



**Siskiyou County
Planning Commission Staff Report
November 17, 2021**

Agenda Item Number 3

**Michigan-California Timber Company, LP
Boundary Line Adjustment (BLA-21-22)**

Applicant:	Chris Chase Michigan-California Timber Company, LP
Property Owners:	Michigan-California Timber Company, LP P.O. Box 269 Springfield, OR 97477-0055
Representatives:	Bob Amesbury Michigan-California Timber Co. P.O. Box 766 Yreka, CA 96097 Gregg Neitsch North State Land Surveying 1511 Kylynn Court Mt. Shasta, CA 96067
Project Summary	The applicant requests approval of a minor boundary line adjustment to reconfigure two existing legal parcels.
Location:	The project site is located south of Scott River Road, approximately 10 miles west of the City of Fort Jones, on APNs 015-420-200 and 015-420-230; T44N, R10W, S29 and S30, MDB&M; Latitude 41.635°, Longitude -122.036°.
General Plan:	Geologic Hazard: Landslide Area; Erosion Hazard; Building Foundation Limitations: Severe Pressure Limitations Soils; Severe Septic Tank Limitations; Surface Hydrology: Scott River; Wildfire Hazard; and Woodland Productivity
Scott Valley Area Plan:	Excessive Slope; Flood Plain; and Landslide Area
Zoning:	Timberland Production (TPZ)
Current Use:	Growing and Harvesting Timber
Exhibits:	A. Draft Resolution PC-2021-026 A Resolution of the Planning Commission of the County of Siskiyou, State of California, recommending that the Siskiyou County Board of Supervisors Approve the Michigan-California Timber Company, LP Boundary Line Adjustment (BLA-21-22). A-1. Notations and Recommended Conditions of Approval A-2. Recommended Findings B. Exhibit Map C. Joint Timber Management Plan D. Comments

Background

Michigan-California Timber Company, LP has applied for a boundary line adjustment for two existing parcels zoned Timberland Production (TPZ). The proposed boundary line adjustment would reconfigure the existing parcels with the Scott River as the dividing line between the parcels.

Scott River bisects the northern section of the project site. The site is prominently developed for timber production that is stocked with a mixture of firs, conifers, and pines. The project site has relatively steep slopes south of the Scott River with relatively gentler slopes north of the river.

Surrounding parcels are predominately zoned TPZ with some Rural Residential Agricultural (R-R) zoning northwest of the site that follows the Scott River to the east. Properties to the north and northeast are smaller in size (5-11 acres) and are zoned for R-R uses and are developed with single-family dwellings.

Owner	APN	Original Acreage	Adjustment	Final Acreage
Michigan-California Timber Co. LP	015-420-230 (portion)	634	-556	78
Michigan-California Timber Co. LP	015-420-200	40	+556	556

Parcel Creation

APN 015-420-230 is a legal parcel originally created by Patent Number 24, which was filed for record in the Siskiyou County Recorder's Office on October 19, 1896 (Vol 14, Pages 144-159, inclusive). APN 015-420-200 is a legal parcel originally created by a Grant Deed, which was filed for record in the Siskiyou County Recorder's Office on October 16, 1975 (Vol. 743, Page 240) as the Southeast quarter of the Northeast quarter of Section 30, Township 44 North, Range 10 West, M.D.M.

