equipment be parked,
  - (5) Aesthetic screening shall be provided acceptable to the Planning Commission, enclosing the proposed equipment area as needed,
  - (6) All health and safety approvals must be received;
- (e) The Planning Director is hereby authorized to waive Planning Department filing fees for uses allowed in subsection (d) of this section in the following situations:
  - (1) The continuous use existed prior to February 27, 1986 (effective date of the County's revised zoning ordinance),
  - (2) The continuous use was established while the property was zoned A-1 Unclassified;
- (f) Family day care facilities; and
- (g) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code.
- (h) Agritourism activities that exceed the guest, occupancy, or Average Daily Trips limits defined as Level II Agritourism.

**SECTION 178:** Section 10-6.4902, of Chapter 6, of Title 10, entitled "Uses Permitted" is hereby amended to add a subsection (h) to read as follows:

The following uses shall be permitted in the AG-2 District:

- (a) Farm labor housing;
- (b) Single-family dwellings or mobile homes in lieu thereof, incidental and necessary for agricultural pursuits;
- (c) Accessory uses incidental to agriculture;
- (d) Agricultural uses, including, but not limited to tree, vine, row, and field crops, growing and harvesting of trees, and livestock farming and animal husbandry, but not including dairies, commercial feed lots, or commercial poultry, and hog raising operations;

- (e) Wholesale nurseries with retail sales incidental thereto, greenhouses, fish farms, frog farms, and roadside stands for sales of agricultural products from the premises;
- (f) One guest house; and
- (g) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code.
- (h) Level 1 Agritourism.

**SECTION 179:** Section 10-6.4902.5, of Chapter 6, of Title 10, entitled “Administrative permit uses permitted” is hereby added to read as follows:

Administrative permit uses permitted.

- (a) Subject to obtaining an Administrative Use Permit from the Planning Director, the following uses shall be permitted in the AG-2 District:
  - (1) Level II Agritourism.
- (b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards.
  - (1) Applicant is actively engaged in the production of Unique Agricultural Products and the majority of inputs for the Unique Agricultural Products is raised or grown on the proposed Agritourism Property.
  - (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires permanent structural improvements to facilitate the use then the improvements shall occupy no more than ten percent of the proposed Agritourism Property’s total acreage or five acres, whichever is the less.
  - (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.
  - (4) When proposed Agritourism activities will take place within one thousand feet of a residence on neighboring property, outdoor

Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.

- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
- (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
- (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
- (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.
- (9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per one hundred (100) visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.
- (10) A Farmstay use or activity shall meet all of the following additional requirements:
  - (i) The Farmstay operation shall be located on Property containing an existing dwelling occupied by the owner or operator.
  - (ii) The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
  - (iii) The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.

(11) An Agritourism Camping use or activity shall meet all of the following additional requirements:

- (i) The Agritourism Camping operation shall be limited to no more than twenty-five guests.
- (ii) The Agritourism Camping owner or lessee operator shall secure a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
- (iii) The Agritourism Camping operation shall provide evidence of compliance with the California Department of Housing and Community Development's regulations and permit requirements for its camping area.

(c) The Planning Director's actions on Administrative Use Permits shall be subject to the same appeal and revocation procedures as use permits generally, as set forth in Section 10-6.1402 through 10-6.1405 of this Code.

**SECTION 180:** Section 10-6.4903, of Chapter 6, of Title 10, entitled "Conditional uses permitted" is hereby amended to add a subsection (k) to read as follows:

Subject to obtaining a use permit, the following uses shall be permitted in the AG-2 District:

- (a) Churches, schools, parks, playgrounds, and public utility and public and quasi-public buildings and uses to the extent such are necessary to serve the AG-2 District;
- (b) Private airports and landing fields;
- (c) Dairies, commercial poultry operations, commercial feed lots, and hog farms;
- (d) Golf courses;
- (e) Kennels and animal hospitals;
- (f) Guest ranches and public stables;
- (g) Agricultural enterprises, including, but not limited to agricultural sheds and warehouses; processing, storage, or sale of agricultural products and supplies; and the repair, storage, maintenance, and servicing of agricultural supplies and equipment;
- (h) Home occupations;



- (i) In addition to the uses listed above, the uses listed in Article 15, General Provisions, may also be permitted, subject to the issuance of a use permit; and
- (j) Continued operation of the Yreka Landfill, and any expansion or modification of municipal solid waste activities at the Yreka Landfill.
- (k) Agritourism activities that exceed the guest, occupancy, or Average Daily Trips limits defined as Level II Agritourism.

**SECTION 181:** Section 10-6.5002, of Chapter 6, of Title 10, entitled “Uses Permitted” is hereby amended to add a subsection (g) to read as follows:

Uses permitted.

The following uses shall be permitted in the AG1 District:

- (a) Single-family dwellings or mobile homes in lieu thereof, incidental and necessary for caretaker or agricultural pursuits;
- (b) Accessory uses incidental to agriculture;
- (c) Agricultural uses, including, but not limited to tree, vine, row, field crops, growing and harvesting of trees, livestock farming, and animal husbandry, but not including dairies, commercial feed lots, or commercial poultry or hog raising operations;
- (d) Farm labor housing;
- (e) Wholesale nurseries with retail sales incidental thereto, greenhouses, fish farms, frog farms, and roadside stands for seasonal sales of agricultural products from the premises; and
- (f) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code.
- (g) Level I Agritourism.

**SECTION 182:** Section 10-6.5002.5, of Chapter 6, of Title 10, entitled “Administrative permit uses permitted” is hereby added to read as follows:

Administrative permit uses permitted.

- (a) Subject to obtaining an Administrative Use Permit from the Planning Director, the following uses shall be permitted in the AG-2 District:
  - (1) Level II Agritourism.

(b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards.

- (1) Applicant is actively engaged in the production of Unique Agricultural Products and the majority of inputs for the Unique Agricultural Products is raised or grown on the proposed Agritourism Property.
- (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires permanent structural improvements to facilitate the use then the improvements shall occupy no more than ten percent of the proposed Agritourism Property's total acreage or five acres, whichever is the less.
- (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.
- (4) When proposed Agritourism activities will take place within one thousand feet of a residence on neighboring property, outdoor Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.
- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
- (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
- (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
- (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.

(9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per one hundred (100) visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.

(10) A Farmstay use or activity shall meet all of the following additional requirements:

- (i) The Farmstay operation shall be located on Property containing an existing dwelling occupied by the owner or operator.
- (ii) The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
- (ii) The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.

(11) An Agritourism Camping use or activity shall meet all of the following additional requirements:

- (i) The Agritourism Camping operation shall be limited to no more than twenty-five guests.
- (ii) The Agritourism Camping owner or lessee operator shall secure a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
- (iii) The Agritourism Camping operation shall provide evidence of compliance with the California Department of Housing and Community Development's regulations and permit requirements for its camping area.

(c) The Planning Director's actions on Administrative Use Permits shall be subject to the same appeal and revocation procedures as use permits generally, as set forth in Section 10-6.1402 through 10-6.1405 of this Code.

**SECTION 183:** Section 10-6.5003, of Chapter 6, of Title 10, entitled “Conditional uses permitted” is hereby amended to add a subsection (g) to read as follows:

Conditional uses permitted.

Subject to obtaining a use permit, the following uses shall be permitted in the AG-1 District:

- (a) Private airports and landing fells;
- (b) Dairies, commercial poultry operations, feed lots, and hog farms;
- (c) Public utility buildings;
- (d) Home occupations;
- (e) In addition to the uses listed above, the uses listed in Article 15, General Provisions, may also be permitted, subject to the issuance of a use permit; and
- (f) Continued operation of the Yreka Landfill, and any expansion or modification of municipal solid waste activities at the Yreka Landfill.
- (g) Agritourism activities that exceed the guest, occupancy, or Average Daily Trips limits defined as Level II Agritourism.

**SECTION 184:** Article 16, of Chapter 6, of Title 10, entitled “Application Fees” is hereby amended at subsection (d) of the application fee chart to add the clarifying words “Administrative Permits” to read as follows:

|     |  |  |          |          |          |          |  |
|-----|--|--|----------|----------|----------|----------|--|
| (d) | Use Permits / Administrative Permits       |  |          |          |          |          |  |
|     | Home Occupation Permit, Telephone Use Only |  | \$-      | \$-      | \$-      | \$-      |  |
|     | Home Occupation Permit, Non-Exempt         |  | \$250.00 | \$250.00 | \$250.00 | \$250.00 |  |
|     | Ministerially Second Unit                  |  | \$100.00 | \$100.00 | \$100.00 | \$100.00 |  |
|     | Staff Approved                             |  | \$300    | \$300    | \$375.00 | \$525.00 |  |
|     | Planning Commission                        |  | \$950.00 | \$950.00 | \$950.00 | \$950.00 |  |

|          |  |  |  |  |  |  |  |
|----------|--|--|--|--|--|--|--|
| Approved |  |  |  |  |  |  |  |
|----------|--|--|--|--|--|--|--|

**SECTION 185:** Constitutionality: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

**SECTION 186:** This ordinance shall become effective 30 days after its passage and shall, within 15 days of adoption, be published once in a newspaper of general circulation, printed and published in the County of Siskiyou.

PASSED AND ADOPTED this \_\_\_\_ day of April, 2019 at a regular meeting of the Board of Supervisors by the following vote:

AYES:  
 NOES:  
 ABSENT:  
 ABSTAIN:

\_\_\_\_\_  
 Brandon A. Criss, Chairman  
 Board of Supervisors

ATTEST:  
 LAURA BYNUM, CLERK,  
 Board of Supervisors

By \_\_\_\_\_  
 Deputy

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**AGRITOURISM ZONING TEXT AMENDMENT  
(Z-17-03)**

**DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

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**COUNTY OF SISKIYOU**  
806 S. MAIN STREET  
YREKA, CA 96097



February 2019

|            |  |              |
|------------|--|--------------|
| <b>1.0</b> | <b>INTRODUCTION</b>  |              |
| 1.1        | Introduction and Regulatory Guidance .....   | 1.0-1        |
| 1.2        | Lead Agency.....   | 1.0-2        |
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### 1.1 INTRODUCTION AND REGULATORY GUIDANCE

This document is an Initial Study, with supporting environmental studies, which concludes that a Mitigated Negative Declaration is the appropriate CEQA document for the Agritourism Zoning Text Amendment (Z-17-03). This Mitigated Negative Declaration has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., and the State CEQA Guidelines, California Code of Regulations Section 15000 et seq.

An initial study is conducted by a lead agency to determine if a project may have a significant effect on the environment. In accordance with CEQA Guidelines Section 15063, an environmental impact report (EIR) must be prepared if an initial study indicates that the proposed project under review may have a potentially significant impact on the environment that cannot be initially avoided or mitigated to a level that is less than significant. A negative declaration may be prepared if the lead agency also prepares a written statement describing the reasons why the proposed project would not have a significant effect on the environment and therefore why it does not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a negative declaration shall be prepared for a project subject to CEQA when either:

- a) *The initial study shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or*
- b) *The initial study identifies potentially significant effects, but:*
  - (1) *Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed negative declaration is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and*
  - (2) *There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.*

If revisions are adopted in the proposed project in accordance with CEQA Guidelines Section 15070(b), including the adoption of mitigation measures included in this document, a Mitigated Negative Declaration is prepared.

### 1.2 LEAD AGENCY

The lead agency is the public agency with primary responsibility over a proposed project. Where two or more public agencies will be involved with a project, CEQA Guidelines Section 15051 provides criteria for identifying the lead agency. In accordance with CEQA Guidelines Section 15051(b)(1), "The lead agency will normally be the agency with general governmental powers, such as a city or county, rather than an agency with a single or limited purpose." Based on the criteria above, the County of Siskiyou (County) is the lead agency for the proposed Agritourism Zoning Text Amendment (Z-17-03).

## 1.0 INTRODUCTION

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### 1.3 PURPOSE AND DOCUMENT ORGANIZATION

The purpose of this Initial Study is to evaluate the potential environmental impacts of the proposed Agritourism Zoning Text Amendment (Z-17-03). This document is divided into the following sections:

**1.0 Introduction** – This section provides an introduction and describes the purpose and organization of the document.

**2.0 Project Information** – This section provides general information regarding the project, including the project title, lead agency and address, contact person, brief description of the project location, general plan land use designation, zoning district, identification of surrounding land uses, and identification of other public agencies whose review, approval, and/or permits may be required. Also listed in this section is a checklist of the environmental factors that are potentially affected by the project.

**3.0 Project Description** – This section provides a detailed description of the proposed project.

**4.0 Environmental Checklist** – This section describes the environmental setting and overview for each of the environmental subject areas, evaluates a range of impacts classified as “no impact,” “less than significant,” “less than significant with mitigation incorporated,” and “potentially significant” in response to the environmental checklist.

**5.0 References** – This section identifies documents, websites, people, and other sources consulted during the preparation of this Initial Study.

### 1.4 EVALUATION OF ENVIRONMENTAL IMPACTS

Section 4.0, Environmental Checklist, is the analysis portion of this Initial Study. The section provides an evaluation of the potential environmental impacts of the project. There are nineteen environmental issue subsections within Section 4.0, including CEQA Mandatory Findings of Significance. The environmental issue subsections, numbered 1 through 19, consist of the following:

- |                                       |  |
|---------------------------------------|--|
| 1. Aesthetics                         | 11. Mineral Resources                  |
| 2. Agriculture and Forestry Resources | 12. Noise                              |
| 3. Air Quality                        | 13. Population and Housing             |
| 4. Biological Resources               | 14. Public Services                    |
| 5. Cultural Resources                 | 15. Recreation                         |
| 6. Geology and Soils                  | 16. Transportation/Traffic             |
| 7. Greenhouse Gas Emissions           | 17. Tribal Cultural Resources          |
| 8. Hazards and Hazardous Materials    | 18. Utilities and Service Systems      |
| 9. Hydrology and Water Quality        | 19. Mandatory Findings of Significance |
| 10. Land Use and Planning             |  |

Each environmental issue subsection is organized in the following manner:

The **Environmental Setting** summarizes the existing conditions at the regional, subregional, and local level, as appropriate, and identifies applicable plans and technical information for the particular issue area.

The **Checklist Discussion/Analysis** provides a detailed discussion of each of the environmental issue checklist questions. The level of significance for each topic is determined by considering the predicted magnitude of the impact. Four levels of impact significance are evaluated in this Initial Study:

**No Impact:** No project-related impact to the environment would occur with project development.

**Less Than Significant Impact:** The impact would not result in a substantial adverse change in the environment. This impact level does not require mitigation measures.

**Less Than Significant with Mitigation Incorporated:** An impact that may have a “substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project” (CEQA Guidelines Section 15382). However, the incorporation of mitigation measures that are specified after analysis would reduce the project-related impact to a less than significant level.

**Potentially Significant Impact:** An impact that is “potentially significant” but for which mitigation measures cannot be immediately suggested or the effectiveness of potential mitigation measures cannot be determined with certainty, because more in-depth analysis of the issue and potential impact is needed. In such cases, an EIR is required.

## 2.0 PROJECT INFORMATION

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1. **Project title:** Agritourism Zoning Text Amendment (Z-17-03)
2. **Lead agency name and address:** Siskiyou County  
Community Development - Planning Division  
806 South Main Street  
Yreka, CA 96097
3. **Contact person and phone number:** Christy Cummings Dawson – Deputy Director  
(530) 841-2100
4. **Project location:** The proposed project encompasses all parcels in the unincorporated area of Siskiyou County, California, 10 acres and larger, that are zoned Prime Agricultural (AG-1), Non-Prime Agricultural (AG-2), and/or Rural Residential Agricultural (R-R). 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.
5. **Project sponsor's name and address:** County of Siskiyou  
806 South Main Street  
Yreka, CA 96097
6. **General Plan designation:** Various
7. **Zoning:** Prime Agricultural (AG-1), Non-Prime Agricultural (AG-2), and Rural Residential Agricultural (R-R)
8. **Description of project:** The project is a proposed zoning text amendment intended to both address the lack of specificity in the Code for uses traditionally interpreted by the Planning Director as "incidental to agriculture" and to facilitate the marketing and promotion of agricultural products grown and produced in Siskiyou County through onsite agritourism activities not yet contemplated by the Code. It would allow limited agritourism incidental to active agricultural operations on parcels 10 acres and larger that are zoned AG-1, AG-2, and/or R-R. To minimize, to the greatest extent practicable, off-site impacts associated with agritourism-related activities, the zoning text amendment would differentiate between generally permissible, less intensive "Level I Agritourism" and more intensive "Level II Agritourism" and would subject "Level II Agritourism" to Agritourism Performance Standards and approval of an administrative use permit or a conditional use permit depending upon the intensity of use.
9. **Surrounding land uses and setting:** Various

## 2.0 PROJECT INFORMATION

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### 10. Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement):

There are no other public agencies whose approval would be required.

### 11. Environmental factors potentially affected:

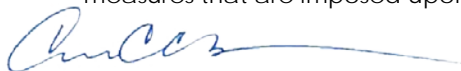
The environmental factors checked below would be potentially affected by this project, as indicated by the checklist on the following pages.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Aesthetics                                    | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                   |
| <input checked="" type="checkbox"/> Biological Resources               | <input checked="" type="checkbox"/> Cultural Resources      | <input checked="" type="checkbox"/> Geology and Soils  |
| <input type="checkbox"/> Greenhouse Gas Emissions                      | <input type="checkbox"/> Hazards and Hazardous Materials    | <input type="checkbox"/> Hydrology and Water Quality   |
| <input type="checkbox"/> Land Use and Planning                         | <input type="checkbox"/> Mineral Resources                  | <input checked="" type="checkbox"/> Noise              |
| <input type="checkbox"/> Population and Housing                        | <input type="checkbox"/> Public Services                    | <input type="checkbox"/> Recreation                    |
| <input type="checkbox"/> Transportation/Traffic                        | <input type="checkbox"/> Tribal Cultural Resources          | <input type="checkbox"/> Utilities and Service Systems |
| <input checked="" type="checkbox"/> Mandatory Findings of Significance |   |  |

### 12. Determination: (To be completed by the lead agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

Christy Cummings Dawson  
Printed Name

February 13, 2019

Date

County of Siskiyou  
Lead Agency

Deputy Director of Planning \_\_\_\_\_

Title

### 3.1 PROJECT LOCATION

The proposed project encompasses all parcels in the unincorporated area of Siskiyou County, California, 10 acres and larger, that are zoned Prime Agricultural (AG-1), Non-Prime Agricultural (AG-2), and/or Rural Residential Agricultural (R-R). At present, there are approximately 634 parcels that are 10 acres or larger with AG-1 zoning, 871 parcels that are 10 acres or larger with AG-2 zoning, and 953 parcels that are 10 acres or larger with R-R zoning. Combined these parcels include approximately 304,429 acres of AG-1, 984,944 acres of AG-2, and 3,441,952 acres of R-R for approximately 4,731,325 total acres. It is worth noting that this includes federal and state lands that were historically zoned agricultural by the County (AG-1, AG-2, and/or RR). Federal and state lands account for approximately 3,716,386 acres or 78% of the project area. The project area is roughly centered on Section 17 of Township 44 North, Range 7 West of the Mount Diablo Base & Meridian (see **Figures 3.0-1a**, **3.0-1b**, and **3.0-1c**).

### 3.2 EXISTING CONDITIONS

According to the 2017 Siskiyou County Crop & Livestock Report, there were 1,153,246 acres in farms and ranches in 2017, which is equivalent to approximately 24 percent of the project area, excluding state and federal lands. Of those agricultural properties actively being utilized for agriculture, approximately 419,721 acres are currently subject to a Williamson Act contract (DOC 2016b).

Pursuant to the County's *Rules for the Establishment and Administration of Agricultural Preserves and Williamson Act Contracts* (i.e., Williamson Act Guidelines), agritourism activities, as defined therein, are considered a compatible use of Williamson Act contracted lands, so long as the use is not the principal use, does not displace the agricultural production use, and occurs while there is an agricultural production use occurring within the agricultural preserve. Compatible agritourism activities under the County's Williamson Act Guidelines include "buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, "u-pick" sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural uses."

At present, "agritourism" is neither defined in the Siskiyou County Code nor is it expressly provided for in the County's agricultural zoning districts (i.e., AG-1, AG-2, and R-R). The County Code provides for certain specific agritourism-related uses, such as guest ranches, bed and breakfasts, and roadside farm stands. Traditionally, some agritourism uses, such as farm tours, educational events, pumpkin patches, etc., have been interpreted by County staff as being "incidental to agriculture" and therefore allowed pursuant to County Code Sections 10-6.4802(c), 10-6.4902(c), and 10-6.5002(b). This means that some of the agriculture-related activities proposed to be allowed by this ordinance as "agritourism" are already occurring on developed and operating farms. This lack of specificity, however, has the potential to result in inconsistent interpretations and application of County Code.

### 3.3 ADJACENT LAND USES

Most properties zoned AG-1, AG-2, and/or R-R that are 10 acres and larger are located adjacent to parcels of similar size and zoning; however, these large agricultural properties are sometimes located adjacent to transportation corridors, state and federal lands, incorporated and unincorporated communities, and parcels zoned for other uses, such as residential, commercial, industrial, open space, and timber production.

### 3.0 PROJECT DESCRIPTION

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#### 3.4 PROJECT OVERVIEW

The proposed project is a zoning text amendment intended to both address the lack of specificity in the Code for uses traditionally interpreted by the Planning Director as “incidental to agriculture” and to facilitate the marketing and promotion of agricultural products grown and produced in Siskiyou County through onsite agritourism activities not yet contemplated by the Code. To that end, the project would amend Chapter 6, Title 10 of the Siskiyou County Code to permit limited agritourism as an accessory use to active agricultural operations on parcels 10 acres and larger that are zoned Prime Agricultural (AG-1), Non-Prime Agricultural (AG-2), and/or Rural Residential Agricultural (R-R) (see **Attachment A**).

As part of the project, agritourism would be defined as “the act of visiting a working farm or ranch as a guest for the purpose of enjoyment, education or other active participation in the activities of the farm. A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more. Agritourism shall not include concerts and or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch.”

Further, in an effort to minimize, to the greatest extent practicable, off-site impacts associated with agritourism-related activities, the proposed zoning text amendment would differentiate between generally permissible, less intensive “Level I Agritourism” and more intensive “Level II Agritourism” as follows:

“Level I Agritourism” is Agritourism on Agritourism Property ten (10) acres or larger that is limited to (i) twenty single-day Agritourism events per year with no more than thirty (30) guests per event; and (ii) three single-day Agritourism events per year involving guests in excess of thirty (30), but no more than one hundred fifty (150) guests per event. Examples of such single-day events include farm tours, field days, ranch or farm sponsored hospitality dinners, educational classes and/or activities, school tours, farm-focused corporate events and similar activities that relate to the promotion of the primary use as a working farm or ranch.

“Level II Agritourism” is Agritourism on Agritourism Property ten (10) acres or larger that involves any of the following:

1. Single-day Agritourism events in excess of Level I Agritourism frequency limits or guest number limits;
2. On-site fruit and vegetable picking and associated sales, often referred to as “U-Pick” operations;
3. Onsite sales of Unique Agricultural Products or merchandise related to the working farm or ranch;
4. Agricultural Farmstays; and
5. Agritourism Camping.

Level II Agritourism is subject to Siskiyou’s County Agricultural Tourism Performance Standards.

The proposed zoning text amendment would also require that Level II Agritourism be subject to approval of either an administrative use permit or a conditional use permit depending upon the intensity of the use, as well as the specific Agricultural Tourism Performance Standards. Provided a farm or ranch located on property meeting the zoning and acreage requirements complies



with Level 1 Agritourism definitions and criteria, it would be permitted to do so, while a farm or ranch proposing to engage in Level 2 Agritourism would only be allowed to do so if findings can be made to support the approval of an administrative use permit or conditional use permit. Furthermore, because conditional use permits are discretionary approvals, any agritourism-related activities triggering a conditional use permit would be subject to project-specific, location-specific environmental review per the California Environmental Quality Act.

The Agricultural Tourism Performance Standards noted above that would need to be met in order to obtain an administrative use permit for Level II Agritourism are as follows:

- (1) Applicant is actively engaged in the production of Unique Agricultural Products and the majority of inputs for the Unique Agricultural Products is raised or grown on the proposed Agritourism Property.
- (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires permanent structural improvements to facilitate the use then the improvements shall occupy no more than ten percent of the proposed Agritourism Property's total acreage or five acres, whichever is the less.
- (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.
- (4) When proposed Agritourism activities will take place within one thousand feet of a residence on neighboring property, outdoor Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.
- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
- (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
- (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
- (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.
- (9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per one hundred (100) visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.
- (10) A Farmstay use or activity shall meet all of the following additional requirements:

### 3.0 PROJECT DESCRIPTION

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- i. The Farmstay operation shall be located on Property containing an existing dwelling occupied by the owner or operator.
  - ii. The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
  - iii. The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.
- (11) An Agritourism Camping use or activity shall meet all of the following additional requirements:
- i. The Agritourism Camping operation shall be limited to no more than twenty-five guests.
  - ii. The Agritourism Camping owner or lessee operator shall secure a transient occupancy registration certificate in compliance with Siskiyou County Code and comply therewith.
  - iii. The Agritourism Camping operation shall provide evidence of compliance with the California Department of Housing and Community Development's regulations and permit requirements for its camping area.

According to the proposed zoning text amendment, agritourism activities that exceed the guest or occupancy limits defined as Level II Agritourism, or that exceed the number of permissible Average Daily Trips noted in Performance Standard (3) above, would be subject to approval of a conditional use permit. Again, because the approval of a conditional use permits is a discretionary action, these activities would be subject to site-specific and project-specific environmental review.

In addition to the previously noted definitions, the project would add the following definitions to Title 10, Chapter 6, Article 36 of the Siskiyou County Code:

#### Agricultural Farmstay

"Agricultural Farmstay" shall have the same meaning as set forth in Health and Safety Code section 113893 as amended from time to time. The Agricultural Farmstay owner shall maintain a Transient Occupancy Tax registration certificate and remain current on all required reports and payments.

#### Agritourism Camping

"Agritourism Camping" means transient overnight occupancy in a detached temporary tent unit or similar temporary structure on a working farm or ranch to facilitate engagement in Agritourism.

#### Agritourism Property

"Agritourism Property" means one or more contiguous parcels that are under common ownership or lease and upon which an Agritourism activity operated by the owner or lessee occurs and which produces agricultural products as a primary use.

Unique Agricultural Products

“Unique Agricultural Products” means specialty agricultural products, including but not limited to, fruits, berries, nuts, eggs, meats, flowers, wine, oils, jams and honey. Producers of Unique Agricultural Products raise or grow traditional commodities, but also create value added products from those commodities by changing the commodity’s physical state or by connecting the farm or ranch directly to consumers or sales intermediaries such as grocery stores, restaurants or similar food service institutions. Establishments producing Unique Agricultural Products are typically family owned and operated facilities. Unique Agricultural Products do not include cannabis or cannabis related products.

**3.5 PROJECT APPROVALS**

The County of Siskiyou is the Lead Agency for this project. No permits or approvals are required from any other agency; however, as discussed below, should the project eventually generate a request for an administrative permit or conditional permit for property adjacent to a public airport, that permit would potentially be subject to review and approval by the Siskiyou County Airport Land Use Commission.

**3.6 RELATIONSHIP OF PROJECT TO OTHER PLANS**

SISKIYOU COUNTY GENERAL PLAN

The proposed project would be located entirely within the unincorporated area of Siskiyou County. The Siskiyou County General Plan is the principal document governing land use development in the unincorporated area of the county. The General Plan includes numerous goals and policies pertaining to land use, circulation, noise, open space, scenic highways, seismic safety, safety, conservation, energy, and geothermal. The proposed zoning text amendment will need to be consistent with all applicable goals and policies included in the County’s adopted General Plan.

SCOTT VALLEY AREA PLAN

There are numerous properties in the Scott Valley that are 10 acres or larger and that have agricultural zoning. As a result, the proposed zoning text amendment would also need to be consistent with the goals, policies, and programs of the Scott Valley Area Plan. The Scott Valley Area Plan was prepared as a grass roots effort to manage growth and protect the natural resources of the Scott Valley watershed and was adopted in June 1978.

SISKIYOU COUNTY AIRPORT LAND USE COMPATIBILITY PLAN

Any application for an administrative use permit or conditional use permit within the area of influence of a public airport in Siskiyou County is subject to compliance with the Siskiyou County Airport Land Use Compatibility Plan (ALUCP) and review by the Airport Land Use Commission (ALUC). The basic function of the ALUCP is to promote compatibility between the airports in Siskiyou County and the land uses that surround them. To do so, the ALUCP establishes land use designations, or compatibility zones, surrounding Siskiyou County airports to: 1) minimize public exposure to excessive noise and safety hazards, and 2) allow for future airport expansion. Further, until such time as (1) the ALUC finds that a local agency’s general plan or specific plan is consistent with the ALUCP, or (2) the local agency has overruled the ALUC’s determination of inconsistency, state law requires that local agencies refer all actions, regulations, and permits involving land within an airport influence area to the ALUC for review (State Aeronautics Act

### 3.0 PROJECT DESCRIPTION

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Section 21676.5(a)). Only those actions which the ALUC elects not to review are exempt from this requirement (Shutt-Moen 2001).

#### BASIN PLANS FOR THE NORTH COAST AND CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARDS

Most of Siskiyou County is located within the Klamath River Basin to the north and west, with a smaller portion of the County to the south and east located in the Sacramento River Basin. As a result, most of the County falls within the jurisdiction of the North Coast Regional Water Quality Control Board (North Coast RWQCB) and a smaller portion of the County is under the authority of the Central Valley Regional Water Quality Control Board (Central Valley RWQCB).

One of the duties of each RWQCB is the development of a "basin plan" for the hydrologic area over which it has jurisdiction. Each region's basin plan sets forth water quality objectives for the region's surface water and groundwater and describe implementation programs to achieve those objectives. These basin plans also provide the foundation for regulations and enforcement actions of the North Coast and Central Valley RWQCBs.

The North Coast and Central Valley RWQCBs most recently updated their respective basin plans in June 2018 and May 2018, respectively. These basin plans define existing and potential beneficial uses of surface water and groundwater in the Klamath River Basin (North Coast RWQCB 2018) and the Sacramento and San Joaquin River Basins (Central Valley RWQCB 2018) and set forth water quality objectives for these waters.

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3.0 PROJECT DESCRIPTION

Siskiyou County

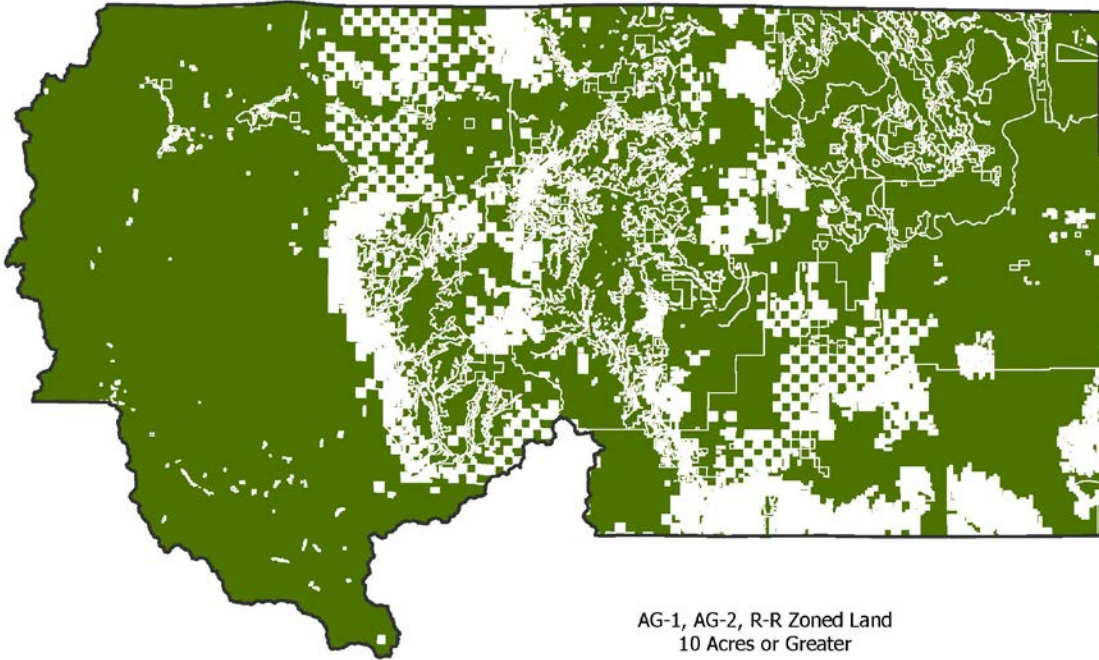


Figure 3.0-1(a)  
Project Location

Siskiyou County

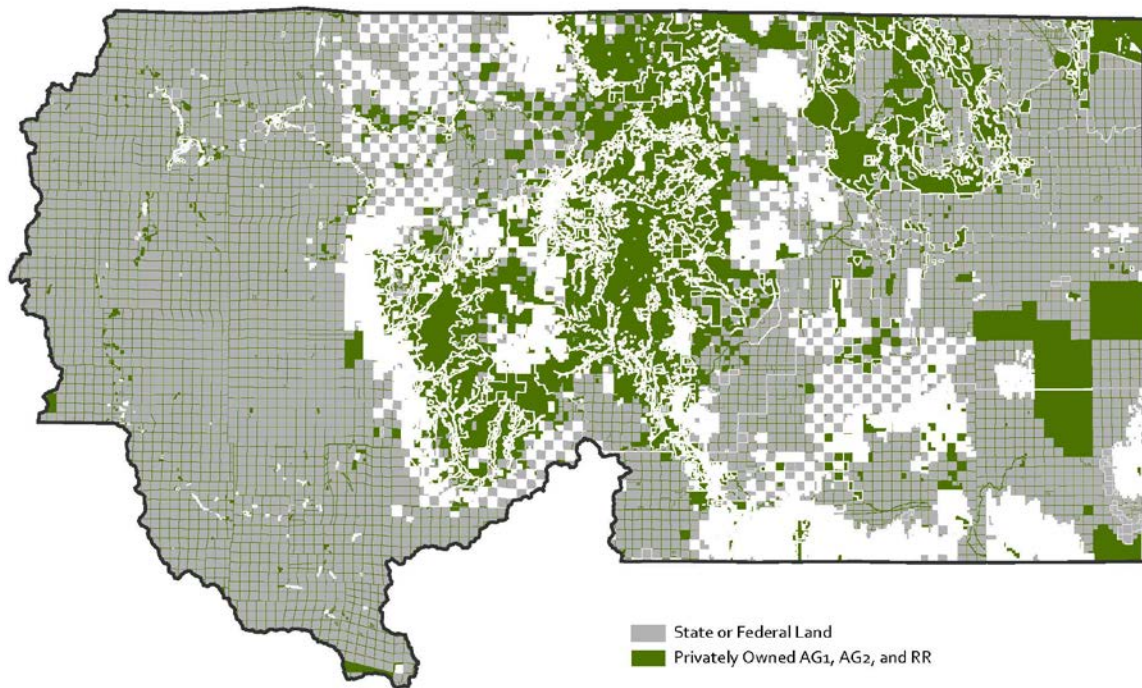


Figure 3.0-1(b)  
Project Location

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Siskiyou County

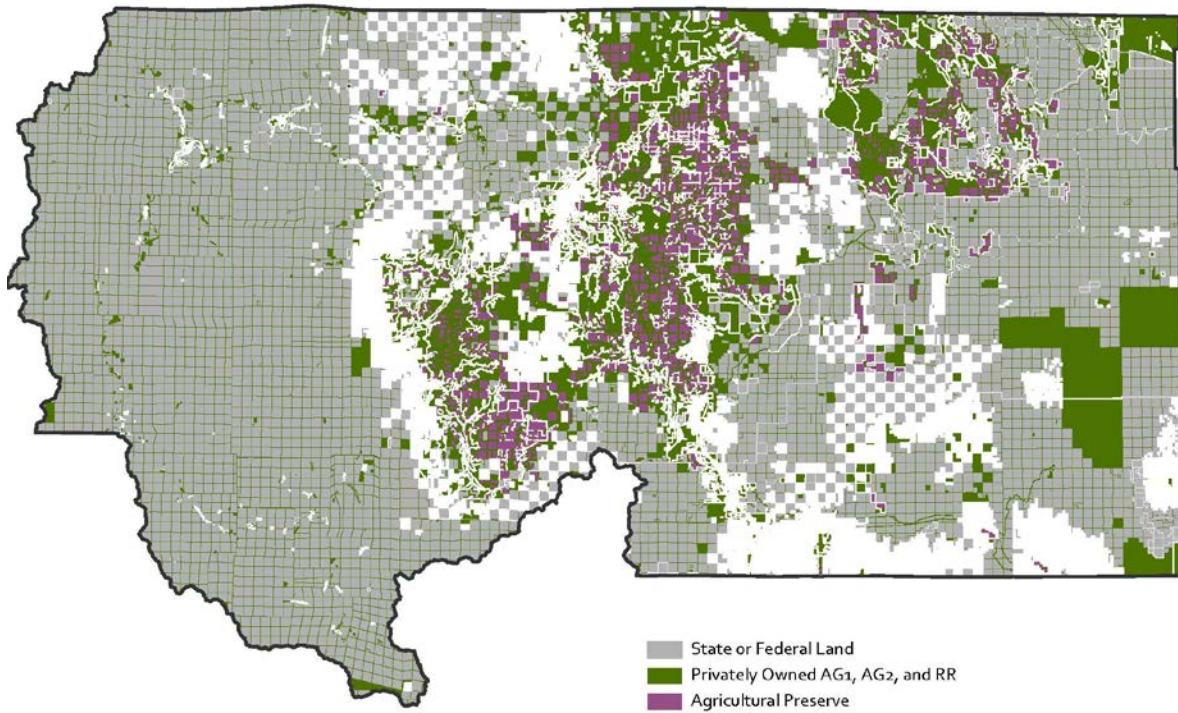


Figure 3.0-1(c)  
Project Location



## 4.0 ENVIRONMENTAL CHECKLIST

|  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| <b>4.1 AESTHETICS.</b> Would the project:  |                                |  |                                     |                          |
| a) Have a substantial adverse effect on a scenic vista?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?                                     | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Setting:**

The aesthetic character of unincorporated Siskiyou County varies with location, but in general it can be described as natural, rural, agricultural, and historic. The county has abundant scenic natural resources including streams, lakes, mountains, hills, valleys, meadows, forests, grasslands, and wildlife. Agricultural fields, pastures, and open spaces are abundant in and around the Scott, Shasta, and Butte valleys and offer sweeping views framed by mountain backdrops. Historic features within the County include mine workings, flumes, ditches, cemeteries, churches, bridges, homes, barns, and commercial structures more than 50 years old. Sites with cultural importance to Native American tribes also contribute to the County's aesthetic character.

Within Siskiyou County, there are no state scenic highways; however, stretches of Interstate 5 (I-5), State Route 3 (SR 3), State Route 89 (SR 89), State Route 96 (SR 96), State Route 97 (SR 97), State Route 139 (SR 139), and State Route 161 (SR 161) are eligible for inclusion in the State's Scenic Highway program and for designation as State Scenic Highways (Caltrans 2018). In addition, the Scenic Highways Element of the Siskiyou County General Plan identifies a stretch of I-5 as a scenic freeway and portions of SR 3, SR 89, SR 96, SR 97, SR 139, SR 161, and State Route 263 (SR 263) as scenic highways (Siskiyou County 1974).

**Discussion of Impacts:**

4.1(a)-4.1(d): *Less Than Significant Impact.* The proposed project is a zoning text amendment intended to both address the lack of specificity in the Code for uses traditionally interpreted by the Planning Director as "incidental to agriculture" and to facilitate the promotion and marketing of Siskiyou County agricultural products by permitting other limited agritourism as an accessory use to active agricultural operations on agriculturally zoned parcels (i.e., AG-1, AG-2, and R-R) at least 10 acres in size. Because agritourism would be incidental to active agricultural operations and because approximately 71% of the project area is presently in farms and ranches, it is anticipated that most agritourism-related activities resulting from the proposed zoning text amendment would occur on preexisting farms and ranches with currently active agricultural operations.

From an aesthetic perspective, the County's agricultural zones are typically in areas that provide significant aesthetic value to the County, in part due to the agricultural activity occurring there. The uses included in the proposed zoning text amendment would be integrally tied to and completely dependent upon the agricultural activities occurring at a given site. As such, it is anticipated that most structures and/or development resulting from the project would be consistent with the existing agricultural character of the sites and their surroundings. In general, however, agricultural operations are more likely to utilize existing structures, such as farm houses and/or repurposed barns, than they are to invest in new structures to support incidental agritourism. Furthermore, pursuant to the County's Williamson Act guidelines (see **Attachment B**), agritourism cannot displace agricultural production on properties subject to a Williamson Act contract and guest lodging is confined to those dwellings developed prior to execution of the contract. Regardless, even on lands not subject to a Williamson Act contract, it is unlikely that many agricultural operations would choose to sacrifice productive land for agritourism improvements. As a result, potential impacts to Siskiyou County's aesthetic resources, including adjacent to scenic highways, are considered less than significant.

While agritourism could result in additional nighttime lighting in areas of relatively little light pollution, all outdoor lighting in the unincorporated area of Siskiyou County is subject to Section 10-6.5602 of the Siskiyou County Code, which requires that exposed sources of light, glare, or heat be shielded so as not to be directed outside the premises. In addition, the proposed zoning text amendment also includes lighting restrictions for Level II Agritourism (i.e., the only level of agritourism that would allow overnight guests) as follows:

"Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises."

Compliance with existing County Code Section 10-6.5602 as well as the proposed lighting restrictions for Level II Agritourism would ensure that potential light or glare impacts remain less than significant.

**Mitigation Measures:**

None required.

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|  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| <p><b>4.2 AGRICULTURE AND FORESTRY RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997), prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resource Board. Would the project:</p> |                                |  |                                     |                                     |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to nonagricultural use or conversion of forest land to non-forest use?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

### Setting:

#### AGRICULTURAL RESOURCES

According to the California Department of Conservation, Farmland Mapping and Monitoring Program (FMMP), Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance are scattered throughout large portions of central and northeastern Siskiyou County (DOC 2016).

There are no important agricultural lands mapped in southeastern or western Siskiyou County. Generally, soils in these areas are better suited for timber production, and Siskiyou County supports extensive commercial timber resources, the majority of which are under the jurisdiction of the Klamath National Forest, Shasta-Trinity National Forest, Six Rivers National Forest, Modoc National Forest, and Rogue-Siskiyou National Forest.

Within unincorporated Siskiyou County, there are approximately 437 parcels that are 10 acres or larger and zoned Prime Agricultural (AG-1), 596 parcels that are 10 acres or larger and zoned Non-Prime Agricultural (AG-2), and 701 parcels that are 10 acres or larger and zoned Rural Residential Agricultural (R-R). This equates to roughly 304,429 acres of AG-1, 984,944 acres of AG-2, and 344,194 acres of R-R, and a combined total of 1,633,567 acres.

According to the 2017 Siskiyou County Crop & Livestock Report, there were 1,153,246 acres in farms in 2017. Of these, approximately 419,721 acres or 36% are subject to a Williamson Act contract. The County General Plan recognizes the importance of agriculture to the County's economy, identifying prime agricultural land as a sensitive environmental resource. County policies encourage conservation of agricultural lands through minimum acreage requirements that deter conversion to more intensive uses.

#### FORESTRY RESOURCES

Forest lands are defined under Public Resources Code (PRC) Section 12220(g) as "land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. Timberland is defined under Public Resources Code Section 4526 as "land, other than land owned by the federal government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce timber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis."

#### Discussion of Impacts:

4.2(a)-4.2(e): *Less Than Significant Impact.* As previously discussed, the project is intended to both address the lack of specificity in the Code for uses traditionally interpreted by the Planning Director as "incidental to agriculture" and to facilitate the marketing and promotion of Siskiyou County agricultural products by permitting other limited agritourism as an accessory use to active agricultural operations on agriculturally zoned parcels 10 acres and larger. Activities included in the proposed zoning text amendment include but are not limited to farm tours, educational activities, field days, and similar activities that relate to the promotion of the working farm or ranch. In addition, more intensive agritourism activities, such as U-pick produce, farmstays, and agritourism camping, would be allowed subject to approval of an administrative use permit or conditional use permit depending upon the intensity of the use.

While the proposed zoning text amendment would allow for up to five acres of farm, ranch, or other agricultural property to be improved for agritourism-related uses, the project is not expected to result in a significant loss of important farmland because agritourism-related activities would be incidental to and fully dependent upon the success of the working farm, ranch, or other agricultural operation. In other words, it is anticipated that most owners and operators of farms and ranches would continue to utilize the most productive land for agricultural purposes and to allocate lesser quality land for agritourism improvements.

Agritourism uses included in the proposed zoning text amendment were evaluated by the County's Agritourism Technical Advisory Committee for consistency with County standards, which made the finding that "limited agritourism as an allowed agricultural accessory use will not change any standards necessary for the protection of agricultural lands nor is it intended to conflict with agricultural zoning or existing agricultural uses in Siskiyou County, the Siskiyou County General Plan or the Scott Valley Land Use Plan." In addition, the County's *Rules for the*

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*Establishment and Administration of Agricultural Preserves and Williamson Act Contracts* (i.e., Williamson Act Guidelines) already expressly permit agritourism as a compatible use within agricultural preserves subject to specific limitations. Specifically, the Williamson Act Guidelines allow:

“Agritourism activities including buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, “u-pick” sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural uses” (Siskiyou County 2012).

As such, the project would not conflict with existing zoning for agricultural uses or supersede limitations established by the County’s Williamson Act Guidelines. This is also due in part to the proposed zoning text amendment expressly excluding “concerts or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch.”

Because the agritourism uses included in the proposed zoning text amendment are intended to be compatible with resource-based land uses, the proposed zoning text amendment would not conflict with any zoning for forestry-related uses, including the County’s Timberland Production District (TPZ). Furthermore, because the project only involves properties zoned and used for agriculture, the project would not result in the conversion of forest land to non-forest use nor would it involve other changes to the environment that would result in the conversion of farmland or forest land. For these reasons, the project would have a less than significant impact on agriculture and forestry resources.

### **Mitigation Measures:**

None required.

|  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| <b>4.3 AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:  |                                |  |                                     |                                     |
| a) Conflict with or obstruct implementation of the applicable air quality plan?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Expose sensitive receptors to substantial pollutant concentrations?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Create objectionable odors affecting a substantial number of people?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**Setting:**

Along with Modoc and Lassen counties, Siskiyou County is located in a region known as the Northeast Plateau Air Basin (NEPAB). Regulatory oversight of the air basin is divided among local air districts responsible for implementing local and state air quality programs. The local air quality district with regulatory oversight of the project area is the Siskiyou County Air Pollution Control District (SCAPCD). Within the SCAPCD, the primary sources of air pollution are wildfires, managed burning and disposal, wood burning stoves, unpaved road dust, farming operations, and motor vehicles.

As noted above, the SCAPCD is the local air quality agency with jurisdiction over the project area. The SCAPCD adopts and enforces controls on stationary sources of air pollutants through its permit and inspection programs and regulates agricultural and non-agricultural burning. Other SCAPCD responsibilities include monitoring air quality, preparing air quality plans, and responding to citizen air quality complaints.

Ambient Air Quality Standards

Air quality standards are set at both the federal and state levels of government (**Table 4.3-1**). The federal Clean Air Act requires that the Environmental Protection Agency (EPA) establish ambient air quality standards for six criteria air pollutants: ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, lead, and suspended particulate matter. The California Clean Air Act also sets ambient air quality standards. The state standards are more stringent than the federal standards, and they include other pollutants as well as those regulated by the federal standards. When concentrations of criteria pollutants are below the allowed standards for an area, that area is considered to be in attainment of the standards.

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**Table 4.3-1  
Federal and State Ambient Air Quality Standards**

| Pollutant  | Averaging Time               | Federal Primary <sup>1</sup> | Federal Secondary <sup>1</sup> | California <sup>2</sup> |
|--|------------------------------|------------------------------|--------------------------------|-------------------------|
| Ozone  | 8 Hour                       | 0.07 ppm                     | 0.07 ppm                       | 0.07 ppm                |
|  | 1 Hour                       | --                           | --                             | 0.09 ppm                |
| Carbon Monoxide  | 8 Hour                       | 9 ppm                        | --                             | 9 ppm                   |
|  | 1 Hour                       | 35 ppm                       | --                             | 20 ppm                  |
| Nitrogen Dioxide                                       | Annual                       | 0.053 ppm                    | 0.053 ppm                      | 0.03 ppm                |
|  | 1 Hour                       | 100 ppb                      | --                             | 0.18 ppm                |
| Sulfur Dioxide   | Annual                       | 0.03 ppm                     | --                             | --                      |
|  | 24 Hour                      | 0.14 ppm                     | --                             | 0.04 ppm                |
|  | 3 Hour                       | --                           | 0.5 ppm                        | --                      |
|  | 1 Hour                       | 75 ppb                       | --                             | 0.25 ppm                |
| Fine Suspended Particulate Matter (PM <sub>2.5</sub> ) | Annual                       | 12.0 µg/m <sup>3</sup>       | 15.0 µg/m <sup>3</sup>         | 12 µg/m <sup>3</sup>    |
|  | 24 Hour                      | 35.0 µg/m <sup>3</sup>       | 35.0 µg/m <sup>3</sup>         | --                      |
| Suspended Particulate Matter (PM <sub>10</sub> )       | Annual                       | --                           | --                             | 20 µg/m <sup>3</sup>    |
|  | 24 Hour                      | 150 µg/m <sup>3</sup>        | 150 µg/m <sup>3</sup>          | 50 µg/m <sup>3</sup>    |
| Sulfates   | 24 Hour                      | --                           | --                             | 25 µg/m <sup>3</sup>    |
| Lead   | 30 Day                       | --                           | --                             | 1.5 µg/m <sup>3</sup>   |
|  | Calendar Qtr                 | 1.5 µg/m <sup>3</sup>        | 1.5 µg/m <sup>3</sup>          | --                      |
| Hydrogen Sulfide                                       | 1 Hour                       | --                           | --                             | 0.03 ppm                |
| Vinyl Chloride   | 24 Hour                      | --                           | --                             | 0.01 ppm                |
| Visibility-Reducing Particles                          | 8 Hour<br>(10 am - 6 pm PST) | --                           | --                             | ( <sup>3</sup> )        |

Source: California Air Resources Board, 2015

<sup>1</sup> National Primary Standards: The levels of air quality necessary, with an adequate margin of safety, to protect the public

National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest eight-hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM<sub>10</sub>, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m<sup>3</sup> is equal to or less than one. For PM<sub>2.5</sub>, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact U.S. EPA for further clarification and current federal policies.

<sup>2</sup> California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter - PM<sub>10</sub>, PM<sub>2.5</sub>, and visibility reducing particles, are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.

<sup>3</sup> Extinction coefficient of 0.23 per kilometer - visibility of ten miles or more (0.07 - 30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape.

### Air Quality Monitoring

Ozone (hourly and 8-hour average) is the only contaminant that receives continuous monitoring in Siskiyou County. The SCAPCD previously monitored suspended particulate matter (both PM<sub>2.5</sub> and PM<sub>10</sub>) as well, however, according to SCAPCD, monitoring of PM<sub>10</sub> ended December 31, 2015, and monitoring of PM<sub>2.5</sub> ceased on June 30, 2018 (Eric Olson, personal communication, December 6, 2018).

The SCAPCD's air quality monitoring station is located in the City of Yreka in central Siskiyou County. This station monitors ozone and, as discussed above, previously monitored particulate

matter as well. **Table 4.3-2** shows the results of monitoring efforts from 2015 - 2017 at the Yreka station.

**Table 4.3-2  
Siskiyou County Air Quality Data**

| Pollutant  | Standard                | Year  |       |       |
|--|-------------------------|-------|-------|-------|
|  |                         | 2015  | 2016  | 2017  |
| <i>Ozone (O<sub>3</sub>)</i>                             |                         |       |       |       |
| Maximum 1-Hour Concentration (ppm)                       |                         | 0.076 | 0.092 | 0.053 |
| Maximum 8-Hour Concentration (ppm)                       |                         | 0.066 | 0.068 | 0.049 |
| Number of Days Exceeding State 1-Hour Standard           | > 0.09 ppm              | 0     | 0     | 0     |
| Number of Days Exceeding State/Federal 8-Hour Standard   | > 0.07 ppm              | 0     | 0     | 0     |
| <i>Inhalable Particulates (PM<sub>10</sub>)</i>          |                         |       |       |       |
| Maximum 24-Hour Concentration (µg/m <sup>3</sup> )       |                         | 65.5  | *     | *     |
| Estimated No. of Days Exceeding State Standard           | > 50 µg/m <sup>3</sup>  | 6.1   | *     | *     |
| Estimated No. of Days Exceeding Federal Standard         | > 150 µg/m <sup>3</sup> | 0     | *     | *     |
| <i>Ultra-Fine Particulates (PM<sub>2.5</sub>)</i>        |                         |       |       |       |
| Maximum 24-Hour Concentration (µg/m <sup>3</sup> )       |                         | 51.0  | 26.1  | 78.8  |
| Estimated No. of Days Exceeding Federal 24-Hour Standard | > 35 µg/m <sup>3</sup>  | *     | 0     | 26.3  |
| Measured No. of Days Exceeding Federal 24-Hour Standard  | > 35 µg/m <sup>3</sup>  | 2     | 0     | 4     |

Source: California Air Resources Board, 2018

\* Insufficient data

Monitored and Previously Monitored Air Pollutants

Ozone is a gas comprising three oxygen atoms. It occurs both in the earth’s upper atmosphere and at ground level. Ozone can be either beneficial or detrimental to human health, depending on its concentration and where it is located. Beneficial ozone occurs naturally in the earth’s upper atmosphere, where it acts to filter out the sun’s harmful ultraviolet rays. Bad ozone occurs at ground level and is created when cars, industry, and other sources emit pollutants that react chemically in the presence of sunlight. Ozone exposure can result in irritation of the respiratory system, decreased lung function, aggravated asthma, and possible lung damage with persistent exposure.

PM<sub>10</sub> (i.e., suspended particulate matter less than 10 microns) is a major air pollutant consisting of tiny solid or liquid particles of soot, dust, smoke, fumes, and aerosols. The size of the particles (about 0.0004 inches or less) allows them to easily enter the lungs where they may be deposited.

PM<sub>2.5</sub> (i.e., suspended particulate matter less than 2.5 microns) is similar to PM<sub>10</sub> in that it is an air contaminant that consists of tiny solid or liquid particles; though in this case the particles are about 0.0001 inches or smaller (often referred to as fine particles). PM<sub>2.5</sub> is typically formed in the atmosphere from primary gaseous emissions that include sulfates emitted by power plants and industrial facilities and nitrates emitted by power plants, automobiles, and other types of combustion sources. While the chemical composition of fine particles is highly dependent upon



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location, time of year, and weather conditions, the most common source of elevated PM<sub>2.5</sub> in Siskiyou County is smoke from wildfires.

Inhalation of PM<sub>2.5</sub> and PM<sub>10</sub> can cause persistent coughing, phlegm, wheezing, and other physical discomfort. Long-term exposure may increase the rate of respiratory and cardiovascular illness.

As shown in **Table 3.2** above, despite the lack of current data for PM<sub>10</sub> and elevated concentrations of PM<sub>2.5</sub> in 2017, Siskiyou County has not been identified as having significant air quality problems and is considered to be in attainment or unclassified for all federal and state air quality standards.

### **Discussion of Impacts:**

4.3(a)-4.3(e): *Less Than Significant Impact.* Siskiyou County is classified as being in attainment or unclassified for all federal and state air quality standards and, as a result, is not subject to an air quality plan. While most farms and ranches are likely to utilize existing improvements in support of agritourism and may be required to do so if subject to a Williamson Act contract, particulate matter (i.e., dust) and diesel emissions could be generated during development of agritourism improvements. However, construction emissions would be temporary in nature and would likely be broadly distributed over time and distance around the county.

Agritourism-related uses included in the proposed zoning text amendment are also unlikely to generate significant air pollutants. As a result, there would not be a violation of air quality standards associated with the proposed zoning text amendment, nor would the project contribute to an existing or projected air quality violation.

The project would allow for incidental tourism on working farms and ranches 10 acres and greater in size as a means of promoting the County's agricultural operations and products. To do so the project would define agritourism, as well as specific agritourism-related uses considered incidental to and supportive of agricultural operations. The proposed zoning text amendment would also expressly prohibit nonagricultural uses, such as concerts, and would subject more intensive agritourism to site specific environmental review due to the requirement for a conditional use permit. Thus, any air contaminants likely to be generated as a result of the project would be consistent with existing agricultural operations and are expected to have a negligible impact on the County's ability to meet federal and state air quality standards.

While sensitive receptors (i.e., facilities that house or attract groups of children, the elderly, persons with illnesses, and others who are especially sensitive to the effects of air pollutants) are distributed throughout Siskiyou County, they are most commonly found in the county's population centers and not in agricultural settings where agritourism is expected to occur. Regardless, none of the agritourism-related activities in the proposed zoning text amendment are likely to result in the generation of substantial contaminants, adverse odors, or the exposure of sensitive receptors and other persons to such odors and pollutants.

Overall, the project is not expected to result in a substantial increase in development in the County capable of generating significant air contaminants. Consequently, air quality impacts associated with the proposed zoning text amendment are considered less than significant.

### **Mitigation Measures:**

None required.

|  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| <b>4.4 BIOLOGICAL RESOURCES.</b> Would the project:  |                                |  |                                     |                                     |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/>            |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?   | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/>            |
| c) Have a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal wetlands, etc.), through direct removal, filling, hydrological interruption, or other means?                                | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/>            |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Setting:**

Due to the region's complex topography, with elevations that vary as much as 7,000 feet from east to west, and its location at a transition between wetter and drier areas of the state, annual average precipitation ranges from 9 inches to 65 inches depending upon location, the County supports a wide diversity of plants, animals, and habitat types. In general, however, coniferous forests are widespread throughout much of the southern, western, and southeastern county, while juniper pine woodlands and sagebrush scrub are prevalent in the north and northeast, and grasslands are prevalent in the Shasta, Scott, and Butte valleys.

The California Department of Fish and Wildlife (CDFW) recognizes six primary wildlife habitat types in California: tree dominated, shrub dominated, herbaceous dominated, aquatic, developed, and non-vegetated. Within unincorporated Siskiyou County, these habitats occur in continuous stretches and isolated pockets depending on topography, elevation, climate, and

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pattern of development. Wildlife can move between habitat types according to their needs, and may use riparian corridors, established trails, low lying areas, and other natural corridors in their movements. In addition, many species, including deer, migrate seasonally in response to changes in habitat requirements.

Habitats throughout Siskiyou County have been and continue to be modified by human activity. Historic mining, logging, agriculture, and human settlements substantially modified the natural environment. Still, wide variation exists in the degree of human disturbance, with some habitats considerably less impacted than others.

### Regulatory Framework

The United States Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and the California Native Plant Society (CNPS) document species that may be rare, threatened or endangered. Federally listed species are fully protected under the mandates of the Federal Endangered Species Act (FESA). "Take" of listed species incidental to otherwise lawful activity may be authorized by either the U.S. Fish and Wildlife Service (USFWS) or the National Marine Fisheries Service (NMFS), depending upon the species.

Under the California Endangered Species Act (CESA), CDFW has the responsibility for maintaining a list of threatened and endangered species. CDFW also maintains lists of "candidate species" and "species of special concern" which serve as "watch lists." State-listed species are fully protected under the mandates of CESA. "Take" of protected species incidental to otherwise lawful management activities may be authorized under Section 2081 of the Fish and Game Code of California.

Under Section 3503.5 of the California Fish and Game Code, it is unlawful to take, possess, or destroy any birds in the orders of Falconiformes or Strigiformes (raptors) or to take, possess or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.

The Native Plant Protection Act (California Fish and Game Code Sections 1900-1913) prohibits the taking, possessing, or sale within the state of any rare, threatened or endangered plants as defined by the CDFW. Project impacts on these species would not be considered significant unless the species are known to have a high potential to occur within the area of disturbance associated with the project.

### Special-Status Species

Special-status species are commonly characterized as species that are at potential risk or actual risk to their persistence in a given area or across their native habitat (locally, regionally, or nationally) and are identified by a state and/or federal resource agency as such. These agencies include governmental agencies such as CDFW, USFWS, or private organizations such as CNPS. The degree to which a species is at risk of extinction is the limiting factor on a species' status designation. Risk factors to a species' persistence or population's persistence include habitat loss, increased mortality factors (take, electrocution, etc.), invasive species, and environmental toxins. In the context of environmental review, special-status species are defined by the following codes:

- 1) Listed, proposed, or candidates for listing under the federal Endangered Species Act (ESA) (50 Code of Federal Regulations [CFR] 17.11 – listed; 61 Federal Register [FR] 7591, February 28, 1996 candidates);

- 2) Listed or proposed for listing under the California Endangered Species Act (CESA) (Fish and Game Code [FGC] 1992 Section 2050 et seq.; 14 California Code of Regulations [CCR] Section 670.1 et seq.);
- 3) Designated as Species of Special Concern by the CDFW;
- 4) Designated as Fully Protected by the CDFW (FGC Sections 3511, 4700, 5050, 5515); and
- 5) Species that meet the definition of rare or endangered under the California Environmental Quality Act (CEQA) (14 CCR Section 15380) including CNPS List Rank 1B and 2.

According to CDFW's California Natural Diversity Database (CNDDB), USFW's Critical Habitat Portal, and USFW's National Wetland Inventory, there are numerous special-status species and critical and sensitive habitats within Siskiyou County (CDFW 2018a, USFW 2018a, USFW 2018b). Special-status species include both plants and animals and are listed in **Attachment C**. Critical and sensitive habitats include wetlands, stream corridors, and habitats essential to the conservation of listed species (e.g., salmon and northern spotted owl).

**Discussion of Impacts:**

4.4(a)-4.4(f): *Less Than Significant With Mitigation Incorporated*. As discussed elsewhere herein, it is anticipated that most agritourism-related activities resulting from the proposed zoning text amendment would occur at preexisting farms and ranches. It is further anticipated that because of the incidental nature of agritourism, farms and ranches are more likely to utilize existing structures than to construct additional improvements, while those farms and ranches subject to a Williamson Act contract may be required to do so. As a result, the project is not expected to result in substantial development activity. Nevertheless, should ground disturbance and/or development associated with agritourism occur in a sensitive natural community or the habitat of a special-status species, it has the potential to adversely impact biological resources in and around the project vicinity. Therefore, to ensure that potential impacts to biological resources, including special-status species and sensitive natural communities, remain less than significant as a result of the proposed zoning text amendment, mitigation measures **MM 4.1** through **MM 4.3** are recommended below.

**Mitigation Measures:**

**MM 4.1** In order to reduce potential impacts to nesting migratory birds and/or raptors protected under Fish and Game Code Section 3503 to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:

When vegetation removal associated with construction of agritourism improvements will occur during the avian breeding season of February 1 through August 31, a survey for nesting migratory birds shall be completed by a qualified biologist no more than one week prior to vegetation removal. If an active nest is located during the survey, no vegetation shall be removed until the young have fledged, as determined through additional monitoring by a qualified biologist.

Timing/Implementation: Ongoing

Enforcement/Monitoring: Siskiyou County Community Development Department

**MM 4.2** In order to reduce potential impacts to roosting bats caused by the removal and/or reconstruction of preexisting barns and outbuildings for agritourism purposes to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:

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When barns and outbuildings are to be removed or substantially rehabilitated to accommodate agritourism activities, a qualified biologist shall conduct a roost assessment survey of the structure(s) to be removed or substantially rehabilitated. The survey shall occur no more than 14 days prior to demolition or substantial rehabilitation of the structure(s). If the biologist finds no evidence of or potential to support bat roosting, no further measures are required. If evidence of bat roosting is present, the measures described below shall be implemented:

1. When demolition or substantial rehabilitation is planned during August 1 through February 28 (outside the bat maternity roosting season), a qualified biologist shall implement passive exclusion measures to prevent bats from re-entering the structure(s). Demolition or substantial rehabilitation may continue after a follow-up survey confirms that bats are no longer present.
2. When demolition or substantial rehabilitation is planned during the maternity roosting season (March 1 through July 31), disturbance to the structure(s) shall be avoided until the maternity roosting season has ended and a qualified biologist has determined the roost has been vacated.

Timing/Implementation: Ongoing

Enforcement/Monitoring: Siskiyou County Community Development Department

**MM 4.3** In order to reduce potential impacts to riparian vegetation and aquatic resources to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:

No land disturbance for agritourism improvements is permitted within 150 feet of the top of bank of any perennial waterbody or within 50 feet of the centerline of seasonal streams and wetlands.

Timing/Implementation: Ongoing

Enforcement/Monitoring: Siskiyou County Community Development Department

|  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| <b>4.5 CULTURAL RESOURCES.</b> Would the project:  |                                |  |                                     |                          |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?    | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?            | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries?                                 | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Setting:**

The diverse habitat types and geological characteristics of Siskiyou County account for a rich and complex cultural resource base and have resulted in a large number of prehistoric and historic resources being recorded in Siskiyou County.

CEQA Guidelines Section 15064.5 defines the term “historical resources.” Generally speaking, a “historical resource” includes sites that are listed in or determined to be eligible for listing in the California Register of Historical Resources, sites that are included in a local register of historical resources, or a resource that is considered “historically significant.” A lack of designation at the national, state, or local level does not preclude a resource from being determined to be a historical resource.

**Discussion of Impacts:**

4.5(a)-4.5(d): *Less Than Significant With Mitigation Incorporated.* See Response 4.1(a)-4.1(d). As previously discussed, it is anticipated that most agritourism-related activities resulting from the proposed zoning text amendment will occur at preexisting farms and ranches with currently active agricultural operations. It is also anticipated that due to the incidental nature of agritourism, most agricultural operations will utilize existing structures, such as farm houses and/or repurposed barns, rather than constructing new structures to support the use, while farms and ranches subject to a Williamson Act contract may be required to do so. No properties potentially affected by the proposed zoning text amendment have been identified as being on the National Register of Historic Places or the California Register of Historical Resources, and as result potential impacts to historic resources are considered less than significant.

While limited land disturbance is anticipated as a result from the proposed zoning text amendment, unanticipated and accidental discoveries of paleontological resources, archaeological resources, or human remains remain a possibility during ground-disturbance in support of agritourism activities and associated improvements. California law dictates how cultural resources must be handled should they be inadvertently discovered. Pursuant to state law, all work in the vicinity of a discovery of archaeological resources is to be immediately halted, the County notified, and a professional archaeologist retained to examine the significance of the discovery and develop appropriate management recommendations. Should

## 4.0 ENVIRONMENTAL CHECKLIST

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the discovery include human bones, state law requires that the County Coroner and the Native American Heritage Commission be notified. Further, if it is determined that Native American resources are involved, Tribes must be notified and consulted. Compliance with state law in the event of an inadvertent discovery of archaeological resources would ensure that the proposed zoning text amendment would not adversely impact archeological resources.

While state law protects archaeological resources regardless of the location of discovery, paleontological resources are currently afforded protection only when located on public lands (Public Resources Code Section 5097.5 and Title 14, Division 3, Chapter 1 of the California Code of Regulations). Due to the region's complex topography, paleontological resources are not regularly documented in Siskiyou County. Nevertheless, the potential exists for paleontological resources to be adversely impacted should they be inadvertently discovered during ground disturbance associated with agritourism improvements. As such, mitigation measure **MM 5.1** is provided below to ensure that the project's impact to cultural resources remains less than significant.

### Mitigation Measures:

**MM 5.1** In order to reduce potential impacts to paleontological resources to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:

If, during ground disturbance for agritourism improvements, paleontological resources (e.g., fossils) are discovered, all work shall cease in the area of the find, the Siskiyou County Community Development Department – Planning Division shall be immediately notified, and a qualified paleontologist shall be retained to determine the significance of the discovery. The County shall consider the mitigation recommendations presented by a professional paleontologist and implement any measure or measures that the County deems feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.

Timing/Implementation: Ongoing

Enforcement/Monitoring: Siskiyou County Community Development Department

|  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| <b>4.6 GEOLOGY AND SOILS.</b> Would the project:   |                                |  |                                     |                          |
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, involving:  |                                |  |                                     |                          |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) Strong seismic ground shaking?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iv) Landslides?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil?  | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Setting:**

The Klamath Mountains stretch throughout much of western Siskiyou County and the Cascade Range extends through portions of eastern Siskiyou County. This results in complex topography throughout much of the County with rugged, steep terrain in the west, and more gradually sloping terrain in the east.

Despite numerous faults throughout the county, the region is not very seismically active, with the Cedar Mountain Fault System in eastern Siskiyou County being the most recently active. The largest recorded earthquake originating within the Cedar Mountain Fault System had a magnitude of 4.6 and occurred in August 1978 (USGS 2018). The Seismic Safety and Safety Element of the Siskiyou County General Plan states that over a 120-year period, nine or ten earthquakes capable of "considerable damage" have occurred in the region. No deaths were reported from these quakes and building damage was considered minor or unreported.



## 4.0 ENVIRONMENTAL CHECKLIST

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Regardless, Siskiyou County, like much of California, is located in an area with potential for major damage from earthquakes corresponding to intensity VII on the Modified Mercalli Scale.

Soil surveys conducted by the U.S. Department of Agriculture Natural Resource Conservation Service have identified 13 general soil types in the County. The soil types are described by topography, slope, permeability, dwelling limitations, septic limitations, erosion hazards, and agricultural and timber capacities. In general, the County soils are variable: the soil permeability ranges from very slow to very rapid, and the erosion hazard ranges from slight to very high. The soil erosion hazard ratings of moderate to high are typically associated with slopes 15% or greater.

### Discussion of Impacts:

4.6(a)-4.6(e): *Less Than Significant Impact.* As noted elsewhere herein, it is anticipated that most agritourism-related activities resulting from the proposed zoning text amendment would occur at preexisting farms and ranches, and due to the incidental nature of agritourism, farms and ranches are more likely to utilize existing structures rather than to construct agritourism improvements, in part because they may be required to do so if subject to a Williamson Act contract. As a result, the project is not expected to result in substantial development activity. Nevertheless, when construction activity does occur, it has the potential to be impacted by geologic conditions existing in and around the project vicinity.

Despite relatively little recent seismic activity, Siskiyou County is located in a potentially active area. Accordingly, any agritourism improvements resulting from the project would potentially be subject to future seismic activity. Improperly designed and/or constructed structures could be subject to damage from seismic activity with potential injury or death for the occupants as a result. Any future structure resulting from the project, however, would be required to be designed to meet all California Building Code seismic design standards, as well as site-specific and project-specific recommendations contained in geotechnical analyses required by the County's Building Division prior to building permit issuance.

Liquefaction occurs when loose sand and silt that is saturated with water behaves like a liquid when shaken by an earthquake. Liquefaction can result in the following types of seismic-related ground failure:

- Loss of bearing strength – soils liquefy and lose the ability to support structures
- Lateral spreading – soils slide down gentle slopes or toward stream banks
- Flow failures – soils move down steep slopes with large displacement
- Ground oscillation – surface soils, riding on a buried liquefied layer, are thrown back and forth by shaking
- Flotation – floating of light buried structures to the surface
- Settlement – settling of ground surface as soils reconsolidate
- Subsidence – compaction of soil and sediment

Three factors are required for liquefaction to occur: (1) loose, granular sediment; (2) saturation of the sediment by groundwater; and (3) strong shaking. Potential impacts associated with liquefaction as a result of the project are considered less than significant given well-drained soils throughout much of the county as well as the low incidence of seismic activity in the region.

Although much of the Shasta Valley was impacted by a massive debris flow during the collapse of ancestral Mount Shasta roughly 300,000 to 380,000 years ago, mudflows and landslides are not prominent in the region and are not considered a significant threat to county inhabitants and/or visitors to the region.

Expansive or shrink-swell soils are soils that swell when subjected to moisture and shrink when dry. Expansive soils typically contain clay minerals that attract and absorb water, greatly increasing the volume of the soil. This increase in volume can cause damage to foundations, structures, and roadways. While soils in some areas of Siskiyou County are known to have elevated clay content and are potentially subject to shrink-swell, the California Building Code addresses necessary construction techniques to accommodate development on soils with expansive characteristics.

Given the lack of sewer collection in the unincorporated agricultural areas of the county, any agritourism resulting from the project site would be reliant upon individual sewage disposal systems and/or chemical toilets. Prior to the creation of new or expanded septic systems resulting from the proposed zoning text amendment, the improvements would need to be reviewed and permitted by the County's Environmental Health Division. As part of this process, Environmental Health would determine whether there is adequate separation distance to groundwater to protect groundwater resources. Accordingly, potential impacts associated with use of septic systems are considered less than significant.

Due to the limited amount of land disturbance anticipated as a result of agritourism improvements, erosion hazards are considered low to moderate. Nevertheless, to ensure that potential long-term erosion hazards due to erodible soils and wind and water exposure remain less than significant, **MM 6.1** is included below.

**Mitigation Measures:**

**MM 6.1** In order to reduce potential impacts associated with erosion and loss of topsoil to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:

All soils disturbed during construction of agritourism improvements shall be revegetated upon completion of construction and/or ground disturbing activities. If construction activities are suspended for six (6) or more months, disturbed soils shall be revegetated until construction activities resume. Upon completion of construction activities, soils shall be revegetated within six (6) months.

Timing/Implementation: Ongoing

Enforcement/Monitoring: Siskiyou County Community Development Department

## 4.0 ENVIRONMENTAL CHECKLIST

|  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| <b>4.7 GREENHOUSE GAS EMISSIONS.</b> Would the project:  |                                |  |                                     |                                     |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?        | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gasses? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Setting:

With adoption of Assembly Bill (AB) 32 and Senate Bill (SB) 97, the State of California established GHG reduction targets and has determined that GHG emissions as they relate to global climate change are a source of adverse environmental impacts. However, neither the State of California nor the County of Siskiyou have established significance criteria for greenhouse gas (GHG) emissions generated by a proposed project. Indeed, many regulatory agencies are sorting through suggested thresholds and/or making project-by-project analyses. This approach is consistent with that suggested by CAPCOA in its technical advisory entitled *CEQA and Climate Change: Addressing Climate Change through the California Environmental Quality Act Review* (California Air Pollution Control Officers Association [CAPCOA] 2008):

*"In the absence of regulatory standards for GHG emissions or other specific data to clearly define what constitutes a 'significant project', individual lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice."*

The impact that GHG emissions have on global climate change does not depend on whether the emissions were generated by stationary, mobile, or area sources, or whether they were generated in one region or another. Thus, consistency with the state's requirements for GHG emissions reductions is the best metric for determining whether the proposed zoning text amendment would contribute to global warming. In the case of the proposed project, if the project substantially impairs the state's ability to conform to the mandate to reduce GHG emissions to 1990 levels by the year 2020, then the impact of the project would be considered significant.

### Discussion of Impacts:

4.7(a)-4.7(b): *Less Than Significant Impact.* As discussed under Section 4.2, Air Quality, and elsewhere herein, the project would allow for incidental tourism on working farms and ranches 10 acres and greater in size as a means of promoting the County's agricultural operations and products. To do so, the proposed zoning text amendment would expand upon and clarify those agritourism uses allowed on working farms and ranches and establish limits and performance measures to minimize, to the greatest extent practicable, off-site impacts associated with agritourism activities. In addition, by including a definition of allowed and anticipated compatible uses, it would preclude those uses that are not traditionally incidental to active agricultural operations, such as concerts and weddings. The proposed zoning text amendment would essentially codify expected and common ancillary uses associated with a working farm or ranch.

Although the agritourism zoning text amendment is not expected to result in substantial new improvements, as most farms and ranches would likely utilize existing improvements, construction of new agritourism improvements when it occurs would likely entail the use of fossil fuel powered heavy equipment that generates GHG emissions. Nevertheless, because of the limited scope of anticipated improvements, GHG construction emissions would be similarly limited, would be temporary and intermittent, and would likely to be distributed broadly over time. Agritourism-related uses included in the proposed zoning text amendment, such as farm tours, U-Pick produce, and agritourism camping, are also unlikely to generate significant GHG emissions.

While formalizing the County's agritourism uses and standards is expected to generate minor intermittent and ongoing GHG emissions associated with the use of passenger vehicles to travel to and from farms and ranches engaged in agritourism, the project is unlikely to generate a substantial number of trips each day, and traffic associated with special events like farm tours would be intermittent. This is in part due to a requirement in the proposed zoning text amendment that any farm or ranch generating more than 10 average daily trips (ADT) for agritourism-related activities obtain a conditional use permit. Because approval of a conditional use permit is a discretionary action, it would subject any operation likely to generate more than 10 ADT to project specific environmental analysis, including a review of potential GHG emissions associated with the project. (For perspective, 10 ADT is slightly more trips than a single-family household, which per County standards average 7.5 ADT.) As such, impacts associated with greenhouse gas emissions are considered less than significant.

**Mitigation Measures:**

None required.

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|   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| <b>4.8 HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:  |                                |  |                                     |                          |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Setting:

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined in Title 22 of the California Code of Regulations (CCR), Title 22, Section 662601.10, as follows:

*A substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or*

*incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed.*

Most hazardous material regulation and enforcement in Siskiyou County is managed by the Siskiyou Community Development Department - Environmental Health Division, which refers large cases of hazardous materials contamination or violations to the North Coast Regional Water Quality Control Board (RWQCB) and the California Department of Toxic Substances Control (DTSC). When issues of hazardous materials arise, it is not at all uncommon for other agencies to become involved, such as the Siskiyou County Air Pollution Control District and both the federal and state Occupational Safety and Health Administrations (OSHA).

Under Government Code Section 65962.5, both DTSC and the State Water Resources Control Board (SWRCB) are required to maintain lists of sites known to have hazardous substances present in the environment. Both agencies maintain up-to-date lists on their websites. A review of the DTSC EnviroStor website and the SWRCB GeoTracker website indicates that a significant majority of hazardous waste violations in the county are located within the county's population centers and along the county's primary transportation corridors and not within agricultural settings where agritourism would be expected to occur.

The interface of human and natural environments in Siskiyou County creates potential safety hazards due to wildfires, flooding, landslides, earthquakes, and wildlife interactions. Other potential safety hazards include naturally occurring asbestos, past mining operations, and airport operations at public and private airstrips in the county.

**Discussion of Impacts:**

4.8(a)-4.8(h): *Less Than Significant Impact.* There are no project components that are likely to result in the routine transport, use, or disposal of hazardous materials. While some farms and ranches are likely to store and utilize such materials in their operations, these operations are already in existence, are subject to all applicable state and federal regulations for the handling, transport and storage of hazardous materials, and are subject to regulatory oversight by the County's Environmental Health Division, and where pesticides are involved, the County Agricultural Commissioner.

Although unlikely, there is the potential for accidental releases of hazardous materials during construction of agritourism improvements. Any such releases would likely be minor spillages of fuels and oils associated with the use of heavy equipment during ground work. However, there is nothing specific about likely agritourism improvements, farms and ranches, or the county itself that would suggest an elevated potential for accidental releases of hazardous materials.

Most schools are located in the county's population centers, however, these population centers as well as the schools themselves are occasionally located in the vicinity of agricultural operations where agritourism could conceivably occur as a result of the project. However, there is no aspect of the proposed zoning text amendment that would result in the handling of hazardous or acutely hazardous materials, substances, or waste or that would have the potential to produce hazardous emissions within one-quarter mile of an existing or proposed school.

With regard to public safety around public airports and private airstrips, there is nothing about the project that would substantially interfere with airport operations or endanger those persons engaged in agritourism on the ground in the vicinity of an airport or airstrip. Further, as discussed in Section 3.6, Relationship to Project to Other Plans, any application for an administrative use

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permit or conditional use permit resulting from the project that pertains to property within the area of influence of a public airport would be subject to review by the Airport Land Use Commission (ALUC) for compliance with the Siskiyou County Airport Land Use Compatibility Plan (ALUCP). As previously described, the ALUCP establishes land use designations, or compatibility zones, surrounding Siskiyou County airports to: 1) minimize public exposure to excessive noise and safety hazards, and 2) allow for future airport expansion.

There is the potential for wildland fires in the region given the dry summer climate, with hot days and wind. Nevertheless, the proposed zoning text amendment would not substantially increase the risk of fire in and around farms and ranches in the county. Further, any agritourism requiring approval of a conditional use permit would be required to comply with Fire Safe Regulations enacted pursuant to Public Resources Code Sec. 4290, including requirements for defensible space, driveway standards, etc. In addition, the proposed zoning text amendment would require that farms and ranches provide adequate off-street parking for its employees and agritourism visitors, which would ensure that driveways and rights-of-way remain clear for adequate fire safe access and emergency evacuations.

With the existing provisions in place for minimizing hazards and hazardous materials, and adherence to all applicable local, federal and state laws, potential impacts associated with hazards and hazardous materials are considered less than significant.

### **Mitigation Measures:**

None required.

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|   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| <b>4.9 HYDROLOGY AND WATER QUALITY.</b> Would the project:  |                                |  |                                     |                          |
| a) Violate any water quality standards or waste discharge requirements?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Otherwise substantially degrade water quality?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of a failure of a levee or dam?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Setting:**

The County is divided between the Klamath River watershed in the north and the Sacramento River watershed in the south. Combined, these rivers drain roughly 6,350 square miles in Siskiyou County alone. The smaller watercourses and creeks that flow into the Klamath River and



## 4.0 ENVIRONMENTAL CHECKLIST

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Sacramento River watersheds are supplied from melting snow pack, annual rainfall, springs, and surfacing groundwater.

The State Water Resources Control Board (SWRCB) regulates the quality of California's water resources, with oversight provided by nine Regional Water Quality Control Boards (RWQCB) around the state. RWQCB boundaries are based on watersheds, while water quality requirements are based on the unique differences in climate, topography, geology, and hydrology for each watershed. Each RWQCB makes critical water quality decisions for its region, including setting standards, issuing waste discharge requirements, determining compliance with those requirements, and taking appropriate enforcement actions. As discussed in Section 3.6, Relationship of Project to Other Plans, regulatory oversight of the project area is divided between by the North Coast RWQCB and the Central Valley RWQCB.

In general, the county's water quality varies with source and land uses, both past and present, within the respective watersheds. In general, water quality is potentially influenced by several factors, including sedimentation, temperature, turbidity, and nutrient inputs. Water resources have a multitude of uses from agricultural to domestic, as well as fish and wildlife habitat and year-round recreation. A number of water providers deliver water to farms and ranches in unincorporated Siskiyou County, including the Scott Valley Irrigation District, Tulelake Irrigation District, Montague Irrigation District, and the Callahan Water District. Drinking water, however, is most commonly provided by privately-owned wells.

With no municipal sewer infrastructure in the unincorporated agricultural areas of the county, wastewater services would be provided by individual septic systems and/or chemical toilets. If new or expanded septic systems are required to support the agritourism use, permits from the Siskiyou County Community Development Department - Environmental Health Division would be required prior to construction.

### Discussion of Impacts:

4.9(a)-4.9(j): *Less Than Significant Impact*. As discussed elsewhere herein, it is anticipated that most agritourism-related activities resulting from the proposed zoning text amendment would occur at preexisting farms and ranches, and that because of the incidental nature of agritourism, farms and ranches would be more likely to utilize existing structures rather than to construct agritourism improvements. Further, pursuant to the County's Williamson Act Guidelines, agritourism lodging at those farms and ranches subject to a Williamson Act contract is already limited to dwellings present at the time the Williamson Act contract was executed. As a result, the project is not expected to result in substantial development activity. Nevertheless, if not properly managed, ground disturbance associated with agritourism improvements has the potential to impact water quality in and around the project vicinity.

For instance, development of agritourism improvements could potentially increase impervious surfaces at farms and ranches and create additional runoff. However, due to the 10-acre minimum acreage requirement for agritourism, permeable soils in the region, and the limited amount of development anticipated as result of the project, any sediment laden stormwater resulting from agritourism improvements would likely percolate into the ground prior to leaving the farm or ranch where it is generated. Furthermore, sediment laden stormwater would only be anticipated if development of agritourism improvements occurs during adverse weather conditions.

Because not all farms and ranches are likely to develop agritourism improvements and those that do so are unlikely to make such improvements during the wet winter months, the potential for erosion and off-site siltation is considered minor. Furthermore, should more than one acre of

ground be disturbed at any farm or ranch during agritourism improvements, the farm or ranch owner/operator would be required to obtain a General Construction Stormwater Permit from the RWQCB that has regulatory oversight of the property, approval of which requires preparation of a stormwater pollution prevention plan (SWPPP) subject to RWQCB review and approval. In order to be approved, the SWPPP would need to include best management practices (BMPs) designed to reduce or eliminate erosion and runoff. BMPs typically include the use of straw wattles, covering stockpiled materials, revegetation of disturbed areas, silt fences, and other physical means of slowing stormwater flow from graded areas in order to allow sediment to settle out.

Despite a few storms that have resulted in considerable flood damage in parts of the County (e.g., December 1961), historic flood losses have not been significant in the county due to current flood control infrastructure, lower population densities, and the region's lack of broad floodplains. Nevertheless, substantial flood hazards are present within some incorporated and unincorporated communities and along stream corridors throughout the region. Although there is little to no development anticipated within areas affected by flooding, development within the 100-year floodplain, if proposed, would be regulated by the Siskiyou County Flood Damage Prevention Ordinance (Title 10, Chapter 10 of the Siskiyou County Code). In general, proposed development within the 100-year floodplain triggers additional development standards designed to floodproof a structure, while development within the floodway is prohibited unless flood proofing standards are implemented, and it can be demonstrated that the proposed development is located outside the designated floodway.

In addition, setbacks from waterbodies would be provided by mitigation measure **MM 4.4**. This mitigation measure prohibits development within 150 feet of perennial waterbodies and within 50 feet from centerline of seasonal streams and wetlands. There are no large water bodies in the project area with potential for seiche or tsunami. Further, as discussed under Response 4.6(a)-4.6(e), the project area is not considered at risk of mudflows. As such, potential impacts associated with hydrology and water quality are considered less than significant.

**Mitigation Measures:**

None required.

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|   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| <b>4.10 LAND USE AND PLANNING.</b> Would the project:   |                                |  |                                     |                                     |
| a) Physically divide an established community?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Setting:

The project area includes approximately 1,633,567 acres of agriculturally zoned parcels, 10 acres or greater, in the unincorporated area of Siskiyou County. Roughly 71% of this area, or approximately 1,153,246 acres in Siskiyou County are currently in farms and ranches according to the Siskiyou County 2017 Crop & Livestock Report.

Land uses in the unincorporated area of the county range from timber production in the forested areas to urban-type development, including residential, commercial, and industrial uses, in several small communities. National Forests in the county (i.e., Shasta-Trinity, Klamath, Modoc, Six Rivers, and Rogue-Siskiyou) account for approximately 60% of the county's total land area. The unincorporated county contains a variety of resources and constraints, diverse topography, and sensitive environments.

### Siskiyou County General Plan

The basis for land use planning in unincorporated Siskiyou County is the County's General Plan. The Land Use Element of the General Plan provides the primary guidance on issues related to land use and land use intensity. The Land Use Element provides designations for land within the county and outlines goals and policies concerning development and use of that land.

The primary goal of the Land Use/Circulation Element of the Siskiyou County General Plan is to allow the physical environment to determine the appropriate future land use pattern that will develop in Siskiyou County. This is an alternative to conventional planning practice in which one master land use map indicates future land use patterns based primarily on social, political, and economic factors. Its focus is for future development to occur in areas that are easiest to develop without entailing great public service costs, that have the least negative environmental effect, and that do not displace or endanger the county's critical natural resources.

The technique used for the development of the Land Use Element involved preparation of a series of overlay maps identifying development constraint areas. Constraints take the form of both natural, physical barriers or problems and those culturally imposed on the basis of resource protection. The combination of overlay maps provides a visual display of tones representing physical constraints in a particular geographic area in terms of the perceived effect of urban

development. In identifying an absence of physical constraints, it also indicates where urban development may proceed without encountering known physical problems.

Scott Valley Area Plan

The Scott Valley Area Plan was prepared to direct land use within the Scott Valley watershed of Siskiyou County, and was adopted by the Board of Supervisors in November 1980. The Scott Valley Area Plan was adopted as an amendment to the Siskiyou County Land Use Element for the Scott Valley Watershed area, and policies therein supersede those identified in the County Land Use Element for that particular overlay map.

The goal and technique used for the development of the Scott Valley Area Plan is similar to that of the County General Plan, consisting of a series of overlay maps identifying development constraint areas in an effort to allow and guide development to occur in areas that are easiest to develop without entailing great public service costs, and that do not displace or endanger the Scott Valley's critical natural resources, nor subject future populations to natural hazard.

Siskiyou County Code

In concert with the General Plan and Scott Valley Area Plan, the Siskiyou County Code establishes zoning districts within the County and specifies allowable uses and development standards for each district. Under state law, each jurisdiction's zoning must be consistent with its general plan. Per the proposed zoning text amendment, zoning within the project area would be limited to Prime Agricultural (AG-1), Non-Prime Agricultural (AG-2) and Rural Residential Agricultural (R-R). A complete list of permitted and conditionally permitted uses in these zoning districts, along with those uses proposed to be included as a result of the project, is included as **Attachment A**.

**Discussion of Impacts:**

4.10(a)-4.10(c): *Less Than Significant Impact*. The project would not physically divide an established community or conflict with any applicable habitat conservation plan or natural community conservation plan.

Because the project is a proposed zoning text amendment that would be applicable to all agriculturally zoned parcels (i.e., parcels zoned AG-1, AG-2, and/or RR) that are 10 acres or larger in unincorporated Siskiyou County, nearly all policies contained in the Siskiyou County General Plan Land Use Element are potentially applicable to some location within the larger project area. As a result, the project was evaluated relative to all Land Use policies, not just those adopted for the purpose of avoiding or mitigating an environmental effect.

In addition to assessing project compatibility with General Plan Land Use Element policies, the proposed zoning text amendment was evaluated relative to all policies contained in the Scott Valley Area Plan. As with the potential applicability of nearly all General Plan Land Use policies, the Scott Valley is an agriculturally rich area and, as a result, many of the policies included in the Scott Valley Area Plan are potentially applicable to agritourism and agritourism improvements in the Scott Valley.

County staff enforce all applicable County policies pertaining to where and how development activity can safely occur at the time of building permit application, including those policies included in the Siskiyou County General Plan and Scott Valley Area Plan. This alone results in considerable project compatibility with the Siskiyou County General Plan and Scott Valley Area Plan, as many of the policies contained in these documents stipulate what type of development

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can occur and where it is permitted. Further, proposed Level II Agritourism would be subject to approval of an administrative use permit or conditional use permit, either of which would require project-specific and site-specific analysis of the particular agritourism activities relative to County policies, including those contained in the Siskiyou County General Plan and Scott Valley Area Plan.

Because the General Plan Land Use Element contains Policy 37, which allows only agricultural uses on prime agricultural land, and the Scott Valley Area Plan contains Policy 1, which permits only agricultural and public uses on prime agricultural soils, project compatibility with all General Plan and Scott Valley Area Plan policies is somewhat dependent upon whether the agritourism activities being permitted by the proposed zoning text amendment are classified as agricultural land uses, commercial land uses, or something other. This isn't to say that compatibility of the proposed zoning text amendment with the General Plan and Scott Valley Area Plan hinges upon the ability of agritourism activities to locate on soils mapped "prime agricultural." That is not the case, however, it does warrant the question of whether agritourism is considered a permissible activity in areas mapped prime agricultural and, therefore, whether the project is compatible with General Plan Policy 37 and Scott Valley Area Plan Policy 1.

At its core, the project is a proposed zoning text amendment intended to support agriculture by facilitating the marketing and promotion of agricultural products grown and produced in Siskiyou County through incidental onsite agritourism. Agritourism would be defined in the proposed zoning text amendment as "the act of visiting a working farm or ranch as a guest for the purpose of enjoyment, education or other active participation in the activities of the farm. A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more. Agritourism shall not include concerts or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch."

Therefore, because the proposed zoning text amendment would specifically exclude "other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch", and would likely entail agritourism-related activities, such as harvesting agricultural products or other active participation in the activities of a farm or ranch, the agritourism activities included in the proposed zoning text amendment are considered consistent with Policy 37 and Policy 1, as well as the other policies of the Siskiyou County General Plan Land Use Element and the Scott Valley Area Plan, and potential impacts are considered less than significant.

### **Mitigation Measures:**

None required.

|  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| <b>4.11 MINERAL RESOURCES.</b> Would the project:  |                                |  |                                     |                                     |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                 | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Setting:**

Historically, gold mining was responsible for the establishment of several communities within Siskiyou County. Although some mining still takes place, the resource is greatly diminished and no longer plays a significant role in the economy. Nevertheless, large areas of Siskiyou County contain mineral deposits and between the 1850's and the early 1940's, numerous mines operated in the County. In addition to gold, mineral resources include copper, chromium, gemstones, and asbestos. In addition, significant deposits of sand, gravel, and rock types suitable for construction aggregate are present throughout the County.

The State Mining and Geology Board has the responsibility to inventory and classify mineral resources and could designate such mineral resources as having a statewide or regional significance. If this designation occurs, the local agency must adopt a management plan for such identified resources. At this time, there are no plans to assess local mineral resources for the project area or Siskiyou County.

**Discussion of Impacts:**

4.11(a)-4.11(b): *Less Than Significant Impact.* The proposed zoning text amendment would allow agritourism incidental to existing agricultural operations on farms and ranches at least 10 acres in size. It would not result in the loss of an available known mineral resource that would be of value to the region or residents of the state, nor would it result in the loss of a locally important mineral resource recovery site.

**Mitigation Measures:**

None required.

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|  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| <b>4.12 NOISE.</b> Would the project result in:  |                                |  |                                     |                          |
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or of applicable standards of other agencies?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan area or, where such a plan has not been adopted, within 2 miles of a public airport or a public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Setting:

The Siskiyou County General Plan Noise Element identifies land use compatibility standards for exterior community noise for a variety of land use categories for project planning purposes. For example, for residential land uses, an exterior noise level of 60 dBA Ldn (Day-Night Average Sound Level) is identified as being "acceptable" requiring no special noise insulation or noise abatement features unless the proposed development is itself considered a source of incompatible noise for a nearby land use. The Noise Element also describes the noise level for outdoor areas, such as farms and passively used open space areas, as 50 dBA Ldn. These outdoor noise levels are intended to "assure that a 45 dBA Ldn indoor level will be achieved by the noise attenuation with regular construction materials."

Significant noise sources in the County include traffic on major roadways, railroad operations, airports, and localized noise sources such as from industrial uses. Ambient noise levels in areas away from major transportation routes are generally quite low. The noise environment of the project area, outside of major thoroughfares and railroads, is considered typical of agricultural areas and open space uses, corresponding to the 50 dBA Ldn outdoor noise level.

**Discussion of Impacts:**

4.12(a)-4.12(f): *Less Than Significant With Mitigation Incorporated.* The project would allow for incidental tourism on working farms and ranches 10 acres and greater in size as a means of promoting the County's agricultural operations and products. To do so, the proposed zoning text amendment would expand upon and clarify those agritourism uses allowed on working farms and ranches and would establish limits and performance measures to minimize, to the greatest extent practicable, off-site impacts associated with agritourism, including noise.

For instance, in addition to the proposed zoning text amendment defining which agritourism uses would be permitted and mandating that more intensive Level II Agritourism uses obtain an administrative use permit or conditional use permit depending upon the intensity of use, the proposed zoning text amendment would limit the number of overnight guests allowed for Agritourism Camping and would restrict outdoor agritourism activities within one thousand feet of a residence on neighboring property to between the hours of 7:00 a.m. and 8:00 p.m. Enforcement of these measures, as well as compliance with County noise standards, would ensure that noise impacts associated with agritourism operations remain less than significant.

In addition, the proposed project could generate temporary noise impacts and groundborne vibrations during renovations to existing structures and/or development of agritourism improvements. Noise-sensitive receptors located in the vicinity of agritourism improvements would likely consist of a small number of residences, although in some cases, it could result in disturbance to more individuals if the farm or ranch is located closer to a population center. Although the increase in noise levels during agritourism improvements is expected to be temporary and to be substantially attenuated by distance to noise sensitive receptors, construction noise and ground-borne vibrations have the potential to pose a nuisance to residences and other nearby noise sensitive receptors in the vicinity of improvements. Implementation of mitigation measure **MM 12.1**, however, would limit construction to daytime hours and would reduce potential noise and ground-borne vibration impacts to a level that is considered less than significant.

**Mitigation Measures:**

**MM 12.1** In order to reduce potential construction noise impacts to a level that is considered less than significant, the following Agritourism Performance Standard shall be required:

Use of heavy equipment, blasting equipment, compressors, and other noise and ground-borne vibration generating equipment associated with agritourism improvements is prohibited on Sundays and federal holidays and are limited to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday, and between 8:00 a.m. and 6:00 p.m. on Saturdays.

Timing/Implementation: During agritourism improvements

Enforcement/Monitoring: Siskiyou County Community Development Department



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|   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| <b>4.13 POPULATION AND HOUSING.</b> Would the project:  |                                |  |                                     |                                     |
| a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Setting:

According to the California Department of Finance (DOF), there were 24,285 persons and 13,770 housing units in unincorporated Siskiyou County at the time of the 2010 U.S. Census. As of January 1, 2018, the population of unincorporated Siskiyou County was 24,084 with 14,111 housing units. This represents population growth of -0.8% since the 2010 U.S. Census.

Throughout Siskiyou County, there are a number of small communities separated by forest land, mountainous terrain, and agriculture, with very low-density residential development characterizing much of unincorporated Siskiyou County and single-family dwellings the predominant housing type.

### Discussion of Impacts:

4.13(a)-4.13(c): *Less Than Significant Impact.* Due to the incidental nature of agritourism, and because approximately 71 percent of the project area is presently utilized for agriculture, the proposed zoning text amendment is not expected to result in substantial development activity or induce substantial population growth either directly or indirectly. Further, no housing or people would be displaced as a result of the project.

### Mitigation Measures:

None required.

|  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| <b>4.14 PUBLIC SERVICES.</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services: |                                |  |                                     |                          |
| a) Fire protection?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Police protection?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Schools?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Parks?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Other public facilities?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Setting:**

Public services within the unincorporated county are provided by the County of Siskiyou, state and federal agencies, and numerous special districts, including fire protection districts, school districts, park and recreation districts, community services districts, cemetery districts, and irrigation districts.

**Discussion of Impacts:**

4.14(a)-4.14(e): *Less Than Significant Impact.* See Response 4.13(a)-4.13(c). Because the proposed zoning text amendment would not result in substantial population growth, it would not generate the need for new or altered governmental facilities and no adverse impacts to public services, including fire and police protection, schools, parks, and other public facilities, are anticipated as a result of the project.

**Mitigation Measures:**

None required.

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|  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| <b>4.15 RECREATION.</b>  |                                |  |                                     |                          |
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project include recreational facilities, or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

### Setting:

Recreational opportunities within Siskiyou County are varied, ranging from developed public parks with facilities for organized sports to vast tracts of forestlands and numerous waterways. There are three Recreation and Park districts in Siskiyou County: Weed Recreation and Parks District, Mt. Shasta Recreation and Parks District, and Dunsmuir Recreation and Parks District, as well as several cities and community services districts that provide recreation opportunities for county residents and visitors.

### Discussion of Impacts:

4.15(a)-4.15(b): *Less Than Significant Impact*. The proposed zoning text amendment would not generate substantial population growth capable of resulting in adverse physical impacts to existing recreational facilities or the need for new recreational facilities in the county, nor would it entail for the construction of such facilities. While increased tourism resulting from the proposed zoning text amendment could cause in a minor increase in the use of recreation facilities throughout Siskiyou County, it would not accelerate degradation of these facilities or result in their substantial physical deterioration.

### Mitigation Measures:

None required.

|   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| <b>4.16 TRANSPORTATION/TRAFFIC.</b> Would the project:  |                                |  |                                     |                          |
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in inadequate emergency access?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Setting:**

The transportation system in Siskiyou County is largely comprised of various federal, state, and local roadways, including Interstate 5, several state highways, U.S. Forest Service roads, and arterials, collectors and local streets. Traffic volumes throughout much of the County’s road system, particularly in the agricultural areas where agritourism would occur, are considered low.

Within unincorporated Siskiyou County, the County of Siskiyou Public Works Department maintains a 1,361-mile public road network, approximately 65% of which is paved. The remainder of the roadways are privately owned and maintained, with maintenance entities ranging from individuals and unofficial maintenance groups to recorded road maintenance associations and agreements. Travel characteristics vary according to the region of the county in which it occurs.

The County of Siskiyou provides a public bus system, Siskiyou Transit and General Express (STAGE), which makes several stops in the communities of Mt. Shasta, Weed, Yreka and other communities along the Interstate 5 corridor. In addition, some bus stops are considered on-call,

## 4.0 ENVIRONMENTAL CHECKLIST

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meaning that an individual would need to notify STAGE of the time and day he/she would like to ride.

### Discussion of Impacts:

4.16(a)-4.16(f): *Less Than Significant Impact*. The project would allow for incidental tourism on working farms and ranches 10 acres and greater in size as a means of promoting the County's agricultural operations and products. To do so, the proposed zoning text amendment would expand upon and clarify those agritourism uses allowed on working farms and ranches and establish limits and performance measures to minimize, to the greatest extent practicable, off-site impacts associated with agritourism, including traffic. To this end the proposed zoning text amendment would limit agritourism at farms and ranches to no more than 10 Average Daily Trips (ADT) per calendar month, excluding school buses. (For perspective, County standards assign 7.5 ADT to a single-family dwelling.) Further, the proposed zoning text amendment stipulates that if the agritourism to be permitted would generate more than 10 ADT, a conditional use permit would be required. This which would trigger the need for a project-specific evaluation of potential traffic impacts. In addition, by including a definition of allowed and anticipated compatible uses, the proposed zoning text amendment precludes those uses that are not traditionally incidental to active agricultural operations and capable of generating substantial traffic, such as concerts and weddings. As a result, the proposed project would not conflict with an applicable congestion management program or level of service standard.

The proposed zoning text amendment also requires that farms and ranches accommodate all agritourism parking onsite. Coupled with the low traffic volumes anticipated as result of the project, additional trips generated by the proposed zoning text amendment would not impair emergency access throughout the county or create off-site impediments to emergency access vehicles. Further, there is no component of the project, such as a design feature or incompatible use, that would substantially increase hazards.

With regard to public safety around public airports and private airstrips, there is nothing about the project that would change air traffic patterns or endanger those persons engaged in agritourism on the ground in the vicinity of an airport or airstrip. Further, as discussed in Section 3.6, Relationship to Project to Other Plans, any application for an administrative use permit or conditional use permit resulting from the project that pertains to property within the area of influence of a public airport would be subject to review by the Siskiyou County Airport Land Use Commission (ALUC) for compliance with the Siskiyou County Airport Land Use Compatibility Plan (ALUCP). As previously described, the ALUCP establishes land use designations, or compatibility zones, surrounding Siskiyou County airports to: 1) minimize public exposure to excessive noise and safety hazards, and 2) allow for future airport expansion.

The project would not conflict with any adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Overall, the proposed zoning text amendment has the potential to result in a minor increase in the use of rural roads to access the working farms and ranches of Siskiyou County and potential impacts to traffic and circulation are considered less than significant.

### Mitigation Measures:

None required.

|   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| <b>4.17 TRIBAL CULTURAL RESOURCES.</b> Would the project:   |                                |  |                                     |                          |
| Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:                             |                                |  |                                     |                          |
| a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Setting:**

AB 52 was enacted on July 1, 2015, and establishes that “a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment” (Public Resources Code Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

Public Resources Code Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe” and meets either of the following criteria:

1. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California cities, counties, and tribes regarding tribal cultural resources. Under AB 52, lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated

## 4.0 ENVIRONMENTAL CHECKLIST

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with the geographic area of the proposed project.” Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency. Pursuant to AB 52, the County of Siskiyou mailed project notifications and invitations to begin AB 52 consultation to the Karuk Tribe, the Winnemem Wintu Tribe, and the Torres Martinez Desert Cahuilla Indians. None of the tribes contacted indicated that tribal cultural resources would potentially be affected by the project.

### Discussion of Impacts:

4.17(a)-4.17(b): *Less Than Significant Impact*. Prior to environmental review, the project was circulated to all tribes on the County’s contact list to invite consultation and avoid potential impacts to tribal cultural resources. Notifications were mailed to the Karuk Tribe, Winnemem Wintu Tribe, and the Torres Martinez Desert Cahuilla Indians. None of the tribes contacted indicated that tribal cultural resources would potentially be affected by the project.

The uses allowed by the proposed zoning text amendment are likely to occur on preexisting working farms and ranches where there are also preexisting infrastructure and other improvements to support the use. While there is the potential that some agricultural operations will invest in new amenities to support agritourism, farms and ranches can presently make such improvements regardless of the project. Further, it is more likely that existing structures, such as barns and other agricultural buildings, or outdoor areas on the farm or ranch would provide the backdrop for the promotion of the farm. Additionally, the proposed amendment would not change local and state requirements for protection of tribal resources as discussed in Section 5, Cultural Resources. As such, the project would have a less than significant impact on tribal cultural resources.

### Mitigation Measures:

None required.

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|   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| <b>4.18 UTILITIES AND SERVICE SYSTEMS.</b> Would the project:   |                                |  |                                     |                          |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand, in addition to the provider's existing commitments? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Setting:**

Wastewater treatment within unincorporated Siskiyou County is largely provided by private septic systems. In addition, community service districts provide sewage collection and treatment for the unincorporated communities of McCloud, Happy Camp, and Hornbrook; the City of Mt. Shasta operates a regional wastewater treatment plant that serves numerous residences and businesses both inside and outside of city limits; and the City of Dunsmuir also serves customers outside its city limits.

Wastewater disposal is regulated under the federal Clean Water Act and the state Porter-Cologne Water Quality Control Act. The North Coast Regional Water Quality Control Board (North Coast RWQCB) and the Central Valley Regional Water Quality Control Board (Central Valley RWQCB) implement these acts by administering the National Pollutant Discharge Elimination System (NPDES), issuing water discharge permits, and establishing best management practices.

The County of Siskiyou maintains transfer stations in Happy Camp, Mt. Shasta, and Yreka. Solid waste from these transfer stations is subsequently hauled to the Dry Creek Landfill in White City, Oregon for disposal. Opened in 1972, the Dry Creek Landfill was expanded to a regional facility



## 4.0 ENVIRONMENTAL CHECKLIST

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in 1999, with a projected operational life exceeding 100 years. Under existing state permits, the Dry Creek Landfill can accept 972 tons of solid waste per day until the year 2056 and, as of 2006, had an estimated remaining capacity of 28,421,000 cubic yards (CH2M HILL 2006).

### Discussion of Impacts:

4.18(a)-4.18(g): *Less Than Significant Impact*. Farms and ranches engaged in agritourism would typically be served by individual domestic water wells and individual conventional on-site sewage disposal systems. Any new wells or new or expanded septic systems resulting from the project would require a permit from the County's Environmental Health Division. In addition to ensuring adequate water supply for new wells, Environmental Health would determine whether the proposed septic improvements could serve the use without adversely impacting groundwater or exceeding applicable RWQCB standards. As a result of mitigation measures contained in other sections of the initial study, any potential environmental impacts associated with construction of these improvements would be reduced to a level that is considered less than significant.

Aside from roadside ditches and culverts, stormwater facilities are typically absent in the unincorporated areas of Siskiyou County where large agricultural parcels are located. However, because the project is not likely to result in substantial development, and because the agricultural parcels where agritourism would be allowed are large enough to accommodate any additional stormwater runoff caused by agritourism improvements, no new or expanded stormwater drainage facilities are anticipated as being necessary to support the project. Further, all applicable public health and safety standards must be met by agritourism activities resulting from the project. Consequently, potential impacts associated with utilities and service systems are considered less than significant.

### Mitigation Measures:

None required.

|   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| <b>4.19 MANDATORY FINDINGS OF SIGNIFICANCE</b>  |                                |  |                                     |                          |
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/>       | <input checked="" type="checkbox"/>                | <input type="checkbox"/>            | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Discussion of Impacts:**

4.19a-4.19c: *Less Than Significant With Mitigation Incorporated.* While a few of the Initial Study sections have identified the potential for significant environmental impacts without mitigation, including potential impacts to special-status species and paleontological resources, with the implementation of mitigation measures proposed within the relevant sections of this Initial Study, all potential impacts would be reduced to a level that is considered less than significant. As previously noted, the proposed project would not result in significant adverse impacts to human beings either directly or indirectly.

There are no recently approved projects in the region that together with the proposed project would have the potential to result in cumulatively significant impacts to the physical environment. The County's Multispecies Livestock Technical Advisory Committee has recommended an additional zoning text amendment to clarify that the raising of livestock associated with a student project (e.g., 4-H, FFA, etc.) is permitted in the County's agricultural districts and that would allow the raising of pastured hogs and chickens in same. An initial study for that project will be developed shortly. While no cumulatively significant impacts are anticipated at this time, the question will be revisited with greater clarity during environmental review of the multispecies farming zoning text amendment. As such, with implementation of the mitigation measures contained herein, the potential for cumulative impacts associated with the Agritourism Zoning Text Amendment (Z-17-03) would be reduced to a level that is considered less than significant.

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### Mitigation Measures:

None required.

**5.1 DOCUMENTS REFERENCED IN INITIAL STUDY AND/OR INCORPORATED BY REFERENCE**

The following documents were used or to determine the potential for impact from the proposed project. Compliance with federal, state, and local laws is assumed in all projects.

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## 5.0 REFERENCES

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- California Office of Historic Preservation. 2018. Listed California Historical Resources. <http://ohp.parks.ca.gov/ListedResources/?view=county&criteria=47>. Website accessed November 20, 2018.
- California Native Plant Society (CNPS). 2018. Inventory of Rare and Endangered Plants (online edition, v8-02). [www.rareplants.cnps.org/](http://www.rareplants.cnps.org/). Website accessed December 10, 2018.
- Central Valley Regional Water Quality Control Board (RWQCB). 2018. *Water Quality Control Plan (Basin Plan) for the California Regional Water Quality Control Board, Central Valley Region*. [www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_201805.pdf](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf)
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ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE COUNTY OF SISKIYOU  
AMENDING CHAPTER 6 OF TITLE 10  
OF THE SISKIYOU COUNTY CODE  
BY ADDING AGRITOURISM DEFINITIONS AND RENUMBERING ADJACENT  
SECTIONS, AND BY ADDING AGRITOURSIM USES, ADMINISTRATIVE  
PROCESSES AND AUTHORITY FOR PERMIT FEES**

THE BOARD OF SUPERVISORS OF THE COUNTY OF SISKIYOU ORDAINS  
AS FOLLOWS:

**SECTION 1:** Section 10-6.3602.207 of Article 36, of Chapter 6, of Title 10, defining “Zoning Permit” is hereby renumbered to Section 10-6.3602.212.

**SECTION 2:** Section 10-6.3602.206 of Article 36, of Chapter 6, of Title 10, defining “Zoning Map” is hereby renumbered to Section 10-6.3602.211.

**SECTION 3:** Section 10-6.3602.205 of Article 36, of Chapter 6, of Title 10, defining “Zone” is hereby renumbered to Section 10-6.3602.210.

**SECTION 4:** Section 10-6.3602.204 of Article 36, of Chapter 6, of Title 10, defining “Zero lot line” is hereby renumbered to Section 10-6.3602.209.

**SECTION 5:** Section 10-6.3602.203 of Article 36, of Chapter 6, of Title 10, defining “Youth camp” is hereby renumbered to Section 10-6.3602.208.

**SECTION 6:** Section 10-6.3602.202 of Article 36, of Chapter 6, of Title 10, defining “Yard, side” is hereby renumbered to Section 10-6.3602.207.

**SECTION 7:** Section 10-6.3602.201 of Article 36, of Chapter 6, of Title 10, defining “Yard, rear” is hereby renumbered to Section 10-6.3602.206.

**SECTION 8:** Section 10-6.3602.200 of Article 36, of Chapter 6, of Title 10, defining “Yard, front” is hereby renumbered to Section 10-6.3602.205.

**SECTION 9:** Section 10-6.3602.199 of Article 36, of Chapter 6, of Title 10, defining “Yard” is hereby renumbered to Section 10-6.3602.204.

**SECTION 10:** Section 10-6.3602.198 of Article 36, of Chapter 6, of Title 10, defining “Wholesale trade” is hereby renumbered to Section 10-6.3602.203.

**SECTION 11:** Section 10-6.3602.197 of Article 36, of Chapter 6, of Title 10, defining “Waste” is hereby renumbered to Section 10-6.3602.202.

**SECTION 12:** Section 10-6.3602.196 of Article 36, of Chapter 6, of Title 10, defining “Warehouse” is hereby renumbered to Section 10-6.3602.201.

**SECTION 13:** Section 10-6.3602.195 of Article 36, of Chapter 6, of Title 10, defining “Variance, hardship” is hereby renumbered to Section 10-6.3602.200.

**SECTION 14:** Section 10-6.3602.194 of Article 36, of Chapter 6, of Title 10, defining “Vacation rental” is hereby renumbered to Section 10-6.3602.199.

**SECTION 15:** Section 10-6.3602.193 of Article 36, of Chapter 6, of Title 10, defining “Utility, private or public” is hereby renumbered to Section 10-6.3602.198.

**SECTION 16:** Section 10-6.3602.197 of Article 36, of Chapter 6, of Title 10, defining “Unique Agricultural Product” is hereby added as follows:

Unique Agricultural Products.

“Unique Agricultural Products” means specialty agricultural products, including but not limited to, fruits, berries, nuts, eggs, meats, flowers, wine, oils, jams and honey. Producers of Unique Agricultural Products raise or grow traditional commodities, but also create value added products from those commodities by changing the commodity’s physical state or by connecting the farm or ranch directly to consumers or sales intermediaries such as grocery stores, restaurants or similar food service institutions. Establishments producing Unique Agricultural Products are typically family owned and operated facilities. Unique Agricultural Products do not include cannabis or cannabis related products.

**SECTION 17:** Section 10-6.3602.192 of Article 36, of Chapter 6, of Title 10, defining “Trucking terminal” is hereby renumbered to Section 10-6.3602.196.

**SECTION 18:** Section 10-6.3602.191 of Article 36, of Chapter 6, of Title 10, defining “Truck stop” is hereby renumbered to Section 10-6.3602.195.

**SECTION 19:** Section 10-6.3602.190 of Article 36, of Chapter 6, of Title 10, defining “Truck camper” is hereby renumbered to Section 10-6.3602.194.

**SECTION 20:** Section 10-6.3602.157 of Article 36, of Chapter 6, of Title 10, defining “Recreation facility, personal” is hereby renumbered to Section 10-6.3602.161.

**SECTION 21:** Section 10-6.3602.156 of Article 36, of Chapter 6, of Title 10, defining “Recreation facility, commercial” is hereby renumbered to Section 10-6.3602.160.

**SECTION 22:** Section 10-6.3602.155 of Article 36, of Chapter 6, of Title 10, defining “Recreation facility” is hereby renumbered to Section 10-6.3602.159.



**SECTION 23:** Section 10-6.3602.154 of Article 36, of Chapter 6, of Title 10, defining “Recreation, active” is hereby renumbered to Section 10-6.3602.158.

**SECTION 24:** Section 10-6.3602.153 of Article 36, of Chapter 6, of Title 10, defining “Ranch” is hereby renumbered to Section 10-6.3602.157.

**SECTION 25:** Section 10-6.3602.152 of Article 36, of Chapter 6, of Title 10, defining “Quasi-Public use or building” is hereby renumbered to Section 10-6.3602.156.

**SECTION 26:** Section 10-6.3602.151 of Article 36, of Chapter 6, of Title 10, defining “Quasi-Public” is hereby renumbered to Section 10-6.3602.155.

**SECTION 27:** Section 10-6.3602.150 of Article 36, of Chapter 6, of Title 10, defining “Public sewer and water system” is hereby renumbered to Section 10-6.3602.154.

**SECTION 28:** Section 10-6.3602.149 of Article 36, of Chapter 6, of Title 10, defining “Public celebrations” is hereby renumbered to Section 10-6.3602.153.

**SECTION 29:** Section 10-6.3602.148 of Article 36, of Chapter 6, of Title 10, defining “Professional Office” is hereby renumbered to Section 10-6.3602.152.

**SECTION 30:** Section 10-6.3602.147 of Article 36, of Chapter 6, of Title 10, defining “Primary treatment” is hereby renumbered to Section 10-6.3602.151.

**SECTION 31:** Section 10-6.3602.146 of Article 36, of Chapter 6, of Title 10, defining “Planning Commission” is hereby renumbered to Section 10-6.3602.150.

**SECTION 32:** Section 10-6.3602.145 of Article 36, of Chapter 6, of Title 10, defining “Planned unit development” is hereby renumbered to Section 10-6.3602.149.

**SECTION 33:** Section 10-6.3602.144 of Article 36, of Chapter 6, of Title 10, defining “Personal services” is hereby renumbered to Section 10-6.3602.148.

**SECTION 34:** Section 10-6.3602.143 of Article 36, of Chapter 6, of Title 10, defining “Person” is hereby renumbered to Section 10-6.3602.147.

**SECTION 35:** Section 10-6.3602.142 of Article 36, of Chapter 6, of Title 10, defining “Permitted use” is hereby renumbered to Section 10-6.3602.146.

**SECTION 36:** Section 10-6.3602.141 of Article 36, of Chapter 6, of Title 10, defining “Performance Standards” is hereby renumbered to Section 10-6.3602.145.

**SECTION 37:** Section 10-6.3602.140 of Article 36, of Chapter 6, of Title 10,

defining “Park trailer” is hereby renumbered to Section 10-6.3602.144.

**SECTION 38:** Section 10-6.3602.139 of Article 36, of Chapter 6, of Title 10, defining “Parking space” is hereby renumbered to Section 10-6.3602.143.

**SECTION 39:** Section 10-6.3602.138 of Article 36, of Chapter 6, of Title 10, defining “Parking area” is hereby renumbered to Section 10-6.3602.142.

**SECTION 40:** Section 10-6.3602.137 of Article 36, of Chapter 6, of Title 10, defining “Park” is hereby renumbered to Section 10-6.3602.141.

**SECTION 41:** Section 10-6.3602.136 of Article 36, of Chapter 6, of Title 10, defining “Outdoor storage” is hereby renumbered to Section 10-6.3602.140.

**SECTION 42:** Section 10-6.3602.135 of Article 36, of Chapter 6, of Title 10, defining “Outbuilding” is hereby renumbered to Section 10-6.3602.139.

**SECTION 43:** Section 10-6.3602.134 of Article 36, of Chapter 6, of Title 10, defining “Organized camp” is hereby renumbered to Section 10-6.3602.138.

**SECTION 44:** Section 10-6.3602.133 of Article 36, of Chapter 6, of Title 10, defining “Open space, public” is hereby renumbered to Section 10-6.3602.137.

**SECTION 45:** Section 10-6.3602.132 of Article 36, of Chapter 6, of Title 10, defining “Open space, private” is hereby renumbered to Section 10-6.3602.136.

**SECTION 46:** Section 10-6.3602.131 of Article 36, of Chapter 6, of Title 10, defining “Open space, green” is hereby renumbered to Section 10-6.3602.135.

**SECTION 47:** Section 10-6.3602.130 of Article 36, of Chapter 6, of Title 10, defining “Open space, common” is hereby renumbered to Section 10-6.3602.134.

**SECTION 48:** Section 10-6.3602.129 of Article 36, of Chapter 6, of Title 10, defining “Open space” is hereby renumbered to Section 10-6.3602.133.

**SECTION 49:** Section 10-6.3602.128 of Article 36, of Chapter 6, of Title 10, defining “On-street parking space” is hereby renumbered to Section 10-6.3602.132.

**SECTION 50:** Section 10-6.3602.127 of Article 36, of Chapter 6, of Title 10, defining “Off-street parking space” is hereby renumbered to Section 10-6.3602.131.

**SECTION 51:** Section 10-6.3602.126 of Article 36, of Chapter 6, of Title 10, defining “Office” is hereby renumbered to Section 10-6.3602.130.

**SECTION 52:** Section 10-6.3602.125 of Article 36, of Chapter 6, of Title 10,

defining “Occupancy” is hereby renumbered to Section 10-6.3602.129.

**SECTION 53:** Section 10-6.3602.124 of Article 36, of Chapter 6, of Title 10, defining “Nursery” is hereby renumbered to Section 10-6.3602.128.

**SECTION 54:** Section 10-6.3602.123 of Article 36, of Chapter 6, of Title 10, defining “Nuisance” is hereby renumbered to Section 10-6.3602.127.

**SECTION 55:** Section 10-6.3602.122 of Article 36, of Chapter 6, of Title 10, defining “Nonconforming uses” is hereby renumbered to Section 10-6.3602.126.

**SECTION 56:** Section 10-6.3602.121 of Article 36, of Chapter 6, of Title 10, defining “Nonconforming lot” is hereby renumbered to Section 10-6.3602.125.

**SECTION 57:** Section 10-6.3602.120 of Article 36, of Chapter 6, of Title 10, defining “Noise pollution” is hereby renumbered to Section 10-6.3602.124.

**SECTION 58:** Section 10-6.3602.119 of Article 36, of Chapter 6, of Title 10, defining “Noise” is hereby renumbered to Section 10-6.3602.123.

**SECTION 60:** Section 10-6.3602.118 of Article 36, of Chapter 6, of Title 10, defining “Motion picture theater” is hereby renumbered to Section 10-6.3602.122.

**SECTION 61:** Section 10-6.3602.117 of Article 36, of Chapter 6, of Title 10, defining “Motel” is hereby renumbered to Section 10-6.3602.121.

**SECTION 62:** Section 10-6.3602.116 of Article 36, of Chapter 6, of Title 10, defining “Mortuary” is hereby renumbered to Section 10-6.3602.120.

**SECTION 63:** Section 10-6.3602.115 of Article 36, of Chapter 6, of Title 10, defining “Mobile home park” is hereby renumbered to Section 10-6.3602.119.

**SECTION 64:** Section 10-6.3602.114 of Article 36, of Chapter 6, of Title 10, defining “Mobile home” is hereby renumbered to Section 10-6.3602.118.

**SECTION 65:** Section 10-6.3602.113 of Article 36, of Chapter 6, of Title 10, defining “Mini-warehouse” is hereby renumbered to Section 10-6.3602.117.

**SECTION 66:** Section 10-6.3602.112 of Article 36, of Chapter 6, of Title 10, defining “Manufacturing” is hereby renumbered to Section 10-6.3602.116.

**SECTION 67:** Section 10-6.3602.111 of Article 36, of Chapter 6, of Title 10, defining “Lumber yard” is hereby renumbered to Section 10-6.3602.115.

**SECTION 68:** Section 10-6.3602.110 of Article 36, of Chapter 6, of Title 10,

defining “Lot width” is hereby renumbered to Section 10-6.3602.114.

**SECTION 69:** Section 10-6.3602.109 of Article 36, of Chapter 6, of Title 10, defining “Lot, through” is hereby renumbered to Section 10-6.3602.113.

**SECTION 70:** Section 10-6.3602.108 of Article 36, of Chapter 6, of Title 10, defining “Lot, reverse frontage” is hereby renumbered to Section 10-6.3602.112.

**SECTION 71:** Section 10-6.3602.107 of Article 36, of Chapter 6, of Title 10, defining “Lot, minimum area of” is hereby renumbered to Section 10-6.3602.111.

**SECTION 72:** Section 10-6.3602.106 of Article 36, of Chapter 6, of Title 10, defining “Lot line, side” is hereby renumbered to Section 10-6.3602.110.