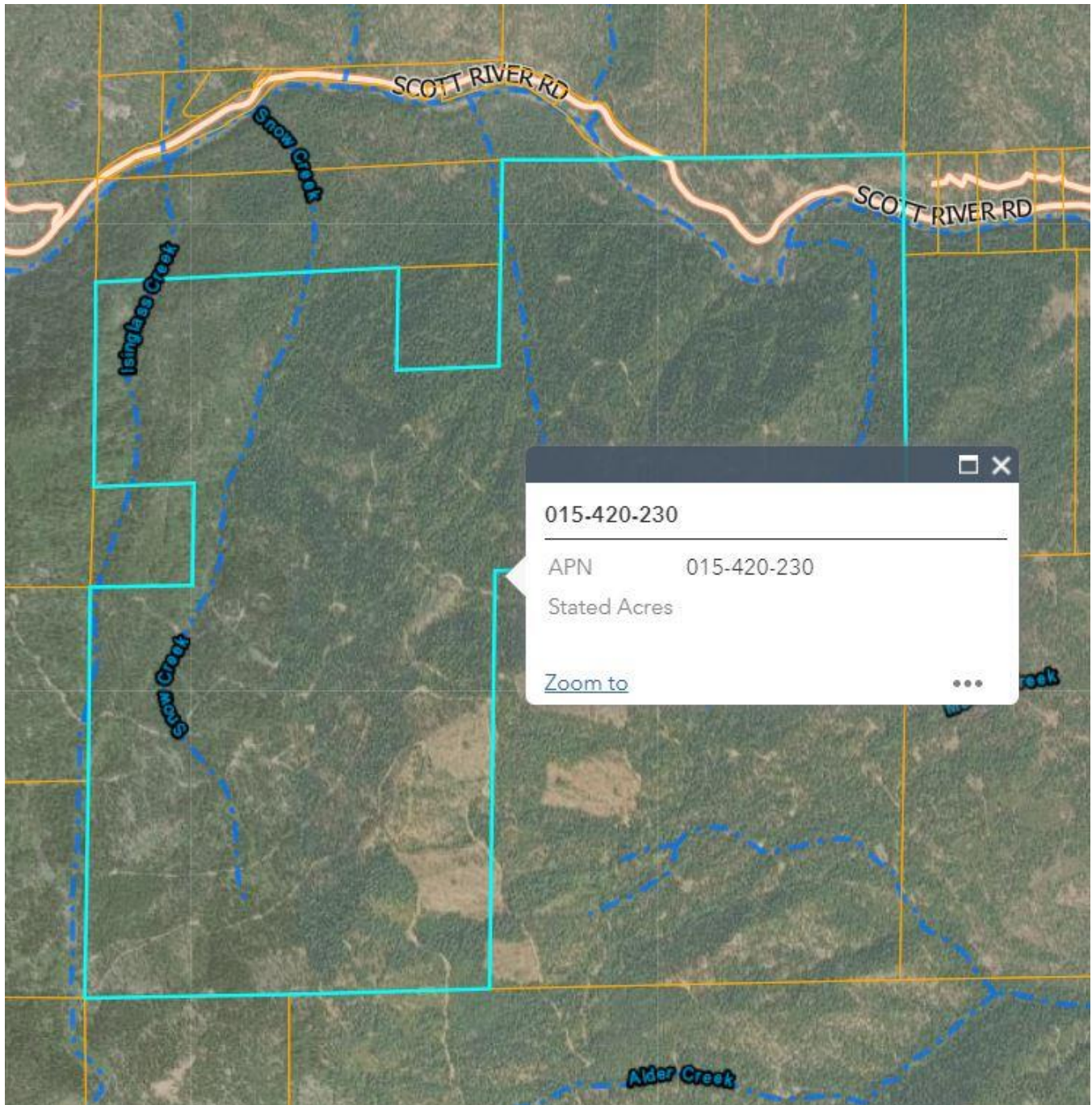


Figure 1: Project Location



Figure 2: Topographic Map

Discussion

Approval of the Michigan-California Timber Company, LP Boundary Line Adjustment (BLA-21-22) would reconfigure two parcels and result in one 78-acre parcel and one 596-acre parcel.

Pursuant with Section 10-6.5108 of the Siskiyou County Code, a parcel zoned TPZ may be divided into parcels containing less than 160 acres if each parcel to be created is divided in accordance with the provisions of Section 51119.5 of the Government Code. Government Code Section 51119.5 states that parcels zoned TPZ may not be divided into parcels containing less than 160 acres unless the original owner prepares a joint timber management plan prepared or approved by a registered professional forester. The joint timber management plan shall provide for the management and harvesting of timber by the original and any subsequent owners and shall be recorded with the County Recorder as a deed restriction on all newly created parcels. The deed restriction shall run with the land rather than with the owners and shall remain in force for a period of not less than 10 years from the date division is approved by the Board of Supervisors. The division shall be approved only by a four-fifths vote of the full Board, and only after recording of the deed restriction.

In addition, County Code requires that each parcel to be created must meet the minimum standards adopted by resolution of the Board for inclusion under List C for the TPZ zoning district. List C requires that the proposed parcels shall currently meet the stocking standards of the Forest Practice Rules, and that the parcels shall contain a minimum equivalency to 40 acres of Site Class III Timberland.

Consistent with the above requirements, the property owner has submitted a joint timber management plan prepared by a registered professional forester that indicates the proposed parcels meet the

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minimum standards set forth by List C. As such, the joint timber management plan would need to be recorded as a deed restriction on the property prior to the Board's approval of the proposed boundary line adjustment.