**SECTION 73:** Section 10-6.3602.105 of Article 36, of Chapter 6, of Title 10, defining “Lot line, rear” is hereby renumbered to Section 10-6.3602.109.

**SECTION 74:** Section 10-6.3602.104 of Article 36, of Chapter 6, of Title 10, defining “Lot line, front” is hereby renumbered to Section 10-6.3602.108.

**SECTION 75:** Section 10-6.3602.103 of Article 36, of Chapter 6, of Title 10, defining “Lot line” is hereby renumbered to Section 10-6.3602.107.

**SECTION 76:** Section 10-6.3602.102 of Article 36, of Chapter 6, of Title 10, defining “Lot frontage” is hereby renumbered to Section 10-6.3602.106.

**SECTION 77:** Section 10-6.3602.101 of Article 36, of Chapter 6, of Title 10, defining “Lot depth” is hereby renumbered to Section 10-6.3602.105.

**SECTION 78:** Section 10-6.3602.100 of Article 36, of Chapter 6, of Title 10, defining “Lot, corner” is hereby renumbered to Section 10-6.3602.104.

**SECTION 79:** Section 10-6.3602.99 of Article 36, of Chapter 6, of Title 10, defining “Lot” is hereby renumbered to Section 10-6.3602.103.

**SECTION 80:** Section 10-6.3602.98 of Article 36, of Chapter 6, of Title 10, defining “Lodging house” is hereby renumbered to Section 10-6.3602.102.

**SECTION 81:** Section 10-6.3602.97 of Article 36, of Chapter 6, of Title 10, defining “Lodge” is hereby renumbered to Section 10-6.3602.101.

**SECTION 82:** Section 10-6.3602.96 of Article 36, of Chapter 6, of Title 10, defining “Kennel” is hereby renumbered to Section 10-6.3602.100.

**SECTION 83:** Section 10-6.3602.95 of Article 36, of Chapter 6, of Title 10,

defining “Junk yard” is hereby renumbered to Section 10-6.3602.99.

**SECTION 84:** Section 10-6.3602.94 of Article 36, of Chapter 6, of Title 10, defining “Junk” is hereby renumbered to Section 10-6.3602.98.

**SECTION 85:** Section 10-6.3602.93 of Article 36, of Chapter 6, of Title 10, defining “Institutional use” is hereby renumbered to Section 10-6.3602.97.

**SECTION 86:** Section 10-6.3602.92 of Article 36, of Chapter 6, of Title 10, defining “Housing unit” is hereby renumbered to Section 10-6.3602.96.

**SECTION 87:** Section 10-6.3602.91 of Article 36, of Chapter 6, of Title 10, defining “Housing, transitional” is hereby renumbered to Section 10-6.3602.95.

**SECTION 88:** Section 10-6.3602.90 of Article 36, of Chapter 6, of Title 10, defining “Housing, supportive” is hereby renumbered to Section 10-6.3602.94.

**SECTION 89:** Section 10-6.3602.89 of Article 36, of Chapter 6, of Title 10, defining “Household” is hereby renumbered to Section 10-6.3602.93.

**SECTION 90:** Section 10-6.3602.88 of Article 36, of Chapter 6, of Title 10, defining “Hotel” is hereby renumbered to Section 10-6.3602.92.

**SECTION 91:** Section 10-6.3602.87 of Article 36, of Chapter 6, of Title 10, defining “Horticulture” is hereby renumbered to Section 10-6.3602.91.

**SECTION 92:** Section 10-6.3602.86 of Article 36, of Chapter 6, of Title 10, defining “Home occupation” is hereby renumbered to Section 10-6.3602.90.

**SECTION 93:** Section 10-6.3602.85 of Article 36, of Chapter 6, of Title 10, defining “Helistop” is hereby renumbered to Section 10-6.3602.89.

**SECTION 94:** Section 10-6.3602.84 of Article 36, of Chapter 6, of Title 10, defining “Heliport” is hereby renumbered to Section 10-6.3602.88.

**SECTION 95:** Section 10-6.3602.83 of Article 36, of Chapter 6, of Title 10, defining “Height of building” is hereby renumbered to Section 10-6.3602.87.

**SECTION 96:** Section 10-6.3602.82 of Article 36, of Chapter 6, of Title 10, defining “Guest house” is hereby renumbered to Section 10-6.3602.86.

**SECTION 97:** Section 10-6.3602.81 of Article 36, of Chapter 6, of Title 10, defining “Group home” is hereby renumbered to Section 10-6.3602.85.

**SECTION 98:** Section 10-6.3602.80 of Article 36, of Chapter 6, of Title 10, defining “Convalescent or care facility” is hereby renumbered to Section 10-6.3602.84.

**SECTION 99:** Section 10-6.3602.79 of Article 36, of Chapter 6, of Title 10, defining “Group care facility” is hereby renumbered to Section 10-6.3602.83.

**SECTION 100:** Section 10-6.3602.78 of Article 36, of Chapter 6, of Title 10, defining “gravel pit” is hereby renumbered to Section 10-6.3602.82.

**SECTION 101:** Section 10-6.3602.77 of Article 36, of Chapter 6, of Title 10, defining “Glare” is hereby renumbered to Section 10-6.3602.81.

**SECTION 102:** Section 10-6.3602.76 of Article 36, of Chapter 6, of Title 10, defining “Garage, private residential” is hereby renumbered to Section 10-6.3602.80.

**SECTION 103:** Section 10-6.3602.75 of Article 36, of Chapter 6, of Title 10, defining “Garage” is hereby renumbered to Section 10-6.3602.79.

**SECTION 104:** Section 10-6.3602.74 of Article 36, of Chapter 6, of Title 10, defining “Frontage” is hereby renumbered to Section 10-6.3602.78.

**SECTION 105:** Section 10-6.3602.73 of Article 36, of Chapter 6, of Title 10, defining “Floodway” is hereby renumbered to Section 10-6.3602.77.

**SECTION 106:** Section 10-6.3602.72 of Article 36, of Chapter 6, of Title 10, defining “Flood plain” is hereby renumbered to Section 10-6.3602.76.

**SECTION 107:** Section 10-6.3602.71 of Article 36, of Chapter 6, of Title 10, defining “Flood insurance rate map” is hereby renumbered to Section 10-6.3602.75.

**SECTION 108:** Section 10-6.3602.70 of Article 36, of Chapter 6, of Title 10, defining “Flood hazard design evaluation” is hereby renumbered to Section 10-6.3602.74.

**SECTION 109:** Section 10-6.3602.69 of Article 36, of Chapter 6, of Title 10, defining “Flood” is hereby renumbered to Section 10-6.3602.73.

**SECTION 110:** Section 10-6.3602.68 of Article 36, of Chapter 6, of Title 10, defining “Fill” is hereby renumbered to Section 10-6.3602.72.

**SECTION 111:** Section 10-6.3602.67 of Article 36, of Chapter 6, of Title 10, defining “Fence” is hereby renumbered to Section 10-6.3602.71.

**SECTION 112:** Section 10-6.3602.66 of Article 36, of Chapter 6, of Title 10, defining “Feed lot, commercial” is hereby renumbered to Section 10-6.3602.70.

**SECTION 113:** Section 10-6.3602.65 of Article 36, of Chapter 6, of Title 10,

defining “Farm stand” is hereby renumbered to Section 10-6.3602.69.

**SECTION 114:** Section 10-6.3602.64 of Article 36, of Chapter 6, of Title 10, defining “Farm labor quarters or housing” is hereby renumbered to Section 10-6.3602.68.

**SECTION 115:** Section 10-6.3602.63 of Article 36, of Chapter 6, of Title 10, defining “Farm” is hereby renumbered to Section 10-6.3602.67.

**SECTION 116:** Section 10-6.3602.62 of Article 36, of Chapter 6, of Title 10, defining “Family” is hereby renumbered to Section 10-6.3602.66.

**SECTION 117:** Section 10-6.3602.61 of Article 36, of Chapter 6, of Title 10, defining “Extended care facility” is hereby renumbered to Section 10-6.3602.65.

**SECTION 118:** Section 10-6.3602.60 of Article 36, of Chapter 6, of Title 10, defining “Existing use” is hereby renumbered to Section 10-6.3602.64.

**SECTION 119:** Section 10-6.3602.59 of Article 36, of Chapter 6, of Title 10, defining “Emergency shelter” is hereby renumbered to Section 10-6.3602.63.

**SECTION 120:** Section 10-6.3602.58 of Article 36, of Chapter 6, of Title 10, defining “Eave” is hereby renumbered to Section 10-6.3602.62.

**SECTION 121:** Section 10-6.3602.57 of Article 36, of Chapter 6, of Title 10, defining “Dwelling units” is hereby renumbered to Section 10-6.3602.61.

**SECTION 122:** Section 10-6.3602.56 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, Two-family (duplex)” is hereby renumbered to Section 10-6.3602.60.

**SECTION 123:** Section 10-6.3602.55 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, triplex” is hereby renumbered to Section 10-6.3602.59.

**SECTION 124:** Section 10-6.3602.54 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, townhouse” is hereby renumbered to Section 10-6.3602.58.

**SECTION 125:** Section 10-6.3602.53 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, single-family” is hereby renumbered to Section 10-6.3602.57.

**SECTION 126:** Section 10-6.3602.52 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, quadruplex” is hereby renumbered to Section 10-6.3602.56.

**SECTION 127:** Section 10-6.3602.51 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, multi-family” is hereby renumbered to Section 10-6.3602.55.

**SECTION 128:** Section 10-6.3602.50 of Article 36, of Chapter 6, of Title 10,

defining “Dwelling, group” is hereby renumbered to Section 10-6.3602.54.

**SECTION 129:** Section 10-6.3602.49 of Article 36, of Chapter 6, of Title 10, defining “Dwelling” is hereby renumbered to Section 10-6.3602.53.

**SECTION 130:** Section 10-6.3602.48 of Article 36, of Chapter 6, of Title 10, defining “Drive-in use” is hereby renumbered to Section 10-6.3602.52.

**SECTION 131:** Section 10-6.3602.47 of Article 36, of Chapter 6, of Title 10, defining “Drainage” is hereby renumbered to Section 10-6.3602.51.

**SECTION 132:** Section 10-6.3602.46 of Article 36, of Chapter 6, of Title 10, defining “Domicile” is hereby renumbered to Section 10-6.3602.50.

**SECTION 133:** Section 10-6.3602.45 of Article 36, of Chapter 6, of Title 10, defining “Developer” is hereby renumbered to Section 10-6.3602.49.

**SECTION 134:** Section 10-6.3602.44 of Article 36, of Chapter 6, of Title 10, defining “Density” is hereby renumbered to Section 10-6.3602.48.

**SECTION 135:** Section 10-6.3602.43 of Article 36, of Chapter 6, of Title 10, defining “Cul-de-sac” is hereby renumbered to Section 10-6.3602.47.

**SECTION 136:** Section 10-6.3602.42 of Article 36, of Chapter 6, of Title 10, defining “Cottage food products” is hereby renumbered to Section 10-6.3602.46.

**SECTION 137:** Section 10-6.3602.41 of Article 36, of Chapter 6, of Title 10, defining “Cottage food operator” is hereby renumbered to Section 10-6.3602.45.

**SECTION 138:** Section 10-6.3602.40 of Article 36, of Chapter 6, of Title 10, defining “Cottage food operation” is hereby renumbered to Section 10-6.3602.44.

**SECTION 139:** Section 10-6.3602.39 of Article 36, of Chapter 6, of Title 10, defining “Cottage food employee” is hereby renumbered to Section 10-6.3602.43.

**SECTION 140:** Section 10-6.3602.38 of Article 36, of Chapter 6, of Title 10, defining “Conditional Use” is hereby renumbered to Section 10-6.3602.42.

**SECTION 141:** Section 10-6.3602.37 of Article 36, of Chapter 6, of Title 10, defining “Community sewer system” is hereby renumbered to Section 10-6.3602.41.

**SECTION 142:** Section 10-6.3602.36 of Article 36, of Chapter 6, of Title 10, defining “Commercial vehicle” is hereby renumbered to Section 10-6.3602.40.

**SECTION 143:** Section 10-6.3602.35 of Article 36, of Chapter 6, of Title 10,



defining “Combining district” is hereby renumbered to Section 10-6.3602.39.

**SECTION 144:** Section 10-6.3602.34 of Article 36, of Chapter 6, of Title 10, defining “Cluster” is hereby renumbered to Section 10-6.3602.38.

**SECTION 145:** Section 10-6.3602.33 of Article 36, of Chapter 6, of Title 10, defining “Club” is hereby renumbered to Section 10-6.3602.37.

**SECTION 146:** Section 10-6.3602.32 of Article 36, of Chapter 6, of Title 10, defining “Campsite” is hereby renumbered to Section 10-6.3602.36.

**SECTION 147:** Section 10-6.3602.31 of Article 36, of Chapter 6, of Title 10, defining “Camping unit” is hereby renumbered to Section 10-6.3602.35.

**SECTION 148:** Section 10-6.3602.30 of Article 36, of Chapter 6, of Title 10, defining “Camping group” is hereby renumbered to Section 10-6.3602.34.

**SECTION 149:** Section 10-6.3602.29 of Article 36, of Chapter 6, of Title 10, defining “Campground” is hereby renumbered to Section 10-6.3602.33.

**SECTION 150:** Section 10-6.3602.28 of Article 36, of Chapter 6, of Title 10, defining “Camper” is hereby renumbered to Section 10-6.3602.32.

**SECTION 151:** Section 10-6.3602.27 of Article 36, of Chapter 6, of Title 10, defining “Business, retail” is hereby renumbered to Section 10-6.3602.31.

**SECTION 152:** Section 10-6.3602.26 of Article 36, of Chapter 6, of Title 10, defining “Business services” is hereby renumbered to Section 10-6.3602.30.

**SECTION 153:** Section 10-6.3602.25 of Article 36, of Chapter 6, of Title 10, defining “Bulk storage” is hereby renumbered to Section 10-6.3602.29.

**SECTION 154:** Section 10-6.3602.24 of Article 36, of Chapter 6, of Title 10, defining “Building, principal” is hereby renumbered to Section 10-6.3602.28.

**SECTION 155:** Section 10-6.3602.23 of Article 36, of Chapter 6, of Title 10, defining “Building height” is hereby renumbered to Section 10-6.3602.27.

**SECTION 156:** Section 10-6.3602.22 of Article 36, of Chapter 6, of Title 10, defining “Building, accessory” is hereby renumbered to Section 10-6.3602.26.

**SECTION 157:** Section 10-6.3602.21 of Article 36, of Chapter 6, of Title 10, defining “Building” is hereby renumbered to Section 10-6.3602.25.

**SECTION 158:** Section 10-6.3602.20 of Article 36, of Chapter 6, of Title 10,

defining “Roominghouse” is hereby renumbered to Section 10-6.3602.24.

**SECTION 159:** Section 10-6.3602.19 of Article 36, of Chapter 6, of Title 10, defining “Boardinghouse” is hereby renumbered to Section 10-6.3602.23.

**SECTION 160:** Section 10-6.3602.18 of Article 36, of Chapter 6, of Title 10, defining “Boarder” is hereby renumbered to Section 10-6.3602.22.

**SECTION 161:** Section 10-6.3602.17 of Article 36, of Chapter 6, of Title 10, defining “Block” is hereby renumbered to Section 10-6.3602.21.

**SECTION 162:** Section 10-6.3602.16 of Article 36, of Chapter 6, of Title 10, defining “Bar” is hereby renumbered to Section 10-6.3602.20.

**SECTION 163:** Section 10-6.3602.15 of Article 36, of Chapter 6, of Title 10, defining “Automotive repair services and garages” is hereby renumbered to Section 10-6.3602.19.

**SECTION 164:** Section 10-6.3602.14 of Article 36, of Chapter 6, of Title 10, defining “Automobile service station” is hereby renumbered to Section 10-6.3602.18.

**SECTION 165:** Section 10-6.3602.13 of Article 36, of Chapter 6, of Title 10, defining “Automobile sales” is hereby renumbered to Section 10-6.3602.17.

**SECTION 166:** Section 10-6.3602.12 of Article 36, of Chapter 6, of Title 10, defining “Apartment unit” is hereby renumbered to Section 10-6.3602.16.

**SECTION 167:** Section 10-6.3602.11 of Article 36, of Chapter 6, of Title 10, defining “Apartment house” is hereby renumbered to Section 10-6.3602.15.

**SECTION 168:** Section 10-6.3602.10 of Article 36, of Chapter 6, of Title 10, defining “Animal hospital” is hereby renumbered to Section 10-6.3602.14.

**SECTION 169:** Section 10-6.3602.9 of Article 36, of Chapter 6, of Title 10, defining “Alley” is hereby renumbered to Section 10-6.3602.13.

**SECTION 170:** Section 10-6.3602.8 of Article 36, of Chapter 6, of Title 10, defining “Airport” is hereby renumbered to Section 10-6.3602.12.

**SECTION 171:** Section 10-6.3602.11 of Article 36, of Chapter 6, of Title 10, defining “Agritourism Property” is hereby added as follows:

Agritourism Property.

“Agritourism Property” means one or more contiguous parcels that are under

common ownership or lease and upon which an Agritourism activity operated by the owner or lessee occurs and which produces agricultural products as a primary use.

**SECTION 172:** Section 10-6.3602.10 of Article 36, of Chapter 6, of Title 10, defining “Agritourism Farmstay” is hereby added as follows:

Agricultural Farmstay.

“Agricultural Farmstay” shall have the same meaning as set forth in Health and Safety Code section 113893 as amended from time to time. The Agricultural Farmstay owner shall maintain a Transient Occupancy Tax registration certificate and remain current on all required reports and payments.

**SECTION 173:** Section 10-6.3602.09 of Article 36, of Chapter 6, of Title 10, defining “Agritourism Camping” is hereby added as follows:

Agritourism Camping.

“Agritourism Camping” means transient overnight occupancy in a detached temporary tent unit or similar temporary structure on a working farm or ranch to facilitate engagement in Agritourism.

**SECTION 174:** Section 10-6.3602.08 of Article 36, of Chapter 6, of Title 10, defining “Agritourism; Level I and Level II” is hereby added as follows:

Agritourism; Level I and Level II.

- A. "Agritourism" is an event or activity that brings visitors to a working farm or ranch as a guest for the purpose of enjoyment, education or other active participation in the activities of the farm. A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more. Agritourism shall not include concerts or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch.
- B. “Level I Agritourism” is Agritourism on Agritourism Property ten (10) acres or larger that is limited to (i) twenty single-day Agritourism events per year with no more than thirty (30) guests per event; and (ii) three single-day Agritourism events per year involving guests in excess of thirty (30), but no more than one hundred fifty (150) guests per event. Examples of such single-day events include farm tours, field days, ranch or farm sponsored hospitality dinners, educational classes and/or activities, school tours, farm-focused corporate events and similar activities that relate to the promotion of the primary use as a working farm or ranch.

C. "Level II Agritourism" is Agritourism on Agritourism Property ten (10) acres or larger that is in compliance with the Siskiyou County Agricultural Tourism Performance Standards and involves any of the following:

1. Single-day Agritourism events in excess of Level I Agritourism frequency limits or guest number limits, up to a maximum of twice the limits set forth in Level I Agritourism, and as more specifically limited in an Administrative Permit;
2. On-site fruit and vegetable picking and associated sales, often referred to as "U-Pick" operations;
3. Onsite sales of Unique Agricultural Products or merchandise related to the working farm or ranch;
4. Farmstays;
5. Agritourism Camping.

**SECTION 175:** Section 10-6.4802, of Article 48, of Chapter 6, of Title 10, entitled "Uses permitted" is hereby amended to add a subsection (l) to permit the use of Level 1 Agritourism and that reads as follows:

Uses permitted.

The following uses shall be permitted in the R-R District:

- (a) One single-family dwelling;
- (b) Small acreage farming, except commercial dairies, commercial kennels, commercial rabbit, fox, goat, horse, and hog farms, commercial chicken or poultry ranches, riding stables, rodeos, or commercial horse rentals;
- (c) Accessory uses and buildings normally incidental to single-family dwellings or small farming;
- (d) Crop and tree farming;
- (e) One mobile home per building site in lieu of a single-family dwelling;
- (f) One guesthouse;
- (g) Greenhouses;
- (h) One residential storage building, subject to the regulations as set forth in Section 10-6.1516 of the General Provisions;
- (i) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code;
- (j) Amateur radio antennas. When used for private, noncommercial purposes, amateur radio antennas may be permitted in the R-R District. Height limitations

may be exceeded by adding one foot yard setback for every foot of height in excess of those permitted by the zoning ordinance; and

- (k) Group care facilities for six (6) or fewer individuals.
- (l) Level I Agritourism.

**SECTION 176:** Section 10-6.4802.5, of Chapter 6, of Title 10, entitled “Administrative permit uses permitted.” is hereby amended to read as follows:

Administrative permit uses permitted.

- (a) Subject to obtaining an Administrative Use Permit from the Planning Director, the following uses shall be permitted in the R-R District:
  - (1) Level II Agritourism.
- (b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards.
  - (1) Applicant is actively engaged in the production of Unique Agricultural Products and the majority of inputs for the Unique Agricultural Products is raised or grown on the proposed Agritourism Property.
  - (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires permanent structural improvements to facilitate the use then the improvements shall occupy no more than ten percent of the proposed Agritourism Property’s total acreage or five acres, whichever is the lesser.
  - (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.
  - (4) When proposed Agritourism activities will take place within one thousand feet of a residence on neighboring property, outdoor Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.

- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
- (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
- (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
- (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.
- (9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per one hundred (100) visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.
- (10) Standard provisions will be included in the administrative permit to address noise, soil disturbance, biological resources, and cultural resources.
- (11) A Farmstay use or activity shall meet all of the following additional requirements:
  - (i) The Farmstay operation shall be located on Property containing an existing dwelling occupied by the owner or operator.
  - (ii) The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
  - (ii) The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.

(12) An Agritourism Camping use or activity shall meet all of the following additional requirements:

- (i) The Agritourism Camping operation shall be limited to no more than twenty-five guests.
  - (ii) The Agritourism Camping owner or lessee operator shall secure a transient occupancy registration certificate in compliance with Siskiyou County Code and comply therewith.
  - (iii) The Agritourism Camping operation shall provide evidence of compliance with the California Department of Housing and Community Development's regulations and permit requirements for its camping area.
- (c) The Planning Director's actions on Administrative Use Permits shall be subject to the same appeal and revocation procedures as use permits generally, as set forth in Section 10-6.1402 through 10-6.1405 of this Code.

**SECTION 177:** Section 10-6.4803, of Chapter 6, of Title 10, entitled "Conditional uses permitted" is hereby amended to add a subsection (h) to read as follows:

Conditional uses permitted.

Subject to obtaining a use permit, the following uses shall be permitted in the R-R District:

- (a) Churches, schools, parks, playgrounds, and public utility and public buildings and uses;
- (b) Within a building the following commercial agricultural uses: raising of fur-bearing animals and poultry;
- (c) Home occupations;
- (d) Heavy equipment and vehicle parking, subject to the following limitations:
  - (1) The equipment is resident-owned and operated,
  - (2) Equipment does not include materials, parts, or supplies not incidental to the equipment,
  - (3) The equipment storage area is limited to twenty-five (25%) percent of the ownership, or one-quarter acre, whichever is less,
  - (4) Access shall be sufficient to carry the equipment without sustaining undue damage. Permits issued under this section may require that only unloaded equipment be parked,

- (5) Aesthetic screening shall be provided acceptable to the Planning Commission, enclosing the proposed equipment area as needed,
- (6) All health and safety approvals must be received;
- (e) The Planning Director is hereby authorized to waive Planning Department filing fees for uses allowed in subsection (d) of this section in the following situations:
  - (1) The continuous use existed prior to February 27, 1986 (effective date of the County's revised zoning ordinance),
  - (2) The continuous use was established while the property was zoned A-1 Unclassified;
- (f) Family day care facilities; and
- (g) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code.
- (h) Agritourism activities that exceed the guest, occupancy, or Average Daily Trips limits defined as Level II Agritourism.

**SECTION 178:** Section 10-6.4902, of Chapter 6, of Title 10, entitled “Uses Permitted” is hereby amended to add a subsection (h) to read as follows:

The following uses shall be permitted in the AG-2 District:

- (a) Farm labor housing;
- (b) Single-family dwellings or mobile homes in lieu thereof, incidental and necessary for agricultural pursuits;
- (c) Accessory uses incidental to agriculture;
- (d) Agricultural uses, including, but not limited to tree, vine, row, and field crops, growing and harvesting of trees, and livestock farming and animal husbandry, but not including dairies, commercial feed lots, or commercial poultry, and hog raising operations;
- (e) Wholesale nurseries with retail sales incidental thereto, greenhouses, fish farms, frog farms, and roadside stands for sales of agricultural products from the premises;
- (f) One guest house; and
- (g) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code.
- (h) Level 1 Agritourism.

**SECTION 179:** Section 10-6.4902.5, of Chapter 6, of Title 10, entitled “Administrative permit uses permitted” is hereby added to read as follows:

Administrative permit uses permitted.



(a) Subject to obtaining an Administrative Use Permit from the Planning Director, the following uses shall be permitted in the AG-2 District:

(1) Level II Agritourism.

(b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards.

(1) Applicant is actively engaged in the production of Unique Agricultural Products and the majority of inputs for the Unique Agricultural Products is raised or grown on the proposed Agritourism Property.

(2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires permanent structural improvements to facilitate the use then the improvements shall occupy no more than ten percent of the proposed Agritourism Property's total acreage or five acres, whichever is the less.

(3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.

(4) When proposed Agritourism activities will take place within one thousand feet of a residence on neighboring property, outdoor Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.

(5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.

(6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.

(7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.

- (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.
- (9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per one hundred (100) visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.
- (10) A Farmstay use or activity shall meet all of the following additional requirements:
- (i) The Farmstay operation shall be located on Property containing an existing dwelling occupied by the owner or operator.
  - (ii) The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
  - (iii) The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.
- (11) An Agritourism Camping use or activity shall meet all of the following additional requirements:
- (i) The Agritourism Camping operation shall be limited to no more than twenty-five guests.
  - (ii) The Agritourism Camping owner or lessee operator shall secure a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
  - (iii) The Agritourism Camping operation shall provide evidence of compliance with the California Department of Housing and Community Development's regulations and permit requirements for its camping area.

- (c) The Planning Director's actions on Administrative Use Permits shall be subject to the same appeal and revocation procedures as use permits generally, as set forth in Section 10-6.1402 through 10-6.1405 of this Code.

**SECTION 180:** Section 10-6.4903, of Chapter 6, of Title 10, entitled "Conditional uses permitted" is hereby amended to add a subsection (k) to read as follows:

Subject to obtaining a use permit, the following uses shall be permitted in the AG-2 District:

- (a) Churches, schools, parks, playgrounds, and public utility and public and quasi-public buildings and uses to the extent such are necessary to serve the AG-2 District;
- (b) Private airports and landing fields;
- (c) Dairies, commercial poultry operations, commercial feed lots, and hog farms;
- (d) Golf courses;
- (e) Kennels and animal hospitals;
- (f) Guest ranches and public stables;
- (g) Agricultural enterprises, including, but not limited to agricultural sheds and warehouses; processing, storage, or sale of agricultural products and supplies; and the repair, storage, maintenance, and servicing of agricultural supplies and equipment;
- (h) Home occupations;
- (i) In addition to the uses listed above, the uses listed in Article 15, General Provisions, may also be permitted, subject to the issuance of a use permit; and
- (j) Continued operation of the Yreka Landfill, and any expansion or modification of municipal solid waste activities at the Yreka Landfill.
- (k) Agritourism activities that exceed the guest, occupancy, or Average Daily Trips limits defined as Level II Agritourism.

**SECTION 181:** Section 10-6.5002, of Chapter 6, of Title 10, entitled "Uses Permitted" is hereby amended to add a subsection (g) to read as follows:

Uses permitted.

The following uses shall be permitted in the AG1 District:

- (a) Single-family dwellings or mobile homes in lieu thereof, incidental and necessary for caretaker or agricultural pursuits;
- (b) Accessory uses incidental to agriculture;

- (c) Agricultural uses, including, but not limited to tree, vine, row, field crops, growing and harvesting of trees, livestock farming, and animal husbandry, but not including dairies, commercial feed lots, or commercial poultry or hog raising operations;
- (d) Farm labor housing;
- (e) Wholesale nurseries with retail sales incidental thereto, greenhouses, fish farms, frog farms, and roadside stands for seasonal sales of agricultural products from the premises; and
- (f) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code.
- (g) Level I Agritourism.

**SECTION 182:** Section 10-6.5002.5, of Chapter 6, of Title 10, entitled “Administrative permit uses permitted” is hereby added to read as follows:

Administrative permit uses permitted.

- (a) Subject to obtaining an Administrative Use Permit from the Planning Director, the following uses shall be permitted in the AG-2 District:
  - (1) Level II Agritourism.
- (b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards.
  - (1) Applicant is actively engaged in the production of Unique Agricultural Products and the majority of inputs for the Unique Agricultural Products is raised or grown on the proposed Agritourism Property.
  - (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires permanent structural improvements to facilitate the use then the improvements shall occupy no more than ten percent of the proposed Agritourism Property’s total acreage or five acres, whichever is the less.
  - (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school

buses. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.

- (4) When proposed Agritourism activities will take place within one thousand feet of a residence on neighboring property, outdoor Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.
- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
- (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
- (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
- (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.
- (9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per one hundred (100) visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.
- (10) A Farmstay use or activity shall meet all of the following additional requirements:
  - (i) The Farmstay operation shall be located on Property containing an existing dwelling occupied by the owner or operator.

- (ii) The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
  - (ii) The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.
- (11) An Agritourism Camping use or activity shall meet all of the following additional requirements:
- (i) The Agritourism Camping operation shall be limited to no more than twenty-five guests.
  - (ii) The Agritourism Camping owner or lessee operator shall secure a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
  - (iii) The Agritourism Camping operation shall provide evidence of compliance with the California Department of Housing and Community Development's regulations and permit requirements for its camping area.

(c) The Planning Director's actions on Administrative Use Permits shall be subject to the same appeal and revocation procedures as use permits generally, as set forth in Section 10-6.1402 through 10-6.1405 of this Code.

**SECTION 183:** Section 10-6.5003, of Chapter 6, of Title 10, entitled "Conditional uses permitted" is hereby amended to add a subsection (g) to read as follows:

Conditional uses permitted.

Subject to obtaining a use permit, the following uses shall be permitted in the AG-1 District:

- (a) Private airports and landing fields;
- (b) Dairies, commercial poultry operations, feed lots, and hog farms;
- (c) Public utility buildings;
- (d) Home occupations;
- (e) In addition to the uses listed above, the uses listed in Article 15, General Provisions, may also be permitted, subject to the issuance of a use permit; and

- (f) Continued operation of the Yreka Landfill, and any expansion or modification of municipal solid waste activities at the Yreka Landfill.
- (g) Agritourism activities that exceed the guest, occupancy, or Average Daily Trips limits defined as Level II Agritourism.

**SECTION 184:** Article 16, of Chapter 6, of Title 10, entitled “Application Fees” is hereby amended at subsection (d) of the application fee chart to add the clarifying words “Administrative Permits” to read as follows:

|     |   |  |          |          |          |          |  |
|-----|---|--|----------|----------|----------|----------|--|
| (d) | Use Permits / Administrative Permits          |  |          |          |          |          |  |
|     | Home Occupation Permit,<br>Telephone Use Only |  | \$-      | \$-      | \$-      | \$-      |  |
|     | Home Occupation Permit,<br>Non-Exempt         |  | \$250.00 | \$250.00 | \$250.00 | \$250.00 |  |
|     | Ministerially Second Unit                     |  | \$100.00 | \$100.00 | \$100.00 | \$100.00 |  |
|     | Staff Approved                                |  | \$300    | \$300    | \$375.00 | \$525.00 |  |
|     | Planning Commission<br>Approved               |  | \$950.00 | \$950.00 | \$950.00 | \$950.00 |  |

**SECTION 185:** Constitutionality: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

**SECTION 183:** Section 10-6.5003, of Chapter 6, of Title 10, entitled “Conditional uses permitted” is hereby amended to add a subsection (g) to read as follows:

Conditional uses permitted.

Subject to obtaining a use permit, the following uses shall be permitted in the AG-1 District:

- (a) Private airports and landing fells;
- (b) Dairies, commercial poultry operations, feed lots, and hog farms;
- (c) Public utility buildings;
- (d) Home occupations;
- (e) In addition to the uses listed above, the uses listed in Article 15, General Provisions, may also be permitted, subject to the issuance of a use permit; and
- (f) Continued operation of the Yreka Landfill, and any expansion or modification of municipal solid waste activities at the Yreka Landfill.
- (g) Agritourism activities that exceed the guest, occupancy, or Average Daily Trips limits defined as Level II Agritourism.

**SECTION 184:** Article 16, of Chapter 6, of Title 10, entitled “Application Fees” is hereby amended at subsection (d) of the application fee chart to add the clarifying words “Administrative Permits” to read as follows:

|     |  |  |          |          |          |          |  |
|-----|--|--|----------|----------|----------|----------|--|
| (d) | Use Permits / Administrative Permits       |  |          |          |          |          |  |
|     | Home Occupation Permit, Telephone Use Only |  | \$-      | \$-      | \$-      | \$-      |  |
|     | Home Occupation Permit, Non-Exempt         |  | \$250.00 | \$250.00 | \$250.00 | \$250.00 |  |
|     | Ministerially Second Unit                  |  | \$100.00 | \$100.00 | \$100.00 | \$100.00 |  |
|     | Staff Approved                             |  | \$300    | \$300    | \$375.00 | \$525.00 |  |
|     | Planning Commission                        |  | \$950.00 | \$950.00 | \$950.00 | \$950.00 |  |



|          |  |  |  |  |  |  |  |
|----------|--|--|--|--|--|--|--|
| Approved |  |  |  |  |  |  |  |
|----------|--|--|--|--|--|--|--|

**SECTION 185:** Constitutionality: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

**SECTION 186:** This ordinance shall become effective 30 days after its passage and shall, within 15 days of adoption, be published once in a newspaper of general circulation, printed and published in the County of Siskiyou.

PASSED AND ADOPTED this \_\_\_\_ day of April, 2019 at a regular meeting of the Board of Supervisors by the following vote:

AYES:  
 NOES:  
 ABSENT:  
 ABSTAIN:

\_\_\_\_\_  
 Brandon A. Criss, Chairman  
 Board of Supervisors

ATTEST:  
 LAURA BYNUM, CLERK,  
 Board of Supervisors

By \_\_\_\_\_  
 Deputy

**RULES FOR THE  
ESTABLISHMENT AND ADMINISTRATION OF  
AGRICULTURAL PRESERVES AND  
WILLIAMSON ACT CONTRACTS**



**VERSION OF OCTOBER 2011**

**As adopted on  
FEBRUARY 7, 2012**

**RULES FOR THE ESTABLISHMENT AND ADMINISTRATION OF  
AGRICULTURAL PRESERVES AND WILLIAMSON ACT CONTRACTS**

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## **I. Background**

In 1965, the California Legislature passed the Land Conservation Act, better known as the Williamson Act, to preserve agricultural lands by discouraging premature conversion to urban uses. Over 16 million of the state's 30 million acres of farm and ranch land are currently protected under the Williamson Act.

Fundamentally, the Williamson Act is a State policy administered by local government. Local governments are not mandated to participate in this program, but those that do have some latitude to tailor the program to suit local goals and objectives. That latitude includes being more restrictive in contract terms than what is required by the Williamson Act. Consequently, the Williamson Act programs found across the state often have subtle differences, reflecting the diversity among participating local governments.

The Williamson Act creates an arrangement whereby private landowners voluntarily restrict land to agricultural and compatible uses. Landowners forego the possibility of converting their property into non-agricultural uses during the term of the contracts, in return for lower property taxes. The local government and state forego a portion of their property tax revenue in return for the planning advantages and values implicit in retaining land in commercial agricultural use.

Land restricted by Williamson Act contracts must be used primarily for the commercial production of agricultural commodities. Any other uses or development must be compatible with and ancillary to commercial agricultural use. State law presumes that parcels of agricultural land are large enough to sustain their agricultural use if the land is at least 10 acres in size in the case of prime agricultural land, or at least 40 acres in size in the case of land that is not prime agricultural land.

The vehicle for these agreements is a rolling term 10-year contract. Unless either party files a "Notice of Nonrenewal", the contract is automatically renewed annually for an additional year. A Williamson Act contract runs with the land and obligates the property owner, and any successors of interest, to the contract's enforceable restrictions. Only land located within a County-designated agricultural preserve is eligible for a Williamson Act contract.

The California Department of Conservation is responsible for statewide administration and oversight of the Williamson Act. The Department supports local governments and landowners in the form of technical and implementation assistance, interpretation of the Williamson Act, research of issues and policies, review and comment on proposed contract cancellations, and contract enforcement.

## **II. Role of the Agricultural Preserve Advisory Board (APAB)**

In Siskiyou County, the Agricultural Preserve Advisory Board (APAB) was created by, and is advisory to, the Board of Supervisors. The Committee is responsible for reviewing and providing recommendations on the County's Agricultural Preserve Program and these Rules. Its duties include reviewing applications and making recommendations for

creating new agricultural preserves, entering new contracts, making revisions to existing preserves or contracts, terminating contracts and disestablishing preserves. When an application for a permit (or other County entitlement) involves land in a Williamson Act contract, the County's Planning Director (in consultation with the County's Agricultural Commissioner or County Counsel if deemed necessary) shall have the responsibility to review the application to determine its consistency with these Rules. In this capacity, the Planning Director may refer issues to the APAB for review and input in determining the compatibility of land uses under the provisions of these Rules and the Williamson Act. From time to time, the APAB may make recommendations on revising the Rules to ensure their continuing consistency with the Williamson Act and suitability to Siskiyou County. The APAB is a committee subject to the Ralph M. Brown Act and the public is welcome to attend meetings and provide input and comments on proposed recommendations or issues being discussed.

### **III. Agricultural Preserves and Williamson Act Contracts**

As a participating county, the Williamson Act mandates that areas of the County be designated as agricultural preserves for application of the program. Land within the preserves that meets the eligibility requirements may enroll in the Agricultural Preserve Program through a Williamson Act contract with the County. It has been the County's practice to establish the preserves simultaneously with enrollment in a contract, resulting in identical boundaries between the preserves and the contracts. (This past practice does not preclude the County from establishing an agricultural preserve in advance of a Williamson Act contract.) Thus, land anywhere within the County that meets the zoning, size, use and other requirements set forth in these Rules may be eligible to participate in the program.

#### **A. Application for Agricultural Preserve and Williamson Act Contract**

To establish, alter the boundaries of, or disestablish an agricultural preserve, or to approve a new Williamson Act Contract, an application executed by all persons having legal and equitable interests shall be submitted to the County Planning Department, on a form prescribed by that department with any applicable fees as established by the Siskiyou County Code. The application shall be submitted to the Department before July 1<sup>st</sup> of the calendar year for the contract to become effective January 1<sup>st</sup> of the succeeding year. The application shall include, but is not limited to, the following:

1. A copy of a recorded map or assessor's parcel map showing the subject parcel as a single parcel or parcels when such parcels are under the same ownership.
2. A legal description and the names and addresses of all owners of legal or equitable interest in the property.
3. A Preliminary Title Report dated less than 6 months from the time of application submittal.
4. A detailed description of the agricultural production use.

**B. Minimum Preserve Size**

1. An agricultural preserve shall consist of no less than 100 acres, provided that in order to meet this requirement, two or more parcels may be combined if they are contiguous or if they are in owned in common.
2. An agricultural preserve of less than 100 acres may be established if the Board of Supervisors of the County finds that smaller preserves are necessary due to the unique characteristics of the agricultural enterprises in the area and that the establishment of preserves of less than 100 acres is consistent with the Siskiyou County General Plan.
3. Agricultural land in an agricultural preserve must contain at least 40 acres of Class I or Class II equivalent soils (See Table A) in order to qualify as a preserve. However, no preserve may be created or contract offered for land consisting solely of soils classified as Class VI or VII, unless such land is a necessary part of a legitimate agricultural enterprise and a finding is made by the Board of Supervisors of the County that such land is a necessary part of a legitimate agricultural enterprise.

| <b>SOIL CLASS EQUIVALENT</b> |                   |                   |
|------------------------------|-------------------|-------------------|
| Soil Classification          | Class Equivalent  |                   |
|                              | Irrigated         | Dryland           |
| I                            | 1 Acre = 1 Acre   | 1 Acre = 1 Acre   |
| II                           | 1 Acre = 1 Acre   | 1 Acre = 1 Acre   |
| III                          | 1 Acre = 1 Acre   | 2 Acres = 1 Acre  |
| IV                           | 2 Acres = 1 Acre  | 4 Acres = 1 Acre  |
| V                            | 3 Acres = 1 Acre  | 6 Acres = 1 Acre  |
| VI                           | 3 Acres = 1 Acre  | 6 Acres = 1 Acre  |
| VII                          | 10 Acres = 1 Acre | 10 Acres = 1 Acre |

**Table A** – Soil Class Equivalent Chart

4. Notwithstanding any other provision herein, for purposes of establishing fruit, vine and nut agricultural preserves the 100-acre minimum preserve size shall not apply and the Board of Supervisors may create an agricultural preserve of 10+ acres for the following purposes and under the following conditions:
  - a. The agricultural pursuit is limited to the growing of fruits, nuts and vines.
  - b. The use has been established, consistent with sound agricultural practices, on the land prior to application for inclusion in the agricultural preserve.
  - c. At least 80% of the parcel is dedicated exclusively to the proposed use.
  - d. No individual parcel s less than 10 acres.

### **C. Zoning Criteria**

All parcels that are part of a Williamson Act contract shall be restricted by zoning of the subject parcel to an agricultural use. Acceptable zoning designations include Prime Agricultural (AG1), Non-Prime Agricultural (AG2) and Rural Residential Agricultural (RR). In the event the subject parcel is not zoned for agricultural uses, a completed zone change application must be approved prior to recordation of the contract. Once the Williamson Act contract is recorded, no zone change applications for a change in the agricultural use zoning shall be processed for contracted parcels, unless a Notice of Non-Renewal has been filed and there are two or less years remaining in the contract.

### **D. Minimum Parcel Size**

Lands in agricultural use shall be presumed to be in parcels large enough to sustain their commercial agricultural use if the contracted land within a qualifying preserve is at least 40 acres in size. Parcels that contain an established intensive agricultural use such as the growing of fruits, nuts and vines, where at least 80% of the parcel is dedicated exclusively to the proposed use shall consist of at least 10 acres in size.

### **E. Land Use Criteria**

Only those parcels which the primary agricultural use is a legitimate agricultural enterprise, consistent with the compatible use standards in Section IV-A of these Rules are eligible for inclusion within the Agricultural Preserve.

### **F. Terms of Contracts**

Under the Act, contracts are automatically renewed each year on January 1<sup>st</sup> following the first year of a 10-year Williamson Act contract, unless the owner or County serves a notice of nonrenewal or the contract is terminated as may be provided for by the Act and these Rules. When the County or a landowner serves a notice of nonrenewal upon the other party sufficiently prior to the renewal date (i.e. 90 days if served by the landowner, 60 days if served by the County), the contracted land must continue to meet County eligibility and compatible use requirements throughout the remaining duration of the 10-year contract. The contract shall be binding upon, and become beneficial to all successors in interest of the property owner in accordance with Section 52243 of the Government Code.

## **IV. Agricultural Production and Compatible Uses within Agricultural Preserves**

Land enrolled in the Agricultural Preserve Program is to be used principally for commercial agricultural production. However, it may be appropriate to allow secondary uses on contracted land that is either incidental to, or supportive of, the agricultural operation on the property. This Rule provides guidance and criteria for evaluating these uses on land under the Williamson Act contracts in terms of their compatibility and consistency with the purpose and intent of the Williamson Act. It is the goal of this County that, through application of the principles of compatibility in the Act, compatible

uses allowed on contracted land will be beneficial to and inherently related to the agricultural use of the land.

It should be noted that some uses that are allowed by zoning are not allowed on contracted land because they would not be considered compatible with the Williamson Act. At the same time, there are uses that would be deemed compatible under the Williamson Act but would not be allowed under County zoning ordinances. Therefore, for a use to be allowed on contracted land, it must be both permitted by County zoning and found to be compatible under the Act and these Rules. Compatibility is evaluated by the Planning Director on a case by case basis. Uses deemed compatible through application of this Rule are still subject to all applicable standards and requirements in County zoning ordinances (such as a Use Permit) as well as the County's General Plan, as applicable.

Agricultural production and compatible uses shall be defined as follows:

**A. Agricultural Production Uses**

The following land uses, and those uses which in the opinion of the Planning Director, subject to ratification by the Board of Supervisors, are substantially similar in nature thereto, shall be deemed agricultural production uses and thus allowed within an agriculture preserve on Williamson Act contracted lands (uses involving plants that have been defined as illegal by the Federal and/or State government are expressly prohibited as being an allowed use. This limitation confirms existing policy and practice):

1. Rangeland and pasture for livestock production and forage.
2. Intensive farming, including but not limited to the growing and harvesting of vegetables, field crops, fruit and nut crops, bush and berry crops, vineyards, hay crops, and nursery, cut flower, and other ornamental crops.
3. Livestock and animal production for food and/or fiber.
4. Operation of dairies and feed lots.
5. Keeping of honey bees.
6. Growing of plant products for producing biofuels.
7. Commercial breeding and training of horses, including training for racing as well as stock horses. A finding must be made, based upon evidence, that the primary function of the operation is commercial horse breeding or training for sale and this is the source of revenue or income to the cover the cost(s) of the operation.
8. Fiber for basket-making and related commercial purposes.
9. Accessory uses which support commercial agricultural operations including curing, processing, packaging, packing, and shipping of agricultural products.
10. Accessory structures appurtenant and necessary to the commercial agricultural operation, including dwellings located on the land and occupied by persons directly engaged in the commercial agricultural operation (including lessors and lessees).
11. The growing of timber with the purpose of harvesting timber, the harvesting of timber, and necessary processing facilities.



## **B. Compatible Uses**

The following land uses, and those uses which in the opinion of the Planning Director, subject to ratification by the Board of Supervisors, are be substantially similar in nature thereto, shall be deemed compatible with agricultural production uses and thus allowed within agricultural preserves, provided that these land uses are not the principal use, do not displace the agricultural production use, and occur while there is an agricultural production use occurring within the agricultural preserve as described above. Income derived from compatible uses will be capitalized for land valuation purposes. Compatible structures and/or improvements will be taxed at normal rates without any property tax benefits.

1. Growing and harvesting of timber, but not including any processing facilities.
2. Farm employee housing which is incidental to a commercial agricultural use.
3. Roadside stands for the sale of agricultural produce.
4. The installation, construction, alteration, or maintenance of gas, water, sewer, and electrical utilities that serves the agricultural production or compatible use.
5. Power generation (including solar and wind) or communication facilities and their incidental appurtenances.
6. Offices, processing, packaging, shipping, training and vending facilities that are related to agricultural production operations.
7. Passive recreation that does not displace existing or future agricultural production use and does not include permanent structures.
8. Private airstrips and heliports if used as a part of an agricultural production use.
9. Production of game animals and fish with the specific intent for commercial harvest.
10. Mining if conducted in accordance with all requirements of county ordinance, state and federal law, including the Surface Mining and Reclamation Act of 1975. Reclamation shall be to agricultural production and compatible uses pursuant to Government Code 51238.2. A finding shall be made that the proposal is of limited extent and duration, so as to meet compatibility principles of state law.
11. Horses raised or maintained primarily for ranching work
12. Agritourism activities including buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, "u-pick" sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural uses.
13. Home occupation enterprises conducted entirely within existing conventional single-family residential structures as determined by the Planning Director, and operated by permanent residents. Home enterprises on contracted lands shall not create any significant traffic impacts that affect contracted parcels.

### **C. Residential Uses**

Any residential structure on contracted land must be occupied by persons directly engaged in the commercial agricultural operation. Landowners who lease their land for commercial agricultural uses may reside on a permanent or temporary basis on contracted land to monitor the lease arrangement and provisions pursuant to this restriction.

No new residential dwelling permits may be issued to a contracted parcel, unless the parcel is in full compliance with state law, these Rules, other County policies or the terms in the Williamson Act contract. Any proposed residential development which creates more than one residence per contract is subject to review by the Planning Director to ensure compliance with these Rules and the density provisions of the applicable zoning and general plan land use designation.

### **D. Conservation Programs**

Conservation programs can vary from permanent deed restrictions to temporary participation for a stated term or period of time. A conservation easement is an encumbrance that typically includes a transfer of usage rights (easement) between a landowner and a government agency or a qualified land protection organization (often called a "land trust"). Conservation programs in the County can include but are not limited to the United States Department Agriculture's Conservation Reserve Program, and programs of the Siskiyou Land Trust, the Siskiyou Land Conservancy, the Nature Conservancy, and the like. The primary purpose of a conservation easement is to protect land from certain forms of development or use. The landowner who gives up these "development or use rights" continues to privately own and manage the land and may receive tax advantages or other income.

Depending on the terms of the conservation program, the program may or may not be consistent with the property owner's contractual obligations under their Williamson Act Contract. The provisions herein are the applicable rules for conservation programs, including conservation easements under the County's Williamson Act Program. Any income received from program payments will be treated as farm income just as any other farm income and capitalized to determine property tax values.

1. A landowner may enter into a conservation program on contracted land and still qualify under these rules provided that the conservation program does not require the landowner to change or stop the contracted agricultural production use occurring on the property.
2. A landowner may enter into a conservation program that restricts the agricultural production use on a minor portion of contracted land provided that the conservation program does not change or alter the contracted agricultural production use of the property and that the conservation program supports the contracted agricultural production use of the property by reducing soil erosion, enhancing water supply, improving groundwater recharge, creating windbreaks and the like.

3. A conservation program that requires the contracted agricultural use to be temporarily changed or temporarily stopped shall not qualify as an allowed use under these rules unless approved by the Planning Director under the Use Determination rules herein.
4. A conservation program that requires the contracted agricultural use to be permanently changed shall not qualify as an allowed use under these rules unless approved by the Planning Director under the Change in Use rules herein.
5. A conservation program that requires agricultural production use to stop shall not qualify as an allowed use under these rules.

**E. Change in Use**

While under contract, the primary agricultural use of the property shall be consistent with the agricultural use originally approved for entry into the Williamson Act program. In the event that the primary agricultural use has significantly changed or is proposed to be significantly changed, in the opinion of the Planning Director, the proposed change shall be processed as a Williamson Act contract rescission and simultaneous reentry pursuant to State Law. Implementing a crop rotation program or leaving the ground temporarily fallow for a season shall not be considered a change in use. A significant change in use would occur if the general nature of the primary agricultural commodity were to be changed. For example, if a Williamson Act contract was approved to raise cattle and this use was to be changed to raising crops or visa versa, this would be considered a significant change in use. The contract rescission/reentry application shall follow the approval process for new contracts detailed herein.

In the event that the change in primary agricultural use is not approved and the land owner does not or can not resume the originally approved primary agricultural use, the Planning Director shall proceed with the County initiated non-renewal process specified under these rules.

**F. Use Determinations.**

In the event that ambiguity exists concerning a proposed use and its compatibility with a Williamson Act contract or these Rules or a contract holder wishes to enter into a conservation program that requires the contracted agricultural use to be temporarily changed or temporarily stopped, a request for a formal written determination shall be made to the Planning Director on whether a proposed use, development, or conservation program is compatible with the contract for the property, the Williamson Act, the applicable Zoning requirements, or these Rules. The Planning Director may consult with the County Counsel's Office, the Agricultural Commissioner's Office, or the Agricultural Preserve Advisory Board prior to making the requested determination.

Once a determination has been made, it shall be in writing. Should the Director determine that the use is not consistent with the contract for the property, the Williamson Act, the applicable Zoning requirements, or these Rules, this decision may be appealed to the Board of Supervisors pursuant to the County Code requirements.

If the Director determines that the use is consistent with the contract for the property, the Williamson Act, the applicable Zoning requirements, and these Rules, the Director shall forward a copy of the determination to the Board of Supervisors for its information. Should the Board wish to review any such determination, the Board shall notify the Planning Director of this decision the later of ten (10) days or at its next regularly scheduled meeting.

## **V. Enforcement and Monitoring**

Williamson Act contracts are binding agreements between landowners and the County that assume that the terms of the contract continue to be met in exchange for the restricted property tax assessments. As such, landowners must remain in compliance during the entire life of the contract, even after nonrenewal has been initiated. If, at any time, the Planning Director finds that the terms of a contract, including the requirements set forth in these Rules, are no longer being met, the County shall give the landowner sixty (60) days to remedy the contract violation. If the violation persists at the end of this period, the issue shall be brought before the Board of Supervisors to consider the filing of a Notice of Non-Renewal. The Planning Director may bring the matter to the APAB in advance of the Board of Supervisors to receive their input and recommendation.

### **A. Annual Reporting Requirements**

To assure that a parcel under a Williamson Act contract is being used for a commercial agricultural operation, landowners with a Williamson Act contract shall file an annual report with the County Assessor, on a form and within a timeline provided by the Assessor. The report shall provide a full description of the agricultural production uses on the parcel, how the agricultural commodities were used for commercial purposes, and contain a signed verification by the landowner, under penalty of perjury, that the land is being used for the purpose of producing an agricultural commodity for commercial purposes. Landowners with contracts shall be responsible for completing the report in a timely manner and coordinating with their lessees to assure the information is accurate.

If the annual report is not submitted to the County within the prescribed timeline, or the County deems the report incomplete, the County will send a notice to the landowner that will indicate the report has not been received or is not complete. The landowner will have 30 days from the receipt of the notice to submit the completed report to the County. If a completed report is not received at that time, the County may request additional information and inspect the property to verify the property is being used for a commercial agricultural operation.

### **B. Compliance Monitoring**

The Planning Department, Agricultural Department, and Assessor's Office shall actively monitor this program by periodically sending out a separate compliance monitoring survey to determine whether landowners are complying with the program by using their property for commercial agricultural operations and to assure the intent of the program to encourage commercial agricultural production is being carried out in Siskiyou County.

When it appears to the County that a landowner is not complying with state law, these Rules, other County policies or the terms in the Williamson Act contract, the County will formally notify the landowner about the potential violations. The County will provide up to sixty (60) days for the landowner to rectify any violations before beginning the Enforcement Proceedings described in these Rules.

### **C. Enforcement**

The County shall actively enforce the terms of the program and ensuing contracts and shall take any action legally available to enforce state law, these Rules, other County policies or the terms in the Williamson Act contract. Any conveyance, contract or authorization (whether oral or written) by the landowners or his or her successor in interest that would permit use of the property contrary to state law, these rules, other County policies or the terms of the Williamson Act contract shall be enforced by the County by the following non-exclusive remedies:

1. The County may non-renew the contract in accordance with the Government Code.
2. The County may seek a breach of contract in accordance with the Government Code.
3. The County may file an action in Superior Court of the County for the purpose of compelling compliance or restraining breach thereof.

## **VI. Modification of Williamson Act Contracted Lands**

Any application for a land division or boundary line adjustment of a parcel or parcels subject to a Williamson Act contract, that propose to change the boundaries of the land subject to the contract, shall be accompanied by an application to rescind / reenter the Williamson Act contract to reflect the proposed parcel boundaries. For the purposes of determining application fees, this shall be considered an Agricultural Preserve Amendment pursuant to the Planning Department's fee schedule. Whenever land in the Agricultural Preserve is to be divided or modified, no parcel may be created which would not qualify for an agricultural preserve unless qualifying under Government Code Section 51230.1.

### **A. Division of Land**

All proposals to subdivide land under a Williamson Act contract shall comply with the California Subdivision Map Act, Siskiyou County Subdivision Ordinance, and the minimum parcel size requirements for commercial agricultural production described in these Rules. Applications for land divisions shall be conditioned to require that new contracts be recorded for each parcel created by the division simultaneously with the recording of the parcel map, final map or parcel map wavier. To adjust the existing Williamson Act contract to coincide with, or be contained within, the new legal lot

boundaries, the County and landowner must mutually agree to rescind the Williamson Act contract and simultaneously reenter into new contracts for each new parcel.

## **B. Boundary Line Adjustments**

A boundary line adjustment request often involves the exchange of contracted land for previously non-contracted land, or an exchange of land between contracts. To adjust the perimeter of the existing Williamson Act contract to coincide with, or be contained within, the new legal lot boundaries, the County and landowners must mutually agree to rescind the Williamson Act contract and simultaneously reenter into a new contract or contracts.

To approve a rescission/reentry application and prior to recording a boundary line adjustment, the Board of Supervisors must make all of the following findings pursuant to Government Code section 51257:

1. The new contract(s) would initially restrict land within adjusted boundaries of legal lots for at least ten (10) years for Williamson Act contracts.
2. There is no net decrease in the amount of the aggregate acreage (total contract acreage combined between the parcels involved in the boundary line adjustment) subject to the existing and proposed contract(s).
3. At least ninety percent (90%) of the originally contracted land is included within a new contract(s).
4. The resulting legal lot area subject to contract is large enough to sustain qualifying agricultural uses.
5. The boundary line adjustment would not compromise the long-term agricultural production of land within the proposed legal lots or other agricultural lands subject to contract(s).
6. The boundary line adjustment is not likely to result in the removal of adjacent land from agricultural uses.
7. The boundary line adjustment does not result in a greater number of developable legal lots than existed prior to the adjustment, or an adjusted lot that is inconsistent with the County General Plan.

The rescission/reentry application may be processed before the Board of Supervisors periodically throughout the year and need not be reviewed by the APAB provided that the Planning Director has found that the BLA complies with the above findings.

## C. Sale of Property

An agricultural preserve and associated contract may contain multiple legal parcels. Over time it is possible that individual parcels within an agricultural preserve subject to a Williamson Act contract are sold to a different ownership interest or transferred to a non-immediate family member. A different ownership interest is defined as an entity that is comprised of different principal owners with different operating interests and does not include different business entities which have the same principal owners and operating interests. An immediate family member is defined by Government Code Section 51230.1.C as the spouse of the landowner, the natural or adopted children of the landowner, the parents of the landowner, or the siblings of the landowner.

The remaining property and the sold property are still subject to all of the requirements of state law, these Rules, and the terms of the contract. In order to ensure that the remaining property and the sold property still meet the applicable requirements, the following provisions are required:

### 1. Real Estate Transfer Disclosure Statement

Pursuant to Civil Code § 1102.6a, prior to any transfer of contracted land, the transferor shall provide the following disclosure:

*"The real property that is the subject of this transaction is subject to a contract pursuant to the California Land Conservation Act of 1965 ("Williamson Act"), Government Code § 51200 et seq., which requires that the land be devoted to agricultural use and imposes restrictions on the use and development of the land and the minimum parcel size. Furthermore, all owners of contracted parcels agree to submit a Williamson Act contract application to the County for review and consideration to cover their change in ownership interests within an agricultural preserve upon the sale or purchase of Williamson Act contracted lands pursuant to the County's **RULES FOR THE ESTABLISHMENT AND ADMINISTRATION OF AGRICULTURAL PRESERVES AND WILLIAMSON ACT CONTRACTS**".*

This disclosure shall be provided on a form substantially similar to that provided in Civil Code § 1102.6a. Completing the LOCAL OPTION REAL ESTATE TRANSFER DISCLOSURE STATEMENT available from the California Department of Real Estate shall be considered satisfying this requirement. The transferor shall ensure that the transferee signs the disclosure prior to completing the transfer and shall forward a copy of said disclosure to the County of Siskiyou Planning Department, C/O Williamson Act Monitoring Program.

### 2. New Contract Requirement

Upon the sale or purchase of Williamson Act contracted land that constitutes only a portion of an Agricultural Preserve to a different ownership entity or non-immediate family member as defined herein, the transferor and transferee shall

submit the necessary County applications to apply for separate Williamson Act contracts for each separate ownership entity.

- a. Should the transfer be finalized prior to June 1<sup>st</sup> in any given year, the contract application shall be submitted prior to July 1<sup>st</sup> of that given year. Should the transfer be finalized from June 1<sup>st</sup> to the last day of that any given year, the application shall be submitted prior to July 1<sup>st</sup> of the immediately subsequent year.
- b. In the event that the required application is not filed within the timeline detailed herein, the County, at its sole discretion, may consider this inaction as grounds for non-renewal.
- c. The transferor and transferee may file a single application to establish their new individual contracts.
- d. In the event that the new contracts are not approved by the County, the County will issue a notice of non-renewal for the existing contract at the earliest possible time in accordance with the Governmental Code and these Rules.

## **VII. Termination of Williamson Act Contracts**

The purpose of this section is to establish standards for the termination of Williamson Act contracts and the withdrawal of land from Agricultural Preserves without impairing the integrity of the program. The procedures developed under this Rule are in accordance with the Williamson Act. Methods for terminating Williamson Act contracts include nonrenewal, cancellation, annexation, and public acquisition.

### **A. Non-Renewal**

If either the landowner or the County desires in any year not to renew a contract, that party shall serve written notice of contract nonrenewal upon the other party in advance of the annual renewal date of the contract. The landowner shall serve the County at least 90 days prior to the renewal date and the County shall serve the landowner at least 60 days prior to the renewal date. Should the County initiate the non-renewal, the Planning Director shall forward the proposed non-renewal for review and approval by the Board of Supervisors prior to issuance of the notice of non-renewal.

Once a Notice of Nonrenewal is recorded, the contract shall remain in effect for the balance of the period remaining since its previous renewal (9 years for a Williamson Act Contract).

### **B. Cancellation**

Only a property owner (not the County) may request cancellation of a Williamson Act contract to terminate the contract on all or a portion of the property. However,



cancellation may be approved only under extraordinary circumstances as provided in the California Land Conservation Act of 1965. The Board of Supervisors, following a public hearing, must make all of the findings under one of the following two sets of determination to approve a cancellation request:

1. The cancellation is consistent with the purposes of the California Land Conservation Act of 1965 as evidenced by the following:
  - a. A Notice of Nonrenewal has been served;
  - b. Cancellation is not likely to result in the removal of adjacent lands from agricultural use;
  - c. Alternative uses are consistent with the Siskiyou County General Plan;
  - d. Cancellation will not result in discontinuous patterns of urban development;
  - e. There is no proximate non-contracted land which is both available and suitable for the proposed alternative use, or, development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land, which is sufficiently close to the contracted land that it can serve as a practical alternative for the use which is proposed for the contracted land.
  
2. The cancellation is in the public interest as evidenced by the following:
  - a. Other public concerns substantially outweigh the objectives of the California Land Conservation Act of 1965;
  - b. There is no proximate non-contracted land which is both available and suitable for the proposed alternative use, or, development of the contracted land would provide more contiguous patterns of urban development than development of proximate non-contracted land, which is sufficiently close to the contracted land that it can serve as a practical alternative for the use which is proposed for the contracted land.

In the case of either alternative, the uneconomic character of an existing agricultural use shall not by itself be sufficient reason for cancellation of the contract. The uneconomic character of the existing use may be considered only if there is no other reasonable or comparable agricultural use for the land.

Cancellation of a Contract also requires the property owner to pay a "cancellation fee" set by Government Code. This required cancellation fee is based on the current fair market value of the property, determined as if the property were free of the Contract restriction.

### **C. Annexation**

If a city annexes land subject to a Williamson Act contract, the city succeeds to all rights, duties and powers of the county under the contract. The city protest provision of the California Land Conservation Act of 1965 has been eliminated effective January 1, 1991. Unless a city filed a valid protest before January 1, 1991, the city cannot terminate a contract upon annexation of the property to the city. A city protest made prior to January 1, 1991, is valid only if there is a record of the filing of the protest and the protest identifies the specific affected contract and subject parcel.

### **D. Public Acquisition**

Land conservation contracts become void for land that is acquired by a federal, state or local government agency for necessary public uses and facilities. The California Land Conservation Act of 1965 contains policies and restrictions to avoid public acquisition of lands in agricultural preserves, with special emphasis on restricting of land subject to land conservation contracts or containing prime agricultural land. State and local government agencies are required to refer proposals to acquire land in agricultural preserves to the State Department of Conservation for review and response prior to acquisition.

Attachment C – California Natural Diversity Database Results

| Scientific Name                           | Common Name                   | Federal ESA Status | State ESA Status     | CDFW Status | CA Rare Plant Rank |
|---|-------------------------------|--------------------|----------------------|-------------|--------------------|
| Animals - Amphibians                      |                               |                    |                      |             |                    |
| <i>Ambystoma macrodactylum sigillatum</i> | southern long-toed salamander | None               | None                 | SSC         | -                  |
| <i>Ascaphus truei</i>                     | Pacific tailed frog           | None               | None                 | SSC         | -                  |
| <i>Anaxyrus canorus</i>                   | Yosemite toad                 | Threatened         | None                 | SSC         | -                  |
| <i>Plethodon asupak</i>                   | Scott Bar salamander          | None               | Threatened           | -           | -                  |
| <i>Plethodon elongatus</i>                | Del Norte salamander          | None               | None                 | WL          | -                  |
| <i>Plethodon stormi</i>                   | Siskiyou Mountains salamander | None               | Threatened           | -           | -                  |
| <i>Rana boylei</i>                        | foothill yellow-legged frog   | None               | Candidate Threatened | SSC         | -                  |
| <i>Rana cascadae</i>                      | Cascades frog                 | None               | Candidate Endangered | SSC         | -                  |
| <i>Rana pretiosa</i>                      | Oregon spotted frog           | Threatened         | None                 | SSC         | -                  |
| <i>Rhyacotriton variegatus</i>            | southern torrent salamander   | None               | None                 | SSC         | -                  |
| <i>Spea hammondi</i>                      | western spadefoot             | None               | None                 | SSC         | -                  |
| Animals - Birds                           |                               |                    |                      |             |                    |
| <i>Accipiter cooperii</i>                 | Cooper's hawk                 | None               | None                 | WL          | -                  |
| <i>Accipiter gentilis</i>                 | northern goshawk              | None               | None                 | SSC         | -                  |
| <i>Accipiter striatus</i>                 | sharp-shinned hawk            | None               | None                 | WL          | -                  |
| <i>Aquila chrysaetos</i>                  | golden eagle                  | None               | None                 | FP ; WL     | -                  |
| <i>Buteo regalis</i>                      | ferruginous hawk              | None               | None                 | WL          | -                  |
| <i>Buteo swainsoni</i>                    | Swainson's hawk               | None               | Threatened           | -           | -                  |
| <i>Circus hudsonius</i>                   | northern harrier              | None               | None                 | SSC         | -                  |
| <i>Haliaeetus leucocephalus</i>           | bald eagle                    | Delisted           | Endangered           | FP          | -                  |
| <i>Cypseloides niger</i>                  | black swift                   | None               | None                 | SSC         | -                  |
| <i>Ardea alba</i>                         | great egret                   | None               | None                 | -           | -                  |
| <i>Ardea herodias</i>                     | great blue heron              | None               | None                 | -           | -                  |
| <i>Botaurus lentiginosus</i>              | American bittern              | None               | None                 | -           | -                  |
| <i>Egretta thula</i>                      | snowy egret                   | None               | None                 | -           | -                  |
| <i>Nycticorax nycticorax</i>              | black-crowned night heron     | None               | None                 | -           | -                  |
| <i>Charadrius alexandrinus nivosus</i>    | western snowy plover          | Threatened         | None                 | SSC         | -                  |
| <i>Coccyzus americanus occidentalis</i>   | western yellow-billed cuckoo  | Threatened         | Endangered           | -           | -                  |
| <i>Falco columbarius</i>                  | merlin                        | None               | None                 | WL          | -                  |
| <i>Falco mexicanus</i>                    | prairie falcon                | None               | None                 | WL          | -                  |
| <i>Falco peregrinus anatum</i>            | American peregrine falcon     | Delisted           | Delisted             | FP          | -                  |
| <i>Gavia immer</i>                        | common loon                   | None               | None                 | SSC         | -                  |
| <i>Antigone canadensis tabida</i>         | greater sandhill crane        | None               | Threatened           | FP          | -                  |
| <i>Progne subis</i>                       | purple martin                 | None               | None                 | SSC         | -                  |

Attachment C – California Natural Diversity Database Results

| Scientific Name                             | Common Name                   | Federal ESA Status | State ESA Status     | CDFW Status | CA Rare Plant Rank |
|---|-------------------------------|--------------------|----------------------|-------------|--------------------|
| <i>Riparia riparia</i>                      | bank swallow                  | None               | Threatened           | -           | -                  |
| <i>Agelaius tricolor</i>                    | tricolored blackbird          | None               | Candidate Endangered | SSC         | -                  |
| <i>Xanthocephalus xanthocephalus</i>        | yellow-headed blackbird       | None               | None                 | SSC         | -                  |
| <i>Icteria virens</i>                       | yellow-breasted chat          | None               | None                 | SSC         | -                  |
| <i>Lanius ludovicianus</i>                  | loggerhead shrike             | None               | None                 | SSC         | -                  |
| <i>Chlidonias niger</i>                     | black tern                    | None               | None                 | SSC         | -                  |
| <i>Hydroprogne caspia</i>                   | Caspian tern                  | None               | None                 | -           | -                  |
| <i>Larus californicus</i>                   | California gull               | None               | None                 | WL          | -                  |
| <i>Pandion haliaetus</i>                    | osprey                        | None               | None                 | WL          | -                  |
| <i>Baeolophus inornatus</i>                 | oak titmouse                  | None               | None                 | -           | -                  |
| <i>Poecile atricapillus</i>                 | black-capped chickadee        | None               | None                 | WL          | -                  |
| <i>Setophaga petechia</i>                   | yellow warbler                | None               | None                 | SSC         | -                  |
| <i>Pooecetes gramineus affinis</i>          | Oregon vesper sparrow         | None               | None                 | SSC         | -                  |
| <i>Pelecanus erythrorhynchos</i>            | American white pelican        | None               | None                 | SSC         | -                  |
| <i>Phalacrocorax auritus</i>                | double-crested cormorant      | None               | None                 | WL          | -                  |
| <i>Bonasa umbellus</i>                      | ruffed grouse                 | None               | None                 | WL          | -                  |
| <i>Centrocercus urophasianus</i>            | greater sage-grouse           | None               | None                 | SSC         | -                  |
| <i>Tympanuchus phasianellus columbianus</i> | Columbian sharp-tailed grouse | None               | None                 | SSC         | -                  |
| <i>Melanerpes lewis</i>                     | Lewis' woodpecker             | None               | None                 | -           | -                  |
| <i>Picoides arcticus</i>                    | black-backed woodpecker       | None               | None                 | -           | -                  |
| <i>Sphyrapicus ruber</i>                    | red-breasted sapsucker        | None               | None                 | -           | -                  |
| <i>Coturnicops noveboracensis</i>           | yellow rail                   | None               | None                 | SSC         | -                  |
| <i>Numenius americanus</i>                  | long-billed curlew            | None               | None                 | WL          | -                  |
| <i>Asio otus</i>                            | long-eared owl                | None               | None                 | SSC         | -                  |
| <i>Athene cunicularia</i>                   | burrowing owl                 | None               | None                 | SSC         | -                  |
| <i>Psiloscops flammeolus</i>                | flamulated owl                | None               | None                 | -           | -                  |
| <i>Strix nebulosa</i>                       | great gray owl                | None               | Endangered           | -           | -                  |
| <i>Strix occidentalis caurina</i>           | northern spotted owl          | Threatened         | Threatened           | SSC         | -                  |
| <i>Strix occidentalis occidentalis</i>      | California spotted owl        | None               | None                 | SSC         | -                  |
| <i>Plegadis chihi</i>                       | white-faced ibis              | None               | None                 | WL          | -                  |
| <i>Contopus cooperi</i>                     | olive-sided flycatcher        | None               | None                 | SSC         | -                  |
| <i>Empidonax traillii</i>                   | willow flycatcher             | None               | Endangered           | -           | -                  |
| <i>Empidonax traillii brewsteri</i>         | little willow flycatcher      | None               | Endangered           | -           | -                  |
| <i>Vireo huttoni unitti</i>                 | Catalina Hutton's vireo       | None               | None                 | SSC         | -                  |
| Animals - Crustaceans                       |                               |                    |                      |             |                    |
| <i>Stygobromus mysticus</i>                 | Secret Cave amphipod          | None               | None                 | -           | -                  |

Attachment C – California Natural Diversity Database Results

| Scientific Name                            | Common Name   | Federal ESA Status | State ESA Status | CDFW Status | CA Rare Plant Rank |
|--|---|--------------------|------------------|-------------|--------------------|
| Animals - Fish                             |   |                    |                  |             |                    |
| <i>Acipenser medirostris</i>               | green sturgeon  | Threatened         | None             | SSC         | -                  |
| <i>Catostomus snyderi</i>                  | Klamath largescale sucker                               | None               | None             | SSC         | -                  |
| <i>Chasmistes brevirostris</i>             | shortnose sucker  | Endangered         | Endangered       | FP          | -                  |
| <i>Deltistes luxatus</i>                   | Lost River sucker                                       | Endangered         | Endangered       | FP          | -                  |
| <i>Cottus gulosus</i>                      | riffle sculpin  | None               | None             | SSC         | -                  |
| <i>Cottus klamathensis klamathensis</i>    | Upper Klamath marbled sculpin                           | None               | None             | SSC         | -                  |
| <i>Cottus klamathensis macrops</i>         | bigeye marbled sculpin                                  | None               | None             | SSC         | -                  |
| <i>Cottus klamathensis polyporus</i>       | Lower Klamath marbled sculpin                           | None               | None             | SSC         | -                  |
| <i>Gila coerulea</i>                       | blue chub   | None               | None             | SSC         | -                  |
| <i>Entosphenus folletti</i>                | northern California brook lamprey                       | None               | None             | SSC         | -                  |
| <i>Entosphenus tridentatus</i>             | Pacific lamprey   | None               | None             | SSC         | -                  |
| <i>Oncorhynchus kisutch</i> pop. 2         | coho salmon - southern Oregon / northern California ESU | Threatened         | Threatened       | -           | -                  |
| <i>Oncorhynchus mykiss irideus</i> pop. 1  | steelhead - Klamath Mountains Province DPS              | None               | None             | SSC         | -                  |
| <i>Oncorhynchus mykiss irideus</i> pop. 16 | steelhead - northern California DPS                     | Threatened         | None             | -           | -                  |
| <i>Oncorhynchus mykiss irideus</i> pop. 36 | summer-run steelhead trout                              | None               | None             | SSC         | -                  |
| <i>Oncorhynchus mykiss</i> ssp. 2          | McCloud River redband trout                             | None               | None             | SSC         | -                  |
| <i>Oncorhynchus tshawytscha</i> pop. 30    | chinook salmon - upper Klamath and Trinity Rivers ESU   | None               | None             | SSC         | -                  |
| <i>Salvelinus confluentus</i>              | bull trout  | Threatened         | Endangered       | -           | -                  |
| Animals - Insects                          |   |                    |                  |             |                    |
| <i>Bombus caliginosus</i>                  | obscure bumble bee                                      | None               | None             | -           | -                  |
| <i>Bombus crotchii</i>                     | Crotch bumble bee                                       | None               | None             | -           | -                  |
| <i>Bombus franklini</i>                    | Franklin's bumble bee                                   | None               | None             | -           | -                  |
| <i>Bombus morrisoni</i>                    | Morrison bumble bee                                     | None               | None             | -           | -                  |
| <i>Bombus occidentalis</i>                 | western bumble bee                                      | None               | None             | -           | -                  |
| <i>Bombus suckleyi</i>                     | Suckley's cuckoo bumble bee                             | None               | None             | -           | -                  |
| <i>Nebria gebleri siskiyouensis</i>        | Siskiyou ground beetle                                  | None               | None             | -           | -                  |
| <i>Nebria sahlbergii triad</i>             | Trinity Alps ground beetle                              | None               | None             | -           | -                  |
| <i>Hydroporus leechi</i>                   | Leech's skyline diving beetle                           | None               | None             | -           | -                  |
| <i>Atractelmis wawona</i>                  | Wawona riffle beetle                                    | None               | None             | -           | -                  |
| <i>Polites mardon</i>                      | mardon skipper  | None               | None             | -           | -                  |
| <i>Cryptochia shasta</i>                   | confusion caddisfly                                     | None               | None             | -           | -                  |
| <i>Rhyacophila lineata</i>                 | Castle Crags rhyacophilan caddisfly                     | None               | None             | -           | -                  |
| <i>Rhyacophila mosana</i>                  | bilobed rhyacophilan caddisfly                          | None               | None             | -           | -                  |

Attachment C – California Natural Diversity Database Results

| Scientific Name                        | Common Name                   | Federal ESA Status  | State ESA Status     | CDFW Status | CA Rare Plant Rank |
|--|-------------------------------|---------------------|----------------------|-------------|--------------------|
| Animals - Mammals                      |                               |                     |                      |             |                    |
| <i>Aplodontia rufa californica</i>     | Sierra Nevada mountain beaver | None                | None                 | SSC         | -                  |
| <i>Aplodontia rufa humboldtiana</i>    | Humboldt mountain beaver      | None                | None                 | -           | -                  |
| <i>Canis lupus</i>                     | gray wolf                     | Endangered          | Endangered           | -           | -                  |
| <i>Vulpes vulpes necator</i>           | Sierra Nevada red fox         | Candidate           | Threatened           | -           | -                  |
| <i>Erethizon dorsatum</i>              | North American porcupine      | None                | None                 | -           | -                  |
| <i>Lepus americanus klamathensis</i>   | Oregon snowshoe hare          | None                | None                 | SSC         | -                  |
| <i>Eumops perotis californicus</i>     | western mastiff bat           | None                | None                 | SSC         | -                  |
| <i>Gulo gulo</i>                       | California wolverine          | Proposed Threatened | Threatened           | FP          | -                  |
| <i>Martes caurina</i>                  | Pacific marten                | None                | None                 | -           | -                  |
| <i>Martes caurina humboldtensis</i>    | Humboldt marten               | None                | Candidate Endangered | SSC         | -                  |
| <i>Pekania pennanti</i>                | fisher - West Coast DPS       | None                | Threatened           | SSC         | -                  |
| <i>Taxidea taxus</i>                   | American badger               | None                | None                 | SSC         | -                  |
| <i>Ochotona princeps schisticeps</i>   | gray-headed pika              | None                | None                 | -           | -                  |
| <i>Antrozous pallidus</i>              | pallid bat                    | None                | None                 | SSC         | -                  |
| <i>Corynorhinus townsendii</i>         | Townsend's big-eared bat      | None                | None                 | SSC         | -                  |
| <i>Euderma maculatum</i>               | spotted bat                   | None                | None                 | SSC         | -                  |
| <i>Lasionycteris noctivagans</i>       | silver-haired bat             | None                | None                 | -           | -                  |
| <i>Lasiurus cinereus</i>               | hoary bat                     | None                | None                 | -           | -                  |
| <i>Myotis ciliolabrum</i>              | western small-footed myotis   | None                | None                 | -           | -                  |
| <i>Myotis evotis</i>                   | long-eared myotis             | None                | None                 | -           | -                  |
| <i>Myotis lucifugus</i>                | little brown bat              | None                | None                 | -           | -                  |
| <i>Myotis thysanodes</i>               | fringed myotis                | None                | None                 | -           | -                  |
| <i>Myotis volans</i>                   | long-legged myotis            | None                | None                 | -           | -                  |
| <i>Myotis yumanensis</i>               | Yuma myotis                   | None                | None                 | -           | -                  |
| Animals - Mollusks                     |                               |                     |                      |             |                    |
| <i>Prophysaon coeruleum</i>            | Blue-gray tailed slug         | None                | None                 | -           | -                  |
| <i>Monadenia callipeplus</i>           | downy sideband                | None                | None                 | -           | -                  |
| <i>Monadenia chaceana</i>              | Siskiyou shoulderband         | None                | None                 | -           | -                  |
| <i>Monadenia churchi</i>               | Klamath sideband              | None                | None                 | -           | -                  |
| <i>Monadenia cristulata</i>            | crested sideband              | None                | None                 | -           | -                  |
| <i>Monadenia fidelis leonina</i>       | A terrestrial snail           | None                | None                 | -           | -                  |
| <i>Monadenia infumata ochromphalus</i> | yellow-based sideband         | None                | None                 | -           | -                  |
| <i>Monadenia marmarotis</i>            | marble sideband               | None                | None                 | -           | -                  |
| <i>Ancotrema voyanum</i>               | hooded lancetooth             | None                | None                 | -           | -                  |

**Attachment C – California Natural Diversity Database Results**

| <b>Scientific Name</b>                                      | <b>Common Name</b>  | <b>Federal ESA Status</b> | <b>State ESA Status</b> | <b>CDFW Status</b> | <b>CA Rare Plant Rank</b> |
|---|---|---------------------------|-------------------------|--------------------|---------------------------|
| <i>Helminthoglypta hertleini</i>                            | Oregon shoulderband   | None                      | None                    | -                  | -                         |
| <i>Helminthoglypta talmadgei</i>                            | Trinity shoulderband  | None                      | None                    | -                  | -                         |
| <i>Lanx alta</i>  | highcap lanx  | None                      | None                    | -                  | -                         |
| <i>Margaritifera falcata</i>                                | western pearlshell  | None                      | None                    | -                  | -                         |
| <i>Megomphix californicus</i>                               | Natural Bridge megomphix                                    | None                      | None                    | -                  | -                         |
| <i>Helisoma newberryi</i>                                   | Great Basin rams-horn                                       | None                      | None                    | -                  | -                         |
| <i>Juga acutifilosa</i>                                     | topaz juga  | None                      | None                    | -                  | -                         |
| <i>Trilobopsis tehamana</i>                                 | Tehama chaparral  | None                      | None                    | -                  | -                         |
| <i>Vespericola karokorum</i>                                | Karok hesperian   | None                      | None                    | -                  | -                         |
| <i>Vespericola sierranus</i>                                | Siskiyou hesperian  | None                      | None                    | -                  | -                         |
| <i>Punctum hannai</i>                                       | Trinity Spot  | None                      | None                    | -                  | -                         |
| <i>Pisidium ultramontanum</i>                               | montane peaclam   | None                      | None                    | -                  | -                         |
| <i>Anodonta californiensis</i>                              | California floater  | None                      | None                    | -                  | -                         |
| <i>Anodonta oregonensis</i>                                 | Oregon floater  | None                      | None                    | -                  | -                         |
| <i>Gonidea angulata</i>                                     | western ridged mussel                                       | None                      | None                    | -                  | -                         |
| Animals - Reptiles  |   |                           |                         |                    |                           |
| <i>Emys marmorata</i>                                       | western pond turtle   | None                      | None                    | SSC                | -                         |
| Community - Aquatic   |   |                           |                         |                    |                           |
| Klamath Spring Stream                                       | Klamath Spring Stream                                       | None                      | None                    | -                  | -                         |
| Klamath/No Coast Spring Run Chinook/Summer Steelhead Stream | Klamath/No Coast Spring Run Chinook/Summer Steelhead Stream | None                      | None                    | -                  | -                         |
| Klamath/North Coast Rainbow Trout Stream                    | Klamath/North Coast Rainbow Trout Stream                    | None                      | None                    | -                  | -                         |
| Lower McCloud River/Canyon River                            | Lower McCloud River/Canyon River                            | None                      | None                    | -                  | -                         |
| McCloud River Redband Trout Stream                          | McCloud River Redband Trout Stream                          | None                      | None                    | -                  | -                         |
| Pit River Drainage Speckled Dace/Pit Sculpin Stream         | Pit River Drainage Speckled Dace/Pit Sculpin Stream         | None                      | None                    | -                  | -                         |
| Pit River Drainage Squawfish/Sucker Valley Stream           | Pit River Drainage Squawfish/Sucker Valley Stream           | None                      | None                    | -                  | -                         |
| Community - Terrestrial                                     |   |                           |                         |                    |                           |
| Darlingtonia Seep   | Darlingtonia Seep   | None                      | None                    | -                  | -                         |
| Fen   | Fen   | None                      | None                    | -                  | -                         |
| Northern Interior Cypress Forest                            | Northern Interior Cypress Forest                            | None                      | None                    | -                  | -                         |
| Northern Vernal Pool  | Northern Vernal Pool  | None                      | None                    | -                  | -                         |
| Plants - Bryophytes   |   |                           |                         |                    |                           |
| <i>Buxbaumia viridis</i>                                    | buxbaumia moss  | None                      | None                    | -                  | 2B.2                      |
| <i>Climacium dendroides</i>                                 | tree climacium moss   | None                      | None                    | -                  | 2B.1                      |

Attachment C – California Natural Diversity Database Results

| Scientific Name                                    | Common Name                   | Federal ESA Status | State ESA Status | CDFW Status | CA Rare Plant Rank |
|--|-------------------------------|--------------------|------------------|-------------|--------------------|
| <i>Trichodon cylindricus</i>                       | cylindrical trichodon         | None               | None             | -           | 2B.2               |
| <i>Fissidens aphelotaxifolius</i>                  | brook pocket moss             | None               | None             | -           | 2B.2               |
| <i>Helodium blandowii</i>                          | Blandow's bog moss            | None               | None             | -           | 2B.3               |
| <i>Meesia longiseta</i>                            | long seta hump moss           | None               | None             | -           | 2B.3               |
| <i>Meesia triquetra</i>                            | three-ranked hump moss        | None               | None             | -           | 4.2                |
| <i>Meesia uliginosa</i>                            | broad-nerved hump moss        | None               | None             | -           | 2B.2               |
| <i>Mielichhoferia elongata</i>                     | elongate copper moss          | None               | None             | -           | 4.3                |
| <i>Mielichhoferia mielichhoferiana</i>             | Mielichhofer's copper moss    | None               | None             | -           | 2B.3               |
| <i>Pohlia tundrae</i>                              | tundra thread moss            | None               | None             | -           | 2B.3               |
| <i>Orthotrichum holzingeri</i>                     | Holzinger's orthotrichum moss | None               | None             | -           | 1B.3               |
| <i>Ptilidium californicum</i>                      | Pacific fuzzwort              | None               | None             | -           | 4.3                |
|  | Plants - Lichens              |                    |                  |             |                    |
| <i>Peltigera gowardii</i>                          | western waterfan lichen       | None               | None             | -           | 4.2                |
| Plants - Vascular                                  |                               |                    |                  |             |                    |
| <i>Alisma gramineum</i>                            | grass alisma                  | None               | None             | -           | 2B.2               |
| <i>Allium siskiyouense</i>                         | Siskiyou onion                | None               | None             | -           | 4.3                |
| <i>Lomatium engelmannii</i>                        | Engelmann's lomatium          | None               | None             | -           | 4.3                |
| <i>Lomatium martindalei</i>                        | Coast Range lomatium          | None               | None             | -           | 2B.3               |
| <i>Lomatium peckianum</i>                          | Peck's lomatium               | None               | None             | -           | 2B.2               |
| <i>Lomatium tracyi</i>                             | Tracy's lomatium              | None               | None             | -           | 4.3                |
| <i>Perideridia leptocarpa</i>                      | narrow-seeded yampah          | None               | None             | -           | 4.3                |
| <i>Sanicula tracyi</i>                             | Tracy's sanicle               | None               | None             | -           | 4.2                |
| <i>Tauschia howellii</i>                           | Howell's tauschia             | None               | None             | -           | 1B.3               |
| <i>Asarum marmoratum</i>                           | marbled wild-ginger           | None               | None             | -           | 2B.3               |
| <i>Arnica cernua</i>                               | serpentine arnica             | None               | None             | -           | 4.3                |
| <i>Arnica spathulata</i>                           | Klamath arnica                | None               | None             | -           | 4.3                |
| <i>Arnica viscosa</i>                              | Mt. Shasta arnica             | None               | None             | -           | 4.3                |
| <i>Balsamorhiza lanata</i>                         | woolly balsamroot             | None               | None             | -           | 1B.2               |
| <i>Balsamorhiza sericea</i>                        | silky balsamroot              | None               | None             | -           | 1B.3               |
| <i>Chaenactis suffrutescens</i>                    | Shasta chaenactis             | None               | None             | -           | 1B.3               |
| <i>Cirsium ciliolatum</i>                          | Ashland thistle               | None               | Endangered       | -           | 2B.1               |
| <i>Dimeresia howellii</i>                          | doublet                       | None               | None             | -           | 2B.3               |
| <i>Erigeron bloomeri</i> var. <i>nudatus</i>       | Waldo daisy                   | None               | None             | -           | 2B.3               |
| <i>Erigeron cervinus</i>                           | Siskiyou daisy                | None               | None             | -           | 4.3                |
| <i>Erigeron elegantulus</i>                        | volcanic daisy                | None               | None             | -           | 4.3                |
| <i>Erigeron inornatus</i> var. <i>calidipetris</i> | hot rock daisy                | None               | None             | -           | 4.3                |
| <i>Erigeron nivalis</i>                            | snow fleabane daisy           | None               | None             | -           | 2B.3               |



Attachment C – California Natural Diversity Database Results

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|---|-------------------------------|--------------------|------------------|-------------|--------------------|
| <i>Erigeron petrophilus</i> var. <i>viscidulus</i>    | Klamath rock daisy            | None               | None             | -           | 4.3                |
| <i>Eurybia merita</i>                                 | subalpine aster               | None               | None             | -           | 2B.3               |
| <i>Helianthus exilis</i>                              | serpentine sunflower          | None               | None             | -           | 4.2                |
| <i>Hulsea nana</i>                                    | little hulsea                 | None               | None             | -           | 2B.3               |
| <i>Hymenoxys lemmonii</i>                             | alkali hymenoxys              | None               | None             | -           | 2B.2               |
| <i>Microseris laciniata</i> ssp. <i>detlingii</i>     | Detling's silverpuffs         | None               | None             | -           | 2B.2               |
| <i>Packera macounii</i>                               | Siskiyou Mountains ragwort    | None               | None             | -           | 4.3                |
| <i>Raillardella pringlei</i>                          | showy raillardella            | None               | None             | -           | 1B.2               |
| <i>Saussurea americana</i>                            | American saw-wort             | None               | None             | -           | 2B.2               |
| <i>Betula glandulosa</i>                              | dwarf resin birch             | None               | None             | -           | 2B.2               |
| <i>Cryptantha celosioides</i>                         | cocks-comb cat's-eye          | None               | None             | -           | 2B.3               |
| <i>Hackelia cusickii</i>                              | Cusick's stickseed            | None               | None             | -           | 4.3                |
| <i>Mertensia bella</i>                                | Oregon lungwort               | None               | None             | -           | 2B.2               |
| <i>Arabis aculeolata</i>                              | Waldo rockcress               | None               | None             | -           | 2B.2               |
| <i>Arabis mcdonaldiana</i>                            | McDonald's rockcress          | Endangered         | Endangered       | -           | 1B.1               |
| <i>Arabis modesta</i>                                 | modest rockcress              | None               | None             | -           | 4.3                |
| <i>Arabis oregana</i>                                 | Oregon rockcress              | None               | None             | -           | 4.3                |
| <i>Arabis rigidissima</i> var. <i>rigidissima</i>     | Trinity Mountains rockcress   | None               | None             | -           | 1B.3               |
| <i>Boechera koehleri</i>                              | Koehler's stipitate rockcress | None               | None             | -           | 1B.3               |
| <i>Boechera rollei</i>                                | Rolle's rockcress             | None               | None             | -           | 1B.1               |
| <i>Cardamine bellidifolia</i> var. <i>pachyphylla</i> | fleshy toothwort              | None               | None             | -           | 4.3                |
| <i>Draba aureola</i>                                  | golden alpine draba           | None               | None             | -           | 1B.3               |
| <i>Draba carnosula</i>                                | Mt. Eddy draba                | None               | None             | -           | 1B.3               |
| <i>Draba howellii</i>                                 | Howell's draba                | None               | None             | -           | 4.3                |
| <i>Draba pterosperma</i>                              | winged-seed draba             | None               | None             | -           | 4.3                |
| <i>Rorippa columbiae</i>                              | Columbia yellow cress         | None               | None             | -           | 1B.2               |
| <i>Thelypodium brachycarpum</i>                       | short-podded thelypodium      | None               | None             | -           | 4.2                |
| <i>Brasenia schreberi</i>                             | watershield                   | None               | None             | -           | 2B.3               |
| <i>Opuntia fragilis</i>                               | brittle prickly-pear          | None               | None             | -           | 2B.1               |
| <i>Campanula scabrella</i>                            | rough harebell                | None               | None             | -           | 4.3                |
| <i>Campanula shetleri</i>                             | Castle Crags harebell         | None               | None             | -           | 1B.3               |
| <i>Campanula wilkinsiana</i>                          | Wilkin's harebell             | None               | None             | -           | 1B.2               |
| <i>Sabulina howellii</i>                              | Howell's sandwort             | None               | None             | -           | 1B.3               |
| <i>Sabulina stolonifera</i>                           | Scott Mountain sandwort       | None               | None             | -           | 1B.3               |
| <i>Silene marmorensis</i>                             | Marble Mountain campion       | None               | None             | -           | 1B.2               |
| <i>Silene suksdorfii</i>                              | Cascade alpine campion        | None               | None             | -           | 2B.3               |
| <i>Chenopodium simplex</i>                            | large-seeded goosefoot        | None               | None             | -           | 4.3                |

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|---|---------------------------|--------------------|------------------|-------------|--------------------|
| <i>Suaeda occidentalis</i>                          | western seablite          | None               | None             | -           | 2B.3               |
| <i>Cuscuta jepsonii</i>                             | Jepson's dodder           | None               | None             | -           | 1B.2               |
| <i>Cornus canadensis</i>                            | bunchberry                | None               | None             | -           | 2B.2               |
| <i>Sedum divergens</i>                              | Cascade stonecrop         | None               | None             | -           | 2B.3               |
| <i>Sedum laxum</i> ssp. <i>flavidum</i>             | pale yellow stonecrop     | None               | None             | -           | 4.3                |
| <i>Sedum ob lanceolatum</i>                         | Applegate stonecrop       | None               | None             | -           | 1B.1               |
| <i>Callitropsis nootkatensis</i>                    | Alaska cedar              | None               | None             | -           | 4.3                |
| <i>Hesperocyparis bakeri</i>                        | Baker cypress             | None               | None             | -           | 4.2                |
| <i>Carex atherodes</i>                              | wheat sedge               | None               | None             | -           | 2B.2               |
| <i>Carex buxbaumii</i>                              | Buxbaum's sedge           | None               | None             | -           | 4.2                |
| <i>Carex geyeri</i>                                 | Geyer's sedge             | None               | None             | -           | 4.2                |
| <i>Carex halliana</i>                               | Oregon sedge              | None               | None             | -           | 2B.3               |
| <i>Carex hystericina</i>                            | porcupine sedge           | None               | None             | -           | 2B.1               |
| <i>Carex limosa</i>                                 | mud sedge                 | None               | None             | -           | 2B.2               |
| <i>Carex nardina</i>                                | nard sedge                | None               | None             | -           | 2B.2               |
| <i>Carex praticola</i>                              | northern meadow sedge     | None               | None             | -           | 2B.2               |
| <i>Carex scabriuscula</i>                           | Siskiyou sedge            | None               | None             | -           | 4.3                |
| <i>Carex viridula</i> ssp. <i>viridula</i>          | green yellow sedge        | None               | None             | -           | 2B.3               |
| <i>Eriophorum gracile</i>                           | slender cottongrass       | None               | None             | -           | 4.3                |
| <i>Scirpus pendulus</i>                             | pendulous bulrush         | None               | None             | -           | 2B.2               |
| <i>Drosera anglica</i>                              | English sundew            | None               | None             | -           | 2B.3               |
| <i>Polystichum kruckebergii</i>                     | Kruckeberg's sword fern   | None               | None             | -           | 4.3                |
| <i>Polystichum lonchitis</i>                        | northern holly fern       | None               | None             | -           | 3                  |
| <i>Shepherdia canadensis</i>                        | Canadian buffalo-berry    | None               | None             | -           | 2B.1               |
| <i>Arctostaphylos hispidula</i>                     | Howell's manzanita        | None               | None             | -           | 4.2                |
| <i>Arctostaphylos klamathensis</i>                  | Klamath manzanita         | None               | None             | -           | 1B.2               |
| <i>Vaccinium scoparium</i>                          | little-leaved huckleberry | None               | None             | -           | 2B.2               |
| <i>Astragalus inversus</i>                          | Susanville milk-vetch     | None               | None             | -           | 4.3                |
| <i>Lathyrus delnorticus</i>                         | Del Norte pea             | None               | None             | -           | 4.3                |
| <i>Lupinus lapidicola</i>                           | Heller's Mt. Eddy lupine  | None               | None             | -           | 4.3                |
| <i>Lupinus tracyi</i>                               | Tracy's lupine            | None               | None             | -           | 4.3                |
| <i>Thermopsis californica</i> var. <i>argentata</i> | silvery false lupine      | None               | None             | -           | 4.3                |
| <i>Thermopsis gracilis</i>                          | slender false lupine      | None               | None             | -           | 4.3                |
| <i>Thermopsis robusta</i>                           | robust false lupine       | None               | None             | -           | 1B.2               |
| <i>Trifolium siskiyouense</i>                       | Siskiyou clover           | None               | None             | -           | 1B.1               |
| <i>Dicentra formosa</i> ssp. <i>oregana</i>         | Oregon bleeding heart     | None               | None             | -           | 4.2                |
| <i>Gentiana plurisetosa</i>                         | Klamath gentian           | None               | None             | -           | 1B.3               |

Attachment C – California Natural Diversity Database Results

| Scientific Name  | Common Name                     | Federal ESA Status | State ESA Status | CDFW Status | CA Rare Plant Rank |
|--|---------------------------------|--------------------|------------------|-------------|--------------------|
| <i>Ribes hudsonianum</i> var. <i>petiolare</i>             | western black currant           | None               | None             | -           | 2B.3               |
| <i>Ribes marshallii</i>                                    | Marshall's gooseberry           | None               | None             | -           | 4.3                |
| <i>Howellanthus dalesianus</i>                             | Scott Mountain howellanthus     | None               | None             | -           | 4.3                |
| <i>Phacelia cookei</i>                                     | Cooke's phacelia                | None               | None             | -           | 1B.1               |
| <i>Phacelia greenei</i>                                    | Scott Valley phacelia           | None               | None             | -           | 1B.2               |
| <i>Phacelia inundata</i>                                   | playa phacelia                  | None               | None             | -           | 1B.3               |
| <i>Phacelia leonis</i>                                     | Siskiyou phacelia               | None               | None             | -           | 1B.3               |
| <i>Phacelia sericea</i> var. <i>ciliosa</i>                | blue alpine phacelia            | None               | None             | -           | 2B.3               |
| <i>Iris bracteata</i>                                      | Siskiyou iris                   | None               | None             | -           | 3.3                |
| <i>Iris innominata</i>                                     | Del Norte County iris           | None               | None             | -           | 4.3                |
| <i>Iris tenax</i> ssp. <i>klamathensis</i>                 | Orleans iris                    | None               | None             | -           | 4.3                |
| <i>Iris thompsonii</i>                                     | Thompson's iris                 | None               | None             | -           | 4.3                |
| <i>Juncus dudleyi</i>                                      | Dudley's rush                   | None               | None             | -           | 2B.3               |
| <i>Juncus regelii</i>                                      | Regel's rush                    | None               | None             | -           | 2B.3               |
| <i>Lycopus uniflorus</i>                                   | northern bugleweed              | None               | None             | -           | 4.3                |
| <i>Pogogyne floribunda</i>                                 | profuse-flowered pogogyne       | None               | None             | -           | 4.2                |
| <i>Salvia dorrii</i> var. <i>incana</i>                    | fleshy sage                     | None               | None             | -           | 3                  |
| <i>Scutellaria galericulata</i>                            | marsh skullcap                  | None               | None             | -           | 2B.2               |
| <i>Stachys pilosa</i>                                      | hairy marsh hedge-nettle        | None               | None             | -           | 2B.3               |
| <i>Pinguicula macroceras</i>                               | horned butterwort               | None               | None             | -           | 2B.2               |
| <i>Calochortus greenei</i>                                 | Greene's mariposa-lily          | None               | None             | -           | 1B.2               |
| <i>Calochortus longebarbatus</i> var. <i>longebarbatus</i> | long-haired star-tulip          | None               | None             | -           | 1B.2               |
| <i>Calochortus monanthus</i>                               | single-flowered mariposa-lily   | None               | None             | -           | 1A                 |
| <i>Calochortus persistens</i>                              | Siskiyou mariposa-lily          | None               | Rare             | -           | 1B.2               |
| <i>Erythronium citrinum</i> var. <i>citrinum</i>           | lemon-colored fawn lily         | None               | None             | -           | 4.3                |
| <i>Erythronium hendersonii</i>                             | Henderson's fawn lily           | None               | None             | -           | 2B.3               |
| <i>Erythronium howellii</i>                                | Howell's fawn lily              | None               | None             | -           | 1B.3               |
| <i>Erythronium klamathense</i>                             | Klamath fawn lily               | None               | None             | -           | 2B.2               |
| <i>Erythronium oregonum</i>                                | giant fawn lily                 | None               | None             | -           | 2B.2               |
| <i>Erythronium revolutum</i>                               | coast fawn lily                 | None               | None             | -           | 2B.2               |
| <i>Fritillaria gentneri</i>                                | Gentner's fritillary            | Endangered         | None             | -           | 1B.1               |
| <i>Fritillaria glauca</i>                                  | Siskiyou fritillaria            | None               | None             | -           | 4.2                |
| <i>Lilium pardalinum</i> ssp. <i>wigginsii</i>             | Wiggins' lily                   | None               | None             | -           | 4.3                |
| <i>Lilium rubescens</i>                                    | redwood lily                    | None               | None             | -           | 4.2                |
| <i>Lilium washingtonianum</i> ssp. <i>purpurascens</i>     | purple-flowered Washington lily | None               | None             | -           | 4.3                |
| <i>Limnanthes floccosa</i> ssp. <i>floccosa</i>            | woolly meadowfoam               | None               | None             | -           | 4.2                |
| <i>Iliamna bakeri</i>                                      | Baker's globe mallow            | None               | None             | -           | 4.2                |

Attachment C – California Natural Diversity Database Results

| Scientific Name                                      | Common Name                    | Federal ESA Status | State ESA Status | CDFW Status | CA Rare Plant Rank |
|--|--------------------------------|--------------------|------------------|-------------|--------------------|
| <i>Sidalcea celata</i>                               | Redding checkerbloom           | None               | None             | -           | 3                  |
| <i>Sidalcea elegans</i>                              | Del Norte checkerbloom         | None               | None             | -           | 3.3                |
| <i>Sidalcea oregana</i> ssp. <i>eximia</i>           | coast checkerbloom             | None               | None             | -           | 1B.2               |
| <i>Trillium ovatum</i> ssp. <i>oettingeri</i>        | Salmon Mountains wakerobin     | None               | None             | -           | 4.2                |
| <i>Veratrum insolitum</i>                            | Siskiyou false-hellebore       | None               | None             | -           | 4.3                |
| <i>Pityopus californicus</i>                         | California pinefoot            | None               | None             | -           | 4.2                |
| <i>Claytonia palustris</i>                           | marsh claytonia                | None               | None             | -           | 4.3                |
| <i>Lewisia cotyledon</i> var. <i>heckneri</i>        | Heckner's lewisia              | None               | None             | -           | 1B.2               |
| <i>Lewisia cotyledon</i> var. <i>howellii</i>        | Howell's lewisia               | None               | None             | -           | 3.2                |
| <i>Lewisia kelloggii</i> ssp. <i>hutchisonii</i>     | Hutchison's lewisia            | None               | None             | -           | 3.2                |
| <i>Clarkia borealis</i> ssp. <i>borealis</i>         | northern clarkia               | None               | None             | -           | 1B.3               |
| <i>Epilobium luteum</i>                              | yellow willowherb              | None               | None             | -           | 2B.3               |
| <i>Epilobium oreganum</i>                            | Oregon fireweed                | None               | None             | -           | 1B.2               |
| <i>Epilobium rigidum</i>                             | Siskiyou Mountains willowherb  | None               | None             | -           | 4.3                |
| <i>Epilobium septentrionale</i>                      | Humboldt County fuchsia        | None               | None             | -           | 4.3                |
| <i>Epilobium siskiyouense</i>                        | Siskiyou fireweed              | None               | None             | -           | 1B.3               |
| <i>Botrychium crenulatum</i>                         | scalloped moonwort             | None               | None             | -           | 2B.2               |
| <i>Botrychium minganense</i>                         | Mingan moonwort                | None               | None             | -           | 2B.2               |
| <i>Botrychium montanum</i>                           | western goblin                 | None               | None             | -           | 2B.1               |
| <i>Botrychium pinnatum</i>                           | northwestern moonwort          | None               | None             | -           | 2B.3               |
| <i>Botrychium pumicola</i>                           | pumice moonwort                | None               | None             | -           | 2B.2               |
| <i>Botrypus virginianus</i>                          | rattlesnake fern               | None               | None             | -           | 2B.2               |
| <i>Ophioglossum pusillum</i>                         | northern adder's-tongue        | None               | None             | -           | 2B.2               |
| <i>Cypripedium californicum</i>                      | California lady's-slipper      | None               | None             | -           | 4.2                |
| <i>Cypripedium fasciculatum</i>                      | clustered lady's-slipper       | None               | None             | -           | 4.2                |
| <i>Cypripedium montanum</i>                          | mountain lady's-slipper        | None               | None             | -           | 4.2                |
| <i>Piperia candida</i>                               | white-flowered rein orchid     | None               | None             | -           | 1B.2               |
| <i>Piperia colemanii</i>                             | Coleman's rein orchid          | None               | None             | -           | 4.3                |
| <i>Platanthera stricta</i>                           | slender bog-orchid             | None               | None             | -           | 4.2                |
| <i>Castilleja brevilibata</i>                        | short-lobed paintbrush         | None               | None             | -           | 4.2                |
| <i>Castilleja elata</i>                              | Siskiyou paintbrush            | None               | None             | -           | 2B.2               |
| <i>Castilleja schizotricha</i>                       | split-hair paintbrush          | None               | None             | -           | 4.3                |
| <i>Cordylanthus tenuis</i> ssp. <i>pallescens</i>    | pallid bird's-beak             | None               | None             | -           | 1B.2               |
| <i>Orthocarpus cuspidatus</i> ssp. <i>cuspidatus</i> | Siskiyou Mountains orthocarpus | None               | None             | -           | 4.3                |
| <i>Orthocarpus pachystachyus</i>                     | Shasta orthocarpus             | None               | None             | -           | 1B.1               |
| <i>Pedicularis contorta</i>                          | curved-beak lousewort          | None               | None             | -           | 4.3                |
| <i>Pedicularis howellii</i>                          | Howell's lousewort             | None               | None             | -           | 4.3                |

Attachment C – California Natural Diversity Database Results

| Scientific Name  | Common Name                | Federal ESA Status | State ESA Status | CDFW Status | CA Rare Plant Rank |
|--|----------------------------|--------------------|------------------|-------------|--------------------|
| <i>Parnassia cirrata</i> var. <i>intermedia</i>        | Cascade grass-of-Parnassus | None               | None             | -           | 2B.2               |
| <i>Diplacus pygmaeus</i>                               | Egg Lake monkeyflower      | None               | None             | -           | 4.2                |
| <i>Erythranthe inflatula</i>                           | ephemeral monkeyflower     | None               | None             | -           | 1B.2               |
| <i>Erythranthe trinitiensis</i>                        | pink-margined monkeyflower | None               | None             | -           | 1B.3               |
| <i>Abies amabilis</i>                                  | Pacific silver fir         | None               | None             | -           | 2B.3               |
| <i>Abies lasiocarpa</i> var. <i>lasiocarpa</i>         | subalpine fir              | None               | None             | -           | 2B.3               |
| <i>Picea engelmannii</i>                               | Engelmann spruce           | None               | None             | -           | 2B.2               |
| <i>Gratiola heterosepala</i>                           | Boggs Lake hedge-hyssop    | None               | Endangered       | -           | 1B.2               |
| <i>Penstemon cinicola</i>                              | ashy-gray beardtongue      | None               | None             | -           | 4.3                |
| <i>Penstemon filiformis</i>                            | thread-leaved beardtongue  | None               | None             | -           | 1B.3               |
| <i>Penstemon heterodoxus</i> var. <i>shastensis</i>    | Shasta beardtongue         | None               | None             | -           | 4.3                |
| <i>Penstemon tracyi</i>                                | Tracy's beardtongue        | None               | None             | -           | 1B.3               |
| <i>Veronica copelandii</i>                             | Copeland's speedwell       | None               | None             | -           | 4.3                |
| <i>Anthoxanthum nitens</i> ssp. <i>nitens</i>          | vanilla-grass              | None               | None             | -           | 2B.3               |
| <i>Calamagrostis foliosa</i>                           | leafy reed grass           | None               | Rare             | -           | 4.2                |
| <i>Orcuttia tenuis</i>                                 | slender Orcutt grass       | Threatened         | Endangered       | -           | 1B.1               |
| <i>Stipa exigua</i>                                    | little ricegrass           | None               | None             | -           | 2B.3               |
| <i>Collomia larsenii</i>                               | talus collomia             | None               | None             | -           | 2B.2               |
| <i>Collomia tracyi</i>                                 | Tracy's collomia           | None               | None             | -           | 4.3                |
| <i>Leptosiphon rattanii</i>                            | Rattan's leptosiphon       | None               | None             | -           | 4.3                |
| <i>Phlox hirsuta</i>                                   | Yreka phlox                | Endangered         | Endangered       | -           | 1B.2               |
| <i>Phlox muscoides</i>                                 | squarestem phlox           | None               | None             | -           | 2B.3               |
| <i>Polemonium carneum</i>                              | Oregon polemonium          | None               | None             | -           | 2B.2               |
| <i>Polemonium eddyense</i>                             | Mt. Eddy sky pilot         | None               | None             | -           | 1B.2               |
| <i>Polemonium pulcherrimum</i> var. <i>shastense</i>   | Mt. Shasta sky pilot       | None               | None             | -           | 1B.2               |
| <i>Eriogonum alpinum</i>                               | Trinity buckwheat          | None               | Endangered       | -           | 1B.2               |
| <i>Eriogonum congdonii</i>                             | Congdon's buckwheat        | None               | None             | -           | 4.3                |
| <i>Eriogonum diclinum</i>                              | Jaynes Canyon buckwheat    | None               | None             | -           | 2B.3               |
| <i>Eriogonum hirtellum</i>                             | Klamath Mountain buckwheat | None               | None             | -           | 1B.3               |
| <i>Eriogonum pyrolifolium</i> var. <i>pyrolifolium</i> | pyrola-leaved buckwheat    | None               | None             | -           | 2B.3               |
| <i>Eriogonum siskiyouense</i>                          | Siskiyou buckwheat         | None               | None             | -           | 4.3                |
| <i>Eriogonum strictum</i> var. <i>greenei</i>          | Greene's buckwheat         | None               | None             | -           | 4.3                |
| <i>Eriogonum ternatum</i>                              | ternate buckwheat          | None               | None             | -           | 4.3                |
| <i>Eriogonum umbellatum</i> var. <i>glaberrimum</i>    | Warner Mountains buckwheat | None               | None             | -           | 1B.3               |
| <i>Eriogonum umbellatum</i> var. <i>humistratum</i>    | Mt. Eddy buckwheat         | None               | None             | -           | 4.3                |
| <i>Eriogonum umbellatum</i> var. <i>lautum</i>         | Scott Valley buckwheat     | None               | None             | -           | 1B.1               |
| <i>Eriogonum ursinum</i> var. <i>erubescens</i>        | blushing wild buckwheat    | None               | None             | -           | 1B.3               |

Attachment C – California Natural Diversity Database Results

| Scientific Name   | Common Name               | Federal ESA Status | State ESA Status  | CDFW Status | CA Rare Plant Rank |
|---|---------------------------|--------------------|---|-------------|--------------------|
| <i>Potamogeton robbinsii</i>  | Robbins' pondweed         | None               | None  | -           | 2B.3               |
| <i>Stuckenia filiformis</i> ssp. <i>alpina</i>  | slender-leaved pondweed   | None               | None  | -           | 2B.2               |
| <i>Androsace elongata</i> ssp. <i>acuta</i>   | California androsace      | None               | None  | -           | 4.2                |
| <i>Androsace filiformis</i>   | slender-stemmed androsace | None               | None  | -           | 2B.3               |
| <i>Moneses uniflora</i>   | woodnymph                 | None               | None  | -           | 2B.2               |
| <i>Geum aleppicum</i>   | Aleppo avens              | None               | None  | -           | 2B.2               |
| <i>Horkelia daucifolia</i> var. <i>indicta</i>  | Jepson's horkelia         | None               | None  | -           | 1B.1               |
| <i>Horkelia hendersonii</i>   | Henderson's horkelia      | None               | None  | -           | 1B.1               |
| <i>Horkelia sericata</i>  | Howell's horkelia         | None               | None  | -           | 4.3                |
| <i>Ivesia pickeringii</i>   | Pickering's ivesia        | None               | None  | -           | 1B.2               |
| <i>Potentilla cristae</i>   | crested potentilla        | None               | None  | -           | 1B.3               |
| <i>Potentilla newberryi</i>   | Newberry's cinquefoil     | None               | None  | -           | 2B.3               |
| <i>Rosa gymnocarpa</i> var. <i>serpentina</i>   | Gasquet rose              | None               | None  | -           | 1B.3               |
| <i>Rubus nivalis</i>  | snow dwarf bramble        | None               | None  | -           | 2B.3               |
| <i>Galium oreganum</i>  | Oregon bedstraw           | None               | None  | -           | 3                  |
| <i>Galium serpicum</i> ssp. <i>scotticum</i>  | Scott Mountain bedstraw   | None               | None  | -           | 1B.2               |
| <i>Salix bebbiana</i>   | Bebb's willow             | None               | None  | -           | 2B.3               |
| <i>Darlingtonia californica</i>   | California pitcherplant   | None               | None  | -           | 4.2                |
| <i>Hemieva ranunculifolia</i>   | buttercup-leaf suksdorfia | None               | None  | -           | 2B.2               |
| <i>Micranthes marshallii</i>  | Marshall's saxifrage      | None               | None  | -           | 4.3                |
| <i>Mitellastra caulescens</i>   | leafy-stemmed mitrewort   | None               | None  | -           | 4.2                |
| <i>Saxifraga cespitosa</i>  | tufted saxifrage          | None               | None  | -           | 2B.3               |
| <i>Selaginella scopulorum</i>   | Rocky Mountain spike-moss | None               | None  | -           | 3                  |
| <i>Smilax jamesii</i>   | English Peak greenbrier   | None               | None  | -           | 4.2                |
| <i>Triteleia crocea</i> var. <i>crocea</i>  | yellow triteleia          | None               | None  | -           | 4.3                |
| <i>Triteleia grandiflora</i>  | large-flowered triteleia  | None               | None  | -           | 2B.1               |
| <i>Triteleia hendersonii</i>  | Henderson's triteleia     | None               | None  | -           | 2B.2               |
| <i>Viola howellii</i>   | Howell's violet           | None               | None  | -           | 2B.2               |
| <b>CDFW STATUS</b>  |                           |                    |   |             |                    |
| FP = Fully Protected  |                           |                    |   |             |                    |
| SSC = Species of Special Concern  |                           |                    |   |             |                    |
| WL = Watch List   |                           |                    |   |             |                    |
| <b>PLANT STATUS</b>   |                           |                    |   |             |                    |
| <i>Rare Plant Rank</i>  |                           |                    | <i>Threat Ranks</i>   |             |                    |
| List 1A = Plants presumed extirpated in California and either rare or extinct elsewhere |                           |                    | 0.1 = Seriously Threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat) |             |                    |

**Attachment C – California Natural Diversity Database Results**

| Scientific Name  | Common Name | Federal ESA Status   | State ESA Status | CDFW Status | CA Rare Plant Rank |
|--|-------------|--|------------------|-------------|--------------------|
| List 1B = Plants rare, threatened, or endangered in California and elsewhere             |             | 0.2 = Moderately Threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)                                |                  |             |                    |
| List 2A = Plants presumed extirpated in California but common elsewhere                  |             | 0.3 = Not Very Threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known) |                  |             |                    |
| List 2B = Plants rare, threatened, or endangered in California but more common elsewhere |             |  |                  |             |                    |
| List 3 = Plants about which more information is needed                                   |             |  |                  |             |                    |
| List 4 = Plants of limited distribution  |             |  |                  |             |                    |

**From:** [Mary Roehrich](#)  
**To:** [Planning](#); [Christy Cummings Dawson](#)  
**Subject:** Agri-tourism amendment:  
**Date:** Thursday, March 07, 2019 4:56:15 PM

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I do not think enough time has been given to the public to fully understand the scope of this amendment. Additional time and greater details of prospective participants in these activities need to be brought to light.

I have had a hog farm next to me on McConaughy Gulch. It was impossible to enjoy our life here, due to the smells and noise. My Mother got it shut down, because of unsanitary conditions brought to her home from the industry. We need to make sure this cannot happen here. It is not consistent with the Scott Valley Plan and how people here want to live.

I am not against some agri-tourism, but this open-ended seeming amendment has serious room for things happening we may not want to see. Please determine that no flood plain, deer wintering areas, or other aspects can be impacted.

Others besides those benefiting from the amendment should have been part of the development process.

Give us more time and substantive discussion. I just found out about the time limit today in the newspaper, which only leaves a week or so to comment. This is unfair.

Thank you for considering seriously my comments,

Mary Roehrich  
McConaughy Gulch

Sent from [Mail](#) for Windows 10



**From:** [Annie Marsh](#)  
**To:** [Christy Cummings Dawson](#); [Planning](#); [Vurl Trytten](#); [Ray Haupt](#); [jeffowle96027@gmail.com](mailto:jeffowle96027@gmail.com)  
**Subject:** Comment Letter -Multispecies Zoning Text Amendment  
**Date:** Sunday, March 10, 2019 10:40:46 PM  
**Attachments:** [Comment Letter re Multispecies Zoning Text Amendment.doc](#)  
[CURRENT FILE FW - Harris Pig Farm strategy.pdf](#)  
[CURRENT FILE Comment Letter re Resolution of the Multispecies.doc](#)

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Dear Christy,

Attached is my comment letter on the Multispecies Zoning Text Amendment which I understand will be on the March 20, 2019 Planning Commission agenda. I have also attached two (2) documents which must be included as part of my comment. 1) The Allan Calder email dated June 7, 2017 mail entitled CURRENT FILE Harris Pig Farm Strategy; and 2) My comment letter dated May 31, 2018 regarding the Multispecies Resolution by the TAC entitled CURRENT FILE Comment Letter Re Resolution of the Multispecies. Please assure that the entire content of my email is made available to the Planning Commissioners.

Thank you,  
Anne Marsh

**From:** [Annie Marsh](#)  
**To:** [Christy Cummings Dawson](#); [Planning](#); [Vurl Trytten](#); [Ray Haupt](#); [jeffowle96027@gmail.com](mailto:jeffowle96027@gmail.com)  
**Subject:** Correction Page 1 Comment Letter -AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION – PART ONE  
**Date:** Tuesday, March 12, 2019 7:02:22 PM

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The Comment letter I emailed shortly before 5 PM contained the incorrect end of review date of March 28, 2019. That was a typo. I have corrected the letter to read the correct date: March 18, 2018 and will submit my further comments by that time. Corrected Page 1 below.

Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131  
March 12, 2019  
Christy Cummings Dawson, Deputy Planning Director  
Planning Division, Community Development  
806 Main Street  
Yreka, CA 96097  
VIA EMAIL  
Dear Ms. Dawson:  
RE:

Please accept my comments on the above referenced project.  
I am opposed to the approval of the Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declaration (DIS/MND). My comments below support my reasons for opposing approval.

**INADEQUATE TIME FOR PLANNING COMMISSION REVIEW OF PUBLIC COMMENTS**

The Agritourism Zoning Text Amendment (Z-17-03) DIS/MND was circulated for 30-day public comment on February 14, 2019. It was sent to the Office of Planning and Research, State Clearing House where it was given a Review Period End of March 18, 2019. Despite knowing this end of review period date, Siskiyou County Planning scheduled the Agritourism Zoning Text Amendment (Z-17-03) DIS/MND for the March 20, 2019 Planning Commission. For that reason, I am submitting Part One of my comment letter now so the Planning Commissioners will have adequate time to read said comments. Part Two and any further comments will be submitted timely by 5:00 PM March 18, 2019. The Planning Department worked on this for two years. It would seem only courteous to review the public's comments for more than one day.

**OVERVIEW**

According to the DIS/MND, "The proposed project encompasses all parcels in the unincorporated area of Siskiyou County, California, 10 acres and larger, that are zoned Prime Agricultural (AG-1), Non-Prime Agricultural (AG-2), and/or Rural Residential Agricultural (R-R). The zoning text amendment would differentiate between generally permissible, less intensive "Level I Agritourism" and more intensive "Level II Agritourism" and would subject "Level II Agritourism" to Agritourism Performance Standards and approval of an administrative use permit or a conditional use permit depending upon the intensity of use."

**From:** [Felice Pace](#)  
**To:** [Allie Hostler](#); [Amber Shelton](#); [Amy Cordalis - Yurok Tribal Attorney](#); [Annelia Norris](#); [Bill Cross](#); [Bill Kier #1](#); [Chet Ogan - Redwood Audubon](#); [Cliff Marshall](#); [Craig Tucker](#); [Crystal Robinson](#); [Dan Bacher](#); [Dania Rose Colegrove](#); [Dave Bitts - PCFFA](#); [Dave Hillemier](#); [Eli Asarian](#); [erik ryberg](#); [Frankie Myers](#); [Frieda Bennett](#); [Glen Spain-PCFFA alt](#); [Grant Wilson](#); [Earthlaw Ctr](#); [James Wheaton](#); [Jessica Clayburn YT Watershed](#); [John Corbett](#); [Josh Strange](#); [Karuna Greenberg](#); [Kerul Dyer](#); [Larry Glass](#); [Louisa McCovey YTEP Program Director](#); [Maven's Notebook](#); [Mike Belchik](#); [Mike Orcutt](#); [Nat Pennington](#); [Nathaniel Kane - ELF](#); [Noah Oppenheim PCFFA ED](#); [Pete Nichols](#); [Petey Brucker](#); [Regina C](#); [Robert Franklin](#); [Ron Stork](#); [Sue Masten](#); [Susan Fricke - Karuk Tribe](#); [Tim Hayden \(thayden@yuroktribe.nsn.us\)](#); [Tim Palmer Kalmiopsis Audubon](#); [Tom Schlosser](#); [Tom Stokely](#); [Toz Soto](#); [Vi Orcutt](#); [Vivian Helliwell](#); [Will Harling](#); [John Livingston - ShastaGp Mother Lode SC](#)  
**Cc:** [Christy Cummings Dawson](#)  
**Subject:** Fwd: SCOTT VALLEY GROUNDWATER EXTRACTION ALERT  
**Date:** Friday, March 08, 2019 1:27:31 PM  
**Attachments:** [CURRENT FILE FW Harris Pig Farm strategy.pdf](#)  
[CURRENT FILE PC 20170621 PlanningCommissionStaffMemoEnhanced Animal Production-2.pdf](#)  
[CURRENT FILE TAC 20180606 MultispeciesTACResolution Signed20180517.pdf](#)  
[CURRENT FILE Comment Letter re Resolution of the Multispecies.doc](#)  
[SisCo Agritourism ISMND Draft 2-14-2019.pdf](#)

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Klamath tribal and other colleagues,

Below is my message to Matt St John, EO of the NCRWQCB, concerning two proposed zone changes that Siskiyou County appears ready to make without CEQA review and without informing any state agencies or authorities. Allowing large factory-style hog and other animal agriculture without a use permit or CEQA review, and allowing an unlimited amount of Agritourism without a use permit or CEQA review, each have a high likelihood to significantly increase groundwater extraction. That in turn will extend the period of time each year that the Scott and major tributaries are dewatered and make it even more problematic to get Chinook and even Coho to spawning grounds in and above Scott Valley; both species have not made it into and above the Valley in several recent years; consequently salmon spawn on top of each other in the Canyon and salmon production is greatly reduced.