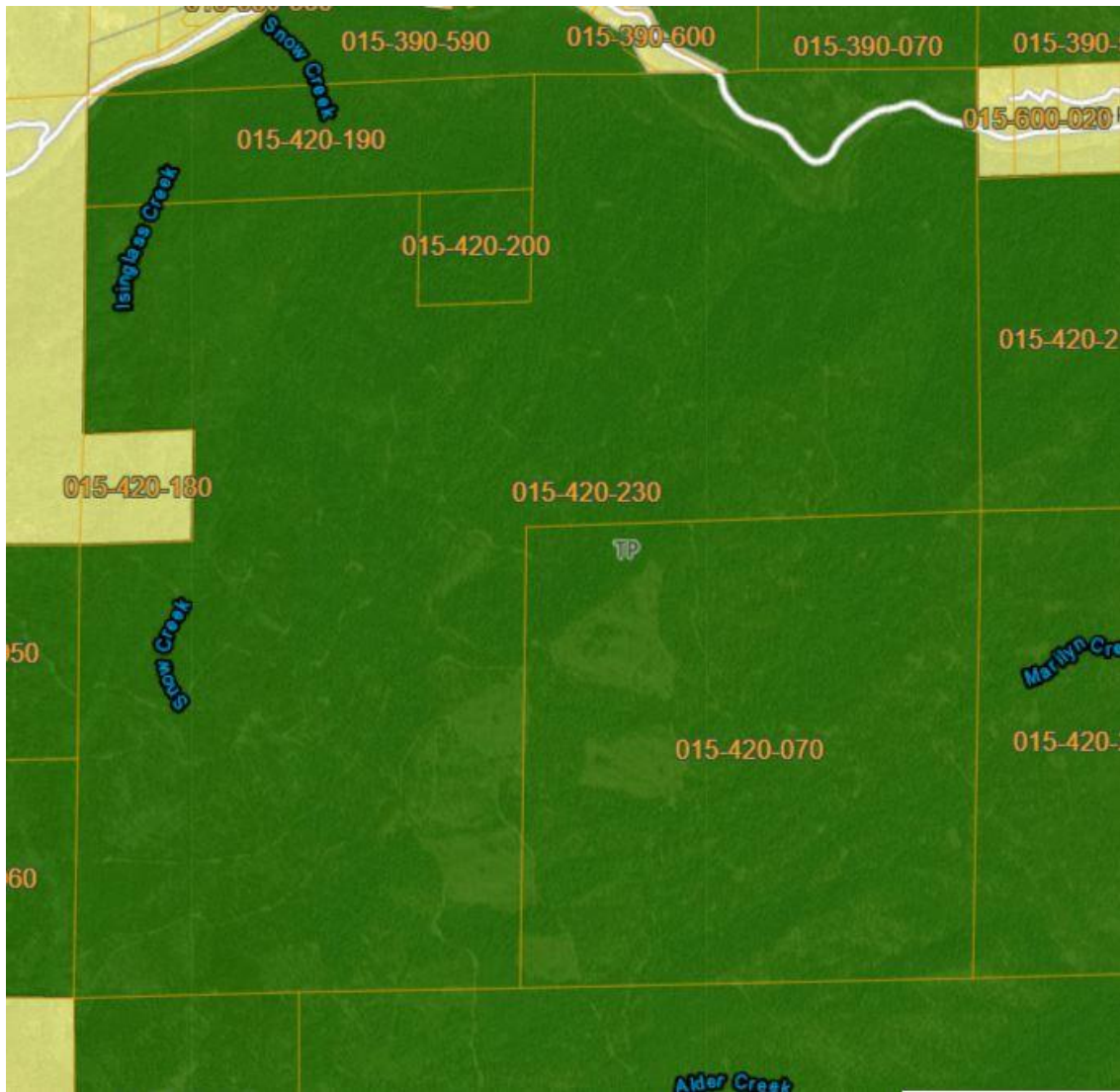


Figure 3: Zoning Map

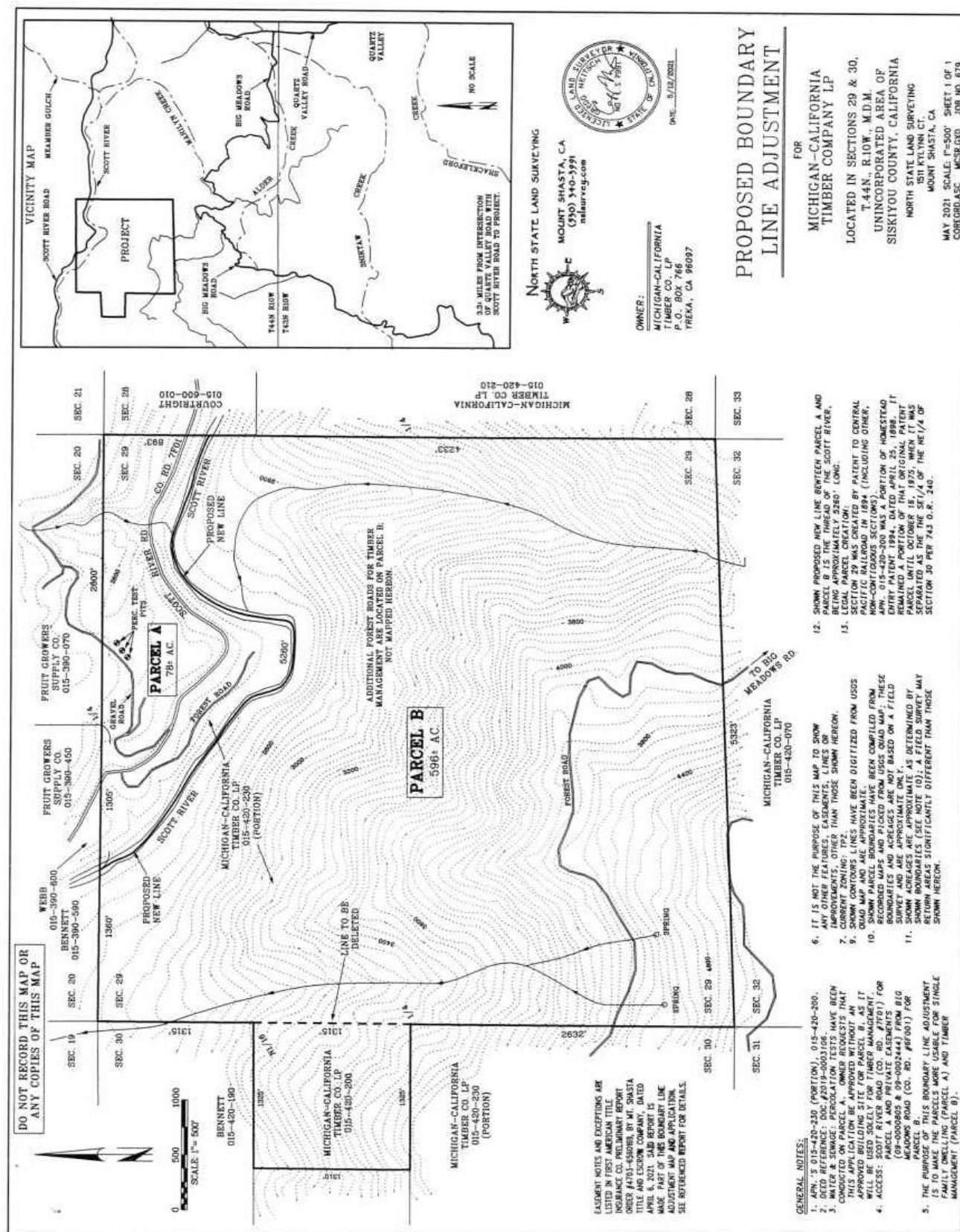


Figure 4: BLA Exhibit Map

Analysis

Zoning Consistency

Currently, the project site is zoned Timberland Production Zone (TPZ). Approval of the Michigan-California Timber Company, LP boundary line adjustment (BLA-21-22) would transfer 556 +/- from APN 015-420-230 to APN 015-420-200, resulting in a 596 +/- acre (Parcel B) and a 78 +/- acre parcel (Parcel A). Subsequent to the boundary line adjustment, proposed Parcel A would be consistent with the provisions of the County Code, Section 10-6.5108 in that a Joint Timber Management Plan would be recorded that has been prepared by a registered professional forester. Proposed Parcel B is consistent with the TPZ zoning district and meets all requirements.

General Note #5 on the proposed Boundary Line Adjustment Exhibit Map identifies the purpose of the boundary line adjustment is to build a single-family dwelling on resultant Parcel A. Pursuant to Siskiyou County Code Section 10-6-5102, permitted uses in TPZ zoning district include growing and harvesting of timber; compatible uses as defined in Government Code Section 51100, except where conditionally permitted by County Code; recreational and/or educational uses not interfering with the primary purpose of the district, which purpose is the growing and harvesting of timber; grazing; and a single-family residence provided a Joint Timber Management Plan for the property has been prepared.

Although single-family residences are permitted by right within the TPZ zoning code, that same zoning district requires a conditional use permit for the “construction and/or occupancy of any building”. Therefore, should the property owner wish to proceed with the construction or placement of a single-family residence on the subject property, they would be required to apply and be approved for a conditional use permit (Notation No. 4 of Exhibit A-1 has been added regarding this requirement).