In addition, these proposed zoning changes will result in degradation of surface and groundwater quality and will make it more difficult to achieve a groundwater plan that meets the FS right to flows for fish in Scott River. That in turn will mean we will have to open the Scott River and other Scott Valley Adjudications to fix their flaws and problems.

Please consider also urging Matt St. John to get the NCRWQCB weighed in on these and consider contacting Siskiyou County directly. The staff member for these is:

Christy Cummings Dawson, Deputy Planning Director:  
[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)

Planning Division, Community Development

806 Main Street  
Yreka, CA 96097

If you do weigh in please send me a copy of your message.

Felice

Felice Pace  
Klamath, CA 95548  
707-954-6588

"Ring the bells that still can ring.  
Forget your perfect offering.  
There is a crack, a crack in everything,  
That's how the light gets in."

Anthem, Leonard Cohen

----- Forwarded message -----

From: **Felice Pace** <[unofelice@gmail.com](mailto:unofelice@gmail.com)>  
Date: Fri, Mar 8, 2019 at 12:24 PM  
Subject: Fwd: SCOTT VALLEY GROUNDWATER EXTRACTION ALERT  
To: Matt St. John, EO <[Matt.St.John@waterboards.ca.gov](mailto:Matt.St.John@waterboards.ca.gov)>  
Cc: Annie Marsh <[annie\\_marsh@hotmail.com](mailto:annie_marsh@hotmail.com)>, Eli Scott\_NCWQCB Scott & Shasta <[Elias.Scott@waterboards.ca.gov](mailto:Elias.Scott@waterboards.ca.gov)>, Claudia Villacorta\_Ass EI NCRWQCB <[Claudia.Villacorta@waterboards.ca.gov](mailto:Claudia.Villacorta@waterboards.ca.gov)>, Jonathan Warmerdam - Non-Point Chief <[Jonathan.Warmerdam@waterboards.ca.gov](mailto:Jonathan.Warmerdam@waterboards.ca.gov)>

Dear Matt,

It has come to my attention that the Siskiyou County Planning Commission will on March 20th consider a zoning text amendment that, if approved, will allow large factory style animal agriculture, including dairies and large hog operations, without a use permit or environmental review on parcels zoned for agriculture. Sis Co is claiming that the change is categorically exempt from CEQA.

As you will readily recognize, the types of operations they propose to allow without a use permit and without notice to your agency have been shown to have a high likelihood of polluting surface water and groundwater. In addition, these activities will extract and consume a lot of groundwater which is, as is clear from USGS and other reports, closely interconnected with surface flows. Thus, this zone change will very likely exacerbate the current impairments of Scott River surface water quality via reduced flows and likely additional discharges of animal wastewater.

Below is a message from Annie Marsh, former SisCo Supervisor, who monitors Sis Co planning issues, including her attachments. She is cc'ed on this message.

I am asking you to weigh in on this issue before the March 20th meeting and to have a staff member attend the meeting. Because this zone change represents a major new threat to ground and surface water quality in a water quality impaired watershed, please also have your legal counsel review the proposed change to determine if the County has misinterpreted CEQA's applicability. It seems to me that, if they approve the proposed change, Siskiyou County will have usurped your authority to review new developments that have great potential to further degrade already impaired water quality in the Scott River Basin.

Please let Annie and I know what you intend to do in this regard and please provide us with copies of any input or comment the NCRWQCB makes on this proposed zoning text amendment.

Siskiyou County also has out a draft Negative Declaration (attached) to allow agritourism without a use permit or CEQA review. Allowing agritourism without a use permit has significant potential to increase groundwater extraction and, thereby, to exacerbate current water quality impairments. For this reason i am asking you to comment on that draft document as well.

Finally, both changes will result in on-farm wells being used as a drinking water source by tourists doing farm stays and events and by animal ag workers. As you know, the SWRCB has ordered that all such wells be tested regularly;y for pollutants that can harm human health and that the results are to be reported to the SWRCB. The changes by Siskiyou County described above would allow on farm wells to be used for drinking water

without informing the owners of the testing and reporting requirement. Thus Siskiyou County is considering enabling the avoidance of that SWRCB requirement. I am asking you to inform the proper officials at the State Board of this situation since I do not know who should be informed. Otherwise, I believe we will see widespread disregard for this SWRCB requirement in Siskiyou County as a result of the proposed zone text changes.

It is really important, and I believe critical to the NCRWQCB's mission, that you weigh in on both these issues. I hope you agree and will do it.

Felice

Felice Pace  
Klamath, CA 95548  
707-954-6588

"Ring the bells that still can ring.  
Forget your perfect offering.  
There is a crack, a crack in everything,  
That's how the light gets in."

Anthem, Leonard Cohen

----- Forwarded message -----

From: **Annie Marsh** <[annie\\_marshall@hotmail.com](mailto:annie_marshall@hotmail.com)>  
Date: Thu, Mar 7, 2019 at 7:28 PM  
Subject: Re: SCOTT VALLEY GROUNDWATER EXTRACTION ALERT  
To: Felice Pace <[unofelice@gmail.com](mailto:unofelice@gmail.com)>, Nathaniel Kane - ELF  
<[nkane@envirolaw.org](mailto:nkane@envirolaw.org)>, James Wheaton <[wheaton@envirolaw.org](mailto:wheaton@envirolaw.org)>

To add to Felice's email: I learned earlier this week that Siskiyou County Planning will seek approval of the "Multispecies" Zone Change Text Amendment at the March 20, 2019 Siskiyou County Planning Commission meeting. The public will not be noticed of this because the County intends to claim that the Amendment is Categorically Exempt from CEQA under the "General Rule" Exemption which was changed to the "Common Sense" Exemption (§ 15061(b)(3)) in December 2018. "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity

in question may have a significant effect on the environment, the activity is not subject to CEQA." A Staff Report for the Agenda Item will not be available until shortly before the Planning Commission meeting.

I have attached four documents: 1) The Harris Pig Farm Strategy PDF is a copy of an email from Allan Calder, Community Development Director (February 2017 - March 2018) dated June 7, 2017 to Terry Barber, County Administrator and Ray Haupt, County Supervisor District 5. In that email Mr. Calder states that the project will trigger CEQA and that the person wanting the zoning change should apply for a conditional use permit. 2) The PC\_20170621\_Planning Commission Staff Memo Enhanced Animal Production (Multispecies) dated June 21, 2017 which suggests appointment of Technical Advisory Committees. 3) The Resolution by the TAC dated May 17, 2018 to allow permitted by right "pastured" hog and poultry operations on Prime AG, Non-Prime Ag and Rural Residential properties. 4) My comment letter dated May 31, 2018 regarding the TAC Resolution.

I disagree that the zone change should be approved as Categorical Exempt, and will forward my letter to you as soon as I complete it.

Sincerely,  
Anne Marsh

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**From:** Felice Pace <[unofelice@gmail.com](mailto:unofelice@gmail.com)>  
**Sent:** Thursday, March 7, 2019 4:07 PM  
**To:** Nathaniel Kane - ELF; James Wheaton  
**Cc:** Annie Marsh  
**Subject:** SCOTT VALLEY GROUNDWATER EXTRACTION ALERT

Nat and Jim,

I am told by Annie Marsh, former county supervisor who monitors planning issues, that on March 20th Siskiyou County Planning Commission will consider and likely vote to "allow factory style hog and mixed animal production on land zoned for agriculture." That can consume a lot of additional groundwater and should not be allowed without a use permit and environmental review. I hope y'all will weigh in to stop SisCo from approving additional significant groundwater extraction without considering impacts to beneficial uses, etc. And that will likely extend the dewatering period for Scott River.

Annie is Cc'ed here in case she has more info to add.

I will likely be commenting for Redwood and Mother Lode Chapters Sierra Club if i can get approval from Mother Lode.

The agenda has been posted as yet:

[https://www.co.siskiyou.ca.us/meetings?field\\_microsite\\_tid\\_1=28](https://www.co.siskiyou.ca.us/meetings?field_microsite_tid_1=28)

Felice

Felice Pace  
Klamath, CA 95548  
707-954-6588

"Ring the bells that still can ring.  
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There is a crack, a crack in everything,  
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Anthem, Leonard Cohen



**From:** [Tom Menne](#)  
**To:** [Christy Cummings Dawson](#); [Ray Haupt](#); [Michael Kobseff](#)  
**Subject:** NO to Agritourism  
**Date:** Saturday, March 09, 2019 8:59:55 AM

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Ms Dawson,

I'm 100% opposed to the Agritourism Zoning Amendment as it is written.

I do understand the concept, but this plan has turned into something no one will support. My family and I have a large farming operation in Scott Valley and it's easy to see how this will impact us at some point. With 2,700 acres, our farm has multiple neighbors that border our property. We just had a neighbor sell to someone that plans to host a Hipcamp and have Agritourism on her place. Her plan is to place campers right next to our field in an attempt to impact our family farming operation.

But the planners of this Amendment will say, you have the right to farm. This sounds good until there are 10 land owners (camps) around your farm complaining about dust, pesticide and equipment noise.

How will the sheriffs office contend with the increase in citizens, traffic and crime? Can our local trash company handle more trash? Can our only septic company handle the massive increase?

How will our natural resources hold up with the potential of large groups of people staying year round? When the GSA has to come up with a GSP just where will this fit in? How will the road dept. deal with more traffic on our old roads?

This plan has set the bar so low that a snake could slither over it and that's just what will happen. We will have people moving here just to make a profit off this plan.

Is the County prepared to hire more staff to deal with this as it grows?

My suggestion would be, don't ask people that will only profit from the plan, help with it's writing.

Most of the citizens in Siskiyou County have only heard of this plan in the last 4 days, that's not how you represent the tax payers.

The Scott Valley Area Plan has worked damn well for the last 50 years and it's not time to kick it to the curb just yet!

Regards,

Tom Menne  
Menne Ranch Hay Inc  
530-598-0280

**From:** [Mayor Eb Whipple - 1st Lady Cheusa Wend](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** Question regarding Amendment Text AgriTourism  
**Date:** Tuesday, March 12, 2019 3:24:05 PM

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Christy,

1) The attached posting this morning by 5 Marys begs a few questions to be answered:

*"We do not personally support the draft proposal AS PRESENTED . . . and did not agree WITH EVERYTHING in this draft . . . especially in its INCLUSION of SMALL PARCELS DOWN to 10 ACRES in size."*

It has been our understanding that the TAC committees (including Niki Harris and Brian Heffernan) gave their 'expert advice' on this.

So WHO wrote up the Draft as presented?

And most particularly WHO wrote in the part about the 10 acres in size and 10% clause and its specific wording???

Was it you, or County Counsel or Scott Friend?

The answer to those questions are necessary information that we need before this can be discussed by the larger community.

2) Also, their Post admits that they have been conducting agritourism activities for four years as a marketing tool for their products.

As many times as there have been complaints filed with the county about their agritourism activities, use of their non-permitted outdoor kitchen, etc. we have seen *no* closure, *no* fines, *no* repercussions what so ever to them as there have been in the past to others who have done far less. Why?

Actually they have been applauded by giving them a seat at the table on the TAC.

We await the answer to our questions.

Thank you.

Che'usa Wend  
Eb Whipple

Etna

**From:** [Mayor Eb Whipple - 1st Lady Cheusa Wend](#)  
**To:** [Christy Cummings Dawson](#)  
**Cc:** [Planning](#); [Terry Barber](#); [Ray Haupt](#); [Lisa Nixon](#); [Edward Kiernan](#); [Brandon Criss](#); [Michael Kobseff](#); [dist2sup@sbcglobal.net](mailto:dist2sup@sbcglobal.net)  
**Subject:** RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION and MULTISPECIES CATEGORICAL EXEMPTION  
**Date:** Wednesday, March 06, 2019 10:51:00 PM  
**Attachments:** [March 5 Letter.pdf](#)  
[Calder Letter - Attachment Agritourism Email.pdf](#)

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Ms. Dawson,

Attached please find our letter regarding the Agri-Tourism and MultiSpecies issue that will be coming before the Planning Commission on March 20, 2019.

Please confirm you have received our letter.

Thank you.

Che'usa Wend  
Eb Whipple

Etna, CA

467-5815

**From:** [Shirley Johnson](#)  
**To:** [Christy Cummings Dawson](#)  
**Cc:** [Ray Haupt](#); [Jeff Fowle](#)  
**Subject:** Re: FW: Map  
**Date:** Thursday, February 28, 2019 4:41:43 PM

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Christy, this really is I believe to be neglectful to the process. Even though it is for the whole county, Scott Valley has a unique additional portion of the General Plan the "Scott Valley Area Plan" and is required by law to be evaluated in this process. As it does not affect the rest of the County, the study should be done separately and then brought together. I do not believe that this Zoning should be changed at this time until the study is complete.

Please add this to the comments of the file

Shirley Johnson  
[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)  
530 467 3318  
4737 French Creek  
Etna, Ca 96027

On Thu, Feb 28, 2019 at 12:30 PM Christy Cummings Dawson <[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)> wrote:

Sorry Shirley, as the code changes impact the entire county, that's the area we mapped and didn't break it out by Scott Valley or other areas. I have attached pdfs of all the relevant maps. They are the best we have, coupled with the statistics in the MND.

Christy

**From:** Shirley Johnson [mailto:[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)]  
**Sent:** Tuesday, February 26, 2019 3:17 PM  
**To:** Christy Cummings Dawson  
**Subject:** Re: FW: Map

Thanks for your reply.. however:

1. The maps in the Z-17-03 are very hard to read and is there a tool or an outline that separates out Scott Valley?
2. Do you have the total acreage affected for Scott Valley?

Shirley Johnson  
[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)  
530 467 3318  
4737 French Creek  
Etna, Ca 96027

On Tue, Feb 26, 2019 at 1:32 PM Christy Cummings Dawson <[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)> wrote:

I'm sorry Shirley, we don't have those numbers broken out for Scott Valley.

**From:** Shirley Johnson [mailto:[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)]  
**Sent:** Tuesday, February 26, 2019 8:55 AM  
**To:** Christy Cummings Dawson  
**Subject:** Re: FW: Map

Christy, I just read page 3.0.1 and yes it talks about parcels and acreage, however those numbers are for the whole county. I was requesting the numbers and acreage for Scott Valley. The Scott Valley Area Plan from which I am using as a guidance measure in reviewing the Agritourism Zoning Text Amendment (Z 17 03) is specific to the Scott Valley Watershed. Therefore I still request the information in Scott Valley only. The entire county is of great importance, however my review is based on Scott Valley.

Thank you

On Tue, Feb 26, 2019 at 8:06 AM Shirley Johnson <[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)> wrote:

Ok, thanks.

On Tue, Feb 26, 2019 at 7:50 AM Christy Cummings Dawson <[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)> wrote:

Hi Shirley-

Section 3.1 of the IS/MND discusses number of parcels and acreages.

Thanks!

**From:** Shirley Johnson [mailto:[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)]  
**Sent:** Monday, February 25, 2019 5:54 PM  
**To:** Christy Cummings Dawson  
**Subject:** Re: FW: Map

Hi Christy, Yes we have those maps.. Thank You

What I would really appreciate is how many parcels and their size per AG1, AG2, RR. If you don't have the time to do the research, I would be willing to help, etc.

Please let me know.

Shirley Johnson

[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)

530 467 3318

4737 French Creek

Etna, Ca 96027

On Mon, Feb 25, 2019 at 12:10 PM Christy Cummings Dawson <[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)> wrote:

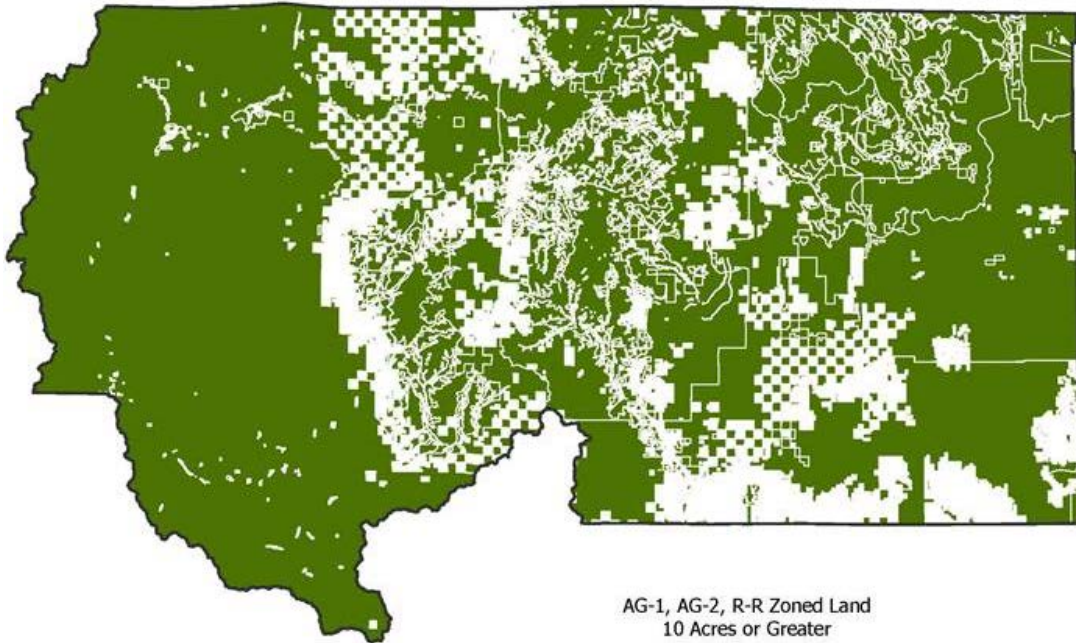
Hi Shirley-

Below are the maps from the IS/MND for agritourism that shows the parcels that would be applicable to the proposed code changes. I believe you were looking for Scott Valley specifically, but this is the best map we have.

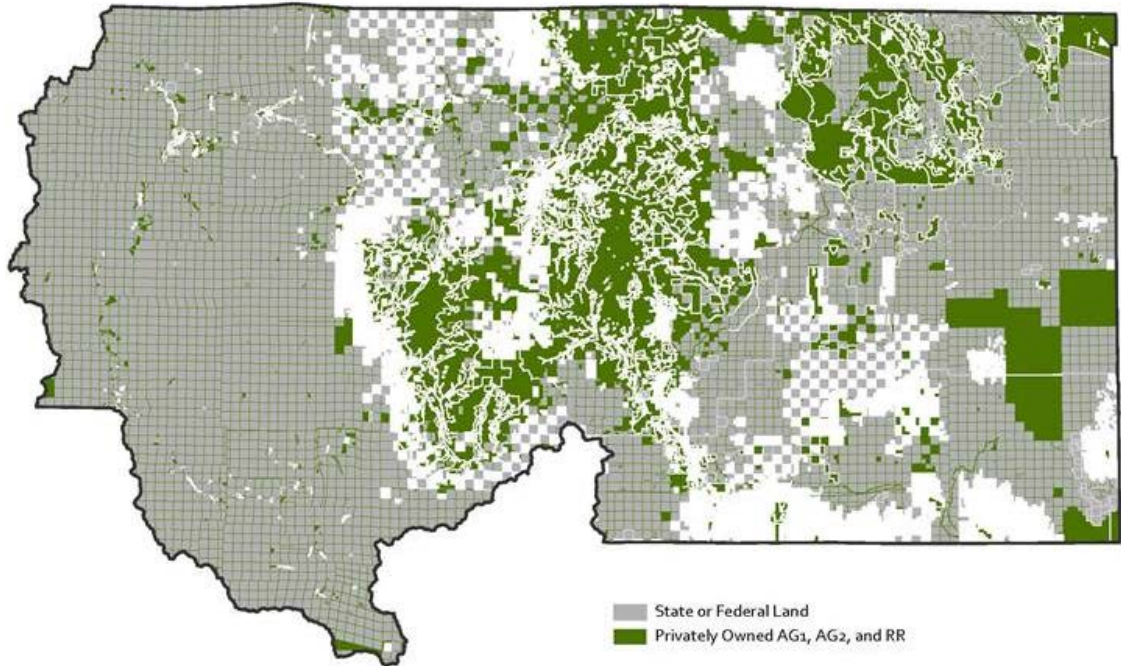
Thanks!

Christy

Siskiyou County



Siskiyou County



Christy Cummings Dawson

Deputy Director, Planning

[County of Siskiyou](#)

[806 S. Main St.](#)

[Yreka, CA 96097](#)

530-842-8206

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Shirley Johnson  
[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)

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Shirley Johnson  
[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)

**From:** [Carl Eastlick](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** Scott Valley Plan  
**Date:** Tuesday, March 12, 2019 9:18:20 AM

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Ms Dawson,

A select few people are wanting to benefit from breaking up the large family owned ranches in the Scott Valley for their own personal gain. We have a working plan developed to handle the area and it should not be changed for profit.

Carl Eastlick  
Fort Jones, Ca.



**From:** [Dan Menne](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** Siskiyou County Community Development Planning Division, Ms. Dawson  
**Date:** Sunday, March 10, 2019 8:49:56 PM

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Siskiyou County Community Development  
Planning Division  
Christy Cummings Dawson  
806 South Main Street  
Yreka, CA 96097  
[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)  
530-841-2100

Dear Ms. Dawson,

We are writing you to express our complete opposition the the proposed Agritourism Zoning Amendment in it's current form. Our family has owned and operated a large farming operation in Scott Valley for nearly 50 years. We, along with our other family members, also work and reside on our farm in Scott Valley. This Agritourism Zoning Amendment will directly and negatively affect our livelihood, as well as the livelihood of our employee's and our residences.

Dan, myself and our four daughters are currently dealing with a new property owner/neighbor who is planning to establish a Hipcamp and have Agritour events on the property that runs adjacent to our residence and alongside our hay field. This planned Hipcamp and Agritour business will immediately impact our ability to produce our crops, as we have done for decades, due to having campers in tents alongside the field and also while hosting Agritour events throughout the year.

We have spoke to many of our neighbors and other farmers who are absolutley NOT in favor of this proposal and would like our concerns to be taken seriously by those who make decisions within our county government. We believe the county should NOT adopt this vague, irresponsible, not well thought out proposed amendment, without consulting with and seriously considering the negative affects upon those who have supported and are the backbone of their communities and this county. We are quite sure we are not the only established farmers, ranchers, business owners and Siskiyou County residents who will have the wonderful quality of life we have come to know and love completely diminished by some who would like to push their short sited agenda.

Thank you for your consideration in this important matter.

Regards,

Dan Menne  
Menne Ranch Hay, Inc.  
530-598-2300

Cindi Menne  
530-598-2301

September 25, 2019, Agritourism Presentation Materials

# Public Comment

- Items not on today's agenda
- Workshop will not discuss **Multispecies Text Amendment**
- Workshop will not discuss contents of proposed **MND**
  - Environmental analysis/MND will be discussed during PC and BoS meetings
- 4 additional comment periods today
  - Public comment period for each Discussion Topic



September 25, 2019

Public Workshop

# Agritourism Text Amendment

**ATTACHMENT 4**

# Today's Agenda

- Overview of current County Ordinance
  - How we got here
- Overview of proposed text updates
- Proposed Ag Districts text update & the GP, SVAP & Williamson Act
- Examples
- Discussion Topics

# How We Got Here

- Community concerns – accessory uses on ag lands
- PC – need to clarify accessory ag uses in ag zoning
- PC appointed TAC
- Multiple TAC meetings
  - May 2018 Resolution recs to PC
- Draft text updates presented March 2019
  - Meeting continued
- Public workshop to finalize proposed text updates

# What Are We Here For?

- Text changes have gone through 2 Directors
- Initially labeled as “agritourism”
  - Proposed text updates ≠ tourism
- Text updates focus on Accessory to Ag uses only!
  - Not tourism
  - Support Ag uses currently existing
- Text updates
  - Not a new Ordinance



# County Staff's Role

- Facilitators during workshop & meetings
- Neutral, not advocates
- Present eventual package of text updates to decision makers
- Make sure decision makers understand available options

# What is Accessory to Ag?

## *Current County Ordinance:*

- Doesn't define "accessory to ag"
- Previous Directors = different interpretation

## *Our Goal:*

- Support existing agriculture

## *Examples:*

- Pumpkin patch/pumpkin sales
- Farm to Fork/Meet Your Farmer Dinners
- 4-H/Education activities
- Farm tours
- Horse lessons/training



# Current County Ordinance

## Allowed Uses AG-1 & AG-2:

- Farm labor housing
- SFR/mobile homes
  - Incidental to ag
- **Accessory uses incidental to ag**
- Ag uses: tree, vine, row, & field crops
- Grow/harvest trees, livestock farming, animal husbandry
  - No dairies, commercial feed lots, poultry & hog operations
- Nurseries w/ retail sales
- Fish/frog farms
- Roadside stands for sales of ag products

## Allowed Uses R-R:

- Small acreage farming
  - Except commercial dairies, kennels, rabbit, fox, goat, horse, chicken/poultry & hog farms.
  - Riding stables, rodeos, or commercial horse rentals
- Accessory uses incidental to small farming
- Crop & tree farming

Uses listed in Article 15  
may be allowed in AG-1  
&AG-2 w/ CUP  
approval.

# Proposed Text Updates

- Only applies to R-R; AG-1 & AG-2
  - Property must be working farm or ranch
  - 10 acres or greater
- Would allow accessory agriculture uses through:
  - By-right Uses
    - Allowed w/out permits
    - Must comply w/ all requirements
  - Administrative Permit
    - Approved by staff
    - No public hearing
  - Use Permit
    - Planning Commission approval



# By-Right

- Allowed w/out permits
- Must meet all requirements
- Would not allow commercial activities such as:
  - Concerts
  - Commercial weddings
- Still required to meet Health & Safety codes
- Still required to receive building permit approval for any development

## Updates Would Allow:

- 20 single-day events
  - <30 people

## AND

- 3 single-day events
  - 30-150 people

## Examples:

- Farm tours/Field days
- Horse lessons/training
- Ranch or sponsored dinners
- Educational classes/activities

# Administrative Permit (Level II)

- Staff level review & approval
- Must meet Agritourism Performance Standards

## Examples:

- Farm tours
- Field days
- Ranch or sponsored dinners
- School Tours
- Educational classes

## Admin. Permit Required For:

- *Onsite fruit & veggie sales\**
- U-Pick
- Farmstays
- Agritourism camping
- Single-day events in excess of Level I
  - Would only allow up to double Level I limits

*\*Current County Ordinance allows:  
“...roadside stands for seasonal sales of agricultural products from the premises”  
in AG-1 & AG-2\**

# Administrative Permit (Level II)

Admin Permit approval could allow:

## Small Events:

- 40 single-day events
  - <30 people

OR

- 20 single-day events
  - <60 people

## Large Events

- 6 single-day events
  - 30-150 people

OR

- 3 single-day events
  - <300 people

Only get to choose 1  
option from each column

No mix & matching!

# Use Permit

- Planning Commission review & approval
- Separate process/permit to allow:
  - Concerts
  - Commercial weddings



## Use Permit Required For:

- Activities that exceed Admin. Permit

OR

- Activities that generate more than 10 ADT per calendar month



# Text Updates & GP/SVAP

Scott Valley



SVAP Policies



GP Policies



Zoning Ordinance

Siskiyou County  
(other than SV)



GP Policies



Zoning Ordinance

Williamson Act  
properties are  
slightly different

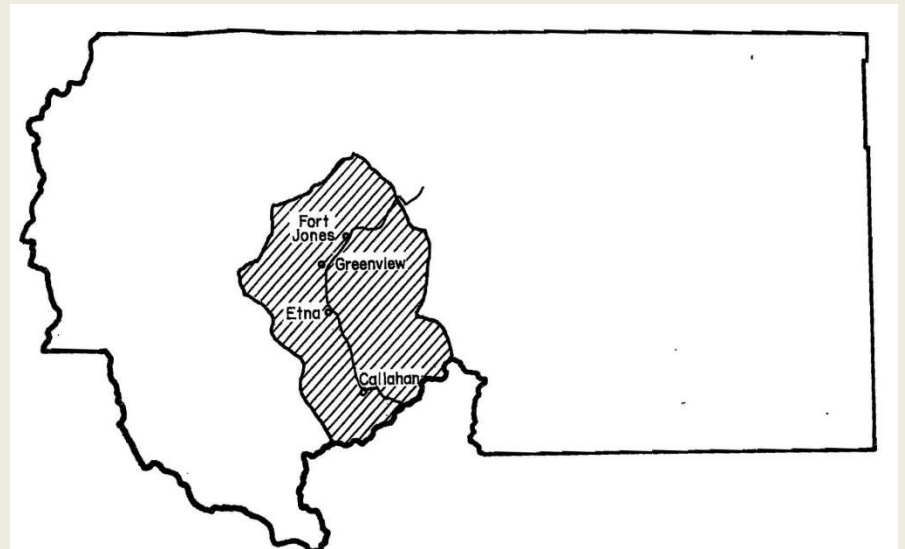
# General Plan

- General Plan = comprehensive, long-term *general* plan for development
- County's vision for the future
- Identifies goals/policies
- GP = framework
- Basis for Zoning Ordinance
- Scott Valley Area Plan incorporated into Land Use Element



# SVAP

- SVAP = specific policies for SV
  - Preempt GP polices
- GP polices still apply
  - SVAP holds when policies conflict
- Projects w/in SVAP must comply w/ **both** SVAP & GP
- Primary objective of SVAP: only allow uses compatible w/ #1 economy (Ag)
- Text updates only apply to existing Ag operations
  - Supports SVAP polices protecting ag & economy
  - Text updates apply to Zoning Ord.



# SVAP

- “**Agriculture** is the number 1 economy in the Scott Valley Watershed”
- Protect Ag land from non-compatible /intense development (Dev. Goal #1)
- Goals 2-9 focus on development
  - Protect natural resources & ag
  - Protect quality of life
- Text update focuses on *uses*
  - Development still required to meet SVAP Goals
- New development reviewed against SVAP goals

## SVAP 5 Major Goals

1. Protect natural resources, water quality and **economic vitality**
2. Development shall not subject people or property to hazardous conditions
3. Reduce costs of public services – intense development to occur near existing services
4. Public services not be overburdened by new development
5. Land uses be compatible w/ existing and planned uses

# Williamson Act Properties

- Contract between landowner & County
  - Restrict use = lower tax assessment
- Contract preempts local zoning ord.
  - Would preempt proposed text updates
- Uses listed to the right => are outright permitted per Act
  - Williamson Act properties may participate in “agritourism” activities regardless of text update
- Landowner must comply w/ contract
- Violations could result in contract termination
  - Could owe back-taxes
- Williamson Act Allows:
  - Permitted outright by contract
- Growing/harvesting timber
- Farm employee housing
- Roadside stands
- Power generation or communication facilities
- Offices, processing, packaging training & vending facilities
- Production of game animals & fish
- Mining
- Horses for ranching work
- “Agritourism activities including sales, tours education programs, & promotion & seasonal events...”

# Example #1a

## Dean Family Farm

- Owns 20 acres outside of Montague ✓
- Zoned AG-1 ✓
  - Developed w/SFR & goat farm ✓
- Raises goats for of dairy, meat, sale/trade ✓
- >\$1,000 in annual sales ✓



## Would like to have:

- Goat yoga 1/month - 20 people
- 12 “Learn to milk” events w/ up to 10 people
- 2 Farm Dinners w/ 50 people
  - Dinners under 200 sf pergola not yet constructed

**Allowed by-right, no Planning permit required.**

**Building permit required to construct pergola.**

**Dinners must meet H&S Code**

# Example #1b

## Dean Family Farm

- Would like to open second goat farm
- Wants to continue goat yoga, “learn to milk” events & dinners
- Looking at a 40 acre parcel zoned R-R
- Would DFF be allowed to operate a 2<sup>nd</sup> commercial goat farm in R-R?
- Would proposed text updates allow for goat yoga, “learn to milk” events & dinners in R-R?
- Answer: **NO**
- R-R zoning does not permit commercial goat farms
- Proposed text updates do not apply



**Text updates do not circumvent existing zoning – uses are still required to comply**

# Example #2

## Deaf Ears Farm

- Owns 10 acres outside of Dorris ✓
- Zoned AG-2 ✓
- SFR & small corn farm ✓
- >\$1,000 in annual sales ✓

## Would like to:

- Build structure for distilling ✗
- Open a whiskey tasting room ✗



Distilling is a manufacturing use  
– not permitted in AG-2 zoning.

Food for Thought:  
May be allowed under  
current zoning IF  
considered accessory.



# Example #3

## Sierra Valley Yaks

- Owns 180 acres near McCloud ✓
- Zoned AG-2 ✓
- Developed w/ only farm labor housing
  - Land primarily for yaks
- Raises yaks for meat, fiber, & sale/trade ✓
- >\$1,000 in annual sales ✓

## Would like to:

- Clients visit to view/buy yaks, riding lessons, & fiber demos
- Convert farm labor housing to farmstay



Lessons and demos are allowed by-right.  
Overnight stays require Admin Permit.  
Let's take a look at the process to convert  
farm labor housing to a farmstay.

# Example #3 Process

- Farm labor housing allowed by-right
  - No SFR requirement
- Temporary/short-term stays
  - Farm labor housing & Farmstay almost identical land use
- Proposed text update would require SFR for Farmstays
- Admin. Permit approval required for overnight stays and/or Farmstays



## Process to Allow Farmstay:

1. Build SFR – must receive CofO
2. Apply for Admin Permit
3. Staff review project – consistent w/ Performance Standards
4. If consistent, Admin Permit issued
5. Farmstays may begin

**Text updates would require SFR on property, occupied by owner & present during stay.**

# Example #4

## Subdivide Farms

- Owns 80 acres outside of Ft. Jones
  - W/in SVAP
- Zoned AG-1
- Undeveloped, existing sunflower crop
- >\$1,000 in annual sales



## Would like to:

- Subdivide my property in 8 10-acre parcels
- Plan to sell the parcels
  - \$\$\$\$

Can I subdivide my property?  
Here's what the process would  
look like...

# Example #4 Continued

## Process to Subdivide:

- Must apply for a Tentative Final Map application
  - Process to create more than 4 new parcels
- Tentative Map reviewed by PC
- **Proposal ≠ SVAP Policy #2**
- Staff would recommend **denial** of project



**SVAP Policy #2:**  
“The minimum parcel size that is permitted to be created on prime agricultural land is 80 acres.”

# Format of Discussion Topics

1. Background info on Discussion Topic
2. Staff recommendations, if warranted
3. Public comment
4. Planning Commission discussion and direction
5. Next Discussion Topic



# Discussion Topic #1 – Permitting Requirements

- Text updates would clarify accessory to agriculture uses
- Accessory to agriculture uses would be allowed through:
  - By-right uses
  - Administrative Permit approval, or
  - Use Permit Approval

## Staff recommendations


- Onsite sales of agricultural products already permitted by-right per GP
  - Only in AG-1 & AG-2 zoning districts
  - No minimum parcel size for onsite sales of ag products
- R-R zones are allowed “*accessory uses and buildings normally incidental to single-family dwellings or small farming*”

# Discussion Topic #1 – Permitting Requirements

## PUBLIC COMMENT & PLANNING COMMISSION DIRECTION

Topics to Consider:

- Should any accessory to agriculture uses be allowed w/out permits?
- How would you define accessory to agriculture?
- Should U-Pick sales be allowed w/out permits?
- What do you consider “accessory to agriculture” uses?
- Should all accessory to agriculture uses require Use Permit approval?
- Should Farmstays be permitted through Admin. or Use Permit?
- ***Number of events/people next Discussion Topic***
  - ***Wait to discuss frequency***



**Discussion Topic #2**  
**Number of events**  
**Number of people**

# Discussion Topic #2 – Events/Uses & Frequency

Technical Advisory Committee recommendation (w/ staff input):

- Up to 20 small events/uses
  - Small = <30 people
- Up to 3 large events/uses
  - Large = 30-150 people
- Events/Use must be directly tied to the working farm/ranch & existing ag products
- Admin. Permit approval could double # of people OR # of events





# Discussion Topic #2 – Events/Uses & Frequency

## PUBLIC COMMENT & PLANNING COMMISSION DIRECTION

Topics to Consider:

- Should there be a limit on number of events/uses of <30 people?
- How many people/events should be allowed w/out permits?
- What would you consider a small accessory use/event?
- How many people/events should be allowed w/ Admin Permit approval?
- What would you consider a large accessory use/event?
- Should educational/4-H activities be limited?
- *Zoning & Minimum Parcel Size next Discussion Topic*



Discussion Topic #3  
Zoning & Minimum  
Parcel Size

# Discussion Topic #3 – Zoning & Minimum Size

## Text update only applies to:

- Properties zoned AG-1; AG-2 & R-R
- Properties must be min. 10 acres
- Must be working farm/ranch
- R-R only allows for crop farming – no livestock/animals

## Staff recommendations:

- R-R zones tend to be more residential in nature
  - Still considered Ag zoning
- Ag county – right to farm
- Farmstays/camping in R-R
  - Short-term rentals may be permitted though Use Permit



# Discussion Topic #3 – Zoning & Minimum Size

## PUBLIC COMMENT & PLANNING COMMISSION DIRECTION

### Topics to Consider:

- Should R-R be removed from updates – would not be allowed to participate in “accessory to agriculture” uses
  - Code still allows *“accessory uses and buildings normally incidental to single-family dwellings or small farming”*
- Is minimum of 10-acres appropriate?
  - Should it be larger; smaller?
- Should R-R parcels >10 acres be allowed to have onsite sales of ag products?
  - Not allowed currently unless considered “incidental to small farming”?
- How do you view “right-to-farm”?
- Should farmstays/camping be permitted in R-R through Admin. Permit?
  - Farmstays similar to vacation rentals – allowed through Use Permit approval

# Discussion Topic #4 – Recommendations

- Discussion Topic #4 = misc.
  - Cover areas not yet discussed
  - PC recommendations for staff
- Staff has a few recommendations to consider

## Staff recommendations:

- “Agritourism Camping” ≠ camping
- Remove AgT Camping & add “temporary structure” to farmstay def.
- Intent: provide temporary stays for clients of Ag operations
  - E.g. Multi-day horse lessons
- Add amplified music restriction to Level I



# Discussion Topic #4 – Recommendations

## PUBLIC COMMENT & PLANNING COMMISSION DIRECTION

Topics to Consider:

- What did we miss?
- What would you like comment on and/or provide direction on that wasn't covered?
- What are your thoughts on the proposed definitions?
- Recommendations to move forward – *let's go forward not backwards*

# Next Steps

## How Staff Plans to Move Forward:

- Evaluate recommended modifications
  - Need to consider implementation, enforcement, feasibility, etc.
- Evaluate recommended modifications w/ environmental analysis
  - Significant modifications could require re-circulation of MND
- Revise Text Amendment as necessary
- Revise MND as necessary; re-circulate if significant
- Planning Commission meeting
  - PC meeting to be noticed in accordance w/ current procedures
- Board of Supervisors meeting
  - BoS meeting to be noticed in accordance w/ current procedures

**Siskiyou County Planning Commission  
Agritourism Text Amendment Workshop  
September 25, 2019**

The Agritourism Text Amendment Workshop was called to order by Chair Melo at 9:00 a.m. at the Miner's Inn Convention Center located at 122 East Miner Street, Yreka, California.

**Present:** Commissioners Danielle Lindler, Dusty Veale and Tony Melo

**Recused:** Commissioners Blair Hart and Jeff Fowle

**Also Present:** Rick J. Dean, Interim Director of Community Development; Kirk Skierski, Senior Planner; Rachel Jereb, Associate Planner; Janine Rowe, Executive Secretary; and William Carroll, Deputy County Counsel

**I. Introduction: Siskiyou County Planning Commission Public Workshop**

Commissioner Melo addressed the public gathered for the Workshop and advised the reason Commissioners Hart and Fowle were absent was because they declared a conflict. When the Agritourism ordinance comes back for a public hearing, the presently sitting Commissioners will hear the public hearing, and Commissioners Hart and Fowle will not be eligible to participate.

Mr. Rick Dean, Director of Environmental Health and Acting Director of Community Development, thanked those who attended the Workshop and expressed appreciation for their time. Mr. Dean introduced Janine Rowe, Executive Secretary; Rachel Jereb, Associate Planner; William Carroll, County Counsel; and Kirk Skierski, Senior Planner.

**1. Public Comment for items not on the agenda: None**

**2. Agenda of the Workshop**

Mr. Skierski reminded everyone that the sole focus of the Workshop would be on the text updates which could result in modifications to the zoning ordinance. At that time, Staff would reevaluate the proposed Mitigated Negative Declaration to determine if it needed to be revised and recirculated.

Mr. Skierski also advised there would be plenty of time to discuss the environmental analysis, and the Staff Reports prepared for the Planning Commission and the Board of Supervisors' meetings would contain in-depth analyses related to the environmental document being recommended by Staff.

Finally, Mr. Skierski explained there would be four additional comment periods during the Workshop in which Staff would ask the public to comment directly on the proposed Agritourism text amendment project.

Mr. Skierski further stated that the history and intent of the text amendment would be explained. Staff would go over the County's current Zoning Ordinance, what the proposed

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updates would allow and what the permitting process would be. Staff would provide a breakdown of how the text updates would work with the County's General Plan, the Scott Valley Area Plan and the Williamson Act. Staff would be showing examples of how the proposed text updates would work, and then specific discussion topics would be presented to the public and the Planning Commission for feedback.

Mr. Dean explained that complaints had been received by Siskiyou County Code Enforcement regarding activities that are accessory to agriculture, and it was determined there is ambiguity within the phrase "accessory uses incidental to agriculture." There are questions as to how that is defined and there have been different interpretations by past Directors and the community. The questions that will be addressed are what the current language includes and excludes and what would require a use permit.

Mr. Dean went on to say that in an attempt to address some of the confusion, the Technical Advisory Committee (TAC) was formed at the direction of the Planning Commission. The TAC was tasked with looking at the workings of agriculture and was to report back to the Planning Commission with some advice. There were three public meetings held for that process which were poorly attended. The TAC's recommendations were brought to the Planning Commission in another meeting which was also poorly attended. From that point, Staff took the draft text amendment to the Planning Commission in March of 2019, which was well attended. And because it was well attended and because there was a lot of concern from the public, Staff arranged this Workshop to gather more information to make certain this ordinance would be written in the best interest for all of Siskiyou County.

Mr. Skierski said the text amendment started with then Community Development Director Allen Calder who gave the project the title of Agritourism, and he may have envisioned some form of tourism activities. His successor Christy Cummings Dawson then reshaped the text amendment. When current Staff looked at the proposed draft text updates, the language focused on accessory uses to support existing agricultural operations. Mr. Skierski said he has gone through the project file several times and believes the current draft form of the text updates are not exactly tourism but instead focus on accessory uses and existing agricultural operations.

Mr. Skierski described a public comment letter that was received in which the writer stated they think the classification of onsite sales of commodities and products as tourism is misguided. Staff agreed and the Planning Division Staff was tasked with updating the current zoning text to account for uses that are more often seen in today's agricultural world.

Mr. Skierski reminded those in attendance that Planning Division Staff would maintain a neutral position and would eventually present a final package of the text updates to the Planning Commission.

Staff provided handouts for reference during the Workshop, one of which was the current code for Agriculture-1 (AG-1), Agriculture-2 (AG-2) and Rural Residential Agriculture (RR) zoning districts. Mr. Dean gave a brief explanation of the term, accessory to agriculture,



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which is not clearly defined in the current ordinance. Mr. Dean reiterated that Siskiyou County is a Right to Farm county.

Mr. Dean described some of the basic accessory agricultural uses, including roadside stands, 4-H educational activities, and other activities allowed by right in the AG-1 and AG-2 zoning districts. With a conditional use permit, other examples of uses are churches, schools, and commercial agricultural operations. Mr. Dean further explained that there is a problem with the interpretation of large assemblages of people and accessory uses incidental to agriculture, which is why the current zoning ordinance needs improvement.

Mr. Skierski said discussion would be held during the Workshop about the proposed text updates that were included in the March 20, 2019, Staff Report. The draft only applied to the RR, AG-1 and AG-2 zoning districts, the properties must be working farms or ranches on parcels of 10 acres or greater, and they must have a minimum annual sales requirement of \$1,000 per year. If a property meets that criteria, it would be allowed to participate in accessory agricultural uses through the existing agricultural operation by right (Level I), administrative permit (Level II) or use permit (Level III) and what is allowed in each level.

Mr. Skierski pointed out that the County's current zoning ordinance already allows roadside stands for seasonal sales of agricultural products within the AG-1 and AG-2 zoning districts. It is not allowed outright in the RR zoning district; however, if the Planning Director interprets that to be an accessory to agricultural use, then they could have a roadside stand. This issue could be interpreted differently by different Planning Directors.

Mr. Skierski provided a slide presentation containing an overview of the proposed text updates and the various uses that would be allowed by right, with an administrative permit, and with a use permit.

In response to questions by the public regarding how the text amendment fits with the Scott Valley Area Plan, Mr. Skierski said the Scott Valley Area Plan is essentially the general plan for Scott Valley which provides the long-term general framework of how projects would be reviewed in Scott Valley, so uses and development standards in Scott Valley have to comply. He further explained that the County's General Plan is the long-term general plan for development and that the Scott Valley Area Plan takes precedence over other General Plan policies if there is a conflict. He reminded everyone that the proposed text updates to be reviewed are within the zoning ordinance, so the Scott Valley Area Plan and the General Plan would still be reviewed first to make sure a project meets the intention of those documents.

Mr. Skierski then gave a definition of the Williamson Act which preempts local zoning ordinances. Uses listed within the Williamson Act include growing and harvesting of timber, roadside stands, and agritourism activities, and the like. These are permitted outright within that contract, and Williamson Act properties may participate in those activities regardless if Staff moves forward with this text update because it is within the contract. Mr. Skierski reminded everyone that landowners must comply with the

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Williamson Act contract and if they don't, violations could result in the contract being terminated and the County has the ability to go after back taxes in terminated contracts.

Mr. Skierski presented several examples to demonstrate how the proposed updates would work. Discussion was held regarding the difference between what would be allowed in the proposed text amendment to the ordinance and what is currently allowed. Currently, decisions are made on a case-by-case basis and different Directors may not interpret the code in the same way as another. The purpose of the text amendment is to take away the ambiguity in the code.

At this point, Mr. Skierski explained the format for the discussion topics—Staff would provide background information on the topic, and Staff would provide recommendations if warranted based on the particular topic. The public would then be allowed to comment and following public comment, the Planning Commission would discuss the topic at hand and provide direction.

## II. Discussion Topic #1 – Permitting Requirements (By-Right, Administrative Permits, Use Permits):

1. **Background Information:** Mr. Skierski reminded those in attendance that onsite sales of agricultural products are already permitted by right, so Staff recommended that the Planning Commission consider removing that from the administrative permit requirement. Mr. Skierski said they may want to consider whether RR zones should be allowed as well, or whether it would be reasonable to assume that onsite sales can be considered an accessory use normally incidental to small farming.

2. **Public Comment:**

Ms. Betsy Stapleton of Etna spoke and said she has eight contiguous properties that are already subdivided and are zoned RR, AG-1 or AG-2. According to by-right uses, each of those properties could have by right 1,050 uses which total up to 8,400 uses on the parcels immediately adjacent to her without any kind of administrative permit. She wanted to know how anyone knows how many of these uses are happening if there is not some kind of administrative permit required. She believes that any uses beyond regular, everyday farm use should be by administrative permit, or there is absolutely no mechanism to enforce or track 10 average daily trips.

Mr. Murry Taylor of Fort Jones spoke and said the Scott Valley looks like it does today because of the Scott Valley Area Plan. Mr. Taylor believes that the Level II administrative permit needs to have a total maximum in place as to the number of events per year and number of people allowed at each event. Mr. Taylor expressed concern about the County's ability to police events to make sure they are complying, since there are some agritourism events already happening without permits. Mr. Taylor clarified that he is not against the idea of agritourism itself and thinks it might be great for the economy in Scott Valley, as long as it doesn't affect the water, the land, and the quality of living.

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Mr. Jim Morris of Etna spoke and said he lives on a multigenerational ranch in Scott Valley and is the President of the Siskiyou County Farm Bureau. Mr. Morris' biggest concern about the process is the division it has caused in the community, and he appreciates that the County is trying to do away with the ambiguity in the current agritourism zoning ordinance. Mr. Morris went on to say that he often has kids from Etna High School come out to his ranch and watch him harvest, and he has hosted Siskiyou County Cattlemen's Association dinners. He knows those events are currently accepted today, but he thinks some events are tough to define and it would be very helpful if the ordinance would clarify those points. Mr. Morris said at the time the Scott Valley Area Plan was put in place, there were a lot of commodities being produced which were being sold directly off the ranches and farms. He believes there will be a lot of lost opportunity in the future in drawing young people to come back if those ranches and farms continue down the path of only production and sales. Mr. Morris believes anything that can be done to maintain the medium and small scale farms and ranches is very important, and if that means taking things from a commodity to a value-added product to sell, there needs to be a way to do that so the next generation can make a living.

Mr. Dan Drake of Yreka spoke regarding the definition of accessories and that he was not commenting pro or con on either side. He talked about the non-physical attributes of products and how those are becoming more important. For example, were the animals raised humanly, are the products organic, is the farm environmentally sound, etc. Mr. Drake would like to see people expand their view of how to move forward in the future.

Mr. Felice Pace of Klamath and Greenview said he represents the North Group Redwood Chapter of the Sierra Club and works on water issues in the Shasta, Scott and Klamath Rivers. Mr. Pace supports the concept of agritourism as long as it is directly related to the main product. He thinks the problem with the present zoning text amendment is that too much is allowed without public review and Planning Commission approval. Mr. Pace's biggest concern is preserving ground water and water quality.

Ms. Freda Walker of Etna asked if any data had been collected by the County regarding the impact of all the different aspects of the text contained in the zoning ordinance and the effects on traffic, roads, upkeep, and water quality. She wanted to know if the County had done any research on predictions for the future on those aspects over the next five to ten years. Ms. Walker was also wondering about any guidelines that would be used in issuing an administrative permit and whether a person could appeal an administrative permit and what the cost would be.

Mr. Tom Menne of Fort Jones said he does not like the word permit because it always comes with a cost, but cost can be controlled and the County would be able to keep track of permits issued if one is required. Mr. Menne expressed concern about the impact on his being able to conduct his day-to-day farming activities if someone next door were having an event and how the County would be able to police events. Mr. Menne stated that 80 percent of the Scott Valley is not unique agricultural products and wondered how anyone with only 10 acres can make a living—he believes those are more along the lines of hobby farms. Mr. Menne stated the farming community is paying the majority of taxes and thinks the County should listen to them. Mr. Menne also said he is not comfortable

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with the TAC because he believes the people on the TAC have a vested interest in the outcome.

Seeing no further comments on Topic 1, Commissioner Melo turned it over to the Commission for discussion and direction.

### **3. Planning Commission Discussion and Direction:**

Commissioner Veale said he has talked to a lot of people in Scott Valley and summarized that what he is getting from comments is that controls and regulation are needed, and if those are put in place and done properly, the zoning ordinance would work. Supervision is a problem in Siskiyou County because of its size.

Commissioner Lindler introduced herself because she is new to the Commission. She lives in the Shasta Valley and has an understanding of agriculture-related issues because of her background as a forester and pest control adviser. Commissioner Lindler said her biggest concerns are the by-right uses and thinks what is allowed under that category should be revisited. She said she is also concerned about the cumulative impacts having to do with multiple parcels, especially when dealing with those that are 10 acres, even though they may be zoned AG-1 and AG-2. Commissioner Lindler informed the public in attendance at the Workshop that the Commissioners review the documents that are written by Planning Division Staff, and then the Commissioners make their comments and recommendations, and while representing the public, they try to make the best informed decision.

Commissioner Lindler asked Staff what the next step would be, and Mr. Skierski replied that as an example, he received some direction that Staff needed to take another look at by-right allowances. Some of that could include recommending that the Planning Commission create a new Technical Advisory Committee, or to participate in another public workshop.

Discussion was held about the various allowances under the AG-1, AG-2 and RR zoning and how they were developed, particularly the \$1,000 threshold and the 10-acre parcel size. Mr. Dean stated that the distinction between a hobby farm and a regular farm was created at the federal level.

Commissioner Melo shared that in the last decade or two, young people started leaving the farms and ranches in Siskiyou County because they had to work very hard and were still unable to make a living. He went on to thank those who attended and expressed appreciation for the discussion taking place.

## **III. Discussion Topic #2 – Events/Uses & Frequency of Events/Uses:**

- 1. Background Information:** Mr. Skierski explained that Topic 2 would focus on the number of events that can take place, including the number that can take place with approval of an administrative permit. The TAC formulated recommendations and Staff

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took those recommendations and created the current draft ordinance. Those recommendations were up to 20 small events and uses, with small being under 30 people. It would also allow up to three large events or uses, and the TAC defined large as between 30 and 150 people. Those events, activities and uses must be directly tied to the working farm or ranch, and the amount of people or the number of events could be doubled. Mr. Skierski asked for comments regarding the number of people, events, uses and frequency. Mr. Skierski indicated Staff would be particularly interested in knowing the public's and Planning Commission's thoughts regarding whether or not educational activities, such as 4-H, be limited at all.

**2. Public Comment:**

Mr. Michael Stapleton of Etna said he owns a small ranch on French Creek Road where they raise hay and cattle. Mr. Stapleton stated he is pro-agritourism but believes the ordinance is not specific enough. He showed a schematic of all the RR, AG-1 and AG-2 parcels in the Scott Valley and demonstrated that if all the parcels have large events going on at the same time, Scott Valley would become a city. He believes that the limit should be 250 people per year or a reasonable number of days a year on which events could be held. Commercial events that make money should be under more scrutiny than educational events. Mr. Stapleton concluded by stating he believes the \$1,000 threshold is too low and it should be \$3,000 to \$5,000 which would reflect a serious agricultural venture.

Ms. Betsy Stapleton stated she takes issue with what has been called hobby farming because it only requires \$1,000 in sales. She further expressed concern about the effect on coho producing creeks. Ms. Stapleton asked Staff to look at restricting the cumulative impact in the region, which would alleviate her fears about what agritourism would do to the quality of the Scott Valley's natural resources and quality of life. Ms. Stapleton agreed that organizations such as 4-H and legitimate non-profit organizations that are having educational events should be in a different category. Ms. Stapleton suggested that data should be gathered so the cumulative impact can be tracked.

Mr. Felice Pace wanted to make it clear that what was being discussed are commercial uses and that educational and school activities are in a different category. Mr. Pace recommended getting rid of the administrative permit because it would cause problems, and whatever is allowed should be allowed by right. Allowing by right large events, particularly in the RR zone, would cause problems with policing. Mr. Pace agrees that \$1,000 per year is low.

Mr. Tom Menne said he was concerned about large events happening on 10-acre parcels and the traffic and parking issues it would cause, especially if there were a fire and people were trying to get out. Mr. Menne talked about the yearly Valley-wide yard sale which brings a lot of traffic, and it prevents him from driving his farm equipment during that time. Mr. Menne went on to say that he believed the \$1,000 requirement for sales should be raised to be a percentage of a person's income from agriculture.

Ms. Freda Walker said she supports educational activities and programs such as 4-H but thinks there should be some definition of education in the ordinance. She talked about

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non-profit organizations in the Valley that are making money but don't necessarily contribute to the economy in Siskiyou County. Ms. Walker also encouraged collecting data.

Mr. Tom Ball of Fort Jones wanted clarification as to what constitutes an event, whether it's multi-days, overnight, etc. He suggested an event be more specifically defined.

Mr. Murry Taylor said that the \$1,000 in sales for 10 acres is too small and thinks it would be better to stay with the by-right uses rather than make it more complicated. Mr. Taylor agreed that educational activities should be distinguished from commercial activities. Mr. Taylor pointed out that all the hard work in trying to clarify the zoning ordinance will mean nothing if it cannot be enforced.

Seeing no further comments on Topic 2, Commissioner Melo turned it over to the Commission for discussion and direction.

- 3. Planning Commission Discussion and Direction:** Commissioner Lindler reiterated that the threshold for the acres and the dollar amount need to be revisited. She inquired of Staff whether there are more Code Enforcement personnel, and Mr. Dean reported that they are fully staffed with three.

Commissioner Veale stated he believed the comments regarding policing were very important, but there were some situations and locations that are difficult to police.

Commissioner Melo also commented that Siskiyou County is one of the geographically largest counties in the State with one of the smallest populations.

Mr. Carroll explained that the County is improving its code enforcement procedures, and they now have the ability to go out and start citing people. If there is a complaint about a particular property, Code Enforcement will do their best to investigate. The County is trying to be as reactive as it can to code enforcement issues.

#### **IV. Discussion Topic #3 - Zoning Districts & Minimum Parcel Size:**

- 1. Background Information:** Mr. Skierski explained that the proposed text updates would apply to properties zoned AG-1, AG-2 and RR. The properties must be a minimum of 10 acres and be a working farm or ranch. He reminded everyone that the current zoning ordinance only allows for crop-type farming within the RR zone, which prohibits commercial livestock farming. RR zones tend to be more residential in nature, but it is an agricultural zoning district. Mr. Skierski asked the Planning Commission to consider farm stays or camping within the RR zone, which are similar to short-term rentals and may occur in the RR zone with use permit approval, and the removal of a farm stay within the administrative permit level may be appropriate because it can still be obtained through a higher use permit.

Mr. Skierski asked the public to consider whether the RR zoning district should be removed from the proposed updates. He pointed out that the code still allows RR zoning

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districts to have accessory uses and buildings normally incidental to single family dwellings or small farming, so if RR is removed from the proposed text updates, they may still partake in accessory uses incidental to small farming as it is interpreted by the Director at that time. Mr. Skierski asked for more discussion regarding whether or not the minimum 10-acre parcel size is appropriate and whether it should be larger or smaller. Currently, onsite agricultural products are not permitted outright on RR parcels, and Mr. Skierski asked whether it could be considered incidental to small farming. He asked for input on how the right to farm is viewed and whether farm stays/farm camping should be permitted in the RR through an administrative permit or a use permit.

**2. Public Comment:**

Mr. Michael Stapleton said he thinks that RR should be eliminated from this process because he thinks that is where most of the abuse will be for questionable agricultural activities, and that will be where most of the neighbor conflict will occur.

Ms. Theo Johnson of Etna said she appreciates the need for new sources of income or outside sources that don't interrupt your neighbors' farming and ranching. Examples she gave were activities such as horse training and giving riding lessons and that those should be allowed as long as they weren't a nuisance to one's neighbors. Ms. Johnson commented on new structures being built for farm stays and that 10 percent or five acres, whichever is less on your property, would seem to allow for the potential of new cabins for people to stay in and it seemed like a lot of build-up. She wondered if it would be allowed under the Scott Valley Plan. Ms. Johnson remarked that agriculture is not tourism but thinks it would be beneficial to encourage education and have people come and see how ranches and farms operate as a way to build a bridge to the outside world.

Ms. Betsy Stapleton said one of the things she has wondered about is how the zoning ordinance aligns with the Scott Valley Area Plan. Ms. Stapleton remarked that it seemed the focus in the discussion was agriculture, but there is quite a bit of resource land in Scott Valley, of which a fair amount is in the 10-acre parcel areas. In the Scott Valley Plan, there are some principles that say intensity and density of use shall not have negative impacts on these resource lands. Ms. Stapleton suggested that if accessory to agricultural uses were applied to parcels that were AG-1 and AG-2 and 80 acres or larger, the issue of intensity and density of uses would be significantly addressed just based on the limitation in the number of parcels that would be available, and it would also then be associated with genuine agricultural products. The primary economic base in Scott Valley is hay and cattle, and they are not unique agricultural products. Ms. Stapleton concluded by saying that if the purpose was to support the economic agricultural base in Scott Valley and not just attach the terms "boutique" or "hobby" to the language, then the definition needed to be changed to reflect that it was for all agricultural products and not just unique ones.

Mr. Tom Menne stated that camping, farm stays and agricultural products need to be separated. He remarked that a lot of folks own land with combinations of RR, AG-1 and AG-2 zoning. Mr. Menne doesn't believe real farmers will benefit from agritourism because they don't raise those kinds of products.

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Ms. Freda Walker said she agreed with Mr. Menne that the uses need to be separated. Her concerns have to do with camping and/or farm stays. Ms. Walker is aware of a situation where camping was happening on a parcel, but no host was present because the person who owns it does not live in Scott Valley. She is concerned about waste and water use and how it affects the adjacent property. Ms. Walker thinks camping and farm stays should have their own guidelines.

Mr. Bob Wagner of Etna said he moved to Scott Valley in 1969 to work at the JH Ranch as a packer and guide. He said he does not see how camping and farm stays have anything to do with a working ranch and fears the current agritourism ordinance will allow more and more dude ranches. He suggested supporting real working ranches, which in his opinion should be 80 acres minimum. He thinks a gross income of \$1,000 to define a ranch is absurd.

Mr. Felice Pace gave the example of Napa, California, as a definition of agritourism with the crowds and traffic. Mr. Pace said he monitors grazing in the wilderness and said young people are coming back to the old ranches and doing a better job managing their cattle. Mr. Pace went on to share his opinion about camping in the RR zone and thinks it has already created problems. For example, if people camp in a riparian zone, there will be issues with waste and water quality.

Seeing no further comments on Topic 3, Commissioner Melo turned it over to the Commission for discussion and direction.

**3. Planning Commission Discussion and Direction:**

Commissioner Veale provided another point of view about the 10-acre parcels and said if a person wanted to have a berry farm or a Christmas tree farm, those could generate more revenue than 100 acres of grain.

Discussion took place among the Commissioners and the public about parcel sizes and uses.

Commissioner Lindler said the way she sees the issue is not how a landowner is personally using their property but how the County will permit the landowner to allow the public use their property.