General Plan Consistency

The Land Use Element of the Siskiyou County General Plan identifies the project site as being within the mapped resource overlay areas for Geologic Hazard-Landslide Area; Erosion Hazard, Building Foundation Limitations – Severe Pressure Limitations Soils; Severe Septic Tank Limitations; Surface Hydrology – Scott River; Wildfire Hazard, and Woodland Productivity. In addition, staff has identified that Composite Overall Policies 41.3(e), 41.3(f), 41.9, 41.18(b) and 41.19 apply to the proposed project.

Staff has conducted a detailed analysis of each of the required findings and has found that the proposed project is consistent with the applicable General Plan policies governing the subject site. In addition, the proposed boundary line adjustment would be compatible with the surrounding land uses, has adequate roadway access for transportation, public health, and safety provisions, and would not create environmental impacts to on-or off-site resources. The recommended findings are detailed in the General Plan Consistency Findings section of Exhibit A-2 attached to this staff report and are submitted for the Commission’s review and consideration.

Environmental Review

Staff recommends that the proposed project be determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), the common-sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

The Planning Commission must consider the proposed CEQA exemption together with any comments received during the public review process. Furthermore, the exemption can only be approved if the

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Commission finds, based on the whole record before it, that there is not substantial evidence that there are unusual circumstances (including future activities), which might reasonably result in the project having a significant effect on the environment.

Comments

A Notice of Public Hearing was published in the Siskiyou Daily News on November 3, 2021 and mailed to property owners within 300 feet of the subject property. No public comments have been received at the time this staff report was written.

Siskiyou County Environmental Health Division – June 16, 2021

Environmental Health has reviewed the proposed BLA and has no objections as it is submitted. The created portion of APN 015-420-230 which lies to the north of Scott River Road has been reviewed and approved for a conventional onsite sewage disposal.

Planning Response: No response necessary.

California Department of Forestry and Fire Protection (CalFire) – June 16, 2021

CalFire has reviewed the proposed BLA and would only object to the adjustment if the new boundary line encroaches on previously permitted structures or roadways approved under the following requirements of the Public Resources Code 4290.

Planning Response: The proposed boundary line between the proposed resultant parcels would not encroach upon any previously permitted structures or roadways.

Planning Staff Recommendations

- Adopt Resolution PC-2021-026 taking the following action:
 - Recommend the Board of Supervisors to approve the Boundary Line Adjustment request based on the recommended findings and subject to the recommended conditions of approval.

Suggested Motion

I move that we adopt Resolution PC-2021-026, A Resolution of the Planning Commission of the County of Siskiyou, State of California, recommending that the Siskiyou County Board of Supervisors Approve the Michigan-California Timber Company, LP Boundary Line Adjustment (BLA-21-22).

Preparation

Prepared by the Siskiyou County Planning Division.

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

Shelley Gray, Assistant Planner
Siskiyou County Planning Division
806 S. Main Street
Yreka, California 96097

Resolution PC 2021-026

A Resolution of the Planning Commission of the County of Siskiyou, State of California, Recommending that the Siskiyou County Board of Supervisors Approve the Michigan-California Timber Company, LP Boundary Line Adjustment (BLA-21-22).

Whereas, an application has been received from Michigan-CA Timber Company, LP for a minor boundary line adjustment to reconfigure two existing legal parcels (APN 015-420-200 and APN 015-420-230); and

Whereas, the applicant submitted a Joint Timber Management Plan (JTMP) with the application in order to satisfy the requirements of Section 51119.5 of the Government Code of the State for division of Timberland Production Zone parcels containing less than one hundred and sixty (160) acres; and

Whereas, a Notice of Public hearing was published in the Siskiyou Daily News on November 3, 2021; and

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

Whereas, the Planning Division presented its oral and written staff report on the Michigan-California Timber Company, LP Boundary Line Adjustment (BLA-21-22) at a regular meeting of the Planning Commission on November 17, 2021; and

Whereas, the Planning Division recommended the Planning Commission recommend the Board of Supervisors approve Boundary Line Adjustment (BLA-21-22) subject to the conditions of approval included in Exhibit A-1 to this resolution; and

Whereas, the Planning Division recommended the Planning Commission recommend the Board of Supervisors determine the project exempt from the California Environmental Quality Act (CEQA) based on the “common sense” that CEQA only applies to projects with the potential to result in a significant impact on the environment in accordance with CEQA Guidelines Section 15061(b)(3); and

Whereas, on November 17, 2021, the chair of the Planning Commission opened the duly noticed public hearing on the Michigan-CA Timber Company, LP Boundary Line Adjustment (BLA-21-22) to receive testimony both oral and written, following which the Chair closed the public hearing and the Commission discussed the project prior to reaching its decision.

Now, Therefore, Be It Resolved that the Planning Commission adopts the recommended findings set forth in Exhibit A-2 of the written staff report; and

Be It Further Resolved that the Planning Commission, based on the evidence in the record and the findings set forth in Exhibit A-2, hereby takes the following action on the Michigan-California Timber Company, LP Boundary Line Adjustment (BLA-21-22):

1. Recommends that the Board of Supervisors of Siskiyou County determine the project exempt from CEQA pursuant to the “common sense” exemption in CEQA Guidelines Section 15061(b)(3); and
2. Recommends that the Board of Supervisors of Siskiyou County approve Boundary Line Adjustment BLA-21-22, subject to the conditions of approval contained in Exhibit A-1 to this resolution.