Further discussion took place about some ranches already practicing some activities that may or may not be permitted and how to resolve that without any adverse effects.

**V. Discussion Topic #4 – Recommended Changes to Consider:**

- 1. Background Information:** Mr. Skierski explained the last discussion topic would be used in two ways. First, the public and the Planning Commission could discuss anything not covered thus far. Staff also wanted the Planning Commission to make recommendations on areas that have not been covered. Finally, Staff would provide a few



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recommendations for consideration. Mr. Skierski remarked that what has been discussed quite a bit relates to agritourism camping.

Mr. Skierski said that the intention of the zoning ordinance was for instances such as school activities that may involve a multi-day farm stay and an individual having clients visit their ranch to view livestock and maybe receive training and stay one or two nights in their own trailers. Mr. Skierski said It is clear that the current definition could lead to situations that go beyond the intended meaning.

Mr. Skierski commented that there had been recommendations to remove camping from the RR zoning district altogether. Staff believed they could completely remove that from the farm stay definition add the term "including temporary structures," which would cover RV's, tent structures and the like. As the zoning ordinance is currently worded, an administrative permit would be required. Mr. Skierski recognized other comments regarding camping or farm stays in the RRB zone and requiring a use permit instead of an administrative permit.

Finally, Mr. Skierski stated Staff wanted to recommend adding an amplified music restriction to the Level I agritourism definition.

**2. Public Comment:**

Mr. Michael Stapleton said he believes most people do not want Siskiyou County to turn into another Napa Valley, and he appreciated the consideration being given to the Scott Valley Area Plan. Although he sees the zoning ordinance as a one-size-fits-all for Siskiyou County as a whole, he pointed out Scott Valley is a separate zoning entity and asked the Planning Commission to take that into consideration. Mr. Stapleton expressed concern over the amount of buildings that would be allowed under the zoning ordinance, and he reiterated that most people in Scott Valley want to live a rural lifestyle.

Ms. Betsy Stapleton said she agreed with Mr. Stapleton's remarks about the amount of buildings that would be allowed under the zoning ordinance. She also has concerns about the noise generated by large gatherings.

Mr. Felice Pace suggested adding a performance standard for surface and ground water quality and quantity. He also recommended adding annual reporting requirements for by-right uses and eliminating the administrative permit.

Ms. Freda Walker said she is excited about the different things the younger generation is bringing to Scott Valley and hopes a plan can be made that will engage the younger people who are willing to come back to farm and ranch. She expressed concern that everyone in attendance at the Workshop was from Scott Valley and wished other Siskiyou County residents had attended. Ms. Walker felt the TAC was hand-picked because its formation occurred during the holidays. Ms. Walker also expressed concerns about losing sight of the night sky if there is too much construction because it is one of Siskiyou County's natural resources that should be preserved.

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Mr. Tom Menne said that as a farmer, he needs a different kind of help and tourism would not be helpful to him. He expressed concern about how the County would be able to follow through with enforcement of the zoning ordinance and how large events would put a drain on small communities that are understaffed in their fire departments and law enforcement agencies.

Mr. Murry Taylor asked that the County take a conservative approach when drafting the zoning ordinance because Scott Valley contains prime agricultural land. He would also like to see the current quality of life continue as was the idea when the Scott Valley Area Plan was developed.

Ms. Theo Johnson expressed frustration that people had attended the Planning Commission meetings in which the zoning ordinance was on the agenda, and it was postponed. Ms. Johnson also talked about regulations being hard on farmers and ranchers.

Mr. Tom O'Brien of Fort Jones said he and his family moved to the area about 10 years ago. They were originally from Salinas, California, and moved to the Sierra foothills. They saw the population increase and things changed, so they relocated to Fort Jones. What they like about Fort Jones are the deep agricultural roots in the community.

Seeing no further comments on Topic 4, Commissioner Melo turned it over to the Commission for discussion and direction.

### **3. Planning Commission Discussion and Direction:**

Commissioner Melo requested that Staff submit a report when they are ready to present the text amendment at a Planning Commission meeting and base the report on the comments received at the Workshop.

Commissioner Veale agreed with comments to the effect that Scott Valley is unique so that should be taken into consideration. The text amendment would also eventually have to be approved by the Board of Supervisors, one of which is from Scott Valley, but the remaining Supervisors live in other parts of the County.

Commissioner Lindler suggested including social media in future noticing since that is where a lot of people get their news. She wondered whether a permit is required for educational tours, and Mr. Skierski responded that educational activities are likely considered an accessory use but not allowed outright. The process would be that the Planning Director would have the discretion to determine whether or not it would be an accessory use or allowed by right.

Mr. Skierski remarked that one of the things he heard at the Workshop was possibly adding a definition for an accessory to agricultural use, which would mean that items listed within that definition could take place. However, policing those uses is a concern so it may need to be evaluated.

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**VI. Conclusion & Adjournment**

1. **Staff's Next Steps:** Mr. Skierski said he was prepared to move forward on preparing another draft text amendment which will be presented at a future Planning Commission meeting. Staff will issue a Press Release indicating when the revised zoning text amendment will be on the Planning Commission agenda. It will also be posted according to the County's usual practices.

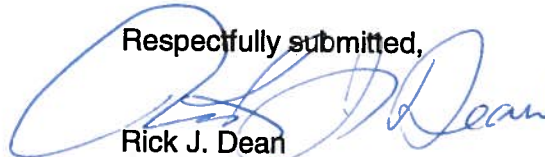
Mr. Skierski outlined the plans to move forward on drafting a new text amendment for the zoning ordinance, making sure it is feasible and enforceable, and that the environmental analysis is still relevant and up to date. Mr. Skierski said it may be necessary to recirculate the environmental document if there are significant updates and explained the process required to make the text amendment officially part of the final zoning ordinance.

Commissioner Melo explained that the reason why the process has taken so long was because of Planning Division staff turnover.

Ms. Betsy Stapleton asked about the environmental analysis being revised and whether an opportunity for public comment would be provided. Mr. Skierski responded that if the environmental analysis was deemed sufficient and Staff thought it was appropriate to move forward, it would be included in the Staff Report presented at a future Planning Commission meeting. At that time, public comment would be opened and comments would be received. The same would be true when the text amendment is presented to the Board of Supervisors.

2. **Future Meetings:** The next regular meeting of the Planning Commission is scheduled for Wednesday, October 16, 2019.
3. **Adjournment:** The meeting was concluded at 12:20 p.m.

Respectfully submitted,



Rick J. Dean  
Acting Secretary

vjr



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**New Business Agenda Item Number 1**  
**Agritourism Zoning Text Amendment (Z1703)**

**Subject:** Staff is requesting direction from the Planning Commission in order to present a final draft of the Agritourism Zoning Text Amendment proposal. The project is proposing a zoning text amendment intended to both address the lack of specificity in the Code for uses traditionally interpreted by the Planning Director as “incidental to agriculture” and to facilitate the marketing and promotion of agricultural products grown and produced in Siskiyou County through onsite agritourism activities not yet contemplated by the Code. Staff initiated the process of amending the County’s Zoning Ordinance for agritourism related activities in 2017, which resulted in the formation of a Technical Advisory Committee (TAC) to prepare draft zoning text amendments for consideration. The TAC held public meetings and then provided recommended amendments to the Planning Commission at its June 6, 2018, meeting. The Commission then directed staff to begin working on the zoning amendment ordinance, which was initially scheduled for the March 20, 2019 Planning Commission meeting. Members of the public have raised concerns regarding the initial draft text amendments, and in an effort to address those concerns, staff is presenting the Planning Commission options for consideration and is seeking direction to finalize the text amendments.

- General Plan:** All
- Scott Valley Area Plan:** All
- Zoning:** Rural Residential Agricultural (RR), Non-Prime Agricultural (AG2), Prime Agricultural (AG1)
- Location:** County-wide
- Attachments:**
- A. March 20, 2019 Planning Commission Staff Report
  - B. Development Standards
  - C. Public Comments Received after Sept. 25, 2019 Workshop

## **Background**

The Siskiyou County Code is currently ambiguous and many uses have been traditionally interpreted as fitting within those uses “incidental to agriculture”. Both locally and throughout the state and nation, there is a growing agritourism sector. The zoning code amendment is intended to provide clarity regarding agritourism activities in Siskiyou County and provide regulations regarding which uses are permitted, and which would require additional review and/or conditional permitting. The changes originally proposed applied to parcels 10-acres or larger within the Rural Residential Agricultural (R-R), Non-Prime Agricultural (AG-2), and Prime Agricultural (AG-1) zoning districts.

In 2018, the Planning Commission appointed seven members to a Technical Advisory Committee (TAC) to study the County’s code and provide recommendations regarding agritourism in Siskiyou County. This TAC provided recommended changes to the Planning Commission at its June 6, 2018, meeting. It was the Commission’s direction that staff work with County Counsel to use these recommended changes to draft a zoning code amendment. The Agritourism Zoning Text Amendments project was initially scheduled for the March 20, 2019 Planning Commission meeting but was continued. Due to staff turnover, the project was inactive from March until September. New County staff took over the project and decided to hold a public workshop to address the public comments received.

## ***Agritourism in Similar Jurisdictions***

The following is intended to show how similar rural county jurisdictions regulate agritourism activities, and is provided as additional examples that may be considered by the Planning Commission. Staff has included examples from Tehama County, Yolo County, and Modoc County. The examples below provide a brief description of allowed activities and permitting requirements of the specific jurisdictions listed below. In addition, staff has provided further detail regarding the differences and nuisances between each separate jurisdiction and Siskiyou County. Please be advised that the following subsections identify a specific county’s regulations, permitting requirements, and definitions. Strictly for reference purposes, staff has included comparisons of the specific county’s regulations against the initially proposed Agritourism Zoning Text Amendments presented at the March 20, 2019 Planning Commission meeting. This is simply intended to aid the Planning Commission in consideration of how Siskiyou County should proceed.

### Tehama County

Agritourism uses are permitted within Tehama County’s Agricultural, Natural Resource Lands and Recreation, and General Recreation zoning districts, which consists of six separate zoning districts. Tehama County does not have a minimum parcel size for agritourism uses with the exception of: 1). “Agricultural homestays”; and 2). “Glamping”, which require a minimum parcel size of 20 acres. Currently, some agritourism uses are permitted by-right while larger agritourism uses require approval of a staff level Administrative Permit. Furthermore, agritourism uses and activities have to comply with specific development standards within Tehama County’s Code. Agritourism uses and activities that exceed Tehama’s development standards may be permitted through approval of a Conditional Use Permit. It should be noted that Tehama County’s Development Standards for agritourism uses are largely identical to the development standards within Siskiyou County’s initially proposed Agritourism Zoning Text Amendments.

Tehama County currently interprets several agritourism uses and activities to be “incidental to agriculture” and allows those uses and activities to be permitted by-right, which does not require permit approval. Those agritourism uses and activities that Tehama County considers incidental to agriculture  
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include: roadside stands, U-pick operations, farm dinners, farm tours, and FFA/educational activities. In addition, Tehama County allows limited agritourism activities/events by-right, which is limited to an average of 15 people per day or 106 persons per week. Tehama County does not limit the frequency or number of agritourism activities/events only the number of individuals per event/week. Tehama County requires Administrative Permit approval for agritourism activities/events that exceed 15 persons per day or 106 persons per week. Those agritourism activities/events are limited to no more than an average of 35 people per day with a maximum of 250 in any given week. There is no limit to the number of events as long as the maximum number of persons per event/week is met.

Siskiyou County's initially proposed Agritourism Zone Text Amendments were modeled after Tehama County and included similar requirements and development standards with the exception of the following listed below. As previously identified, Siskiyou County's initially proposed Agritourism Zoning Text Amendments is provided for comparison purposes only. For all intents and purposes, the use of the word "proposal" below is intended to designate the initially proposed Agritourism Text Amendments and does not represent any current proposals by County staff.

1. Minimum parcel size
  - a. Siskiyou County's proposal of 10-acre minimum for agritourism uses is more restrictive than Tehama County, which does not have a minimum parcel size for agritourism uses.
  - b. Tehama County's minimum parcel size of 20 acres for Agricultural Homestays and Glamping is more restrictive than Siskiyou County's proposal of a 10-acre minimum for "Farmstays" and "Agritourism Camping".
2. Zoning Districts
  - a. Tehama County separates agricultural and residential zoning districts. As a result, minimal agricultural uses are permitted within Tehama's residential zoning districts. Essentially, agricultural uses are restricted to agricultural zoning districts within Tehama County.
  - b. Siskiyou County has recognized that agriculture is a primary economy and use throughout the County. As a result, Siskiyou County created a Rural Residential Agricultural District (R-R) intended to provide an area where rural residential uses that could be compatibly mixed with commercial agricultural activities. Due to this, Siskiyou County's Agritourism Text Amendment would allow agritourism activities within the R-R zoning district to account for differences between Tehama and Siskiyou's zoning districts.
3. By-right uses for agritourism activities/events
  - a. Siskiyou County's proposal would allow limited agritourism activities by-right, but those activities are restricted to a specific number of events per year and number of individuals per event: 1). Up to 20 single-day events per year with no more than 30 guests per event; and 2). Three single-day events per year involving guests in excess of 30, but no more than 150 guests per event.
  - b. Tehama County allows agritourism activities that generate no more than an average of 15 guests per day or 106 guests per week by-right.
  - c. Siskiyou County's proposal is more restrictive than Tehama County.
4. Administrative Permits for activities/events
  - a. Siskiyou County's proposal would allow agritourism activities/events to either exceed the frequency of activities/events or increase the maximum number of individuals per event

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through Administrative Permit approval. This would allow for either 40 single-day events with no more than 30 people or 20 single-day events with no more 60 people; and either six single-day events with between 30-150 guests or three single-day events with no more than 300 people.

- b. Tehama County allows events with more than 35 guests per day or 250 guests per week with Administrative Permit approval.
  - c. Siskiyou County's proposal is more restrictive than Tehama County.
5. Noticing requirements
- a. Tehama County's requirement for notifying all property owners within 1,000 feet for Administrative Permits is more restrictive than Siskiyou County's proposal.
  - b. There were no proposed noticing requirements for Administrative Permits within Siskiyou County's proposal.
6. Time limits for outdoor agritourism activities
- a. Siskiyou County's proposal of outdoor agritourism activities limited to the hours of 7:00 a.m. to 8:00 p.m. is more restrictive than Tehama County. Tehama County allows outdoor agritourism activities limited to the hours of 7:00 a.m. to 10:00 p.m.
7. Average Daily Trips
- a. Siskiyou County's proposal of agritourism activities limited to activities that generate no more ten daily trips in a calendar month is more restrictive than Tehama County.
  - b. Tehama County requires compliance with specific development standards should an agritourism activity generate more than 7.5 average daily trips, but does not restrict agritourism activities to an average daily trip standard as Siskiyou County's proposal does.
8. Additional setbacks for agritourism activities proposed in an area of regular agricultural spraying
- a. Tehama County may require an adequate buffer where agritourism activities are proposed in an area of regular agricultural spraying to ensure there is no significant health risk.
  - b. Additional buffers/setbacks pertaining to agricultural spraying were not included in Siskiyou County's proposal – Tehama County's requirement is more restrictive Siskiyou County's proposal.
9. Glamping/Agritourism Camping and Farmstays
- a. Tehama County allows up to a maximum of 15 individuals for Glamping and Farmstay uses, which is more restrictive than Siskiyou County's proposal. Siskiyou County's initial proposal would limit Agritourism Camping to a maximum of 25 individuals and did not limit the number of individuals for Farmstays.

As identified above, Siskiyou County's initial proposal to regulate agritourism activities goes beyond Tehama County and would generally be more restrictive. It should be noted that the remaining requirements, development standards and provisions of Siskiyou County's initial proposal is generally identical to Tehama County.

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*Tehama County Definitions*

**Agritourism:** "Agritourism" is the act of visiting a working farm for the purpose of enjoyment, education or other uncompensated active participation in the activities of the farm. An agritourism use is an enterprise located at a working farm (as defined by Section 52262 of the California Food and Agricultural Code), that is conducted for the enjoyment and education of visitors, guests or clients, and which generates income for the farm's owner/operator. The enjoyment and education of visitors, guests or clients must be incidental and not the primary function of the farm. Agritourism does not include arena events such as roping competitions, horse shows, rodeos and similar commercial-for-fee sporting events, weddings, concerts, RV parks, or camping.

\*Section 52262 of the California Food and Agricultural Code defines a working farm as, "Farm' means a place of agricultural production, which has annual sales of agricultural products of one thousand dollars (\$1,000) or more."

**Agri-nature tourism:** "Agri-nature tourism" is the act of visiting a working farm for the purpose of enjoyment, education, or other uncompensated active involvement in activities or experiences taking place in natural areas. An agri-nature tourism use is a visitor-oriented destination or experience centered on an agricultural and/or natural theme located at a working farm (as defined by Section 52262 of the California Food and Agricultural Code), that is conducted for the enjoyment and education of visitors, guests or clients, and which generates income for the farm's owner/operator. The enjoyment and education of visitors, guests or clients must be incidental and not the primary function of the farm.

**Agricultural homestay:** "Agricultural homestay" means a farm, as defined in Food and Agricultural Code section 52262, that produces agricultural products as its primary source of income and meets all of the following criteria: (i) Provides overnight transient occupancy accommodations in not more than six guest rooms to not more than fifteen guests who actively participate in the on-site agricultural activities; (ii) Serves food only to its registered guests, and includes the price of food in the price of the overnight transient occupancy accommodation; and (iii) Lodging and meals are incidental and not the primary function of the agricultural homestay facility.

**Glamping:** "Glamping" means a transient occupancy facility where guests occupy detached permanent upscale tent units or similar units, which are regulated by California Building Code and California Fire Code but are not conventional hotel, motel or cabin facilities or camping and are not an agricultural homestay as defined within County Code.

*Notable Differences between Tehama County and Siskiyou County*

Tehama County separates agricultural uses and residential uses in Tehama's Zoning Code, in which general agricultural activities are not permitted within Tehama County's residential zoning districts. Siskiyou County has a specific zoning district, Rural Residential Agricultural District (R-R), intended to provide an area where rural residential uses can be compatibly mixed with commercial agricultural  
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activities. Tehama County allows agritourism uses within six zoning districts where Siskiyou County's initial proposal would only permit agritourism uses within three zoning districts. Tehama County does not have a minimum parcel size for agritourism uses with the exception of Agricultural Homestays and Glamping, which require a minimum parcel size of 20 acres. It should be noted that Tehama County has not issued any permits for agritourism uses or activities since Tehama County has updated its code in 2012. Currently, all agritourism uses or activities within Tehama County are considered incidental to agricultural or meet the allowed agritourism uses/events standards, and thus, are allowed by-right. According to Tehama County, updating their code to allow agritourism uses and activities has not facilitated new or expanded agritourism uses within Tehama over the last seven years.

Yolo County

Yolo County allows for a wide variety of agricultural uses and activities, and puts an emphasis on supporting their agricultural economy and character by including a broad range of commercial agricultural uses within their County Code. Yolo County has a comprehensive Zoning Code that accounts for approximately 100 different agricultural uses and activities including 30 regulations for agritourism uses. For reference, Siskiyou County's Code accounts for 16 different agricultural uses and activities including five regulations that could be interpreted for agritourism uses. The reason this is important is that jurisdictions generally have permissive zoning ordinances (e.g. Siskiyou County Zoning Code), and individuals may only partake in uses and activities identified as being permitted/allowed. Any use or activity that is not included within Siskiyou County's Zoning Code is considered prohibited. With that being said, Siskiyou County's Code currently includes general language that could allow for a broader range of agricultural uses, including agritourism uses, but would require Siskiyou County's Community Development Director and/or Planning Director to interpret a proposed activity/use to be an "agricultural use" or "incidental to agriculture". The ambiguity in Siskiyou County's Code is the primary reason staff moved forward with the Agritourism Text Amendments project.

Siskiyou County's Code currently includes the following language that may be interpreted to allow agritourism uses and activities:

AG-1 and AG-2 Zoning Districts: "Agricultural uses, including, but not limited to tree, vine, row, and field crops, growing and harvesting of trees, and livestock farming and animal husbandry, but not including dairies, commercial feed lots, or commercial poultry, and hog raising operations".

"Accessory uses incidental to agriculture".

R-R Zoning District: "Small acreage farming, except commercial dairies, commercial kennels, commercial rabbit, fox, goat, horse, and hog farms, commercial chicken or poultry ranches, riding stables, rodeos, or commercial horse rentals".

"Accessory uses and buildings normally incidental to single-family dwellings or small farming".

*Agritourism Uses and Activities*

Table 1. below identifies agritourism uses and activities that are regulated by Yolo County. The list is intended to provide the Planning Commission examples of specific agritourism uses and activities that Siskiyou County may allow and/or regulate.

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Table 1. Yolo County’s Regulated Agritourism Uses and Activities

|   |  |  |   |
|---|--|--|---|
| Farm stays  | Christmas tree/pumpkin patches with over 100 daily customers | Corn mazes   | Farm dinners  |
| Special event facilities, over 40 acres, 8 events per year, less than 150 attendees | Special event facilities; small & large                      | Private stables with events  | Commercial stables; small & large                             |
| Bed and breakfasts/lodging; small & large   | Wineries, breweries, distilleries                            | Roadside/ produce stands, farmers markets, U-pick farms etc.; permanent & seasonal | Rural restaurants   |
| Campground  | Rural recreational facilities                                | Commercial pools, ponds, or lakes  | Health resorts, spas, and retreats.                           |
| Orchards and Vineyards  | Outdoor kitchens   | Petting zoos   | “Yolo Stores” – 50% of items sold are products of Yolo County |

*Yolo County Definitions:*

Agri-tourism:

An income-generating activity conducted on a working farm or ranch, or other agricultural operation or agricultural facility, for the enjoyment and education of visitors, guests, or clients. Agri-tourism refers to the act of visiting a working farm or ranch, or any agricultural or horticultural operation for the purpose of enjoyment, education, or active involvement in the activities of the farm or ranch or agricultural operation that also adds to the economic viability of the agricultural operation. Agri-tourism includes activities and uses that are incidental to the agricultural operations. Agri-tourism also includes uses that benefit from locating in a quiet, sparsely-populated, agricultural or natural environment, which may not be directly tied to, or incidental to, on-site agricultural operations, but nevertheless enhance the agricultural economy in the region. Such uses do not include commercial or retail uses and activities that are not directly related to agriculture such as sales of goods and services typically found in urban areas. Agri-tourism uses include, but are not limited to, wine, beer, and olive oil tasting, sale of local agricultural products, seasonal and permanent farm stands, “Yolo Stores,” farm tours, lodging (including bed and breakfasts and farm stays), and event centers that accommodate receptions, music, and limited dining including farm dinners.

\* “Yolo Stores” are stores in which 50% of items sold are products of Yolo County.

Farm:

Under Section 52262 of the Food and Agricultural Code, a farm is defined as, “a place of agricultural production which has annual sales of agricultural products of \$1,000 or more.”

Farm Stay:

A form of agricultural tourism where a farmer or rancher hosts guests or tourists at his/her working farm or ranch to familiarize the visitors with the daily activities associated with farming or ranching. Farm stays include six

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(6) or fewer guestrooms, or accommodations for no more than 15 guests, in a single family dwelling, or main farm house, or accessory guest house, provided as part of a farming operation, with an on-site farmer in residence, that includes all meals provided in the price of the lodging, and that meets all of the standards in Section 8-2.306(m).

**Special Event:** A “special event” or “event” is a community or private gathering such as a harvest festival, reception, farm dinner, corporate retreat, party, seasonal tasting, or rodeo, that is held at a special event facility/tasting room. An event includes all such gatherings, whether paid or unpaid. However, an event does not include farm tours by school children, FHA groups, small informal gatherings of family members or personal friends of the special event operator/owner, or one-time annual events such as festivals, charity fundraisers, or Day in the Country.

**Special Event Facility:** The use of land and/or facilities, for which a fee is normally charged, for a community or private event that is held on the premises of an agricultural property. A special event facility can include a tasting room, in which the general public, customers or guests may taste and purchase wine, beer, olive oil, cider, food items, or other incidental products commonly sold at such tasting rooms. A tasting room may be located at a vineyard, orchard, or other agricultural property, without the need for a winery, brewery, distillery, or olive mill facility or other processing facility to be located upon the premises.

*Notable Differences between Yolo County and Siskiyou County*

Yolo County has five different agricultural zoning districts including Agricultural Residential (A-R), which is of similar intent and character to Siskiyou County’s Rural Residential (R-R) zoning district. In addition, Yolo has five residential zoning districts that also include regulations for agriculture and agritourism uses and activities. This means that agriculture uses, including agritourism, are regulated in ten different zoning districts within Yolo County. Similar to Tehama County, Yolo County does not have a minimum parcel size for agritourism activities except “Special Event Facilities” for agritourism uses may only be permitted on parcels of 40 acres or greater. Unlike Tehama County and Siskiyou County’s initial proposal, agritourism camping is not permitted in Yolo County.

Yolo County permits agritourism uses through three avenues:

- By-right zoning - Uses/activities allowed outright that do not require approval or permits;
- Site Plan Review – Uses/activities that require staff level review and approval, which is similar to an Administrative Permit; and
- Use Permit – Uses/activities that require Planning Commission level review and approval.

Yolo County’s Zoning Code includes specific Development Standards for agritourism uses and activities. Generally, these development standards are intended to minimize effects of agritourism uses and provide standards that specific agritourism uses have to meet. Development standards include limits to average daily trips (ADTs), minimum parcel size, setbacks/buffers, parking standards, physical development limitation, etc. Yolo County includes Development Standards for “Farm Stays” and “Special Event Facilities”, which are similar to Tehama County’s Zoning Code and Siskiyou County’s

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initial proposal of Agritourism Zoning Text Amendments. However, both Tehama and Yolo Counties limit farm stays to a maximum of 15 people. Siskiyou County's initial proposal did not specifically limit the maximum number of guests for a farm stay, which instead would be limited by a working farm or ranch's septic capacity or proposed improvements to the farm/ranch's septic system. It should be noted that Tehama County's Code does not include "Special Event Facilities" for agritourism uses, however, Tehama County accounts for agritourism events within its definitions for "Agritourism" and "Agri-nature tourism", and thus, allows/regulates said agritourism events.

Lastly, Yolo County regulates special event facilities for agritourism uses through "Small Special Event Facilities" and "Large Special Event Facilities". Small special events are those that do not involve the construction of substantial new structures used by the public, hold no more than twelve events per year, attract fewer than 150 attendees at each event, and each event generates less than 100 vehicle trips. Large special event facilities are those that involve construction of substantial new structures used by the public, hold more than twelve events per year, or the events attract more than 150 attendees or generate more than 100 vehicle trips. Large special event facilities receive a greater level of review to ensure that any potential impacts are addressed through Use Permit review and approval by Yolo County's Planning Commission. Within Yolo County, a special event facility located on a parcel that is a minimum of 40 acres is allowed by right, so long as the facility holds no more than one (1) event per month not to exceed eight (8) events per year, and attracts fewer than 150 attendees at each event, and each event generates less than 100 vehicle trips.

### Modoc County

Modoc County has not amended its code to specifically address agritourism uses and activities. Modoc's County Code is very similar to Siskiyou County's current Zoning Code in that agritourism uses and activities may be permitted but is largely regulated on a case-by-case basis. Similar to all the previous jurisdictions, Modoc County allows agritourism uses and activities through three avenues: by-right, Administrative Permits, and Use Permits. It is generally understood within Modoc County that roadside farm stands, farm dinners, farm tours, and FFA/educational tours are "incidental to agriculture" and are allowed without permit approval, similar to Tehama County. However, more intense agritourism uses may require permit approval, but are considered on a case-by-case basis. An example provided by Modoc County staff identified that a working farm in Modoc wanted to construct a commercial kitchen to facilitate the processing of agricultural goods grown on the premises for retail sales from the premises. Modoc County required approval of an Administrative Permit to allow the use of a commercial kitchen with retail sales. Modoc County has not come across an agricultural/agritourism use that would require Use Permit approval. Modoc County operates on a compliant basis should any "non-compliant" agritourism uses arise. However, in discussions with Modoc County staff, it appears that working farms and ranches within Modoc County are not interested in pursuing agritourism uses other than roadside farm stands, farm dinners, farm tours, and FFA/educational tours. As a result, Modoc County feels it not required to amend their County Code for agritourism uses.

## **Discussion**

In an effort to assist the Planning Commission, staff has provided three options for regulations of agritourism uses and activities for consideration. The options are intended to be a starting point and aid the Planning Commission in providing staff direction on final text amendments. The Commission may modify (add, delete, or change) any of the options below including adding standards from a different option or jurisdiction. The options are modeled after the initial Agritourism Zoning Text Amendments, but have been modified to address some concerns raised by the public.

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*Staff Recommendations Regardless of Menu Option*

Staff is recommending updating the County Code to clearly identify four accessory agricultural uses as being permitted uses within the AG-1, AG-2, and R-R zoning districts. The four accessory agricultural uses are roadside stands (onsite sales), U-pick operations, farm tours, and FFA or educational activities. These uses have historically been interpreted as accessory agriculture uses, but are not expressly permitted within the County Code. As identified previously, other jurisdictions also consider these uses to be accessory to agriculture (e.g. Tehama County and Modoc County). Throughout this process, the public has expressed support for these minor accessory agricultural uses, and comments have been made that these uses are not necessarily related to agritourism. Staff agrees and believes that these uses are clearly accessory to agriculture and should be allowed outright. Therefore, staff is recommending including roadside stands (onsite sales), U-pick operations, farm tours, and FFA or educational activities as allowed uses within the AG-1, AG-2, and R-R zoning districts under all circumstances. It is staff's opinion that this text update should occur regardless of what may result from agritourism. This is simply a clean-up item that would not impact existing or future conditions as these uses have been historically allowed as accessory agricultural uses.

Lastly, staff is recommending removal of "Unique Agricultural Product" and "Agritourism Camping" that were proposed as part of the initial text updates scheduled for the March 20, 2019 Planning Commission meeting. Current staff believes that the Unique Agricultural Product definition was proposed to identify that processing of agricultural goods grown on a property is an agricultural use. It is staff's opinion that "Unique Agricultural Product" definition does not need to be included with the text updates. In addition, "Agritourism Camping" is not needed because it is a similar use to the proposed "Agricultural Farmstay" and is essentially a farmstay in itself. The Agricultural Farmstay definition would allow for transient overnight occupancy of a working farm or ranch that is developed with a single-family residence. Transient stays could be permitted in a dwelling, tent unit, or similar structure. Therefore, staff feels that both of these proposed definitions are not necessary and do not need to be included in the proposed text updates.

The sections below provide a brief description of the menu options for consideration. In addition, staff has included a table comparing the menu options side-by-side following the "Menu Option #3 – Oats Option" subsection. See Table 2. Menu Options Comparison Table for further details of the proposed menu options.

Menu Option #1 – Barley Option

The Barley Option represents the least restrictive option of the three. As previously identified, all of the options were modeled after the initial proposal but have been revised to address some concerns raised by the public while still capturing the intent of the updates to help Siskiyou's working farms and ranches. The initial proposal included regulations for by-right agritourism activities/events that would allow a specific number of events per year and limited the number of guests per event. The initial proposal also included an Administrative Permit process to increase either the number of events or number of guests per event.

The Barley Option revised the allowances and permitting process for agritourism activities/events. Specifically, the Barley Option reduced the number of guests allowed from 30 guests to 20 guests, but does not limit the number of activities/events due to the small nature of the events. In addition, the Barley Option completely removed the allowance for up to three agritourism activities/events with more than 30 guests but not more than 150 guests. Instead, any agritourism activity/event that generates more than 20 guests (not including by-right uses) would require approval of an Administrative Permit. Working farms or ranches would be allowed to have agritourism activities/events with more than 20

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guests but not more than 300 guests through Administrative Permit approval. Once again, due to the small Administrative Permit threshold of 20 people, staff is not including a limit to other agritourism activities/events. Lastly, the Barley Option would allow agritourism uses on parcels zoned AG-1, AG-2, and R-R with a minimum property size of 10 acres, but Farmstay uses would only be allowed on properties 20 acres or greater. Due to this, staff has included Farmstays as a by-right use should a working farm or ranch wish to have transient occupancy stays to promote their farm or ranch.

Menu Option #2 – Rye Option

The Rye Option provides a compromise or middle ground between the other two options. It is staff's opinion that the Rye Option is comprehensively a superior option. Staff has included an innovative approach designed to give working farms and ranches tools to promote their agricultural operations while minimizing effects of agritourism uses and activities to surrounding properties. To accomplish this, staff has included a requirement for Administrative Permit approval if any agritourism activities, not including by-right uses, are proposed within 1,000 feet of an adjacent residence. This would encourage working farms and ranches to locate any proposed agritourism activities away from neighboring residences. This separation distance can be increased but it is staff opinion that 1,000 feet would significantly reduce any effects from agritourism uses incidental to a working farm or ranch to the surrounding properties.

The Rye Option differs from the Barley Option by increasing the minimum parcel size for agritourism uses to 20 acres but also increases the amount of guests allowed for by-right agritourism activities from 20 guests to 30 guests, which would be limited to 20 events per year. Working farms and ranches would be allowed to have up to 20 agritourism activities/events with no more than 30 guests without permit approval, granted the agritourism activity is more than 1,000 feet away from any neighboring residence not including by-right uses. Other by-right uses under the Rye Option include farm dinners with no more than 30 guests and Farmstays greater than 1,000 feet away from any adjacent residence. Administrative Permit approval would be required to allow agritourism activities/events with more than 30 people but not more than 300 people limited to seven events a year. In addition, Administrative Permit approval is required for Farmstays within 1,000 feet of any adjacent residences and for any other agritourism activity within 1,000 feet of any adjacent residences not including by-right uses.

Staff is recommending the Planning Commission consider the Rye Option, or consider adding a separation requirement of agritourism activities from adjacent residences. During this process, many residences expressed concerns regarding neighboring properties participating in agritourism activities due to effects those activities could produce (e.g. noise, dust, traffic, etc.). Including a separation requirement would encourage working farms and ranches to relocate any proposed agritourism activities away from the neighboring residences.

Menu Option #3 – Oats Option

The Oats Option represents the most restrictive option of the three. It removes permitting agritourism uses for working farms and ranches within the R-R zoning district. This means a working farm or ranch, regardless of its size would not be allowed to participate in agritourism uses under this zoning text amendment. Working farms or ranches may be allowed accessory uses and buildings normally incidental to small farming in the R-R zoning district as allowed within the current County Code. In addition, the Oats Option requires a minimum parcel size of 40 acres for agritourism uses. There would be no agritourism activities/events allowed by-right with the exception of the four accessory uses previously identified: roadside stands (onsite sales), U-pick operations, farm tours, and FFA or educational activities. Farmstays and farm dinners with less than 30 guests could be permitted through Administrative Permit approval, and all other agritourism activities would require approval of a Use Agritourism Zoning Text Amendment (Z1703)

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Permit. This means that any agritourism activity other than the by-right uses, farmstays, and farm dinners with less than 30 guests would require approval of a Use Permit. The Use Permit process would provide for a higher level of review for any agritourism use/activity, but there would be additional fiscal and time impacts to our working farms and ranches should they wish to pursue any other agritourism use/activity. At staff’s current capacity and workload, processing Use Permit requests can take 3-6 months to complete with additional time needed for projects with high-level environmental analysis.

Table 2. Menu Options Comparison Table

|                            | Option 1 – Barley Option   | Option 2 – Rye Option   | Option 3 – Oats Option  |
|----------------------------|--|---|---|
| Zoning Districts           | AG-1, AG-2, R-R  | AG-1, AG-2, R-R   | AG-1, AG-2  |
| Minimum Parcel Size        | 10 acres<br>20 acres for Farmstays   | 20 acres  | 40 acres  |
| By-right Uses              | Onsite sales<br>U-Pick<br>Farm tours<br>FFA/educational activities   | Onsite sales<br>U-Pick<br>Farm tours<br>FFA/educational activities  | Onsite sales<br>U-Pick<br>Farm tours<br>FFA/educational activities                  |
| By-right Activities/Events | Other agritourism activities that generate no more than 20 people per event<br><br>Farm dinners with no more than 20 people<br><br>Farmstays | Other agritourism activities that generate no more than 30 people per event Limited to 20 events per year<br><br>Farm dinners with no more than 30 people<br><br>Farmstays that are >1,000 feet from any adjacent residence   | N/A   |
| Admin. Permit              | Agritourism activities that exceed 20 people but not more than 300 people  | Agritourism activities that exceed 20 people but not more than 300 people. Limited to seven events per year<br><br>Farmstays that are within 1,000 feet from any adjacent residence<br><br>All other agritourism activities within 1,000 feet of any adjacent residence | Farmstays<br><br>Farm dinners no more than 30 people                                |
| Use Permit                 | Agritourism activities that exceeds 300 people per event   | Agritourism activities that exceeds 300 people per event  | All other agritourism uses/activities, limited to no more than 300 people per event |
| Special Requirements       | Farmstays limited to a maximum of 25 people  | Farmstays limited to a maximum of 20 people   | Farmstays limited to a maximum of 15 people   |

## **Environmental Review**

The approval of the Zoning Code Amendment is a discretionary action by the County and triggers the need to evaluate the project under CEQA. Upon completion of the Initial Study, staff determined that a Mitigated Negative Declaration (MND) of Environmental Significance was the appropriate environmental document for the project because, in staff's opinion, the proposed mitigation measures reduced the level of potential impact below the level of significance. The Initial Study and Mitigated Negative Declaration were sent to the State Clearinghouse (SCH#2019029087). The circulation period began on February 15, 2019 and ended on March 18, 2019.

CEQA requires that prior to approval of a MND, the Planning Commission must consider the proposed MND together with any comments received during the public review process and that the MND shall only be approved if the Commission finds that on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment and that the MND reflects the lead agency's independent judgment and analysis.

The environmental analysis for the proposed project will be discussed in detail when the final draft of the Agritourism Zoning Text Amendment is presented to the Planning Commission. At this time, it is not clear the direction of the zoning text updates. Should any significant changes occur, staff would need to reconsider the environmental analysis to ensure it is appropriate. The menu options presented within this staff report are more restrictive than the initial proposal, which means the environmental analysis completed represents a larger scope than the menu options provided for consideration. This would mean that the previous environmental analysis would still be applicable should the Planning Commission decide to use one of the options as a starting point.

## **Planning Commission Direction**

In providing staff direction on the final draft of the Agritourism Zoning Text Amendments, the Planning Commission should provide a response for the items listed below. Staff encourages the public to comment on the items listed below to assist the Planning Commission in determining how Siskiyou County should move forward regarding agritourism uses and activities.

- Should agritourism uses/activities be permitted in the AG-1, AG-2, and R-R zoning districts? Does the Commission feel the R-R zoning district should be removed?
- What should the minimum parcel size be for working farms and ranches to allow agritourism uses/activities?
- Should there be a minimum parcel size for specific agritourism uses/activities (e.g. Farmstays)?
- Does the Planning Commission consider roadside stands (onsite sales), U-pick operations, farm tours, and FFA/educational activities to be accessory agricultural uses and be allowed within Siskiyou's agricultural zoning districts?
- How many activities should working farms and ranches be allowed without permit approval (by-right)? How many guests per event should be allowed without permit approval?
- How many activities should working farms and ranches be allowed with Administrative Permit approval? How many guests per event be allowed with Administrative Permit approval?
- Are there any agritourism activities that should require Use Permit approval?



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- Is there a threshold of either the number of agritourism events/activities or the number of guests per event that should trigger Use Permit approval?
- Should there be any separation requirements (e.g. other agritourism activities within 1,000 feet of an adjacent residence require Administrative Permit approval)?
- Should farm dinners be allowed? If so, should there be a maximum number of people?
- Should farm stays be allowed by-right, with Administrative Permit approval, or with Use Permit approval?
- What should be the limit for the maximum number of guests for Farmstays (e.g. 15, 20, or 25 guests)?
- Does the Planning Commission agree with the Development Standards (Attachment #2)? Is there anything the Commission would modify (add, delete, or change)?
- Should there be any regulations added (e.g. noticing requirements, additional buffer in areas of regular agricultural spraying, etc.)?

**Preparation**

Prepared by the Siskiyou County Planning Division.

For project specific information or to obtain copies for your review, please contact:

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Siskiyou County Planning Division  
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Yreka, California 96097



**SISKIYOU COUNTY**  
**PLANNING COMMISSION STAFF REPORT**  
March 20, 2019

**AGRITOURISM ZONING TEXT AMENDMENT (Z1703)**

- SUBJECT:** The project is a proposed zoning text amendment intended to both address the lack of specificity in the Code for uses traditionally interpreted by the Planning Director as “incidental to agriculture” and to facilitate the marketing and promotion of agricultural products grown and produced in Siskiyou County through onsite agritourism activities not yet contemplated by the Code. It would allow limited agritourism incidental to active agricultural operations on parcels 10 acres and larger that are zoned AG-1, AG-2, and/or R-R. To minimize, to the greatest extent practicable, off-site impacts associated with agritourism-related activities, the zoning text amendment would differentiate between generally permissible, less intensive “Level I Agritourism” and more intensive “Level II Agritourism” and would subject “Level II Agritourism” to Agritourism Performance Standards and approval of an administrative use permit or a conditional use permit depending upon the intensity of use.
- GENERAL PLAN:** All
- SCOTT VALLEY AREA PLAN:** All
- ZONING:** Rural Residential Agricultural (RR), Non-Prime Agricultural (AG2), Prime Agricultural (AG1)
- LOCATION:** Countywide
- EXHIBITS:**
- A. Resolution PC-2019-008, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending the Board of Supervisors Adopt the Proposed Amendments to Articles 48, 49, 50, and 36 of Title 10, Chapter 6 of the Siskiyou County Code (Z1703)
  - A1. Draft Ordinance Amending Chapter 6 of Title 10 of the Siskiyou County Code By Adding Agritourism Definitions and Renumbering Adjacent Sections, and by Adding Agritourism Uses, Administrative Processes and Authority for Permit Fees
  - B. Initial Study/Mitigated Negative Declaration (SCH#2019029087)
  - C. Public Comments

**BACKGROUND**

The Siskiyou County Code is currently ambiguous and many uses have been traditionally interpreted as fitting within those uses “incidental to agriculture”. Both locally and throughout the state and nation, there is a growing agritourism sector. This zoning code amendment seeks to provide some clarity regarding agritourism activities in Siskiyou County and outline some parameters regarding which uses are

**Zoning Text Amendment (Z1704)**

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Exhibit A - PC20191218 Staff Report

**ATTACHMENT 5**

permitted, and which would require additional review and/or conditional permitting. These changes are proposed to apply to parcels 10-acres or larger within the Rural Residential Agricultural (RR), Non-Prime Agricultural (AG2), and Prime Agricultural (AG1) zoning districts.

In 2018, the Planning Commission appointed seven members to a Technical Advisory Committee (TAC) to study the County's code and provide recommendations regarding agritourism in Siskiyou County. This TAC provided recommended changes to the Planning Commission at its June 6, 2018, meeting. It was the Commission's direction that staff work with County Counsel to use these recommended changes to draft a zoning code amendment.

**PROPOSED AMENDMENTS TO ARTICLES 36, 48, 49, 50, TITLE 10, CHAPTER 6**

The proposed revisions to Articles 36, 48, 49, and 50 are detailed in Exhibit A1.

The changes to Article 36 include new definitions for "Unique Agricultural Products", "Agritourism Property", "Agritourism Farmstay", "Agritourism Camping", "Agritourism; Level I and Level II" (Exhibit A).

The changes to Articles 48, 49, and 50 include expanding the existing permitted uses sections to allow Level I Agritourism. For Level II Agritourism, a new section in each Article is added titled "Administrative permit uses permitted" (10-6.4802.5, 10-6.4902.5, 10-6.5002.5) that outlines the *Agricultural Tourism Performance Standards* that are required for the issuance of an Administrative Use Permit. Finally, the *Conditional Uses Permitted* section in each Article (10-6.4803, 10-6.4903, 10-6.5003) is amended to add "Agritourism activities that exceed the guest, occupancy, or Average Daily Trips limits defined as Level II Agritourism". This would require the issuance of a conditional use permit to conduct any activity in excess of the limits defined as *Level II Agritourism* and in the *Agricultural Tourism Performance Standards*.

**DISCUSSION**

Staff prepared a zoning text amendment for consideration by the Planning Commission and Board of Supervisors that would provide clarification relative to uses traditionally interpreted as "incidental to agriculture" and to facilitate the marketing and promotion of agricultural products in Siskiyou County. Language was also included to capture any potential new activities not considered in the County Code.

The proposed changes seek to permit limited agritourism activities as accessory to agricultural operations on parcels larger than 10 acres and zoned Rural Residential Agricultural (RR), Non-Prime Agricultural (AG2), and Prime Agricultural (AG1). As part of this zoning text amendment, agritourism would be defined as "the act of visiting a working farm or ranch as a guest for the purpose of enjoyment, education or other active participation in the activities of the farm. A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more. Agritourism shall not include concerts and or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch".

In an effort to minimize any offsite impacts of agritourism activities, those activities have been divided into categories, each with its own requirements and thresholds.

"Level I Agritourism" is Agritourism on Agritourism Property ten (10) acres or larger that is limited to

- (i) twenty single-day Agritourism events per year with no more than thirty (30) guests per event; and

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(ii) three single-day Agritourism events per year involving guests in excess of thirty (30), but no more than one hundred fifty (150) guests per event.

Examples of such single-day events include farm tours, field days, ranch or farm sponsored hospitality dinners, educational classes and/or activities, school tours, farm-focused corporate events and similar activities that relate to the promotion of the primary use as a working farm or ranch.

“Level II Agritourism” is Agritourism on Agritourism Property ten (10) acres or larger that involves any of the following:

1. Single-day Agritourism events in excess of Level I Agritourism frequency limits or guest number limits;
2. On-site fruit and vegetable picking and associated sales, often referred to as “U-Pick” operations;
3. Onsite sales of Unique Agricultural Products or merchandise related to the working farm or ranch;
4. Agricultural Farmstays; and
5. Agritourism Camping.

Level II Agritourism is subject to Siskiyou’s County Agricultural Tourism Performance Standards.

Level II Agritourism would be subject to either an Administrative Use Permit or a Conditional Use Permit, depending on the intensity of the proposed use and whether it fits within the Agricultural Tourism Performance Standards. The Agricultural Tourism Performance Standards include provisions regarding permanent structural improvements, traffic, proximity to neighboring residences, parking, lighting, presence of owner/operator, boundary markings, restroom/sanitation facilities, wildlife disturbance, waterway disturbance, archaeological resource protection, erosion prevention, and noise. There are also specific provisions related to Farmstays and Agritourism camping. (Exhibit A1)

Any proposed agritourism activity that did not fit within the restrictions related to Level II Agritourism would require a conditional use permit.

The proposed zoning text amendment would not supersede any existing County or State regulations, including those of the Environmental Health or Agriculture Departments, or those from the CA Department of Fish and Wildlife or Regional Water Quality Control Board. Pursuant to Siskiyou County’s Williamson Act Guidelines, as adopted by the Board of Supervisors on February 7, 2012, “agritourism activities including buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, “u-pick” sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural sales” are allowed as a compatible use and allowed within agricultural preserves “provided that these land uses are not the principal use, do not displace the agricultural production use, and occur while there is an agricultural production use occurring within the agricultural preserve”.

**ENVIRONMENTAL REVIEW**

**CEQA Compliance Requirements**

The approval of the Zoning Code Amendment is a discretionary action by the County and triggers the need to evaluate the project under CEQA. Upon completion of the Initial Study, staff determined that a

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Mitigated Negative Declaration (MND) of Environmental Significance was the appropriate environmental document for the project because, in staff's opinion, the proposed mitigation measures reduced the level of potential impact below the level of significance. The Initial Study and Mitigated Negative Declaration were sent to the State Clearinghouse (SCH#2019029087). The circulation period began on February 15, 2019 and ended on March 18, 2019.

CEQA requires that prior to approval of a MND, the Planning Commission must consider the proposed MND together with any comments received during the public review process and that the MND shall only be approved if the Commission finds that on the basis of the whole record before it, that there is no substantial evidence that the project will have a significant effect on the environment and that the MND reflects the lead agency's independent judgment and analysis. The following is the description of the comments received.

**PUBLIC COMMENTS:**

Public comments were received. Comments are included in their entirety as Exhibit C.

**AGENCY COMMENTS:**

No comments received as of the preparation of this staff report.

**AB 52 CONSULTATION**

AB 52 mandates early tribal consultation prior to and during CEQA review for those tribes which have formally requested, in writing, notification on projects subject to AB 52, i.e. projects which have published Notices of Preparation (NOPs) for Environmental Impact Reports (EIRs) or Notices of Intent to adopt Negative Declarations or Mitigated Negative Declarations since July 1, 2015 (PRC section 21080.3.1). The bill establishes a new category of Tribal Cultural Resources (TCR's) for which only tribes are expert; these resources may not necessarily be visible or archaeological, but could be religious or spiritual in nature. Significant impacts to a TCR are considered significant effects on the environment (PRC section 21084.2).

In the case of this project, no tribes requested consultation.

**PLANNING DEPARTMENT'S RECOMMENDATION**

- **Recommend** the Board of Supervisors adopt the Mitigated Negative Declaration (SCH#2019029087); and
- **Recommend** the Board of Supervisors adopt the proposed amendments to Articles 36, 48, 49, and 50 of Title 10, Chapter 6 of the Siskiyou County Code (Z1703)

**SUGGESTED MOTIONS**

I move that we adopt Resolution PC-2019-008, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending the Board of Supervisors Adopt the Proposed Amendments to Articles 36, 48, 49, and 50 of Title 10, Chapter 6 of the Siskiyou County Code (Z1703)

**PREPARATION**

Prepared by the Siskiyou County Planning Division.

For project specific information or to obtain copies for your review, please contact:

Christy Cummings Dawson, Deputy Director  
Siskiyou County Planning Division  
806 S. Main Street  
Yreka, California 96097

**RESOLUTION PC 2019-008**  
**A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF SISKIYOU,**  
**STATE OF CALIFORNIA, RECOMMENDING THE BOARD OF SUPERVISORS**  
**ADOPT THE PROPOSED AMENDMENTS TO ARTICLES 36, 48, 49, AND 50**  
**OF TITLE 10, CHAPTER 6 OF THE SISKIYOU COUNTY CODE (Z1703)**

**WHEREAS**, the Planning Division prepared a draft text amendment to Articles 36, 48, 49, and 50 of Title 10, Chapter 6 of the Siskiyou County Code to more clearly define certain uses of property incidental to agriculture and to facilitate the marketing and promotions of agricultural products grown and produced in Siskiyou County; and

**WHEREAS**, the proposed amendments to Articles 36, 48, 49, and 50 of Title 10, Chapter 6 are listed in Exhibit A-2 to this Resolution; and

**WHEREAS**, the Planning Division presented its oral and written staff report on the proposed zoning text amendment at a regular meeting of the Planning Commission on March 20, 2019; and

**WHEREAS**, an Initial Study was prepared pursuant to the California Environmental Quality Act (CEQA) that identified the following environmental factors as being potentially affected by the proposed project: Biological Resources, Cultural Resources, Geology and Soils, Noise, and Mandatory Findings of Significance; and

**WHEREAS**, mitigation measures have been incorporated into the project to reduce all potential impacts to a less-than-significant level; and

**WHEREAS**, a Mitigated Negative Declaration was prepared in accordance with the CEQA Guidelines Section 15070(b) and thereafter circulated with the Initial Study to responsible agencies and made available for public review and comment; and

**WHEREAS**, all mitigation measures have been reproduced in the Mitigation Monitoring and Reporting Program prepared for use by County staff, participating agencies, project contractors, and mitigation monitoring personnel during implementation of the project; and

**WHEREAS**, the Planning Division recommended approval of the proposed revisions to Articles 36, 48, 49, and 50 of Title 10, Chapter 6 of the Siskiyou County Code (Z1703); and

**WHEREAS**, a Notice of Public Hearing was published in the Siskiyou Daily News on March 1, 2019; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on the proposed revisions to Articles 36, 48, 49, and 50 of Title 10, Chapter 6 of the Siskiyou County Code (Z1703) on March 20, 2019; and

**WHEREAS**, on March 20, 2019, the Chair of the Planning Commission opened the duly noticed public hearing on the proposed zoning text amendment to receive testimony both oral

**AGRITOURISM ZONING TEXT AMENDMENT (Z1703)**

and written, following which the Chair closed the public hearing and the Commission discussed the proposed zoning text amendment prior to reaching its decision.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission recommends the Board of Supervisors adopt the Initial Study/Mitigated Negative Declaration (SCH#2019029087) and that the Board of Supervisors adopt the proposed revisions to Articles 36, 48, 49, and 50 of Title 10, Chapter 6 of the Siskiyou County Code, as shown in Exhibit A-1 to this Resolution.

**IT IS HEREBY CERTIFIED** that the foregoing Resolution PC-2019-008 was duly adopted on a motion by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_, at a regular meeting of the Siskiyou County Planning Commission held on the 20<sup>th</sup> day of March, 2019, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

SISKIYOU COUNTY PLANNING COMMISSION

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

WITNESS, my hand and seal this 20<sup>th</sup> day of March, 2019.

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



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE COUNTY OF SISKIYOU  
AMENDING CHAPTER 6 OF TITLE 10  
OF THE SISKIYOU COUNTY CODE  
BY ADDING AGRITOURISM DEFINITIONS AND RENUMBERING ADJACENT  
SECTIONS, AND BY ADDING AGRITOURSIM USES, ADMINISTRATIVE  
PROCESSES AND AUTHORITY FOR PERMIT FEES**

THE BOARD OF SUPERVISORS OF THE COUNTY OF SISKIYOU ORDAINS  
AS FOLLOWS:

**SECTION 1:** Section 10-6.3602.207 of Article 36, of Chapter 6, of Title 10, defining “Zoning Permit” is hereby renumbered to Section 10-6.3602.212.

**SECTION 2:** Section 10-6.3602.206 of Article 36, of Chapter 6, of Title 10, defining “Zoning Map” is hereby renumbered to Section 10-6.3602.211.

**SECTION 3:** Section 10-6.3602.205 of Article 36, of Chapter 6, of Title 10, defining “Zone” is hereby renumbered to Section 10-6.3602.210.

**SECTION 4:** Section 10-6.3602.204 of Article 36, of Chapter 6, of Title 10, defining “Zero lot line” is hereby renumbered to Section 10-6.3602.209.

**SECTION 5:** Section 10-6.3602.203 of Article 36, of Chapter 6, of Title 10, defining “Youth camp” is hereby renumbered to Section 10-6.3602.208.

**SECTION 6:** Section 10-6.3602.202 of Article 36, of Chapter 6, of Title 10, defining “Yard, side” is hereby renumbered to Section 10-6.3602.207.

**SECTION 7:** Section 10-6.3602.201 of Article 36, of Chapter 6, of Title 10, defining “Yard, rear” is hereby renumbered to Section 10-6.3602.206.

**SECTION 8:** Section 10-6.3602.200 of Article 36, of Chapter 6, of Title 10, defining “Yard, front” is hereby renumbered to Section 10-6.3602.205.

**SECTION 9:** Section 10-6.3602.199 of Article 36, of Chapter 6, of Title 10, defining “Yard” is hereby renumbered to Section 10-6.3602.204.

**SECTION 10:** Section 10-6.3602.198 of Article 36, of Chapter 6, of Title 10, defining “Wholesale trade” is hereby renumbered to Section 10-6.3602.203.

**SECTION 11:** Section 10-6.3602.197 of Article 36, of Chapter 6, of Title 10, defining “Waste” is hereby renumbered to Section 10-6.3602.202.

**SECTION 12:** Section 10-6.3602.196 of Article 36, of Chapter 6, of Title 10, defining “Warehouse” is hereby renumbered to Section 10-6.3602.201.

**SECTION 13:** Section 10-6.3602.195 of Article 36, of Chapter 6, of Title 10, defining “Variance, hardship” is hereby renumbered to Section 10-6.3602.200.

**SECTION 14:** Section 10-6.3602.194 of Article 36, of Chapter 6, of Title 10, defining “Vacation rental” is hereby renumbered to Section 10-6.3602.199.

**SECTION 15:** Section 10-6.3602.193 of Article 36, of Chapter 6, of Title 10, defining “Utility, private or public” is hereby renumbered to Section 10-6.3602.198.

**SECTION 16:** Section 10-6.3602.197 of Article 36, of Chapter 6, of Title 10, defining “Unique Agricultural Product” is hereby added as follows:

Unique Agricultural Products.

“Unique Agricultural Products” means specialty agricultural products, including but not limited to, fruits, berries, nuts, eggs, meats, flowers, wine, oils, jams and honey. Producers of Unique Agricultural Products raise or grow traditional commodities, but also create value added products from those commodities by changing the commodity’s physical state or by connecting the farm or ranch directly to consumers or sales intermediaries such as grocery stores, restaurants or similar food service institutions. Establishments producing Unique Agricultural Products are typically family owned and operated facilities. Unique Agricultural Products do not include cannabis or cannabis related products.

**SECTION 17:** Section 10-6.3602.192 of Article 36, of Chapter 6, of Title 10, defining “Trucking terminal” is hereby renumbered to Section 10-6.3602.196.

**SECTION 18:** Section 10-6.3602.191 of Article 36, of Chapter 6, of Title 10, defining “Truck stop” is hereby renumbered to Section 10-6.3602.195.

**SECTION 19:** Section 10-6.3602.190 of Article 36, of Chapter 6, of Title 10, defining “Truck camper” is hereby renumbered to Section 10-6.3602.194.

**SECTION 20:** Section 10-6.3602.157 of Article 36, of Chapter 6, of Title 10, defining “Recreation facility, personal” is hereby renumbered to Section 10-6.3602.161.

**SECTION 21:** Section 10-6.3602.156 of Article 36, of Chapter 6, of Title 10, defining “Recreation facility, commercial” is hereby renumbered to Section 10-6.3602.160.

**SECTION 22:** Section 10-6.3602.155 of Article 36, of Chapter 6, of Title 10, defining “Recreation facility” is hereby renumbered to Section 10-6.3602.159.

**SECTION 23:** Section 10-6.3602.154 of Article 36, of Chapter 6, of Title 10, defining “Recreation, active” is hereby renumbered to Section 10-6.3602.158.

**SECTION 24:** Section 10-6.3602.153 of Article 36, of Chapter 6, of Title 10, defining “Ranch” is hereby renumbered to Section 10-6.3602.157.

**SECTION 25:** Section 10-6.3602.152 of Article 36, of Chapter 6, of Title 10, defining “Quasi-Public use or building” is hereby renumbered to Section 10-6.3602.156.

**SECTION 26:** Section 10-6.3602.151 of Article 36, of Chapter 6, of Title 10, defining “Quasi-Public” is hereby renumbered to Section 10-6.3602.155.

**SECTION 27:** Section 10-6.3602.150 of Article 36, of Chapter 6, of Title 10, defining “Public sewer and water system” is hereby renumbered to Section 10-6.3602.154.

**SECTION 28:** Section 10-6.3602.149 of Article 36, of Chapter 6, of Title 10, defining “Public celebrations” is hereby renumbered to Section 10-6.3602.153.

**SECTION 29:** Section 10-6.3602.148 of Article 36, of Chapter 6, of Title 10, defining “Professional Office” is hereby renumbered to Section 10-6.3602.152.

**SECTION 30:** Section 10-6.3602.147 of Article 36, of Chapter 6, of Title 10, defining “Primary treatment” is hereby renumbered to Section 10-6.3602.151.

**SECTION 31:** Section 10-6.3602.146 of Article 36, of Chapter 6, of Title 10, defining “Planning Commission” is hereby renumbered to Section 10-6.3602.150.

**SECTION 32:** Section 10-6.3602.145 of Article 36, of Chapter 6, of Title 10, defining “Planned unit development” is hereby renumbered to Section 10-6.3602.149.

**SECTION 33:** Section 10-6.3602.144 of Article 36, of Chapter 6, of Title 10, defining “Personal services” is hereby renumbered to Section 10-6.3602.148.

**SECTION 34:** Section 10-6.3602.143 of Article 36, of Chapter 6, of Title 10, defining “Person” is hereby renumbered to Section 10-6.3602.147.

**SECTION 35:** Section 10-6.3602.142 of Article 36, of Chapter 6, of Title 10, defining “Permitted use” is hereby renumbered to Section 10-6.3602.146.

**SECTION 36:** Section 10-6.3602.141 of Article 36, of Chapter 6, of Title 10, defining “Performance Standards” is hereby renumbered to Section 10-6.3602.145.

**SECTION 37:** Section 10-6.3602.140 of Article 36, of Chapter 6, of Title 10,

defining “Park trailer” is hereby renumbered to Section 10-6.3602.144.

**SECTION 38:** Section 10-6.3602.139 of Article 36, of Chapter 6, of Title 10, defining “Parking space” is hereby renumbered to Section 10-6.3602.143.

**SECTION 39:** Section 10-6.3602.138 of Article 36, of Chapter 6, of Title 10, defining “Parking area” is hereby renumbered to Section 10-6.3602.142.

**SECTION 40:** Section 10-6.3602.137 of Article 36, of Chapter 6, of Title 10, defining “Park” is hereby renumbered to Section 10-6.3602.141.

**SECTION 41:** Section 10-6.3602.136 of Article 36, of Chapter 6, of Title 10, defining “Outdoor storage” is hereby renumbered to Section 10-6.3602.140.

**SECTION 42:** Section 10-6.3602.135 of Article 36, of Chapter 6, of Title 10, defining “Outbuilding” is hereby renumbered to Section 10-6.3602.139.

**SECTION 43:** Section 10-6.3602.134 of Article 36, of Chapter 6, of Title 10, defining “Organized camp” is hereby renumbered to Section 10-6.3602.138.

**SECTION 44:** Section 10-6.3602.133 of Article 36, of Chapter 6, of Title 10, defining “Open space, public” is hereby renumbered to Section 10-6.3602.137.