It is Hereby Certified that the foregoing Resolution PC-2021-026 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 17th day of November 2021 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Siskiyou County Planning Commission

Tony Melo, Chair

Witness, my hand and seal this 17th day of November 2021

Richard Dean, Secretary of the Commission

Exhibit A-1 to Resolution PC-2021-026
Notations and Recommended Conditions of Approval

Notations

1. Within ten (10) days following the date of the decision of the Siskiyou County Planning Commission, the decision may be appealed to the Board of Supervisors. The appeal shall be filed with the Clerk of the Board of Supervisors.
2. Upon determination of the categorical exemption(s), a check in the amount of \$50 made payable to the Siskiyou County Clerk and submitted to the Siskiyou County Planning Division is necessary to file the Notice of Exemption. Failure to file the Notice of Exemption extends the statute of limitations for legal challenges to the categorical exemption from 35 days to 180 days. The applicant has the sole responsibility to ensure timely compliance with this condition.
3. If a proposed project will result in the conversion of greater than three (3) acres of timberland to non-timber use, a Timberland Conversion Permit (TCP) is required prior to undertaking any conversion operations. Provisions and procedures for filing an application for a TCP are found in Article 9, Division 4, Chapter 8 of the Public Resources Code. If the area to be converted is less than three acres, the project may qualify for a "Less Than 3-Acre Conversion Exemption" under 14CCR 1104.
4. Pursuant to Siskiyou County Code Section 10-6.5103(g), the construction and/or occupancy of any building, structure, or other facility constructed and/or occupied consistent with and pursuant to the uses permitted in the TPZ District requires a conditional use permit.

Conditions of Approval

1. The project shall substantially conform to the Boundary Line Adjustment (BLA-21-22) as recommended for approval by the Siskiyou County Planning Commission on November 17, 2021. Any proposed amendment(s) shall be submitted for consideration to the Planning Director to determine the review process pursuant to the Siskiyou County Code.
2. Approval of the Boundary Line Adjustment requires that a joint timber management plan be first recorded as a deed restriction. The deed restriction shall run with the land rather than with the owners and shall remain in force for a period of not less than 10 years from the date the project is approved by four-fifths vote of the Board of Supervisors.
3. The applicant, shall defend, indemnify and hold harmless the County, its agents, officers and employees from any claim, action, or proceeding (collectively, "Action") against the County, its agents (including consultants), officers or employees to attack, set aside, void, or annul the approvals, or any part thereof, or any decision, determination, or Action, made or taken approving, supplementing, or sustaining, the project or any part thereof, or any related approvals or project conditions imposed by the County or any of its agencies, departments, commissions, agents (including consultants), officers or employees, concerning the project, or to impose personal liability against such agents (including consultants), officers or employees resulting from their non-negligent involvement in the project, which action is brought within the time period provided by law, including any claim for private attorney general fees claimed by or awarded to any party from the County. Said responsibilities shall be pursuant to the County's standard Agreement for Indemnification in effect at the time of application approval or Agreement for Indemnification if signed and effective prior to the date the application is approved. If the applicant fails to comply with the terms of the applicable agreement, the applicant does hereby consent and agree to all

Exhibit A-1 to Resolution PC-2021-026
Notations and Recommended Conditions of Approval

remedies in said agreement and does hereby agree and consent to the County rescinding all applicable project approvals.

4. Prior to recordation of the joint timber management plan, language shall be added that the management plan is a covenant that runs with the land. The language added shall be to the satisfaction of County Counsel.

**Exhibit A-2 to Resolution PC-2021-026
Recommended Findings**

Findings

1. Because the proposed boundary line adjustment involves four or fewer existing adjoining parcels, where the land taken from one parcel would be added to an adjoining parcel, and because a greater number of parcels than originally existing would not be created, the proposed boundary line adjustment is exempt from the requirements of the Subdivision Map Act pursuant to Government Code Section 66412(d).
2. Pursuant to Government Code Section 66412(d), the Board of Supervisors of the County of Siskiyou has limited its review and approval of the Michigan-California Timber Company LP Boundary Line Adjustment (BLA-21-22) to a determination of whether or not the parcels resulting from the proposed boundary line adjustment will conform to the Siskiyou County General Plan, Scott Valley Area Plan, Zoning Ordinance, and California Building Code.
3. The proposed boundary line adjustment is consistent with the applicable policies of the Siskiyou County General Plan and Scott Valley Area Plan, as documented herein below.
4. The proposed boundary line adjustment is consistent with Siskiyou County Code Title 10, Chapter 6, Article 51 and in accordance with the provisions of Section 51119.5 of the Government Code of the State.
5. Access to Parcel A is via Scott River Road, a public road. Access to Parcel B is via a series of spur roads from Big Meadows Road, a public road.
6. The resulting lots of record, as designed, will not result in any significant change in the existing environment that would in any way threaten the public health, safety, peace, morals, comfort, convenience, or general welfare.

General Plan Consistency Findings

Composite Overall Policies

Policy 41.3(e) All proposed uses of the land shall be clearly compatible with the surrounding and planned uses of the area.

The project site is surrounded by parcels zoned for Timber Production Zone (TPZ), with the northeast of the project site zoned Rural Residential Agricultural (R-R). Existing use of the project site is solely timber production. There is no change in zoning proposed. The uses presently established on the project site are compatible with the surrounding area and would remain the same.

Policy 41.3(f) All proposed uses of the land may only be allowed if they clearly will not be disruptive or destroy the intent of protecting each mapped resource.

The uses presently established on the project site are not disruptive or damaging to mapped resources and would remain the same.

Policy 41.9 Buildable, safe access must exist to all proposed uses of land. The access must also be adequate to accommodate the immediate and cumulative traffic impacts of the proposed development.

Exhibit A-2 to Resolution PC-2021-026
Recommended Findings

Proposed Parcel A is accessible via Scott River Road, a public road capable of handling traffic generated by the parcel. Scott River Road bisects the parcel and two spur roads access both the northern and southern portions of proposed Parcel A. Proposed Parcel B is legally accessible from a series of spur roads via Big Meadows Road. No new development is proposed as part of this project. Therefore, there would be no immediate and cumulative traffic impacts to the resultant parcels.

Policy 41.18 (b). – Conformance with all policies in the Land Use Element shall be provided, documented, and demonstrated before the County decides on any proposed development.

Staff has reviewed all Land Use Element policies and has determined that the project is consistent with the Siskiyou County General Plan.

Policy 41.19 It is the intent of all the policies in the Land Use Element to accomplish the following: (b) Ensure compatibility of all land uses.

The proposed tentative parcel map would not result in land use incompatibility or conflict.

Map 1: Geologic Hazard

Policy 1. - No development will be allowed in identified and potential landslide areas unless certified by a licensed California Geologist, as reasonably safe for the development proposed.

No new development is proposed as part of this project. Proposed Parcel A is not within a mapped landslide area; therefore, it would not require a certification from a licensed California Geologist in the case of future development. Proposed Parcel B is within a mapped landslide area and would require certification from a licensed California Geologist in the case of future development.

Policy 5. – If a mapped landslide area is proven reasonably safe for development, the minimum lot size shall be one acre on 0-15% slope, and 5 acres on 16-29% slope. The permitted density will not create erosion or sedimentation problems.

Both proposed parcels meet the minimum lot size requirement and no change in density is proposed as part of this project. The permitted density would not create erosion or sedimentation problems.

Policy 6. - If a mapped landslide area is proven reasonably safe for development, single family residential, light commercial, light industrial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted. The permitted uses will not create erosion or sedimentation problems.

Proposed Parcel A is not mapped within a landslide. Proposed Parcel B is mapped within a landslide area; however, no development is proposed as part of this project. The existing permitted uses are not proposed to change as part of this project and will not create erosion or sedimentation problems.

**Exhibit A-2 to Resolution PC-2021-026
Recommended Findings**

Map 2: Soils: Erosion Hazard

Policy 7. - Specific mitigation measures will be provided that lessen soil erosion, including contour grading, channelization, revegetation of disturbed slopes and soils, and project timing (where feasible) to lessen the effect of seasonal factors (rainfall and wind).

No new development is proposed as part of this project. Therefore, there would be no reduction in soil erosion, contour grading, channelization, and revegetation of disturbed slopes and soils.

Map 3: Building Foundation Limitations

Policy 8. - Enforce building construction standards (uniform building code) and public works requirements.

No new development is proposed as part of this project. Any future development will be required to meet building code standards.

Map 4: Soils: Severe Septic Tank Limitations

Policy 9. - The minimum parcel size shall be one acre on 0-15% slope and 5 acres on 16-29% slope.

The permitted density will not create erosion or sedimentation problems.

Both proposed parcels meet the minimum parcel size requirements. No new development is proposed as part of this project.

Policy 10. - Single family residential, heavy, or light industrial, heavy, or light commercial, open space, non-profit and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted.

The permitted uses will not create erosion or sedimentation problems.

The already entitled uses are permitted uses per Policy 10. No new development is proposed as part of this project. Therefore, the proposed project will not create erosion or sedimentation problems.

Map 5: Excessive Slope

Policy 11. - All areas with 30 percent or greater natural slope shall not be developed with facilities requiring septic tanks for sewage disposal.

No new development is proposed as part of this project.

Policy 12. - If areas designated as 30 percent or greater natural slope are proven to be less than 30 percent slope, the minimum parcel size shall be one acre on 0-15 percent slope, and 5 acres on 16-29 percent slope.

The permitted density will not create erosion or sedimentation problems.

Both proposed parcels meet the minimum required parcel size for excessive slope

Policy 14. - Reducing the percentage of slope below 30 percent by grading is prohibited and not acceptable as a means of conforming to the density requirement of Policy 12 for sewage disposal purposes.

Exhibit A-2 to Resolution PC-2021-026
Recommended Findings

No new development or grading is being proposed as part of this project.

Policy 16. - Single-family residential, light industrial, light commercial, open space, non-profit, and non-organizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted, if the area is proven to be less than 30 percent slope.

The permitted uses will not create erosion or sedimentation problems.

The already entitled uses are permitted uses per Policy 16. No new development is proposed as part of this project. Therefore, the proposed project will not create erosion or sedimentation problems.

Map 7: Flood Hazard

Policy 21. - Primary and secondary flood plains are defined as follows:

1. Primary flood plains are the designated flood ways.
2. Secondary flood plains are the areas located within the 100-year flood hazard boundaries but located outside the designated floodways.