**SECTION 45:** Section 10-6.3602.132 of Article 36, of Chapter 6, of Title 10, defining “Open space, private” is hereby renumbered to Section 10-6.3602.136.

**SECTION 46:** Section 10-6.3602.131 of Article 36, of Chapter 6, of Title 10, defining “Open space, green” is hereby renumbered to Section 10-6.3602.135.

**SECTION 47:** Section 10-6.3602.130 of Article 36, of Chapter 6, of Title 10, defining “Open space, common” is hereby renumbered to Section 10-6.3602.134.

**SECTION 48:** Section 10-6.3602.129 of Article 36, of Chapter 6, of Title 10, defining “Open space” is hereby renumbered to Section 10-6.3602.133.

**SECTION 49:** Section 10-6.3602.128 of Article 36, of Chapter 6, of Title 10, defining “On-street parking space” is hereby renumbered to Section 10-6.3602.132.

**SECTION 50:** Section 10-6.3602.127 of Article 36, of Chapter 6, of Title 10, defining “Off-street parking space” is hereby renumbered to Section 10-6.3602.131.

**SECTION 51:** Section 10-6.3602.126 of Article 36, of Chapter 6, of Title 10, defining “Office” is hereby renumbered to Section 10-6.3602.130.

**SECTION 52:** Section 10-6.3602.125 of Article 36, of Chapter 6, of Title 10,

defining "Occupancy" is hereby renumbered to Section 10-6.3602.129.

**SECTION 53:** Section 10-6.3602.124 of Article 36, of Chapter 6, of Title 10, defining "Nursery" is hereby renumbered to Section 10-6.3602.128.

**SECTION 54:** Section 10-6.3602.123 of Article 36, of Chapter 6, of Title 10, defining "Nuisance" is hereby renumbered to Section 10-6.3602.127.

**SECTION 55:** Section 10-6.3602.122 of Article 36, of Chapter 6, of Title 10, defining "Nonconforming uses" is hereby renumbered to Section 10-6.3602.126.

**SECTION 56:** Section 10-6.3602.121 of Article 36, of Chapter 6, of Title 10, defining "Nonconforming lot" is hereby renumbered to Section 10-6.3602.125.

**SECTION 57:** Section 10-6.3602.120 of Article 36, of Chapter 6, of Title 10, defining "Noise pollution" is hereby renumbered to Section 10-6.3602.124.

**SECTION 58:** Section 10-6.3602.119 of Article 36, of Chapter 6, of Title 10, defining "Noise" is hereby renumbered to Section 10-6.3602.123.

**SECTION 60:** Section 10-6.3602.118 of Article 36, of Chapter 6, of Title 10, defining "Motion picture theater" is hereby renumbered to Section 10-6.3602.122.

**SECTION 61:** Section 10-6.3602.117 of Article 36, of Chapter 6, of Title 10, defining "Motel" is hereby renumbered to Section 10-6.3602.121.

**SECTION 62:** Section 10-6.3602.116 of Article 36, of Chapter 6, of Title 10, defining "Mortuary" is hereby renumbered to Section 10-6.3602.120.

**SECTION 63:** Section 10-6.3602.115 of Article 36, of Chapter 6, of Title 10, defining "Mobile home park" is hereby renumbered to Section 10-6.3602.119.

**SECTION 64:** Section 10-6.3602.114 of Article 36, of Chapter 6, of Title 10, defining "Mobile home" is hereby renumbered to Section 10-6.3602.118.

**SECTION 65:** Section 10-6.3602.113 of Article 36, of Chapter 6, of Title 10, defining "Mini-warehouse" is hereby renumbered to Section 10-6.3602.117.

**SECTION 66:** Section 10-6.3602.112 of Article 36, of Chapter 6, of Title 10, defining "Manufacturing" is hereby renumbered to Section 10-6.3602.116.

**SECTION 67:** Section 10-6.3602.111 of Article 36, of Chapter 6, of Title 10, defining "Lumber yard" is hereby renumbered to Section 10-6.3602.115.

**SECTION 68:** Section 10-6.3602.110 of Article 36, of Chapter 6, of Title 10,

defining “Lot width” is hereby renumbered to Section 10-6.3602.114.

**SECTION 69:** Section 10-6.3602.109 of Article 36, of Chapter 6, of Title 10, defining “Lot, through” is hereby renumbered to Section 10-6.3602.113.

**SECTION 70:** Section 10-6.3602.108 of Article 36, of Chapter 6, of Title 10, defining “Lot, reverse frontage” is hereby renumbered to Section 10-6.3602.112.

**SECTION 71:** Section 10-6.3602.107 of Article 36, of Chapter 6, of Title 10, defining “Lot, minimum area of” is hereby renumbered to Section 10-6.3602.111.

**SECTION 72:** Section 10-6.3602.106 of Article 36, of Chapter 6, of Title 10, defining “Lot line, side” is hereby renumbered to Section 10-6.3602.110.

**SECTION 73:** Section 10-6.3602.105 of Article 36, of Chapter 6, of Title 10, defining “Lot line, rear” is hereby renumbered to Section 10-6.3602.109.

**SECTION 74:** Section 10-6.3602.104 of Article 36, of Chapter 6, of Title 10, defining “Lot line, front” is hereby renumbered to Section 10-6.3602.108.

**SECTION 75:** Section 10-6.3602.103 of Article 36, of Chapter 6, of Title 10, defining “Lot line” is hereby renumbered to Section 10-6.3602.107.

**SECTION 76:** Section 10-6.3602.102 of Article 36, of Chapter 6, of Title 10, defining “Lot frontage” is hereby renumbered to Section 10-6.3602.106.

**SECTION 77:** Section 10-6.3602.101 of Article 36, of Chapter 6, of Title 10, defining “Lot depth” is hereby renumbered to Section 10-6.3602.105.

**SECTION 78:** Section 10-6.3602.100 of Article 36, of Chapter 6, of Title 10, defining “Lot, corner” is hereby renumbered to Section 10-6.3602.104.

**SECTION 79:** Section 10-6.3602.99 of Article 36, of Chapter 6, of Title 10, defining “Lot” is hereby renumbered to Section 10-6.3602.103.

**SECTION 80:** Section 10-6.3602.98 of Article 36, of Chapter 6, of Title 10, defining “Lodging house” is hereby renumbered to Section 10-6.3602.102.

**SECTION 81:** Section 10-6.3602.97 of Article 36, of Chapter 6, of Title 10, defining “Lodge” is hereby renumbered to Section 10-6.3602.101.

**SECTION 82:** Section 10-6.3602.96 of Article 36, of Chapter 6, of Title 10, defining “Kennel” is hereby renumbered to Section 10-6.3602.100.

**SECTION 83:** Section 10-6.3602.95 of Article 36, of Chapter 6, of Title 10,

defining “Junk yard” is hereby renumbered to Section 10-6.3602.99.

**SECTION 84:** Section 10-6.3602.94 of Article 36, of Chapter 6, of Title 10, defining “Junk” is hereby renumbered to Section 10-6.3602.98.

**SECTION 85:** Section 10-6.3602.93 of Article 36, of Chapter 6, of Title 10, defining “Institutional use” is hereby renumbered to Section 10-6.3602.97.

**SECTION 86:** Section 10-6.3602.92 of Article 36, of Chapter 6, of Title 10, defining “Housing unit” is hereby renumbered to Section 10-6.3602.96.

**SECTION 87:** Section 10-6.3602.91 of Article 36, of Chapter 6, of Title 10, defining “Housing, transitional” is hereby renumbered to Section 10-6.3602.95.

**SECTION 88:** Section 10-6.3602.90 of Article 36, of Chapter 6, of Title 10, defining “Housing, supportive” is hereby renumbered to Section 10-6.3602.94.

**SECTION 89:** Section 10-6.3602.89 of Article 36, of Chapter 6, of Title 10, defining “Household” is hereby renumbered to Section 10-6.3602.93.

**SECTION 90:** Section 10-6.3602.88 of Article 36, of Chapter 6, of Title 10, defining “Hotel” is hereby renumbered to Section 10-6.3602.92.

**SECTION 91:** Section 10-6.3602.87 of Article 36, of Chapter 6, of Title 10, defining “Horticulture” is hereby renumbered to Section 10-6.3602.91.

**SECTION 92:** Section 10-6.3602.86 of Article 36, of Chapter 6, of Title 10, defining “Home occupation” is hereby renumbered to Section 10-6.3602.90.

**SECTION 93:** Section 10-6.3602.85 of Article 36, of Chapter 6, of Title 10, defining “Helistop” is hereby renumbered to Section 10-6.3602.89.

**SECTION 94:** Section 10-6.3602.84 of Article 36, of Chapter 6, of Title 10, defining “Heliport” is hereby renumbered to Section 10-6.3602.88.

**SECTION 95:** Section 10-6.3602.83 of Article 36, of Chapter 6, of Title 10, defining “Height of building” is hereby renumbered to Section 10-6.3602.87.

**SECTION 96:** Section 10-6.3602.82 of Article 36, of Chapter 6, of Title 10, defining “Guest house” is hereby renumbered to Section 10-6.3602.86.

**SECTION 97:** Section 10-6.3602.81 of Article 36, of Chapter 6, of Title 10, defining “Group home” is hereby renumbered to Section 10-6.3602.85.

**SECTION 98:** Section 10-6.3602.80 of Article 36, of Chapter 6, of Title 10, defining “Convalescent or care facility” is hereby renumbered to Section 10-6.3602.84.

**SECTION 99:** Section 10-6.3602.79 of Article 36, of Chapter 6, of Title 10, defining “Group care facility” is hereby renumbered to Section 10-6.3602.83.

**SECTION 100:** Section 10-6.3602.78 of Article 36, of Chapter 6, of Title 10, defining “gravel pit” is hereby renumbered to Section 10-6.3602.82.

**SECTION 101:** Section 10-6.3602.77 of Article 36, of Chapter 6, of Title 10, defining “Glare” is hereby renumbered to Section 10-6.3602.81.

**SECTION 102:** Section 10-6.3602.76 of Article 36, of Chapter 6, of Title 10, defining “Garage, private residential” is hereby renumbered to Section 10-6.3602.80.

**SECTION 103:** Section 10-6.3602.75 of Article 36, of Chapter 6, of Title 10, defining “Garage” is hereby renumbered to Section 10-6.3602.79.

**SECTION 104:** Section 10-6.3602.74 of Article 36, of Chapter 6, of Title 10, defining “Frontage” is hereby renumbered to Section 10-6.3602.78.

**SECTION 105:** Section 10-6.3602.73 of Article 36, of Chapter 6, of Title 10, defining “Floodway” is hereby renumbered to Section 10-6.3602.77.

**SECTION 106:** Section 10-6.3602.72 of Article 36, of Chapter 6, of Title 10, defining “Flood plain” is hereby renumbered to Section 10-6.3602.76.

**SECTION 107:** Section 10-6.3602.71 of Article 36, of Chapter 6, of Title 10, defining “Flood insurance rate map” is hereby renumbered to Section 10-6.3602.75.

**SECTION 108:** Section 10-6.3602.70 of Article 36, of Chapter 6, of Title 10, defining “Flood hazard design evaluation” is hereby renumbered to Section 10-6.3602.74.

**SECTION 109:** Section 10-6.3602.69 of Article 36, of Chapter 6, of Title 10, defining “Flood” is hereby renumbered to Section 10-6.3602.73.

**SECTION 110:** Section 10-6.3602.68 of Article 36, of Chapter 6, of Title 10, defining “Fill” is hereby renumbered to Section 10-6.3602.72.

**SECTION 111:** Section 10-6.3602.67 of Article 36, of Chapter 6, of Title 10, defining “Fence” is hereby renumbered to Section 10-6.3602.71.

**SECTION 112:** Section 10-6.3602.66 of Article 36, of Chapter 6, of Title 10, defining “Feed lot, commercial” is hereby renumbered to Section 10-6.3602.70.

**SECTION 113:** Section 10-6.3602.65 of Article 36, of Chapter 6, of Title 10,



defining “Farm stand” is hereby renumbered to Section 10-6.3602.69.

**SECTION 114:** Section 10-6.3602.64 of Article 36, of Chapter 6, of Title 10, defining “Farm labor quarters or housing” is hereby renumbered to Section 10-6.3602.68.

**SECTION 115:** Section 10-6.3602.63 of Article 36, of Chapter 6, of Title 10, defining “Farm” is hereby renumbered to Section 10-6.3602.67.

**SECTION 116:** Section 10-6.3602.62 of Article 36, of Chapter 6, of Title 10, defining “Family” is hereby renumbered to Section 10-6.3602.66.

**SECTION 117:** Section 10-6.3602.61 of Article 36, of Chapter 6, of Title 10, defining “Extended care facility” is hereby renumbered to Section 10-6.3602.65.

**SECTION 118:** Section 10-6.3602.60 of Article 36, of Chapter 6, of Title 10, defining “Existing use” is hereby renumbered to Section 10-6.3602.64.

**SECTION 119:** Section 10-6.3602.59 of Article 36, of Chapter 6, of Title 10, defining “Emergency shelter” is hereby renumbered to Section 10-6.3602.63.

**SECTION 120:** Section 10-6.3602.58 of Article 36, of Chapter 6, of Title 10, defining “Eave” is hereby renumbered to Section 10-6.3602.62.

**SECTION 121:** Section 10-6.3602.57 of Article 36, of Chapter 6, of Title 10, defining “Dwelling units” is hereby renumbered to Section 10-6.3602.61.

**SECTION 122:** Section 10-6.3602.56 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, Two-family (duplex)” is hereby renumbered to Section 10-6.3602.60.

**SECTION 123:** Section 10-6.3602.55 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, triplex” is hereby renumbered to Section 10-6.3602.59.

**SECTION 124:** Section 10-6.3602.54 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, townhouse” is hereby renumbered to Section 10-6.3602.58.

**SECTION 125:** Section 10-6.3602.53 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, single-family” is hereby renumbered to Section 10-6.3602.57.

**SECTION 126:** Section 10-6.3602.52 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, quadruplex” is hereby renumbered to Section 10-6.3602.56.

**SECTION 127:** Section 10-6.3602.51 of Article 36, of Chapter 6, of Title 10, defining “Dwelling, multi-family” is hereby renumbered to Section 10-6.3602.55.

**SECTION 128:** Section 10-6.3602.50 of Article 36, of Chapter 6, of Title 10,

defining “Dwelling, group” is hereby renumbered to Section 10-6.3602.54.

**SECTION 129:** Section 10-6.3602.49 of Article 36, of Chapter 6, of Title 10, defining “Dwelling” is hereby renumbered to Section 10-6.3602.53.

**SECTION 130:** Section 10-6.3602.48 of Article 36, of Chapter 6, of Title 10, defining “Drive-in use” is hereby renumbered to Section 10-6.3602.52.

**SECTION 131:** Section 10-6.3602.47 of Article 36, of Chapter 6, of Title 10, defining “Drainage” is hereby renumbered to Section 10-6.3602.51.

**SECTION 132:** Section 10-6.3602.46 of Article 36, of Chapter 6, of Title 10, defining “Domicile” is hereby renumbered to Section 10-6.3602.50.

**SECTION 133:** Section 10-6.3602.45 of Article 36, of Chapter 6, of Title 10, defining “Developer” is hereby renumbered to Section 10-6.3602.49.

**SECTION 134:** Section 10-6.3602.44 of Article 36, of Chapter 6, of Title 10, defining “Density” is hereby renumbered to Section 10-6.3602.48.

**SECTION 135:** Section 10-6.3602.43 of Article 36, of Chapter 6, of Title 10, defining “Cul-de-sac” is hereby renumbered to Section 10-6.3602.47.

**SECTION 136:** Section 10-6.3602.42 of Article 36, of Chapter 6, of Title 10, defining “Cottage food products” is hereby renumbered to Section 10-6.3602.46.

**SECTION 137:** Section 10-6.3602.41 of Article 36, of Chapter 6, of Title 10, defining “Cottage food operator” is hereby renumbered to Section 10-6.3602.45.

**SECTION 138:** Section 10-6.3602.40 of Article 36, of Chapter 6, of Title 10, defining “Cottage food operation” is hereby renumbered to Section 10-6.3602.44.

**SECTION 139:** Section 10-6.3602.39 of Article 36, of Chapter 6, of Title 10, defining “Cottage food employee” is hereby renumbered to Section 10-6.3602.43.

**SECTION 140:** Section 10-6.3602.38 of Article 36, of Chapter 6, of Title 10, defining “Conditional Use” is hereby renumbered to Section 10-6.3602.42.

**SECTION 141:** Section 10-6.3602.37 of Article 36, of Chapter 6, of Title 10, defining “Community sewer system” is hereby renumbered to Section 10-6.3602.41.

**SECTION 142:** Section 10-6.3602.36 of Article 36, of Chapter 6, of Title 10, defining “Commercial vehicle” is hereby renumbered to Section 10-6.3602.40.

**SECTION 143:** Section 10-6.3602.35 of Article 36, of Chapter 6, of Title 10,

defining “Combining district” is hereby renumbered to Section 10-6.3602.39.

**SECTION 144:** Section 10-6.3602.34 of Article 36, of Chapter 6, of Title 10, defining “Cluster” is hereby renumbered to Section 10-6.3602.38.

**SECTION 145:** Section 10-6.3602.33 of Article 36, of Chapter 6, of Title 10, defining “Club” is hereby renumbered to Section 10-6.3602.37.

**SECTION 146:** Section 10-6.3602.32 of Article 36, of Chapter 6, of Title 10, defining “Campsite” is hereby renumbered to Section 10-6.3602.36.

**SECTION 147:** Section 10-6.3602.31 of Article 36, of Chapter 6, of Title 10, defining “Camping unit” is hereby renumbered to Section 10-6.3602.35.

**SECTION 148:** Section 10-6.3602.30 of Article 36, of Chapter 6, of Title 10, defining “Camping group” is hereby renumbered to Section 10-6.3602.34.

**SECTION 149:** Section 10-6.3602.29 of Article 36, of Chapter 6, of Title 10, defining “Campground” is hereby renumbered to Section 10-6.3602.33.

**SECTION 150:** Section 10-6.3602.28 of Article 36, of Chapter 6, of Title 10, defining “Camper” is hereby renumbered to Section 10-6.3602.32.

**SECTION 151:** Section 10-6.3602.27 of Article 36, of Chapter 6, of Title 10, defining “Business, retail” is hereby renumbered to Section 10-6.3602.31.

**SECTION 152:** Section 10-6.3602.26 of Article 36, of Chapter 6, of Title 10, defining “Business services” is hereby renumbered to Section 10-6.3602.30.

**SECTION 153:** Section 10-6.3602.25 of Article 36, of Chapter 6, of Title 10, defining “Bulk storage” is hereby renumbered to Section 10-6.3602.29.

**SECTION 154:** Section 10-6.3602.24 of Article 36, of Chapter 6, of Title 10, defining “Building, principal” is hereby renumbered to Section 10-6.3602.28.

**SECTION 155:** Section 10-6.3602.23 of Article 36, of Chapter 6, of Title 10, defining “Building height” is hereby renumbered to Section 10-6.3602.27.

**SECTION 156:** Section 10-6.3602.22 of Article 36, of Chapter 6, of Title 10, defining “Building, accessory” is hereby renumbered to Section 10-6.3602.26.

**SECTION 157:** Section 10-6.3602.21 of Article 36, of Chapter 6, of Title 10, defining “Building” is hereby renumbered to Section 10-6.3602.25.

**SECTION 158:** Section 10-6.3602.20 of Article 36, of Chapter 6, of Title 10,

defining “Roominghouse” is hereby renumbered to Section 10-6.3602.24.

**SECTION 159:** Section 10-6.3602.19 of Article 36, of Chapter 6, of Title 10, defining “Boardinghouse” is hereby renumbered to Section 10-6.3602.23.

**SECTION 160:** Section 10-6.3602.18 of Article 36, of Chapter 6, of Title 10, defining “Boarder” is hereby renumbered to Section 10-6.3602.22.

**SECTION 161:** Section 10-6.3602.17 of Article 36, of Chapter 6, of Title 10, defining “Block” is hereby renumbered to Section 10-6.3602.21.

**SECTION 162:** Section 10-6.3602.16 of Article 36, of Chapter 6, of Title 10, defining “Bar” is hereby renumbered to Section 10-6.3602.20.

**SECTION 163:** Section 10-6.3602.15 of Article 36, of Chapter 6, of Title 10, defining “Automotive repair services and garages” is hereby renumbered to Section 10-6.3602.19.

**SECTION 164:** Section 10-6.3602.14 of Article 36, of Chapter 6, of Title 10, defining “Automobile service station” is hereby renumbered to Section 10-6.3602.18.

**SECTION 165:** Section 10-6.3602.13 of Article 36, of Chapter 6, of Title 10, defining “Automobile sales” is hereby renumbered to Section 10-6.3602.17.

**SECTION 166:** Section 10-6.3602.12 of Article 36, of Chapter 6, of Title 10, defining “Apartment unit” is hereby renumbered to Section 10-6.3602.16.

**SECTION 167:** Section 10-6.3602.11 of Article 36, of Chapter 6, of Title 10, defining “Apartment house” is hereby renumbered to Section 10-6.3602.15.

**SECTION 168:** Section 10-6.3602.10 of Article 36, of Chapter 6, of Title 10, defining “Animal hospital” is hereby renumbered to Section 10-6.3602.14.

**SECTION 169:** Section 10-6.3602.9 of Article 36, of Chapter 6, of Title 10, defining “Alley” is hereby renumbered to Section 10-6.3602.13.

**SECTION 170:** Section 10-6.3602.8 of Article 36, of Chapter 6, of Title 10, defining “Airport” is hereby renumbered to Section 10-6.3602.12.

**SECTION 171:** Section 10-6.3602.11 of Article 36, of Chapter 6, of Title 10, defining “Agritourism Property” is hereby added as follows:

Agritourism Property.

“Agritourism Property” means one or more contiguous parcels that are under

common ownership or lease and upon which an Agritourism activity operated by the owner or lessee occurs and which produces agricultural products as a primary use.

**SECTION 172:** Section 10-6.3602.10 of Article 36, of Chapter 6, of Title 10, defining “Agritourism Farmstay” is hereby added as follows:

Agricultural Farmstay.

“Agricultural Farmstay” shall have the same meaning as set forth in Health and Safety Code section 113893 as amended from time to time. The Agricultural Farmstay owner shall maintain a Transient Occupancy Tax registration certificate and remain current on all required reports and payments.

**SECTION 173:** Section 10-6.3602.09 of Article 36, of Chapter 6, of Title 10, defining “Agritourism Camping” is hereby added as follows:

Agritourism Camping.

“Agritourism Camping” means transient overnight occupancy in a detached temporary tent unit or similar temporary structure on a working farm or ranch to facilitate engagement in Agritourism.

**SECTION 174:** Section 10-6.3602.08 of Article 36, of Chapter 6, of Title 10, defining “Agritourism; Level I and Level II” is hereby added as follows:

Agritourism; Level I and Level II.

- A. "Agritourism" is an event or activity that brings visitors to a working farm or ranch as a guest for the purpose of enjoyment, education or other active participation in the activities of the farm. A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more. Agritourism shall not include concerts or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch.
- B. “Level I Agritourism” is Agritourism on Agritourism Property ten (10) acres or larger that is limited to (i) twenty single-day Agritourism events per year with no more than thirty (30) guests per event; and (ii) three single-day Agritourism events per year involving guests in excess of thirty (30), but no more than one hundred fifty (150) guests per event. Examples of such single-day events include farm tours, field days, ranch or farm sponsored hospitality dinners, educational classes and/or activities, school tours, farm-focused corporate events and similar activities that relate to the promotion of the primary use as a working farm or ranch.

C. "Level II Agritourism" is Agritourism on Agritourism Property ten (10) acres or larger that is in compliance with the Siskiyou County Agricultural Tourism Performance Standards and involves any of the following:

1. Single-day Agritourism events in excess of Level I Agritourism frequency limits or guest number limits, up to a maximum of twice the limits set forth in Level I Agritourism, and as more specifically limited in an Administrative Permit;
2. On-site fruit and vegetable picking and associated sales, often referred to as "U-Pick" operations;
3. Onsite sales of Unique Agricultural Products or merchandise related to the working farm or ranch;
4. Farmstays;
5. Agritourism Camping.

**SECTION 175:** Section 10-6.4802, of Article 48, of Chapter 6, of Title 10, entitled "Uses permitted" is hereby amended to add a subsection (l) to permit the use of Level 1 Agritourism and that reads as follows:

Uses permitted.

The following uses shall be permitted in the R-R District:

- (a) One single-family dwelling;
- (b) Small acreage farming, except commercial dairies, commercial kennels, commercial rabbit, fox, goat, horse, and hog farms, commercial chicken or poultry ranches, riding stables, rodeos, or commercial horse rentals;
- (c) Accessory uses and buildings normally incidental to single-family dwellings or small farming;
- (d) Crop and tree farming;
- (e) One mobile home per building site in lieu of a single-family dwelling;
- (f) One guesthouse;
- (g) Greenhouses;
- (h) One residential storage building, subject to the regulations as set forth in Section 10-6.1516 of the General Provisions;
- (i) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code;
- (j) Amateur radio antennas. When used for private, noncommercial purposes, amateur radio antennas may be permitted in the R-R District. Height limitations

may be exceeded by adding one foot yard setback for every foot of height in excess of those permitted by the zoning ordinance; and

- (k) Group care facilities for six (6) or fewer individuals.
- (l) Level I Agritourism.

**SECTION 176:** Section 10-6.4802.5, of Chapter 6, of Title 10, entitled “Administrative permit uses permitted.” is hereby amended to read as follows:

Administrative permit uses permitted.

- (a) Subject to obtaining an Administrative Use Permit from the Planning Director, the following uses shall be permitted in the R-R District:
  - (1) Level II Agritourism.
- (b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards.
  - (1) Applicant is actively engaged in the production of Unique Agricultural Products and the majority of inputs for the Unique Agricultural Products is raised or grown on the proposed Agritourism Property.
  - (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires permanent structural improvements to facilitate the use then the improvements shall occupy no more than ten percent of the proposed Agritourism Property’s total acreage or five acres, whichever is the lesser.
  - (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.
  - (4) When proposed Agritourism activities will take place within one thousand feet of a residence on neighboring property, outdoor Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.

- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
- (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
- (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
- (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.
- (9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per one hundred (100) visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.
- (10) When barns and outbuildings are to be removed or substantially rehabilitated to accommodate agritourism activities, a qualified biologist shall conduct a roost assessment survey of the structure(s) to be removed or substantially rehabilitated. The survey shall occur no more than 14 days prior to demolition or substantial rehabilitation of the structure(s). If the biologist finds no evidence of or potential to support bat roosting, no further measures are required. If evidence of bat roosting is present, the measures described below shall be implemented:
  - (a) When demolition or substantial rehabilitation is planned during August 1 through February 28 (outside the bat maternity roosting season), a qualified biologist shall implement passive exclusion measures to prevent bats from re-entering the structure(s). Demolition or substantial rehabilitation may continue after a follow-up survey confirms that bats are no longer present.



- (b) When demolition or substantial rehabilitation is planned during the maternity roosting season (March 1 through July 31), disturbance to the structure(s) shall be avoided until the maternity roosting season has ended and a qualified biologist has determined the roost has been vacated.
- (11) No land disturbance for agritourism improvements is permitted within 150 feet of the top of bank of any perennial waterbody or within 50 feet of the centerline of seasonal streams and wetlands.
- (12) If, during ground disturbance for agritourism improvements, paleontological resources (e.g., fossils) are discovered, all work shall cease in the area of the find, the Siskiyou County Community Development Department – Planning Division shall be immediately notified, and a qualified paleontologist shall be retained to determine the significance of the discovery. The County shall consider the mitigation recommendations presented by a professional paleontologist and implement any measure or measures that the County deems feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures.
- (13) All soils disturbed during construction of agritourism improvements shall be revegetated upon completion of construction and/or ground disturbing activities. If construction activities are suspended for six (6) or more months, disturbed soils shall be revegetated until construction activities resume. Upon completion of construction activities, soils shall be revegetated within six (6) months.
- (14) Use of heavy equipment, blasting equipment, compressors, and other noise and ground-borne vibration generating equipment associated with agritourism improvements is prohibited on Sundays and federal holidays and are limited to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday, and between 8:00 a.m. and 6:00 p.m. on Saturdays.
- (15) A Farmstay use or activity shall meet all of the following additional requirements:

- (i) The Farmstay operation shall be located on Property containing an existing dwelling occupied by the owner or operator.
  - (ii) The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
  - (ii) The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.
- (16) An Agritourism Camping use or activity shall meet all of the following additional requirements:
- (i) The Agritourism Camping operation shall be limited to no more than twenty-five guests.
  - (ii) The Agritourism Camping owner or lessee operator shall secure a transient occupancy registration certificate in compliance with Siskiyou County Code and comply therewith.
  - (iii) The Agritourism Camping operation shall provide evidence of compliance with the California Department of Housing and Community Development's regulations and permit requirements for its camping area.
- (c) The Planning Director's actions on Administrative Use Permits shall be subject to the same appeal and revocation procedures as use permits generally, as set forth in Section 10-6.1402 through 10-6.1405 of this Code.

**SECTION 177:** Section 10-6.4803, of Chapter 6, of Title 10, entitled "Conditional uses permitted" is hereby amended to add a subsection (h) to read as follows:

Conditional uses permitted.

Subject to obtaining a use permit, the following uses shall be permitted in the R-R District:

- (a) Churches, schools, parks, playgrounds, and public utility and public buildings and uses;
- (b) Within a building the following commercial agricultural uses: raising of fur-bearing animals and poultry;
- (c) Home occupations;

- (d) Heavy equipment and vehicle parking, subject to the following limitations:
  - (1) The equipment is resident-owned and operated,
  - (2) Equipment does not include materials, parts, or supplies not incidental to the equipment,
  - (3) The equipment storage area is limited to twenty-five (25%) percent of the ownership, or one-quarter acre, whichever is less,
  - (4) Access shall be sufficient to carry the equipment without sustaining undue damage. Permits issued under this section may require that only unloaded equipment be parked,
  - (5) Aesthetic screening shall be provided acceptable to the Planning Commission, enclosing the proposed equipment area as needed,
  - (6) All health and safety approvals must be received;
- (e) The Planning Director is hereby authorized to waive Planning Department filing fees for uses allowed in subsection (d) of this section in the following situations:
  - (1) The continuous use existed prior to February 27, 1986 (effective date of the County's revised zoning ordinance),
  - (2) The continuous use was established while the property was zoned A-1 Unclassified;
- (f) Family day care facilities; and
- (g) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code.
- (h) Agritourism activities that exceed the guest, occupancy, or Average Daily Trips limits defined as Level II Agritourism.

**SECTION 178:** Section 10-6.4902, of Chapter 6, of Title 10, entitled "Uses Permitted" is hereby amended to add a subsection (h) to read as follows:

The following uses shall be permitted in the AG-2 District:

- (a) Farm labor housing;
- (b) Single-family dwellings or mobile homes in lieu thereof, incidental and necessary for agricultural pursuits;
- (c) Accessory uses incidental to agriculture;
- (d) Agricultural uses, including, but not limited to tree, vine, row, and field crops, growing and harvesting of trees, and livestock farming and animal husbandry, but not including dairies, commercial feed lots, or commercial poultry, and hog raising operations;

- (e) Wholesale nurseries with retail sales incidental thereto, greenhouses, fish farms, frog farms, and roadside stands for sales of agricultural products from the premises;
- (f) One guest house; and
- (g) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code.
- (h) Level 1 Agritourism.

**SECTION 179:** Section 10-6.4902.5, of Chapter 6, of Title 10, entitled “Administrative permit uses permitted” is hereby added to read as follows:

Administrative permit uses permitted.

- (a) Subject to obtaining an Administrative Use Permit from the Planning Director, the following uses shall be permitted in the AG-2 District:
  - (1) Level II Agritourism.
- (b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards.
  - (1) Applicant is actively engaged in the production of Unique Agricultural Products and the majority of inputs for the Unique Agricultural Products is raised or grown on the proposed Agritourism Property.
  - (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires permanent structural improvements to facilitate the use then the improvements shall occupy no more than ten percent of the proposed Agritourism Property’s total acreage or five acres, whichever is the less.
  - (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.
  - (4) When proposed Agritourism activities will take place within one thousand feet of a residence on neighboring property, outdoor

Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.

- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
- (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
- (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
- (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.
- (9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per one hundred (100) visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.
- (10) A Farmstay use or activity shall meet all of the following additional requirements:
  - (i) The Farmstay operation shall be located on Property containing an existing dwelling occupied by the owner or operator.
  - (ii) The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
  - (iii) The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.

(11) An Agritourism Camping use or activity shall meet all of the following additional requirements:

- (i) The Agritourism Camping operation shall be limited to no more than twenty-five guests.
- (ii) The Agritourism Camping owner or lessee operator shall secure a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
- (iii) The Agritourism Camping operation shall provide evidence of compliance with the California Department of Housing and Community Development's regulations and permit requirements for its camping area.

(c) The Planning Director's actions on Administrative Use Permits shall be subject to the same appeal and revocation procedures as use permits generally, as set forth in Section 10-6.1402 through 10-6.1405 of this Code.

**SECTION 180:** Section 10-6.4903, of Chapter 6, of Title 10, entitled "Conditional uses permitted" is hereby amended to add a subsection (k) to read as follows:

Subject to obtaining a use permit, the following uses shall be permitted in the AG-2 District:

- (a) Churches, schools, parks, playgrounds, and public utility and public and quasi-public buildings and uses to the extent such are necessary to serve the AG-2 District;
- (b) Private airports and landing fields;
- (c) Dairies, commercial poultry operations, commercial feed lots, and hog farms;
- (d) Golf courses;
- (e) Kennels and animal hospitals;
- (f) Guest ranches and public stables;
- (g) Agricultural enterprises, including, but not limited to agricultural sheds and warehouses; processing, storage, or sale of agricultural products and supplies; and the repair, storage, maintenance, and servicing of agricultural supplies and equipment;
- (h) Home occupations;

- (i) In addition to the uses listed above, the uses listed in Article 15, General Provisions, may also be permitted, subject to the issuance of a use permit; and
- (j) Continued operation of the Yreka Landfill, and any expansion or modification of municipal solid waste activities at the Yreka Landfill.
- (k) Agritourism activities that exceed the guest, occupancy, or Average Daily Trips limits defined as Level II Agritourism.

**SECTION 181:** Section 10-6.5002, of Chapter 6, of Title 10, entitled “Uses Permitted” is hereby amended to add a subsection (g) to read as follows:

Uses permitted.

The following uses shall be permitted in the AG1 District:

- (a) Single-family dwellings or mobile homes in lieu thereof, incidental and necessary for caretaker or agricultural pursuits;
- (b) Accessory uses incidental to agriculture;
- (c) Agricultural uses, including, but not limited to tree, vine, row, field crops, growing and harvesting of trees, livestock farming, and animal husbandry, but not including dairies, commercial feed lots, or commercial poultry or hog raising operations;
- (d) Farm labor housing;
- (e) Wholesale nurseries with retail sales incidental thereto, greenhouses, fish farms, frog farms, and roadside stands for seasonal sales of agricultural products from the premises; and
- (f) One second dwelling unit per legal lot subject to the limitations as set forth in the General Provisions section of this code.
- (g) Level I Agritourism.

**SECTION 182:** Section 10-6.5002.5, of Chapter 6, of Title 10, entitled “Administrative permit uses permitted” is hereby added to read as follows:

Administrative permit uses permitted.

- (a) Subject to obtaining an Administrative Use Permit from the Planning Director, the following uses shall be permitted in the AG-2 District:
  - (1) Level II Agritourism.

(b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards.

- (1) Applicant is actively engaged in the production of Unique Agricultural Products and the majority of inputs for the Unique Agricultural Products is raised or grown on the proposed Agritourism Property.
- (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires permanent structural improvements to facilitate the use then the improvements shall occupy no more than ten percent of the proposed Agritourism Property's total acreage or five acres, whichever is the less.
- (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.
- (4) When proposed Agritourism activities will take place within one thousand feet of a residence on neighboring property, outdoor Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.
- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
- (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
- (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
- (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.



(9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per one hundred (100) visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.

(10) A Farmstay use or activity shall meet all of the following additional requirements:

- (i) The Farmstay operation shall be located on Property containing an existing dwelling occupied by the owner or operator.
- (ii) The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
- (ii) The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.

(11) An Agritourism Camping use or activity shall meet all of the following additional requirements:

- (i) The Agritourism Camping operation shall be limited to no more than twenty-five guests.
- (ii) The Agritourism Camping owner or lessee operator shall secure a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
- (iii) The Agritourism Camping operation shall provide evidence of compliance with the California Department of Housing and Community Development's regulations and permit requirements for its camping area.

(c) The Planning Director's actions on Administrative Use Permits shall be subject to the same appeal and revocation procedures as use permits generally, as set forth in Section 10-6.1402 through 10-6.1405 of this Code.

**SECTION 183:** Section 10-6.5003, of Chapter 6, of Title 10, entitled “Conditional uses permitted” is hereby amended to add a subsection (g) to read as follows:

Conditional uses permitted.

Subject to obtaining a use permit, the following uses shall be permitted in the AG-1 District:

- (a) Private airports and landing fells;
- (b) Dairies, commercial poultry operations, feed lots, and hog farms;
- (c) Public utility buildings;
- (d) Home occupations;
- (e) In addition to the uses listed above, the uses listed in Article 15, General Provisions, may also be permitted, subject to the issuance of a use permit; and
- (f) Continued operation of the Yreka Landfill, and any expansion or modification of municipal solid waste activities at the Yreka Landfill.
- (g) Agritourism activities that exceed the guest, occupancy, or Average Daily Trips limits defined as Level II Agritourism.

**SECTION 184:** Article 16, of Chapter 6, of Title 10, entitled “Application Fees” is hereby amended at subsection (d) of the application fee chart to add the clarifying words “Administrative Permits” to read as follows:

|     |  |  |          |          |          |          |  |
|-----|--|--|----------|----------|----------|----------|--|
| (d) | Use Permits / Administrative Permits       |  |          |          |          |          |  |
|     | Home Occupation Permit, Telephone Use Only |  | \$-      | \$-      | \$-      | \$-      |  |
|     | Home Occupation Permit, Non-Exempt         |  | \$250.00 | \$250.00 | \$250.00 | \$250.00 |  |
|     | Ministerially Second Unit                  |  | \$100.00 | \$100.00 | \$100.00 | \$100.00 |  |
|     | Staff Approved                             |  | \$300    | \$300    | \$375.00 | \$525.00 |  |
|     | Planning Commission                        |  | \$950.00 | \$950.00 | \$950.00 | \$950.00 |  |

|          |  |  |  |  |  |  |  |
|----------|--|--|--|--|--|--|--|
| Approved |  |  |  |  |  |  |  |
|----------|--|--|--|--|--|--|--|

**SECTION 185:** Constitutionality: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

**SECTION 186:** This ordinance shall become effective 30 days after its passage and shall, within 15 days of adoption, be published once in a newspaper of general circulation, printed and published in the County of Siskiyou.

PASSED AND ADOPTED this \_\_\_\_ day of April, 2019 at a regular meeting of the Board of Supervisors by the following vote:

AYES:  
 NOES:  
 ABSENT:  
 ABSTAIN:

\_\_\_\_\_  
 Brandon A. Criss, Chairman  
 Board of Supervisors

ATTEST:  
 LAURA BYNUM, CLERK,  
 Board of Supervisors

By \_\_\_\_\_  
 Deputy

**From:** [Mary Roehrich](#)  
**To:** [Planning](#); [Christy Cummings Dawson](#)  
**Subject:** Agri-tourism amendment:  
**Date:** Thursday, March 07, 2019 4:56:15 PM

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I do not think enough time has been given to the public to fully understand the scope of this amendment. Additional time and greater details of prospective participants in these activities need to be brought to light.

I have had a hog farm next to me on McConaughy Gulch. It was impossible to enjoy our life here, due to the smells and noise. My Mother got it shut down, because of unsanitary conditions brought to her home from the industry. We need to make sure this cannot happen here. It is not consistent with the Scott Valley Plan and how people here want to live.

I am not against some agri-tourism, but this open-ended seeming amendment has serious room for things happening we may not want to see. Please determine that no flood plain, deer wintering areas, or other aspects can be impacted.

Others besides those benefiting from the amendment should have been part of the development process.

Give us more time and substantive discussion. I just found out about the time limit today in the newspaper, which only leaves a week or so to comment. This is unfair.

Thank you for considering seriously my comments,

Mary Roehrich  
McConaughy Gulch

Sent from [Mail](#) for Windows 10

Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131

March 12, 2019

Christy Cummings Dawson, Deputy Planning Director  
Planning Division, Community Development  
806 Main Street  
Yreka, CA 96097

VIA EMAIL

Dear Ms. Dawson:

RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED  
NEGATIVE DECLARATION – PART ONE

Please accept my comments on the above referenced project.

I am opposed to the approval of the Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declaration (DIS/MND). My comments below support my reasons for opposing approval.

### **INADEQUATE TIME FOR PLANNING COMMISSION REVIEW OF PUBLIC COMMENTS**

The Agritourism Zoning Text Amendment (Z-17-03) DIS/MND was circulated for 30-day public comment on February 14, 2019. It was sent to the Office of Planning and Research, State Clearing House where it was given a Review Period End of March 18, 2019. Despite knowing this end of review period date, Siskiyou County Planning scheduled the Agritourism Zoning Text Amendment (Z-17-03) DIS/MND for the March 20, 2019 Planning Commission. For that reason, I am submitting Part One of my comment letter now so the Planning Commissioners will have adequate time to read said comments. Part Two and any further comments will be submitted timely by 5:00 PM March 28, 2019. The Planning Department worked on this for two years. It would seem only courteous to review the public's comments for more than one day.

### **OVERVIEW**

According to the DIS/MND, "The proposed project encompasses all parcels in the unincorporated area of Siskiyou County, California, 10 acres and larger, that are zoned Prime Agricultural (AG-1), Non-Prime Agricultural (AG-2), and/or Rural Residential Agricultural (R-R). The zoning text amendment would differentiate between generally permissible, less intensive "Level I Agritourism" and more intensive "Level II Agritourism" and would subject "Level II Agritourism" to Agritourism Performance Standards and approval of an administrative use permit or a conditional use permit depending upon the intensity of use."

Christy Cummings Dawson, Deputy Director of Planning  
RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED  
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## **THE DIS/MND IS FLAWED AND INADEQUATE**

The Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declaration (DIS/MND) is flawed and inadequate.

The DIS/MND states that there are approximately 634 parcels that are 10 acres or larger with AG-1 zoning, 871 parcels that are 10 acres or larger with AG-2 zoning, and 953 parcels that are 10 acres or larger with R-R zoning. That is a total of 2,458 parcels. (Note that the DIS/MND does not identify whether these are Appraiser Parcels or some other type parcels.) Combined these parcels include approximately 304,429 acres of AG-1, 984,944 acres of AG-2, and 3,441,952 acres of R-R for approximately 4,731,325 total acres. Federal and state lands account for approximately 3,716,386 acres or 78% of the project area. That would leave 1,014,939 non-federal or state land parcels (the type of parcel is not defined – although I had requested such definition in my May 31, 2018 comment letter on the Agritourism Resolution). However, the DIS/MND fails to provide the number of parcels (undefined) on which Agritourism activities could take place in Siskiyou County. That information is necessary to evaluate the environmental impacts of the project. The DIS/MND further states that, according to the 2017 Siskiyou County Crop & Livestock Report, there were 1,153,246 acres in farms and ranches in 2017, which is equivalent to approximately 24 percent of the project area, excluding state and federal lands. Of those agricultural properties actively being utilized for agriculture, approximately 419,721 acres are currently subject to a Williamson Act contract.” That statement does nothing to disclose the number parcels on which Agritourism activities could be held. The number of parcels and type of parcels must be provided to allow for informed and adequate public comment.

If the owners of only one-quarter of the 2,458 undefined parcels began or expanded Agritourism Activities, then under the Agritourism Zoning Text Amendment, 615 parcels would bring a maximum of 645,750 Agritourists to Siskiyou per year – permitted by right. However, CEQA requires that the entire project be evaluated. That has not been done here. The 2,458 undefined parcels would bring 2,580,900 Agritourists to Siskiyou per year – permitted by right. That is an over Two and One-Half MILLION Agritourists per year. And that is what must, and has not been, considered and evaluated.

In reviewing the DIS/MND it is clear that County took a “Resolution for Agritourism” prepared by the Planning Commission appointed Technical Advisory Committee (TAC) and is trying to make the environmental review fit that document, rather than actually evaluating potential environmental impacts.

## **ENVIRONMENTAL CHECKLIST**

### **AESTHETICS.**

The project will very likely create new sources of substantial light or glare that would adversely affect day or nighttime views in the area, and Section 10-6.5602 of the Siskiyou County Code which requires that exposed sources of light, glare, or heat be shielded so as not to be directed outside the premises will do little or nothing to prevent the glare. That is true for the lighting restrictions for Level II Agritourism (i.e., the only level of agritourism that would allow overnight guests) which states, “Any new exterior lighting installed related to a

Christy Cummings Dawson, Deputy Director of Planning

RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION – PART ONE

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permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.”

As an owner/resident on a one-acre parcel near an approximately 150-acre parcel, I can assure you that shielding of light sources, as required in Section 10-6.5602 of the Siskiyou County Code or Level II Agritourism will do little to nothing to prevent light glare from affecting neighboring or even distant parcels. Nor will the Section of the Siskiyou County Code or the restraints in Agritourism Level II prevent light pollution of our night skies. Scott Valley is the only place I have lived, except the Neighbor Islands of Hawaii, where I can actually see the Milky Way. Agricultural uses do not involve the type of lighting that will be used for Agritourism uses. A Mitigation Measure requiring that lighting for Agritourism use be turned off when there is no Agritourism activity, and at a reasonable hour when there is, would be a reasonable solution.

## **AGRICULTURE AND FORESTRY RESOURCES**

Although the DIS/MND determines that there would be “Less than Significant Impact” on Agriculture Resources, it is very likely that the project could convert either Prime Farmland, Farmland of State Importance, Farmland of Local Importance or Unique Farmland as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use because the Agritourism Zoning Text Amendment does not prohibit an owner of more than one qualifying parcel from conducting Agritourism activities on each qualifying parcel with absolutely no environmental review under Level I Agritourism. Limitation must be placed on how many parcels one owner or group of owners can develop as Agritourism operations. In order to accomplish such limitation, Level I Agritourism must be not be allowed as permitted by right use.

Additionally, in order to protect Prime Agriculture lands, the Agritourism Zoning Text Amendment must include some mechanism to prohibit Agritourism activities on land zoned Prime Agriculture (AG-1).

It is unfortunate that the County did not include maps by the Farmland Mapping and Monitoring Program of the California Resources Agency. The (Farmland) maps for Siskiyou County can be accessed at:  
<ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/>

The Agritourism Zoning Text Amendment will definitely conflict with Williamson Act contracts because of the low level of income used to define a working farm or ranch: “A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more.” The Williamson Act states that, “Land enrolled in the Agricultural Preserve Program is to be used principally for commercial agricultural production. However, it may be appropriate to allow secondary uses on contracted land that is either incidental to, or supportive of, the agricultural operation on the property.” For example a working farm or ranch which has annual sales of agricultural products of only one thousand dollars (\$1,000) and an Agritourism income of one thousand dollars (\$1,000) or more would be disqualified from the Williamson Act contract because the use could not be construed to be either incidental to, or supportive of the agricultural operations on the property based on income. Some other criteria must be used to define a working farm or ranch to avoid conflict with the Williamson Act, and that criteria should be applied to the entire Agritourism Zoning Text Amendment.

Christy Cummings Dawson, Deputy Director of Planning  
RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED  
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The statement: “Agritourism uses included in the proposed zoning text amendment were evaluated by the County’s Agritourism Technical Advisory Committee for consistency with County standards, which made the finding that ‘limited agritourism as an allowed agricultural accessory use will not change any standards necessary for the protection of agricultural lands nor is it intended to conflict with agricultural zoning or existing agricultural uses in Siskiyou County, the Siskiyou County General Plan or the Scott Valley Land Use Plan,” is very concerning for several reasons. First, the members of the Agritourism Technical Advisory Committee (TAC), while all very intelligent, well-educated, and experts in their fields, have no experience in planning or CEQA and are hardly qualified to evaluate agritourism uses for consistency with County standards or CEQA requirements. Secondly, the intent to “not conflict with agricultural zoning” is all well and good, but the potential for such conflict certainly exists. A deeper analyses by environmental planning experts who are well versed in planning and CEQA is required.

## **HYDROLOGY AND WATER QUALITY**

While the DIS/MND states that Agritourism uses would have a “less than significant impact on hydrology and water quality,” the fact is that a project of this magnitude has the potential to deplete aquifers and pollute the waters in Siskiyou County.

Where is review of compliance with the Clean Water Act (CWA)? Although the current Federal Administration has rolled back parts of the CWA, the CWA is still in effect and the roll back is opposed by the State of California. Compliance with the CWA is required.

The Agenda for a meeting of the Regional Water Quality Control Board, North Coast Region on February 20, 2019, discussion on ITEM: 4, SUBJECT: Update on East San Joaquin Agricultural Order and Ag-Related Litigation (Emel Wadhvani, Assistant Chief Counsel, State Water Board) contained this statement: **“The ESJ (East San Joaquin) Petition Order is precedential for agricultural programs statewide and the State Water Board has directed regional water boards to incorporate elements in subsequent regional water board orders.”** Discussion regarding how this precedent for agricultural programs affects Siskiyou County and Agritourism must be included in the DIS/MND.

As recently as the February 5, 2019, the Siskiyou County Board of Supervisors voted: ” ... to extend the local emergency related to drought conditions, in particular conditions and curtailed irrigation deliveries to the Tululake Irrigation District as declared by Resolution 18-39.” That vote indicates that the potential for a deeper drought and the concomitant effect on our water supply is a real threat. The water issues must be revisited and reviewed with that reality in mind.

I am not a water expert, but I have lived in the Scott Valley area of Siskiyou County for over 20 years. In that time, I’ve seen high-impact wells permitted and installed on the historically dry Eastside of Scott Valley and seen domestic wells on the Westside of Scott Valley dry up during summer months. Domestic well users do not want to lose their water supply. However they would be more tolerant of losing it to agricultural uses which are at least feeding us than to Agritourism uses which are jeopardizing our water supply with no evident benefit except profit for those engaged in Agritourism.

## **LAND USE AND PLANNING**

Christy Cummings Dawson, Deputy Director of Planning  
RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED  
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The Agritourism Zoning Text Amendment at least conflicts with the Scott Valley Area Plan (SVAP), and may very well be in conflict with the County General Plan.

The statement, “County staff enforce all applicable County policies pertaining to where and how development activity can safely occur at the time of building permit application ...” is patently false. In 2018 County Staff signed off on a building permit which was dependent on the applicant receiving permitting for expansion before such building could be done. As of now, the buildout has been completed and is no doubt being utilized, yet the applicant still has no permit to do.

“...Further, proposed Level II Agritourism would be subject to approval of an administrative use permit or conditional use permit, either of which would require project-specific and site-specific analysis of the particular agritourism activities relative to County policies, including those contained in the Siskiyou County General Plan and Scott Valley Area Plan.” Yet a Level II Agritourism project requiring an administrative permit would not be circulated to the public for review and comment, and the period for filing an appeal of approval of such a permit would pass un-noticed by the public. .

The DIS/MND states, **“Because the General Plan Land Use Element contains Policy 37, which allows only agricultural uses on prime agricultural land, and the Scott Valley Area Plan contains Policy 1, which permits only agricultural and public uses on prime agricultural soils, project compatibility with all General Plan and Scott Valley Area Plan policies is somewhat dependent upon whether the agritourism activities being permitted by the proposed zoning text amendment are classified as agricultural land uses, commercial land uses, or something other. This isn’t to say that compatibility of the proposed zoning text amendment with the General Plan and Scott Valley Area Plan hinges upon the ability of agritourism activities to locate on soils mapped ‘prime agricultural.’**

That is not the case, however, it does warrant the question of whether agritourism is considered a permissible activity in areas mapped prime agricultural and, therefore, whether the project is compatible with General Plan Policy 37 and Scott Valley Area Plan Policy 1. At its core, **the project is a proposed zoning text amendment intended to support agriculture by facilitating the marketing and promotion of agricultural products grown and produced in Siskiyou County through incidental onsite agritourism.** Agritourism would be defined in the proposed zoning text amendment as “the act of visiting a working farm or ranch as a guest for the purpose of enjoyment, education or other active participation in the activities of the farm. A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more. Agritourism shall not include concerts or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch.

Therefore, **because the proposed zoning text amendment would specifically exclude “other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch”, and would likely entail agritourism-related activities, such as harvesting agricultural products or other active participation in the activities of a farm or ranch, the agritourism activities included in the proposed zoning text amendment are considered consistent with Policy 37 and Policy 1, as well as the other policies of the Siskiyou County General Plan Land Use Element and the Scott Valley Area Plan, and potential impacts are considered less than significant.”**

Christy Cummings Dawson, Deputy Director of Planning  
RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED  
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This discussion does not conclude that agritourism activities are agriculture. Agritourism is tourism plain and simple. It is incidental to agriculture, and if it is not, then every Williamson Act contract must be cancelled on owners of parcels including agritourism activities on their land,

“The Scott Valley Area Plan was prepared to direct land use within the Scott Valley watershed of Siskiyou County, and was adopted by the Board of Supervisors in November 1980. The Scott Valley Area Plan was adopted as an amendment to the Siskiyou County Land Use Element for the Scott Valley Watershed area, and policies therein supersede those identified in the County Land Use Element for that particular overlay map. The goal and technique used for the development of the Scott Valley Area Plan is similar to that of the County General Plan, consisting of a series of overlay maps identifying development constraint areas in an effort to allow and guide development to occur in areas that are easiest to develop without entailing great public service costs, and that do not displace or endanger the Scott Valley’s critical natural resources, nor subject future populations to natural hazard.”

When the Agritourism and Multispecies uses were first being considered, in their STAFF REPORT ON AGRITOURISM AND BY RIGHT FARMING OF MULTI-SPECIES TO BOARD OF SUPERVISORS dated August 8, 2017, ALLAN CALDER, COMMUNITY DEVELOPMENT DIRECTOR and BRIT DVERIS, SENIOR PLANNER asked a set of questions to be answered by the Technical Advisory Committees (TAC) being considered. Although the questions listed here pertained only to Multispecies TACs, where those questions don’t seem to have been answered fully, they should also have been answered by the Agritourism TAC.

The questions are:

1. What intensity of animal production should be permitted by right, that is without a use permit? 2. Should different standards be created for different types of animals (e.g., swine, cattle, fowl/poultry, sheep/goats, etc.)? 3. Should enhanced commercial animal production be allowed by right in both the AG-1 and AG-2 districts? 4. **Should enhanced animal production not be allowed in certain areas of the County (e.g., Scott Valley).** 5. What limitations should be placed on the number or density per acre of different types of animals? 6. What other performance standards are warranted to ensure land use compatibility and avoid nuisance conflicts? 7. How should potential environmental impacts (e.g., odor, noise, water quality) of commercial animals kept in large numbers be addressed? 8. What bearing does having animals kept in enclosed structures versus in the open have on land use compatibility and environmental protection concerns?

2.

Neither enhanced animal production/Multispecies (Hog Farms) nor Agritourism should be allowed in Scott Valley. The Scott Valley Area Plan (SVAP) is designed to prohibit the type of intensity and density that Agritourism will bring to the area.

The Agritourism Zoning Text Amendment provides neither acreage, parcel count nor parcel definition for Scott Valley. These components would have had to be provided to assess the effects on the environment in Scott Valley which, as stated, is a Unique Area covered by the SVAP.

Christy Cummings Dawson, Deputy Director of Planning

RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION – PART ONE

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From the DIS/MND, “(b) An Administrative Use Permit for Level II Agritourism shall not be approved by the Planning Director unless the applicant meets all of the following conditions and Agricultural Tourism Performance Standards.

(1) Applicant is actively engaged in the production of Unique Agricultural Products and the majority of inputs for the Unique Agricultural Products is raised or grown on the proposed Agritourism Property.

(2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires permanent structural improvements to facilitate the use then the improvements shall occupy no more than ten percent of the proposed Agritourism Property’s total acreage or five acres, whichever is the lesser.”

Agricultural Tourism Performance Standards.1 and 2 combined would allow for a level of intensity of development that is in conflict with the SVAP. Neither the DIS/MND nor the seminal TAC Resolution contain any limitation on the size of “production of Unique Agricultural Products.” There is no size specification or siting specification for “permanent structural improvements.” With only Planning Director approval and no opportunity to even know about let alone review or comment on what is being proposed, there is nothing to stop up to five-acres production factories from being allowed in Scott Valley.

Additionally, since the 2,458 parcels included in the Agritourism Zoning Text Amendment are not defined as Appraiser Parcels or other type parcels; and since “‘Agritourism Property’ means one or more contiguous parcels [again undefined] that are under common ownership or lease and upon which an Agritourism activity operated by the owner or lessee occurs and which produces agricultural products as a primary use,” there is nothing to prohibit one owner or a group of owners with enough acreage from having multiple "Agritourism" events (one on each qualifying parcel) - Permitted by right or even worse combining five-acre allowed “permanent structural improvements” on contiguous Agritourism Property to create massive Event Centers or Product Factories. There is nothing that requires “the improvements [that] shall occupy no more than ten percent of the proposed Agritourism Property’s total acreage or five acres, whichever is the lesser” to be in one block of acreage. The permanent structural improvements could be sited in various spots on the Agritourism Property with Agritourists traveling by foot or other method between the improvements and thus destroying not only Prime Agriculture Land, but ruining the land for any type of agriculture production.

Allowing the up to five-acre areas of permanent structural improvements could create a de facto subdivision of land which is not allowed under Prime Agriculture Policies 2 and 3. Such de facto subdivision could destroy the agriculture industry in Scott Valley.

Not only the SVAP Prime Agriculture, Policy1 – “Only agriculture and public uses may be permitted on prime agriculture soils” must be considered. Prime Agriculture Policies 2 and 3; Deer Wintering Policies 5, 6 and 7; Flood Plain Policies 8, 9 and 10; and Excessive Slope Policies 16, 17, 18, and 19 must be considered and evaluated.

The Agritourism Zoning Text Amendment is not compatible with any of these Policies. Agritourism Activities must be prohibited in areas covered by the SVAP.

## **WILLIAMSON ACT**

Christy Cummings Dawson, Deputy Director of Planning

RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED  
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According to the 2017 Siskiyou County Crop & Livestock Report, there were 1,153,246 acres in farms in 2017. Of these, approximately 419,721 acres or 36% are subject to a Williamson Act contract. The County General Plan recognizes the importance of agriculture to the County's economy, identifying prime agricultural land as a sensitive environmental resource. County policies encourage conservation of agricultural lands through minimum acreage requirements that deter conversion to more intensive uses.

As stated earlier, The Agritourism Zoning Text Amendment will definitely conflict with Williamson Act contracts because of the low level of income used to define a working farm or ranch: "A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more." The Williamson Act states that, "Land enrolled in the Agricultural Preserve Program is to be used principally for commercial agricultural production. However, it may be appropriate to allow secondary uses on contracted land that is either incidental to, or supportive of, the agricultural operation on the property." For example a working farm or ranch which has annual sales of agricultural products of only one thousand dollars (\$1,000) and an Agritourism income of one thousand dollars (\$1,000) or more would be disqualified from the Williamson Act contract because the use could not be construed to be either incidental to, or supportive of the agricultural operations on the property based on income. Some other criteria must be used to define a working farm or ranch to avoid conflict with the Williamson Act, and that criteria should be applied to the entire Agritourism Zoning Text Amendment.

### **PROJECT MUST BE CONSIDERED DISCRETIONARY UNDER CEQA**

The Agritourism Zoning Text Amendment (Z17-03) states, "...would allow limited agritourism incidental to active agricultural operations on parcels 10 acres and larger that are zoned AG-1, AG-2, and/or R-R. To minimize, to the greatest extent practicable, off-site impacts associated with agritourism-related activities, the zoning text amendment would differentiate between **generally permissible, less intensive "Level I Agritourism" and more intensive "Level II Agritourism" and would subject "Level II Agritourism" to Agritourism Performance Standards and approval of an administrative use permit or a conditional use permit depending upon the intensity of use.**"

Level I Agritourism would be permissive with no application or permit required and absolutely no environmental review. Level II Agritourism would be allowed with approval of an administrative permit with no environmental review (ministerial) or a conditional use permit (discretionary). A ministerial permit is not subject to the California Environmental Quality Act (CEQA), while a discretionary permit is subject to CEQA.

Since the three (3) levels of permitting in this Project include ministerial and discretionary permitting, the Project must be considered discretionary as a whole.

Refer to CEQA Guidelines 15268. MINISTERIAL PROJECTS which states, "(a) Ministerial projects are exempt from the requirements of CEQA. The determination of what is "ministerial" can most appropriately be made by the particular public agency involved based upon its analysis of its own laws, and each public agency should make such determination either as a part of its implementing regulations or on a case-by-case basis.

Christy Cummings Dawson, Deputy Director of Planning  
RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED  
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(b) In the absence of any discretionary provision contained in the local ordinance or other law establishing the requirements for the permit, license, or other entitlement for use, the following actions shall be presumed to be ministerial:

- (1) Issuance of building permits.
  - (2) Issuance of business licenses.
  - (3) Approval of final subdivision maps.
  - (4) Approval of individual utility service connections and disconnections.
- (c) Each public agency should, in its implementing regulations or ordinances, provide an identification or itemization of its projects and actions which are deemed ministerial under the applicable laws and ordinances.
- (d) Where a project involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA.”

To assure that there is no discretionary provision contained in the local ordinances, I 1) Researched Siskiyou County’s codified Ordinances online and found no discretionary nor ministerial provision, 2) On February 25, 2019 sent an email to Christy Cummings Dawson, Deputy Planning Director requesting under the California Public Records Act identification or itemization of projects and actions which are deemed ministerial under the applicable laws and ordinances of Siskiyou County. On February 26, 2019 Ms. Cummings Dawson replied “...the Department has not created an itemized list of projects it deems ministerial under applicable laws and ordinances,” and 3) On March 2, 2019 sent an email to Christy Cummings Dawson, Deputy Planning Director requesting under the California Public Records Act identification or itemization of projects and actions which are deemed discretionary under the applicable laws and ordinances of Siskiyou County. On March 4, 2019 Ms. Cummings Dawson replied “...the Department has not created an itemized list of projects it deems discretionary under applicable laws and ordinances.”

Therefore, because Siskiyou County does not have a discretionary or ministerial provision regarding these projects in its ordinances and because this Project contains both a ministerial and a discretionary action, the project must be deemed discretionary and subject to CEQA requirements.

**TO BE CONTINUED WITH COMMENTS ON NOISE, TRAFFIC, ETC. IN PART TWO**

Thank you for accepting my initial comments on the Agritourism Zoning Text Amendment.

Sincerely,

Anne Marsh

**From:** [Annie Marsh](#)  
**To:** [Christy Cummings Dawson](#); [Planning](#); [Vurl Trytten](#); [Ray Haupt](#); [jeffowle96027@gmail.com](mailto:jeffowle96027@gmail.com)  
**Subject:** Comment Letter -Multispecies Zoning Text Amendment  
**Date:** Sunday, March 10, 2019 10:40:46 PM  
**Attachments:** [Comment Letter re Multispecies Zoning Text Amendment.doc](#)  
[CURRENT FILE FW - Harris Pig Farm strategy.pdf](#)  
[CURRENT FILE Comment Letter re Resolution of the Multispecies.doc](#)

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Dear Christy,

Attached is my comment letter on the Multispecies Zoning Text Amendment which I understand will be on the March 20, 2019 Planning Commission agenda. I have also attached two (2) documents which must be included as part of my comment. 1) The Allan Calder email dated June 7, 2017 mail entitled CURRENT FILE Harris Pig Farm Strategy; and 2) My comment letter dated May 31, 2018 regarding the Multispecies Resolution by the TAC entitled CURRENT FILE Comment Letter Re Resolution of the Multispecies. Please assure that the entire content of my email is made available to the Planning Commissioners.

Thank you,  
Anne Marsh

**From:** [Annie Marsh](#)  
**To:** [Christy Cummings Dawson](#); [Planning](#); [Vurl Trytten](#); [Ray Haupt](#); [jeffowle96027@gmail.com](mailto:jeffowle96027@gmail.com)  
**Subject:** Correction Page 1 Comment Letter -AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION – PART ONE  
**Date:** Tuesday, March 12, 2019 7:02:22 PM

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The Comment letter I emailed shortly before 5 PM contained the incorrect end of review date of March 28, 2019. That was a typo. I have corrected the letter to read the correct date: March 18, 2018 and will submit my further comments by that time. Corrected Page 1 below.

Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131  
March 12, 2019  
Christy Cummings Dawson, Deputy Planning Director  
Planning Division, Community Development  
806 Main Street  
Yreka, CA 96097  
VIA EMAIL  
Dear Ms. Dawson:  
RE:

Please accept my comments on the above referenced project.  
I am opposed to the approval of the Agritourism Zoning Text Amendment (Z-17-03) Draft Initial Study/Mitigated Negative Declaration (DIS/MND). My comments below support my reasons for opposing approval.

**INADEQUATE TIME FOR PLANNING COMMISSION REVIEW OF PUBLIC COMMENTS**

The Agritourism Zoning Text Amendment (Z-17-03) DIS/MND was circulated for 30-day public comment on February 14, 2019. It was sent to the Office of Planning and Research, State Clearing House where it was given a Review Period End of March 18, 2019. Despite knowing this end of review period date, Siskiyou County Planning scheduled the Agritourism Zoning Text Amendment (Z-17-03) DIS/MND for the March 20, 2019 Planning Commission. For that reason, I am submitting Part One of my comment letter now so the Planning Commissioners will have adequate time to read said comments. Part Two and any further comments will be submitted timely by 5:00 PM March 18, 2019. The Planning Department worked on this for two years. It would seem only courteous to review the public's comments for more than one day.

**OVERVIEW**

According to the DIS/MND, "The proposed project encompasses all parcels in the unincorporated area of Siskiyou County, California, 10 acres and larger, that are zoned Prime Agricultural (AG-1), Non-Prime Agricultural (AG-2), and/or Rural Residential Agricultural (R-R). The zoning text amendment would differentiate between generally permissible, less intensive "Level I Agritourism" and more intensive "Level II Agritourism" and would subject "Level II Agritourism" to Agritourism Performance Standards and approval of an administrative use permit or a conditional use permit depending upon the intensity of use."

**From:** [Felice Pace](#)  
**To:** [Allie Hostler](#); [Amber Shelton](#); [Amy Cordalis - Yurok Tribal Attorney](#); [Annelia Norris](#); [Bill Cross](#); [Bill Kier #1](#); [Chet Ogan - Redwood Audubon](#); [Cliff Marshall](#); [Craig Tucker](#); [Crystal Robinson](#); [Dan Bacher](#); [Dania Rose Colegrove](#); [Dave Bitts - PCFFA](#); [Dave Hillemier](#); [Eli Asarian](#); [erik ryberg](#); [Frankie Myers](#); [Frieda Bennett](#); [Glen Spain-PCFFA alt](#); [Grant Wilson](#); [Earthlaw Ctr](#); [James Wheaton](#); [Jessica Clayburn YT Watershed](#); [John Corbett](#); [Josh Strange](#); [Karuna Greenberg](#); [Kerul Dyer](#); [Larry Glass](#); [Louisa McCovey YTEP Program Director](#); [Maven's Notebook](#); [Mike Belchik](#); [Mike Orcutt](#); [Nat Pennington](#); [Nathaniel Kane - ELF](#); [Noah Oppenheim PCFFA ED](#); [Pete Nichols](#); [Petey Brucker](#); [Regina C](#); [Robert Franklin](#); [Ron Stork](#); [Sue Masten](#); [Susan Fricke - Karuk Tribe](#); [Tim Hayden \(thayden@yuroktribe.nsn.us\)](#); [Tim Palmer Kalmiopsis Audubon](#); [Tom Schlosser](#); [Tom Stokely](#); [Toz Soto](#); [Vi Orcutt](#); [Vivian Helliwell](#); [Will Harling](#); [John Livingston - ShastaGp Mother Lode SC](#)  
**Cc:** [Christy Cummings Dawson](#)  
**Subject:** Fwd: SCOTT VALLEY GROUNDWATER EXTRACTION ALERT  
**Date:** Friday, March 08, 2019 1:27:31 PM  
**Attachments:** [CURRENT FILE FW Harris Pig Farm strategy.pdf](#)  
[CURRENT FILE PC 20170621 PlanningCommissionStaffMemoEnhanced Animal Production-2.pdf](#)  
[CURRENT FILE TAC 20180606 MultispeciesTACResolution Signed20180517.pdf](#)  
[CURRENT FILE Comment Letter re Resolution of the Multispecies.doc](#)  
[SisCo Agritourism ISMND Draft 2-14-2019.pdf](#)

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Klamath tribal and other colleagues,

Below is my message to Matt St John, EO of the NCRWQCB, concerning two proposed zone changes that Siskiyou County appears ready to make without CEQA review and without informing any state agencies or authorities. Allowing large factory-style hog and other animal agriculture without a use permit or CEQA review, and allowing an unlimited amount of Agritourism without a use permit or CEQA review, each have a high likelihood to significantly increase groundwater extraction. That in turn will extend the period of time each year that the Scott and major tributaries are dewatered and make it even more problematic to get Chinook and even Coho to spawning grounds in and above Scott Valley; both species have not made it into and above the Valley in several recent years; consequently salmon spawn on top of each other in the Canyon and salmon production is greatly reduced.

In addition, these proposed zoning changes will result in degradation of surface and groundwater quality and will make it more difficult to achieve a groundwater plan that meets the FS right to flows for fish in Scott River. That in turn will mean we will have to open the Scott River and other Scott Valley Adjudications to fix their flaws and problems.

Please consider also urging Matt St. John to get the NCRWQCB weighed in on these and consider contacting Siskiyou County directly. The staff member for these is:

Christy Cummings Dawson, Deputy Planning Director:  
[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)

Planning Division, Community Development



806 Main Street  
Yreka, CA 96097

If you do weigh in please send me a copy of your message.

Felice

Felice Pace  
Klamath, CA 95548  
707-954-6588

"Ring the bells that still can ring.  
Forget your perfect offering.  
There is a crack, a crack in everything,  
That's how the light gets in."

Anthem, Leonard Cohen

----- Forwarded message -----

From: **Felice Pace** <[unofelice@gmail.com](mailto:unofelice@gmail.com)>  
Date: Fri, Mar 8, 2019 at 12:24 PM  
Subject: Fwd: SCOTT VALLEY GROUNDWATER EXTRACTION ALERT  
To: Matt St. John, EO <[Matt.St.John@waterboards.ca.gov](mailto:Matt.St.John@waterboards.ca.gov)>  
Cc: Annie Marsh <[annie\\_marsh@hotmail.com](mailto:annie_marsh@hotmail.com)>, Eli Scott\_NCWQCB Scott & Shasta <[Elias.Scott@waterboards.ca.gov](mailto:Elias.Scott@waterboards.ca.gov)>, Claudia Villacorta\_Ass EI NCRWQCB <[Claudia.Villacorta@waterboards.ca.gov](mailto:Claudia.Villacorta@waterboards.ca.gov)>, Jonathan Warmerdam - Non-Point Chief <[Jonathan.Warmerdam@waterboards.ca.gov](mailto:Jonathan.Warmerdam@waterboards.ca.gov)>

Dear Matt,

It has come to my attention that the Siskiyou County Planning Commission will on March 20th consider a zoning text amendment that, if approved, will allow large factory style animal agriculture, including dairies and large hog operations, without a use permit or environmental review on parcels zoned for agriculture. Sis Co is claiming that the change is categorically exempt from CEQA.

As you will readily recognize, the types of operations they propose to allow without a use permit and without notice to your agency have been shown to have a high likelihood of polluting surface water and groundwater. In addition, these activities will extract and consume a lot of groundwater which is, as is clear from USGS and other reports, closely interconnected with surface flows. Thus, this zone change will very likely exacerbate the current impairments of Scott River surface water quality via reduced flows and likely additional discharges of animal wastewater.

Below is a message from Annie Marsh, former SisCo Supervisor, who monitors Sis Co planning issues, including her attachments. She is cc'ed on this message.

I am asking you to weigh in on this issue before the March 20th meeting and to have a staff member attend the meeting. Because this zone change represents a major new threat to ground and surface water quality in a water quality impaired watershed, please also have your legal counsel review the proposed change to determine if the County has misinterpreted CEQA's applicability. It seems to me that, if they approve the proposed change, Siskiyou County will have usurped your authority to review new developments that have great potential to further degrade already impaired water quality in the Scott River Basin.

Please let Annie and I know what you intend to do in this regard and please provide us with copies of any input or comment the NCRWQCB makes on this proposed zoning text amendment.

Siskiyou County also has out a draft Negative Declaration (attached) to allow agritourism without a use permit or CEQA review. Allowing agritourism without a use permit has significant potential to increase groundwater extraction and, thereby, to exacerbate current water quality impairments. For this reason i am asking you to comment on that draft document as well.

Finally, both changes will result in on-farm wells being used as a drinking water source by tourists doing farm stays and events and by animal ag workers. As you know, the SWRCB has ordered that all such wells be tested regularly;y for pollutants that can harm human health and that the results are to be reported to the SWRCB. The changes by Siskiyou County described above would allow on farm wells to be used for drinking water

without informing the owners of the testing and reporting requirement. Thus Siskiyou County is considering enabling the avoidance of that SWRCB requirement. I am asking you to inform the proper officials at the State Board of this situation since I do not know who should be informed. Otherwise, I believe we will see widespread disregard for this SWRCB requirement in Siskiyou County as a result of the proposed zone text changes.

It is really important, and I believe critical to the NCRWQCB's mission, that you weigh in on both these issues. I hope you agree and will do it.

Felice

Felice Pace  
Klamath, CA 95548  
707-954-6588

"Ring the bells that still can ring.  
Forget your perfect offering.  
There is a crack, a crack in everything,  
That's how the light gets in."

Anthem, Leonard Cohen

----- Forwarded message -----

From: **Annie Marsh** <[annie\\_marsh@hotmail.com](mailto:annie_marsh@hotmail.com)>  
Date: Thu, Mar 7, 2019 at 7:28 PM  
Subject: Re: SCOTT VALLEY GROUNDWATER EXTRACTION ALERT  
To: Felice Pace <[unofelice@gmail.com](mailto:unofelice@gmail.com)>, Nathaniel Kane - ELF  
<[nkane@envirolaw.org](mailto:nkane@envirolaw.org)>, James Wheaton <[wheaton@envirolaw.org](mailto:wheaton@envirolaw.org)>

To add to Felice's email: I learned earlier this week that Siskiyou County Planning will seek approval of the "Multispecies" Zone Change Text Amendment at the March 20, 2019 Siskiyou County Planning Commission meeting. The public will not be noticed of this because the County intends to claim that the Amendment is Categorically Exempt from CEQA under the "General Rule" Exemption which was changed to the "Common Sense" Exemption (§ 15061(b)(3)) in December 2018. "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity

in question may have a significant effect on the environment, the activity is not subject to CEQA." A Staff Report for the Agenda Item will not be available until shortly before the Planning Commission meeting.

I have attached four documents: 1) The Harris Pig Farm Strategy PDF is a copy of an email from Allan Calder, Community Development Director (February 2017 - March 2018) dated June 7, 2017 to Terry Barber, County Administrator and Ray Haupt, County Supervisor District 5. In that email Mr. Calder states that the project will trigger CEQA and that the person wanting the zoning change should apply for a conditional use permit. 2) The PC\_20170621\_Planning Commission Staff Memo Enhanced Animal Production (Multispecies) dated June 21, 2017 which suggests appointment of Technical Advisory Committees. 3) The Resolution by the TAC dated May 17, 2018 to allow permitted by right "pastured" hog and poultry operations on Prime AG, Non-Prime Ag and Rural Residential properties. 4) My comment letter dated May 31, 2018 regarding the TAC Resolution.

I disagree that the zone change should be approved as Categorical Exempt, and will forward my letter to you as soon as I complete it.

Sincerely,  
Anne Marsh

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**From:** Felice Pace <[unofelice@gmail.com](mailto:unofelice@gmail.com)>  
**Sent:** Thursday, March 7, 2019 4:07 PM  
**To:** Nathaniel Kane - ELF; James Wheaton  
**Cc:** Annie Marsh  
**Subject:** SCOTT VALLEY GROUNDWATER EXTRACTION ALERT

Nat and Jim,

I am told by Annie Marsh, former county supervisor who monitors planning issues, that on March 20th Siskiyou County Planning Commission will consider and likely vote to "allow factory style hog and mixed animal production on land zoned for agriculture." That can consume a lot of additional groundwater and should not be allowed without a use permit and environmental review. I hope y'all will weigh in to stop SisCo from approving additional significant groundwater extraction without considering impacts to beneficial uses, etc. And that will likely extend the dewatering period for Scott River.

Annie is Cc'ed here in case she has more info to add.

I will likely be commenting for Redwood and Mother Lode Chapters Sierra Club if i can get approval from Mother Lode.

The agenda has been posted as yet:

[https://www.co.siskiyou.ca.us/meetings?field\\_microsite\\_tid\\_1=28](https://www.co.siskiyou.ca.us/meetings?field_microsite_tid_1=28)

Felice

Felice Pace  
Klamath, CA 95548  
707-954-6588

"Ring the bells that still can ring.  
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Anthem, Leonard Cohen

March 11, 2019

To Whom It Should Concern:

We are writing to you to once again to voice our opposition to any AgriTourism and Multispecies Zoning amendments as currently written and being proposed for passage this month. There is far too much more review and discussion to be done on this by the county and those affected by these proposed amendments to the Scott Valley Plan and zoning.

Since we are working ranchers that live on Eastside Road, Fort Jones, and have been and are currently affected by the active agritourism camping glamping operations up the road from us and the other proposed large scale hog farms and multi species ranching we are writing to urge you to put this decision on hold. Open this process up to all valley residents not just hand picked special interest individuals making up committees to push through their self interests. Avoid future law suits because these operations are going to have an affect on adjacent properties and the rivers and streams. There are slews and other shared water ways that will be contaminated.

We do not agree with the Planning Departments opinion that these proposed changes to the zoning text for Agritourism and Multi-species should be Categorically Exempt from CEQA (California Environmental Quality Act passed in 1970) under the General Rule Exemption which basically translates as: it can be said with certainty that there is NO possibility that the activity in question may have a significant effect on the environment. It is already having an impact on our ranching abilities, our quality of life, health of our livestock, and future of our ranch for generations to come.

How can it be stated that there is no impact on the environment? What about slaughter houses and waste disposal systems? We have Rivers running through the valley with ranches on all sides. Too many animals and mixed species means disease, soil depletion and water contamination. What about the smell of large operation hog farms and the impact of traffic on our small country roads? What about the ranchers that are growing crops now and the future of little 5 and 10 acre organic farmettes surrounding commercial operations and causing issue with crop management next door that does not fit their beliefs.

We moved here nineteen years ago to escape the same thing that is being proposed. It ruined our small communities and is an absolute zoo now. Families cannot afford to buy a home let alone a ranch. The once abundant thriving ranching/farming communities are covered with subdivisions, malls, wineries, and tourist attractions. We moved here and cherished this community. We learned to fit in to what was here and had no intention of changing it to what we left as some of the recent transplants have been doing. We are not Instagram or Facebook farmers feeding the public a scripted reality show. Those of us that truly work the land and struggle to have this way of life for ourselves and our children and all future generations resent the fake news of ranching/farming that is put out there today.

My husband and I grew up in Sonoma County, in a small town called Healdsburg in Dry Creek Valley. Same little town as Fort Jones & Etna, same valley type with narrow two lane roads and ranches of mixed crops and cattle. Then grapes went in and wineries. My mother still lives on the family ranch which has been in our family for 5 generations. There are now over 60 wineries in the area alone. Bikes, marathons, limos, and tourists crawling all over the place all week long. Yelling at my mother when she unloads her groceries in front of the house or backs out of her garage as she lives right on the road which divides the ranch.

Just like many places here, the ranch is divided by a narrow two lane road with the house built close to say hello to neighbors as they drove their buggies by. The ranch has been in our family for well over 150 years. My mom was born and raised there. She can tell you how tourism has ruined the reason for living in the country and how she can't even cross the street to get her mail because the cars will run over you. She had to get a post office box. They park in her front yard, take pictures and pee on the feed room door. They think that every property on the Ag tourist route is part of their right to use and exploit. They pick her fruit in her front yard and her flowers by the mailbox. No rules, no respect, no boundaries. Best of all most of the time they have been drinking and/or are drunk and driving. I used to ride my horse on the roads and all over the valley. If I tried that now I would be killed immediately. I know its progress but if those wineries were not out there in such abundance and things were not allowed to get so out of control it would not be near as bad.

You say it's not the same. Oh yes it is and it is coming and coming fast. If you pass these 10 acre everyone can do what they want with no consequences zoning amendments then our valley life as we know it is doomed. They will subdivide, they will build, and they will come. Look at Jacksonville Oregon or Ashland. Most ranches that were there sold out and properties were subdivided into 5 and 10 acre ranchettes with their mini farms, people, and traffic all over. You know why? If you can't fight them then sell out because farming on the scale that is done in Scott Valley will be difficult while you are dodging cars with your equipment or they are running through your cattle drive. We already have cyclists in a large volume come through and gripe about having to ride through the cow poop.

Unfortunately we are already experiencing the above as having a large volume tree nursery; you pick berry operation, camping glamping, and field to fork dinner's right next door. Makes it hard to cross the road safely with the equipment or cattle as the tourists just don't want to stop or slow down. Commissioner Veale is from Sonoma County he knows what we are talking about.

Please do the right thing for all the people of Scott Valley and Siskiyou County. Do not pass these proposed amendments. Review and re-examine the proposed changes and how they fit in with the Scott Valley Plan and the wishes of the people. Have the guts to stand up and say no to opening up this beautiful area to exploitation and irreversible change.

Respectfully,

Jerry and Elizabeth  
8212 Eastside Road  
Fort Jones, California

March 6, 2019

Honorable Ray A. Haupt  
Supervisor, District 5  
Siskiyou County Board of Supervisors

Re: JH Ranch, Kidder Creek Orchard Camp, & Agritourism

Dear Supervisor Haupt:

I am writing to you regarding my views on the above-named proposals. All three are related, though not equal by any stretch of the imagination. The common denominator is the need for the County to establish rules and, even more importantly, enforce those rules.

**JH Ranch:**

This organization purports to be a Christian one, albeit I've seen no evidence of it. Their representatives are arrogant, and because they have a lot of money, believe they can push around those people that are not. "Christians", in theory, do not disregard the rules. "Christians" do not disrupt other people's lives and peacefulness. Even eliminating the religious aspect, the behavior of JH Ranch has been deplorable. I was encouraged when the State became involved because, unlike Siskiyou County, they have the money to enforce the rules and defend them in court. In other words, fend off the MONEY JH Ranch has available. Rumor has it that CalFIRE has, or is, going sideways but I don't know if that's a fact. The bottom line is I hope the County does not cave in.



### **Kidder Creek Orchard Camp:**

Like JH Ranch, KCOC is a religious organization owned by I believe Mount Hermon Corp. which operates a “retreat” in the Santa Cruz Mountains. I was told that nothing here has changed but it appeared at the time I checked, the Board for KCOC was no longer local. You may know what the facts are. Their proposal, too, is not what I would deem to be neighborly. It, along with JH Ranch would make Scott Valley decidedly NOT Scott Valley for those of us trying to live a peaceful life. I’m guessing you have received many copies of a well thought out and reasoned letter by Melinda Field Perlman, alerting the community of the proposal and the dire consequences many would face because of it. Many of us would end up on the short end of the stick should the County approve their request.

### **Agritourism:**

This proposal pales in comparison to the two above. I live on Eastside Road outside of Etna. My wife and I live on a property that was part of the Horn Ranch. We are totally surrounded by ranches. Besides thousands of acres of hay, there are cattle, horses, mules, sheep, and a few hogs in the Valley. Many of the ranches have been in the same family since the 1850’s. We still have cattle drives that come right past our house! We love it.

Scott River Ranch has, on occasion, hosted large gatherings. My wife and I have attended one of them. Besides a ranch raised meal, there were educational lectures on how the ranch is run, how the cattle were raised, etc. It’s a great venue.

The Dowling Ranch has hosted many weddings. My wife and I have been to several. This, too, is a great venue.

Five Mary’s Ranch, besides raising a lot of different types of animals offers “Clamping” at the foot of their mountain. I have not personally participated at Five Mary’s Ranch. It is too spendy for my limited means.

KK Ranch offers advanced horsemanship to their guests along with seeing and appreciating a working ranch.

Harris Ranches appear to be varied. I don't know how many they have but I can say the "Harris Boys" are hardworking and "go-getters". Rumor has it that the Harris' want to establish a commercial hog operation. The issue it seems would be about scale and space. If the smell of manure could be mitigated, it would be just another agriculture endeavor. If not, it could negatively affect the quality of life for those that live in Scott Valley that are not fond of the smell of manure. Again, I think the scale and space of the operation is the most critical aspect. All animals create waste. 300 cattle (or hogs) on 5,000 acres versus 500 cattle (or hogs) on 5 acres are two different environments, if you get my drift (pun intended). If you've ever driven on I-5 near Coalinga, you know what I'm talking about.

In summary, I am **STRONGLY OPPOSED** to the JH Ranch expansion. That the JH Ranch appears to thumb their noses at the County by being out of compliance with the permit does not sit well with me either.

I am **STRONGLY OPPOSED** to the Kidder Creek Orchard Camp expansion request.

I **STRONGLY SUPPORT** the Agritourism efforts with the caveat there be rules that are enforced, and that if the rumor is true re: commercial hog operation, the manure smell be mitigated should the scale and space of the operation create a negative impact on others.

Respectfully,

James C. Roseman  
300 Eastside Road  
Etna, CA 9627  
530.467.3192

**From:** [Tom Menne](#)  
**To:** [Christy Cummings Dawson](#); [Ray Haupt](#); [Michael Kobseff](#)  
**Subject:** NO to Agritourism  
**Date:** Saturday, March 09, 2019 8:59:55 AM

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Ms Dawson,

I'm 100% opposed to the Agritourism Zoning Amendment as it is written.

I do understand the concept, but this plan has turned into something no one will support. My family and I have a large farming operation in Scott Valley and it's easy to see how this will impact us at some point. With 2,700 acres, our farm has multiple neighbors that border our property. We just had a neighbor sell to someone that plans to host a Hipcamp and have Agritourism on her place. Her plan is to place campers right next to our field in an attempt to impact our family farming operation.

But the planners of this Amendment will say, you have the right to farm. This sounds good until there are 10 land owners (camps) around your farm complaining about dust, pesticide and equipment noise.

How will the sheriffs office contend with the increase in citizens, traffic and crime? Can our local trash company handle more trash? Can our only septic company handle the massive increase?

How will our natural resources hold up with the potential of large groups of people staying year round? When the GSA has to come up with a GSP just where will this fit in? How will the road dept. deal with more traffic on our old roads?

This plan has set the bar so low that a snake could slither over it and that's just what will happen. We will have people moving here just to make a profit off this plan.

Is the County prepared to hire more staff to deal with this as it grows?

My suggestion would be, don't ask people that will only profit from the plan, help with it's writing.

Most of the citizens in Siskiyou County have only heard of this plan in the last 4 days, that's not how you represent the tax payers.

The Scott Valley Area Plan has worked damn well for the last 50 years and it's not time to kick it to the curb just yet!

Regards,

Tom Menne  
Menne Ranch Hay Inc  
530-598-0280

**From:** [Mayor Eb Whipple - 1st Lady Cheusa Wend](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** Question regarding Amendment Text AgriTourism  
**Date:** Tuesday, March 12, 2019 3:24:05 PM

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Christy,

1) The attached posting this morning by 5 Marys begs a few questions to be answered:

*"We do not personally support the draft proposal AS PRESENTED . . . and did not agree WITH EVERYTHING in this draft . . . especially in its INCLUSION of SMALL PARCELS DOWN to 10 ACRES in size."*

It has been our understanding that the TAC committees (including Niki Harris and Brian Heffernan) gave their 'expert advice' on this.

So WHO wrote up the Draft as presented?

And most particularly WHO wrote in the part about the 10 acres in size and 10% clause and its specific wording???

Was it you, or County Counsel or Scott Friend?

The answer to those questions are necessary information that we need before this can be discussed by the larger community.

2) Also, their Post admits that they have been conducting agritourism activities for four years as a marketing tool for their products.

As many times as there have been complaints filed with the county about their agritourism activities, use of their non-permitted outdoor kitchen, etc. we have seen *no* closure, *no* fines, *no* repercussions what so ever to them as there have been in the past to others who have done far less. Why?

Actually they have been applauded by giving them a seat at the table on the TAC.

We await the answer to our questions.

Thank you.

Che'usa Wend  
Eb Whipple

Etna

**From:** [Mayor Eb Whipple - 1st Lady Cheusa Wend](#)  
**To:** [Christy Cummings Dawson](#)  
**Cc:** [Planning](#); [Terry Barber](#); [Ray Haupt](#); [Lisa Nixon](#); [Edward Kiernan](#); [Brandon Criss](#); [Michael Kobseff](#); [dist2sup@sbcglobal.net](mailto:dist2sup@sbcglobal.net)  
**Subject:** RE: AGRITOURISM ZONING TEXT AMENDMENT (Z-17-03) DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION and MULTISPECIES CATEGORICAL EXEMPTION  
**Date:** Wednesday, March 06, 2019 10:51:00 PM  
**Attachments:** [March 5 Letter.pdf](#)  
[Calder Letter - Attachment Agritourism Email.pdf](#)

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Ms. Dawson,

Attached please find our letter regarding the Agri-Tourism and MultiSpecies issue that will be coming before the Planning Commission on March 20, 2019.

Please confirm you have received our letter.

Thank you.

Che'usa Wend  
Eb Whipple

Etna, CA

467-5815

**From:** [Shirley Johnson](#)  
**To:** [Christy Cummings Dawson](#)  
**Cc:** [Ray Haupt](#); [Jeff Fowle](#)  
**Subject:** Re: FW: Map  
**Date:** Thursday, February 28, 2019 4:41:43 PM

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Christy, this really is I believe to be neglectful to the process. Even though it is for the whole county, Scott Valley has a unique additional portion of the General Plan the "Scott Valley Area Plan" and is required by law to be evaluated in this process. As it does not affect the rest of the County, the study should be done separately and then brought together. I do not believe that this Zoning should be changed at this time until the study is complete.

Please add this to the comments of the file

Shirley Johnson  
[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)  
530 467 3318  
4737 French Creek  
Etna, Ca 96027

On Thu, Feb 28, 2019 at 12:30 PM Christy Cummings Dawson <[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)> wrote:

Sorry Shirley, as the code changes impact the entire county, that's the area we mapped and didn't break it out by Scott Valley or other areas. I have attached pdfs of all the relevant maps. They are the best we have, coupled with the statistics in the MND.

Christy

**From:** Shirley Johnson [mailto:[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)]  
**Sent:** Tuesday, February 26, 2019 3:17 PM  
**To:** Christy Cummings Dawson  
**Subject:** Re: FW: Map

Thanks for your reply.. however:

1. The maps in the Z-17-03 are very hard to read and is there a tool or an outline that separates out Scott Valley?
2. Do you have the total acreage affected for Scott Valley?

Shirley Johnson  
[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)  
530 467 3318  
4737 French Creek  
Etna, Ca 96027

On Tue, Feb 26, 2019 at 1:32 PM Christy Cummings Dawson <[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)> wrote:

I'm sorry Shirley, we don't have those numbers broken out for Scott Valley.

**From:** Shirley Johnson [mailto:[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)]  
**Sent:** Tuesday, February 26, 2019 8:55 AM  
**To:** Christy Cummings Dawson  
**Subject:** Re: FW: Map

Christy, I just read page 3.0.1 and yes it talks about parcels and acreage, however those numbers are for the whole county. I was requesting the numbers and acreage for Scott Valley. The Scott Valley Area Plan from which I am using as a guidance measure in reviewing the Agritourism Zoning Text Amendment (Z 17 03) is specific to the Scott Valley Watershed. Therefore I still request the information in Scott Valley only. The entire county is of great importance, however my review is based on Scott Valley.

Thank you

On Tue, Feb 26, 2019 at 8:06 AM Shirley Johnson <[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)> wrote:

Ok, thanks.

On Tue, Feb 26, 2019 at 7:50 AM Christy Cummings Dawson <[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)> wrote:

Hi Shirley-

Section 3.1 of the IS/MND discusses number of parcels and acreages.

Thanks!

**From:** Shirley Johnson [mailto:[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)]  
**Sent:** Monday, February 25, 2019 5:54 PM  
**To:** Christy Cummings Dawson  
**Subject:** Re: FW: Map

Hi Christy, Yes we have those maps.. Thank You

What I would really appreciate is how many parcels and their size per AG1, AG2, RR. If you don't have the time to do the research, I would be willing to help, etc.

Please let me know.

Shirley Johnson

[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)

530 467 3318

4737 French Creek

Etna, Ca 96027

On Mon, Feb 25, 2019 at 12:10 PM Christy Cummings Dawson <[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)> wrote:

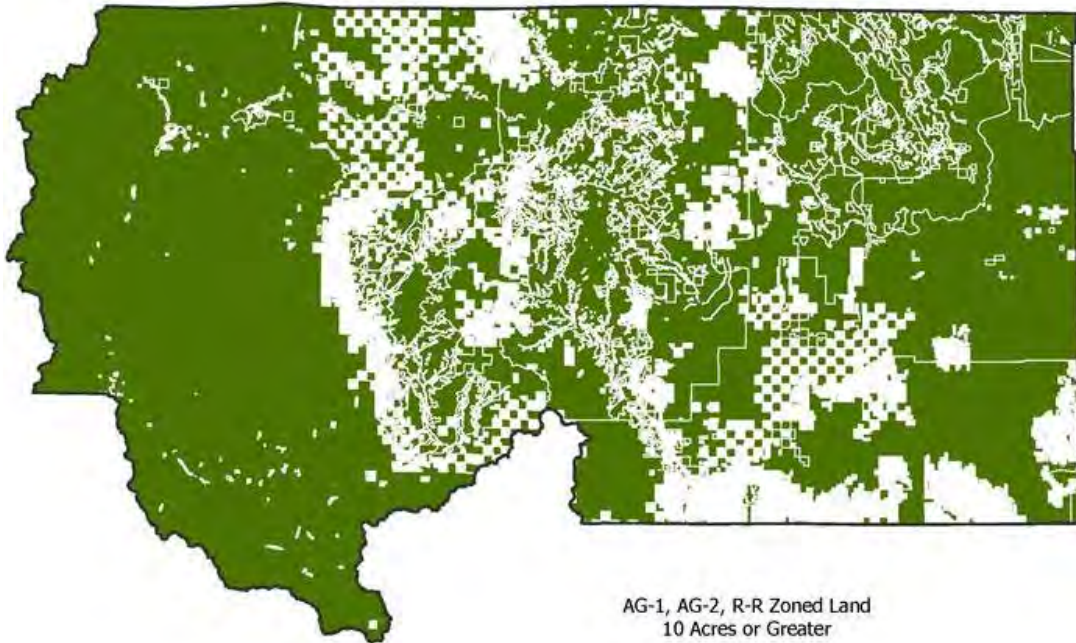
Hi Shirley-

Below are the maps from the IS/MND for agritourism that shows the parcels that would be applicable to the proposed code changes. I believe you were looking for Scott Valley specifically, but this is the best map we have.

Thanks!

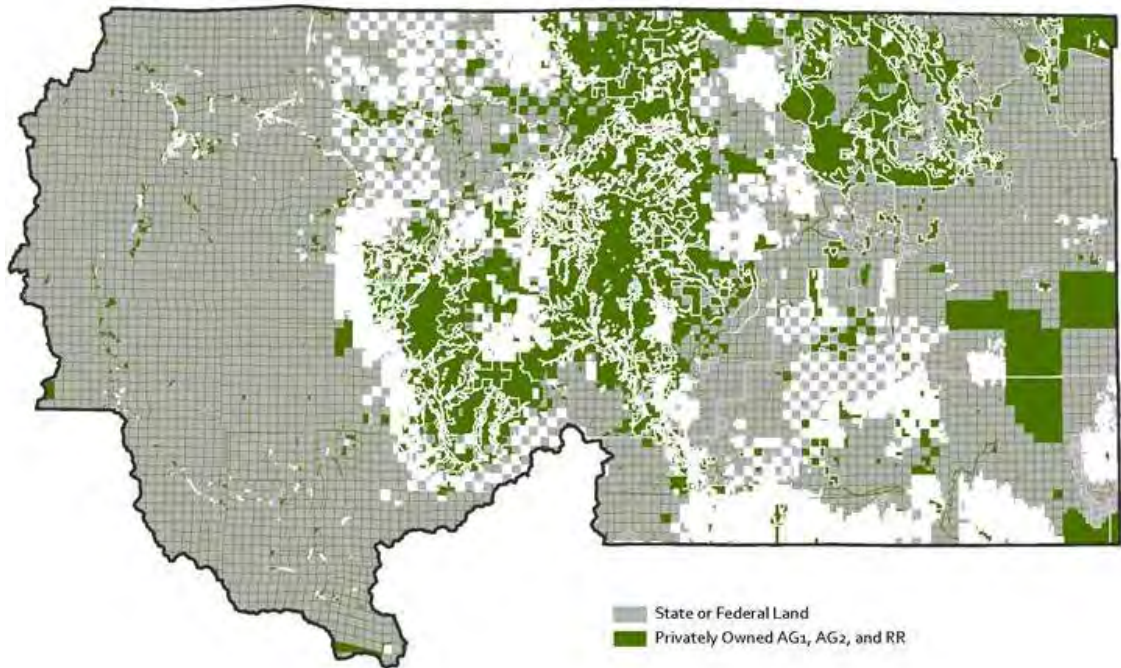
Christy

Siskiyou County





Siskiyou County



Christy Cummings Dawson

Deputy Director, Planning

[County of Siskiyou](#)

[806 S. Main St.](#)

[Yreka, CA 96097](#)

530-842-8206

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Shirley Johnson  
[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)

--

Shirley Johnson  
[lovingfrenchcreek@gmail.com](mailto:lovingfrenchcreek@gmail.com)

**From:** [Carl Eastlick](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** Scott Valley Plan  
**Date:** Tuesday, March 12, 2019 9:18:20 AM

---

Ms Dawson,

A select few people are wanting to benefit from breaking up the large family owned ranches in the Scott Valley for their own personal gain. We have a working plan developed to handle the area and it should not be changed for profit.

Carl Eastlick  
Fort Jones, Ca.

**From:** [Dan Menne](#)  
**To:** [Christy Cummings Dawson](#)  
**Subject:** Siskiyou County Community Development Planning Division, Ms. Dawson  
**Date:** Sunday, March 10, 2019 8:49:56 PM

---

Siskiyou County Community Development  
Planning Division  
Christy Cummings Dawson  
806 South Main Street  
Yreka, CA 96097  
[cdawson@co.siskiyou.ca.us](mailto:cdawson@co.siskiyou.ca.us)  
530-841-2100

Dear Ms. Dawson,

We are writing you to express our complete opposition to the proposed Agritourism Zoning Amendment in its current form. Our family has owned and operated a large farming operation in Scott Valley for nearly 50 years. We, along with our other family members, also work and reside on our farm in Scott Valley. This Agritourism Zoning Amendment will directly and negatively affect our livelihood, as well as the livelihood of our employees and our residences.

Dan, myself and our four daughters are currently dealing with a new property owner/neighbor who is planning to establish a Hipcamp and have Agritour events on the property that runs adjacent to our residence and alongside our hay field. This planned Hipcamp and Agritour business will immediately impact our ability to produce our crops, as we have done for decades, due to having campers in tents alongside the field and also while hosting Agritour events throughout the year.

We have spoken to many of our neighbors and other farmers who are absolutely NOT in favor of this proposal and would like our concerns to be taken seriously by those who make decisions within our county government. We believe the county should NOT adopt this vague, irresponsible, not well thought out proposed amendment, without consulting with and seriously considering the negative effects upon those who have supported and are the backbone of their communities and this county. We are quite sure we are not the only established farmers, ranchers, business owners and Siskiyou County residents who will have the wonderful quality of life we have come to know and love completely diminished by some who would like to push their short sighted agenda.

Thank you for your consideration in this important matter.

Regards,

Dan Menne  
Menne Ranch Hay, Inc.  
530-598-2300

Cindi Menne  
530-598-2301

## **Agricultural Tourism Performance Standards**

- (1) Applicant is actively engaged in the production of Unique Agricultural Products and the majority of inputs for the Unique Agricultural Products is raised or grown on the proposed Agritourism Property.
- (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires permanent structural improvements to facilitate the use then the improvements shall occupy no more than ten percent of the proposed Agritourism Property's total acreage or five acres, whichever is the lesser.
- (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.
- (4) When proposed Agritourism activities will take place within one thousand feet of a residence on neighboring property, outdoor Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.
- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
- (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
- (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
- (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.
- (9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per one hundred (100) visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.
- (10) Standard provisions will be included in the administrative permit to address noise, soil disturbance, biological resources, and cultural resources.
- (11) A Farmstay use or activity shall meet all of the following additional requirements:
  - (i) The Farmstay operation shall be located on Property containing an existing dwelling occupied by the owner or operator.

- (ii) The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
  - (iii) The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.
- (12) An Agritourism Camping use or activity shall meet all of the following additional requirements:
- (i) The Agritourism Camping operation shall be limited to no more than twenty-five guests.
  - (ii) The Agritourism Camping owner or lessee operator shall secure a transient occupancy registration certificate in compliance with Siskiyou County Code and comply therewith.
  - (iii) The Agritourism Camping operation shall provide evidence of compliance with the California Department of Housing and Community Development's regulations and permit requirements for its camping area.

### **By-Right Uses**

- Twenty single-day events per year with no more than thirty (30) guests per event;
- Three single-day events per year involving guests in excess of thirty (30), but no more than one hundred fifty (150) guests per event

Examples of events include:

- Farm tours
- Field days
- Ranch or farm sponsored dinners
- Educational classes and/or activities
- School tours
- Farm-focused corporate events
- Similar activities that relate to the promotion of the primary use as a working farm or ranch

### **Administrative Permit**

- Single-day events in excess of Level I frequency limits or guest number limits
  - Up to double the limits set forth in Level I
- U-Pick Operations
- ***Onsite sales of ag products\****
- Farmstays
- Agritourism Camping

Admin Permits shall meet Agritourism Tourism Performance Standards – SEE BACK FOR STANDARDS

*\*Currently allowed by-right per Zoning Ordinance\**

**Use Permit**

- Any agritourism event/use that exceeds the guest, occupancy, or ADT limits defined as Level II Agritourism

Exhibit C – Public Comments Received after Sept. 25, 2019 Workshop



**From:** [Kirk Skierski](#)  
**To:** [Janine Rowe](#)  
**Subject:** FW: Post Workshop Thoughts  
**Date:** Tuesday, October 01, 2019 11:03:11 AM

---

[Let's file this as public comment.](#)

**From:** Betsy Stapleton [mailto:5104stapleton@gmail.com]  
**Sent:** Thursday, September 26, 2019 8:41 AM  
**To:** Kirk Skierski  
**Subject:** Post Workshop Thoughts

Good Day Kirk,

I would like to join the several others who I know have sent you emails appreciating the format of yesterday's workshop, and the time and thought that went into it. There was a feeling of a genuine interest in understanding the issues and the needs of the community from you and the other staff that was extremely refreshing. This type of open and engaged process has been lacking until now, and has reinforced the perception, accurate or not, that deals are being done behind closed doors.

I have a couple of specific follow up comments:

1. I think there is a relatively easy way to differentiate between real educational events and those that are couched as "educational" to avoid restriction, and that is between those events that are free and those that are charged for. 4-H is free, Cattleman tours are free, the tours of restoration practices on my place are free. Learning to cook meat for \$2500 a weekend is not free.
2. I think this concept could also be utilized in sorting what should be permitted with a use permitted, and what might be done by right or with an admin permit. Once an activity starts generating revenue, such as charging for pumpkin patches, overnight stays etc then the activity is less "incidental to" the agricultural production than an actual revenue stream in its own right. If someone has a few people come out to their ranch and hang around so that they can be exposed to agriculture and understand the how the product is produced, but they don't charge, then that is an "incidental to" activity. If the production of the ag product becomes "incidental to" the tourism, then that needs to be permitted, probably with a use permit Tom Menne's proportion of income idea could apply to this. With the horse training example- if the lessons and training events are (for example) 10% of the horse sales income, then it is incidental to the actual agricultural activity, but if the sales revenue of the produced horses are 10% of the training event revenue, then the sales are "incidental to" the non-ag activity of running a horse training program.
3. The points about fire danger, lack of evacuation plans for large groups etc were ones I had not considered and are critically important. In Scott Valley, many of the RR parcels are in the foothills, in the urban/wildland interface, and are therefore at very high risk of endangering people when catastrophic fire occurs. Our wise elders addressed these concerns in the Scott Valley Area Plan with the sections that say that intensive development should be channeled near existing spheres of influence of the towns of

Etna, Ft. Johns, Callahan and greenview and should not overburden public resources. These guidance provisions might help structure how to reduce the overall impact of these new activities/developments. Any "incidental use" should be on AG 1 or AG 2 parcels 80 acres or larger that are within defined distance of the existing Scott Valley towns.

4. For me, in addition to the quality of life/ability to farm impacts, which, in my understanding fall into the land use planning bucket, the main problem with the proposal, as it now stands, is the environmental analysis. This was not addressed at all in the workshop, and is critically important. The Mit Neg Dec that was completed is entirely inadequate, even if the proposal goes forward exactly as it is currently formulated. There was not even basic computations on how much water would be utilized, the number of parcels (specifically in Scott Valley) affected, potential maximum build out, sewage impacts, noise, roads/traffic etc. Also not considered is cumulative impacts with the other significant development projects (JH/Mt Hermon/Scott River Lodge) proposed for the Vally. What are the growth inducing effects of the agri-tourism proposal. This needs to be remedied.

Thank You,

Betsy

**From:** [Annie Marsh](#)  
**To:** [Kirk Skierski](#); [Rick Dean](#); [Planning](#); [Janine Rowe](#)  
**Subject:** RE: Agritourism Zoning Text Amendment Timeline  
**Date:** Monday, September 30, 2019 12:53:13 AM  
**Attachments:** [Comment Letter Agritourism Workshop.docx](#)

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Attached, and copied below for security purposes, is my letter on Agritourism.

Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131  
September 28, 2019  
Kirk Skierski, Senior Planner  
Community Development Department  
Planning  
608 S. Main Street  
Yreka, CA 96097  
VIA EMAIL

RE: Agritourism Zoning Text Amendment Timeline

Dear Kirk Skierski:

I am writing this letter to show a timeline for the Agritourism Zoning Text Amendment and perhaps clear up some misconceptions you and others may have.

The first time the Public heard of Agritourism from Planning Staff or Planning Commission was at the February 15, 2017 Planning Commission Meeting. Under Staff and Commission Comments: "Mr. Chafin said that in addition there is a zoning text amendment project regarding agri-tourism; that would allow tourist-related activities in agricultural zoning." "Agri-tourism Zoning – Conceptual Outline Discussion" was an Agenda Item at the May 17, 2017 Planning Commission Meeting. At the meeting, Mr. [Randy] Chafin, Interim Deputy Director of Planning, explained that "...Planning has not received any complaints, but there are operations going on that are not in compliance with the zoning regulations." Planning Commissioner Jeff Fowle stated at the September 18, 2019 Planning Commission Meeting that the Agritourism Zoning Text Amendment started when complaints were issued against violators. That is patently untrue.

At the May 17, 2017 Planning Commission Meeting, Planning Commissioner Jeff Fowle asked Deputy County Counsel Natalie Reed to report on the potential conflict of interest regarding Agritourism at the next meeting.

Niki Brown Harris of the Siskiyou Economic Development Council, and co-owner of two agricultural operations in Scott Valley, attended that meeting and said she is interested in promoting business and economic development in Siskiyou County. It appears that Agritourism was driven largely by the Siskiyou Economic Development Council. Tonya Dowse,

Executive Director of Siskiyou Economic Development is married to Rod Dowse, who at the time was a Director of Livestock Operations for Belcampo Farms.

The Planning Commissioners voted at their June 21, 2017 meeting to recommend that the Board of Supervisors appoint an Advisory Committee to address agritourism and amend the Siskiyou County Zoning Ordinance.

On June 30, 2017, Allan Calder, Community Development Director wrote a letter to Rockside Ranch, Sugar Creek Ranch, Scott Valley Ranch, Belcampo Meats, McCloud Partners, and Five Marys Farm basically saying that although they were participating in an un-permitted activity, the County would turn a blind eye because a Zoning Text Amendment was being worked on. When Agritourism was heard by the Board of Supervisors at the August 8, 2017 meeting, the motion "it was moved by Supervisor Nixon and seconded by Supervisor Valenzuela to approve the creation of a Technical Advisory Committee (TAC) to identify ways to amend the County's zoning ordinance for uses/activities related to multi-species farming following a legal review by County Counsel" failed. Both Niki Brown Harris and Rod Dowse attended that meeting. At the November 15, 2017 meeting the Planning Commission voted to prepare a Notice of Vacancy for a Technical Advisory Committee for Agritourism with a 15-day period to submit Letters of Interest.

At the December 20, 2017 Planning Commission meeting, Deputy Director of Planning, Christy Cummings-Dawson stated that the Notice of Vacancy for a Technical Advisory Committee (TAC) for Agritourism had been posted in the Siskiyou Daily News with a response date of January 8, 2018.

At the January 20, 2018 meeting, the Planning Commission appointed members to the Agritourism TAC. At that meeting Deputy County Counsel Dana Burton informed the Planning Commissioners that the TAC would be subject to open meeting laws. Until that time County Counsel representatives had said that the TAC could have closed meetings.

A Public Records Request was only partially fulfilled, but I believe the Agritourism TAC met on March 23, 2018, April 13, 2018 and May 17, 2018, The TAC finalized a Resolution to be presented to the Planning Commission at the May meeting, which I attended.

The Planning Commission held a Special Meeting on June 6, 2018 where the TAC Resolution was presented to the Planning Commission. At that meeting, which I attended, I stated that more people would show up if they didn't fear retaliation.

The Negative Declaration for the Agritourism Zoning Text Amendment (Z14-03) was posted on the State of California Office of Planning and Research CEQANet page on February 15, 2019 with a Review Period Starting 2/15/2019 and Ending 3/18/2019.

The Agritourism Zoning Text Amendment was placed on the agenda for the Planning Commission meeting of March 20, 2019, only two (2) days following the close of the comment period. It is not surprising that the Planning Commissioners were irritated when they were given stacks of comments that had been received prior to the close of the comment period, but after the Agenda Packet had been sent out. At that meeting, which would have been very well attended, the Planning Commissioners voted to continue the item to the May 15, 2019 meeting to allow Planning Commissioners to review the documents and County Counsel to

“address other issues.” The other issues were to request advice from the Fair Political Practices Commission (FPPC) about recusal of two of the Planning Commission members. I texted several people who were on their way that the meeting had been continued so they could go back home.

The FPPC issued Letters of Advice on the two Planning Commission members on August 19, 2019.

Three Planning Commissioners recused themselves at the September 18, 2019 Planning Commission meeting. Cards were drawn and Danielle Lindler was selected to participate in the issue.

The Agritourism Workshop was held September 25, 2019, and was attended by approximately 16 people from Scott Valley. It seems unfortunate that supposedly unbiased Planning Commissioners complained about numbers attending prior meetings, there were plenty of people at the Workshop.

Sincerely,

**Anne Marsh**

Anne Marsh

# Anne Marsh

Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131

September 28, 2019

Kirk Skierski, Senior Planner  
Community Development Department  
Planning  
608 S. Main Street  
Yreka, CA 96097

VIA EMAIL

RE: Agritourism Zoning Text Amendment Timeline

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County of Siskiyou, Kirk Skierski, Senior Planner

RE: Agritourism Zoning Text Amendment Timeline

Page 1 of 2

# Anne Marsh

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Sincerely,

*Anne Marsh*

Anne Marsh

County of Siskiyou, Kirk Skierski, Senior Planner

RE: Agritourism Zoning Text Amendment Timeline

Page 2 of 2

EXHIBIT C - Public Comments Rec'd after 9/25/19 Workshop

**ATTACHMENT 5**

**From:** [Annie Marsh](#)  
**To:** [Kirk Skierski](#); [Rick Dean](#); [Planning](#); [Janine Rowe](#)  
**Subject:** RE: Agritourism Zoning Text Amendment Workshop – Comments and Clarifications Dear Kirk:  
**Date:** Tuesday, October 01, 2019 12:28:03 AM  
**Attachments:** [AgT 9-25-19.docx](#)

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Attached and copied below for security purposes is a letter containing my comments on the Agritourism Zoning Text Amendment Workshop.

Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131  
September 30, 2019  
Kirk Skierski, Senior Planner  
Community Development Department  
Planning  
608 S. Main Street  
Yreka, CA 96097  
VIA EMAIL

RE: Agritourism Zoning Text Amendment Workshop – Comments and Clarifications  
Dear Kirk:

Below are my random comments and clarifications on the Agritourism Zoning Text Amendment Workshop which I listened to on audio.

Please read and consider this. Don't just "include [this] in [my] public comment in the project records."

Applying mitigations to a Zoning Text Amendment makes for awkward zoning language. It appears that some of the mitigations weren't carried forward to the zoning text change. It is (Z17-03) not (Z17-030).

Prime Ag and Non-Prime Ag are the only zones that include "Accessory uses incidental to agriculture." Rural Residential zoning states, "Accessory uses and buildings normally incidental to single-family dwellings or small farming." If the Agritourism Zoning Text Amendment (AZTA) is approved, the "Accessory uses" language should be removed from the Zoning, because the intent of the AZTZ is to remove the ambiguity. Leaving the "accessory uses" language in the Zoning Ordinance will lead to other controversial uses. How is the County going to monitor or enforce the daily trips? How is the County going to monitor or enforce anything if the AZTA is approved with anything allowed by-right? Or by Administrative Permit?

Administrative approvals aren't even noticed to the public; there is no requirement for 300-foot notice to neighbors; the public would not know of approval; and the 10-day deadline for appeal could never be met because by the time Public learned of the approval the deadline would have passed.

Farm labor personnel in farm labor housing would have far fewer number of trips than visiting



tourist trips, because the personnel would be living there and making trips as residents. The tourists would be doing what tourists do, traveling all around to see things.

The Scott Valley Area Plan (SVAP) applies to the AZTA, which fails to meet any of the 5 Major Goals or Development Goals 1, and 5, 6, 7, and 8. Agritourism should not be allowed in Scott Valley because of the incompatibility with the SVAP. This must be addressed now, when the AZTA is being approved, because the by-right permitting would not allow for further, site specific review.

On-site sales already permitted by right? AG-1 says "seasonal." AG-2 doesn't qualify.

The TACs are disbanded because they were appointed for a specific task. They would have to be reappointed. Before a new TAC is formed, Scoping Meetings should be held in Scott Valley at least.

One farm, not parcels. How is the County going to enforce this if anything is approved by right? Yet, Kirk Skierski gave the "Dean Farm" example of adding a second farm. He said the use wouldn't be allowed because the RR zoning didn't allow goat farms. If the zoning had allowed goat farms, would the second farm under the same ownership be allowed? This is complicated, and it must be clarified.

There were no TAC meetings in Scott Valley. TAC meetings were held in Yreka during the daytime when people are working. The TAC was tasked to advise the Planning Department. Public comment on that task was not on the TAC agenda. Further, people did not attend because they didn't understand the ramifications of what Agritourism would be and how it would affect Scott Valley. The Planning Department and County Counsel kept arguing that the meetings would be closed. They relented and agreed that they would be open meetings at the meeting when the TACs were appointed on January 17, 2018. Had the Planning Department brought properly advertised Scoping Meetings to Scott Valley, the attendance could have been much larger.

Where is it stated that you can have only one type of event per month? Listen at 22m. How is the County going to monitor or enforce this with by right zoning?

I disagree with what Kirk Skierski said regarding Williamson Act properties. I do not believe that Williamson Act contracts preempt the Local (Siskiyou County) zoning ordinance, or that the uses read from the RULES FOR THE ESTABLISHMENT AND ADMINISTRATION OF AGRICULTURAL PRESERVES AND WILLIAMSON ACT CONTRACTS adopted February 12, 2012 would necessarily be allowed whether the AZTZ is passed or not. What Mr. Skierski read was Compatible Uses, as printed below. I am pursuing an expert opinion on this.

*"B. Compatible Uses*

*The following land uses, and those uses which in the opinion of the Planning Director, subject to ratification by the Board of Supervisors, are be substantially similar in nature thereto, shall be deemed compatible with agricultural production uses and thus allowed within agricultural preserves, provided that these land uses are not the principal use, do not displace the agricultural production use, and occur while there is an agricultural production use occurring within the agricultural preserve as described above. Income derived from compatible uses will be capitalized for land valuation purposes. Compatible structures and/or improvements will be*

*taxed at normal rates without any property tax benefits.*

*12. Agritourism activities including buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, "u-pick" sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural uses."*

I totally agree that amplified music should not be allowed.

Could the handouts and Slide Show be placed online so people who did not attend the meeting could access them?

Thank you for reading and considering my comments.

Sincerely,

*Anne Marsh*

Anne Marsh

ANNE MARSH

Anne Marsh  
4628 Pine Cone Drive  
Etna, CA 96027  
530.598.2131

September 30, 2019

Kirk Skierski, Senior Planner  
Community Development Department  
Planning  
608 S. Main Street  
Yreka, CA 96097

VIA EMAIL

RE: Agritourism Zoning Text Amendment Workshop – Comments and Clarifications

Dear Kirk:

Below are my random comments and clarifications on the Agritourism Zoning Text Amendment Workshop which I listened to on audio.

Please read and consider this. Don't just "include [this] in [my] public comment in the project records."

Applying mitigations to a Zoning Text Amendment makes for awkward zoning language. It appears that some of the mitigations weren't carried forward to the zoning text change.

It is (Z17-03) not (Z17-030).

Prime Ag and Non-Prime Ag are the only zones that include "Accessory uses incidental to agriculture." Rural Residential zoning states, "Accessory uses and buildings normally incidental to single-family dwellings or small farming." If the Agritourism Zoning Text Amendment (AZTA) is approved, the "Accessory uses" language should be removed from the Zoning, because the intent of the AZTZ is to remove the ambiguity. Leaving the "accessory uses" language in the Zoning Ordinance will lead to other controversial uses.

How is the County going to monitor or enforce the daily trips? How is the County going to monitor or enforce anything if the AZTA is approved with anything allowed by-right? Or by Administrative Permit?

Administrative approvals aren't even noticed to the public; there is no requirement for 300-foot notice to neighbors; the public would not know of approval; and the 10-day deadline for appeal could never be met because by the time Public learned of the approval the deadline would have passed.

County of Siskiyou, Kirk Skierski, Senior Planner  
RE: Agritourism Zoning Text Amendment Workshop – Comments and Clarifications  
September 30, 2019

ANNE MARSH

Farm labor personnel in farm labor housing would have far fewer number of trips than visiting tourist trips, because the personnel would be living there and making trips as residents. The tourists would be doing what tourists do, traveling all around to see things.

The Scott Valley Area Plan (SVAP) applies to the AZTA, which fails to meet any of the 5 Major Goals or Development Goals 1, and 5, 6, 7, and 8. Agritourism should not be allowed in Scott Valley because of the incompatibility with the SVAP. This must be addressed now, when the AZTA is being approved, because the by-right permitting would not allow for further, site specific review.

On-site sales already permitted by right? AG-1 says “seasonal.” AG-2 doesn’t qualify.

The TACs are disbanded because they were appointed for a specific task. They would have to be reappointed. Before a new TAC is formed, Scoping Meetings should be held in Scott Valley at least.

One farm, not parcels. How is the County going to enforce this if anything is approved by right? Yet, Kirk Skierski gave the “Dean Farm” example of adding a second farm. He said the use wouldn’t be allowed because the RR zoning didn’t allow goat farms. If the zoning had allowed goat farms, would the second farm under the same ownership be allowed? This is complicated, and it must be clarified.

There were no TAC meetings in Scott Valley. TAC meetings were held in Yreka during the daytime when people are working. The TAC was tasked to advise the Planning Department. Public comment on that task was not on the TAC agenda. Further, people did not attend because they didn’t understand the ramifications of what Agritourism would be and how it would affect Scott Valley. The Planning Department and County Counsel kept arguing that the meetings would be closed. They relented and agreed that they would be open meetings at the meeting when the TACs were appointed on January 17, 2018. Had the Planning Department brought properly advertised Scoping Meetings to Scott Valley, the attendance could have been much larger.

Where is it stated that you can have only one type of event per month? Listen at 22m. How is the County going to monitor or enforce this with by right zoning?

I disagree with what Kirk Skierski said regarding Williamson Act properties. I do not believe that Williamson Act contracts preempt the Local (Siskiyou County) zoning ordinance, or that the uses read from the RULES FOR THE ESTABLISHMENT AND ADMINISTRATION OF AGRICULTURAL PRESERVES AND WILLIAMSON ACT CONTRACTS adopted February 12, 2012 would necessarily be allowed whether the AZTZ is passed or not. What Mr. Skierski read was Compatible Uses, as printed below. I am pursuing an expert opinion on this.

*“B. Compatible Uses*

County of Siskiyou, Kirk Skierski, Senior Planner  
RE: Agritourism Zoning Text Amendment Workshop – Comments and Clarifications  
September 30, 2019

ANNE MARSH

*The following land uses, and those uses which in the opinion of the Planning Director, subject to ratification by the Board of Supervisors, are be substantially similar in nature thereto, shall be deemed compatible with agricultural production uses and thus allowed within agricultural preserves, provided that these land uses are not the principal use, do not displace the agricultural production use, and occur while there is an agricultural production use occurring within the agricultural preserve as described above. Income derived from compatible uses will be capitalized for land valuation purposes. Compatible structures and/or improvements will be taxed at normal rates without any property tax benefits.*

*12. Agritourism activities including buying produce directly from the farm, tours, education programs, promotion and seasonal events and activities, “u-pick” sales, navigating a corn maze, feeding animals, or lodging in a dwelling that pre-existed the Williamson Act contract where such lodging includes recreation, education, and other programs designed to promote the on- and off-site agricultural uses.”*

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*Anne Marsh*

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County of Siskiyou, Kirk Skierski, Senior Planner  
RE: Agritourism Zoning Text Amendment Workshop – Comments and Clarifications  
September 30, 2019

**From:** [Kim Ciniello](#)  
**To:** [Janine Rowe](#)  
**Subject:** Re: December 18, 2019 Planning Commission meeting  
**Date:** Thursday, December 12, 2019 10:10:24 AM

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TWIMC,

Again, I object to the Agritourism Ordinance being limited to a minimum of 10 acres. Any AG-1 or AG-2 zoned property should not be limited to size as many parcels in Scott Valley are split or multi-zoned. One acre of land can yield a tremendous amount.

Agritourism is supposed to assist small hobby farms too...not just the big landowners who designed this ordinance.

-Kim Ciniello

On Thursday, December 12, 2019, 8:50:35 AM PST, Janine Rowe <jrowe@co.siskiyou.ca.us> wrote:

Attached is the Agenda for the upcoming Planning Commission meeting.

Janine Rowe, Executive Secretary

Siskiyou County Community Development – Planning Division

806 S. Main St., Yreka, CA 96097

Direct Line: 530-842-8201