Policy 22. - No development may be allowed within the designated floodways, and any development proven to be outside the designate floodway and within the 100-year flood hazard boundary shall be in accordance with the requirements of the County's flood plain management ordinance.

No new development is proposed as part of this project and any future development will be required to meet building code standards including any local, state, or federal applicable floodplain requirements for development

Policy 24. – Single family residential, light commercial, light industrial, open space non-profit and non-organizational in nature recreation uses, commercial/recreational uses, and public or quasi-public uses only may be permitted if the requirements of Policy 22 have been met.

The permitted uses will not create erosion or sedimentation problems.

No new development is proposed as part of this project. Therefore, the proposed project would not create erosion or sedimentation problems.

Policy 25. – A minimum parcel size of one acre on 0-15% slope, and 5 acres on 16-29% slope only may be permitted if the requirements of Policy 22 have been met.

The permitted density will not create erosion or sedimentation problems.

Both parcels exceed the minimum parcel size requirements. No new development is proposed as part of this project.

Policy 26. – All flood plain requirements of the Federal Government shall take precedence to Policies 21-23.

Any flood plain requirements of the Federal Government take precedence over the County's flood plain management ordinance and are enforced by the Building Division as part of the building application review process.

**Exhibit A-2 to Resolution PC-2021-026
Recommended Findings**

Map 8: Surface Hydrology

Policy 27. - No residential or industrial development shall be allowed on water bodies. Exceptions may be considered for water supply, hydroelectric power generation facilities, public works projects necessary to prevent or stabilize earth movement, erosion, and the enhancement of migratory fish and other wildlife, light commercial, open space, non-profit and non-organizational in nature recreational uses, and commercial/recreational uses.

No new development is proposed as part of this project. Any future development will be required to meet building code standards including any local, state, or federal applicable floodplain requirements for development.

Map 10: Wildfire Hazard

Policy 30. - All development proposed within a wildfire hazard area shall be designed to provide safe ingress, egress, and have an adequate water supply for fire suppression purposes in accordance with the degree of wildfire hazard.

No new development is proposed as part of this project. However, proposed Parcel A has access via Scott River Road, a public road that provides safe ingress and egress. Furthermore, future development of Parcel A would be reviewed to ensure there is adequate supply for fire suppression purposes and to ensure there is no impact to existing water supply to satisfy all Cal Fire PRC 4290 requirements.

Map 11: Woodland Productivity

Policy 31. - The minimum parcel size shall be one acre on zero to 15 percent slope, and five acres on 16-29 percent slope.

Proposed Parcel A is 78 +/- acres and proposed Parcel B is 596 +/- acres in size. Both proposed parcels exceed the minimum parcel size for woodland productivity.

Policy 32. - Single-family residential, light industrial, light commercial, open space, non-profit and nonorganizational in nature recreational uses, commercial/recreational uses, and public or quasi-public uses only may be permitted.

The already entitled uses are permitted uses per Policy 32. No new development is proposed as part of this project.

Scott Valley Area Plan Consistency Findings

Composite Policies

Policy 33 The minimum parcel size permitted are those as specified on the Comprehensive-Composite Plan map (Map XII).

Both resultant parcels exceed the minimum parcel size requirements of 40-acres.

Exhibit A-2 to Resolution PC-2021-026
Recommended Findings

Policy 36 Safe, buildable access must exist to all proposed uses of the land. The access must also be adequate to accommodate the immediate and cumulative traffic impacts of the proposed development.

Proposed Parcel A is accessible via Scott River Road, a public road capable of handling traffic generated by the parcel. Proposed Parcel B is legally accessible from a series of spur roads via Big Meadows Road. No new development is proposed as part of this project. Therefore, there would be no immediate and cumulative traffic impacts to the resultant parcels.

Policy 38 None of the policies stated in this plan will apply to Boundary Line Adjustments, so long as the new parcel configuration(s) and sizes conform to the intent of the density permitted in each resource, physical hazard, and non-resource area. All new parcel configurations and sizes must conform to all requirements of the applicable zoning districts.

The proposed project is a Boundary Line Adjustment (BLA-21-22) that proposes to reconfigure two parcels. The proposed parcels conform to the density permitted in each resource and all requirements of the TPZ zoning district upon recordation of a deed restricted Joint Timber Management Plan.

Map V: Flood Plain

Policy 8 No development shall be allowed within the designated floodways, and any development within the 100-year flood hazard boundary outside the designated floodways shall be in accordance with the requirements of the county's flood plain management ordinance. Proof that land is not within a designated floodway can only be made when so indicated by the county engineer. The county engineer must make this determination prior to any action by the county on any proposed development.

No new development is proposed as part of this project. However, future development will be required to meet building code standards including any local, state, or federal applicable floodplain requirements for development.

Policy 9 Only agricultural, residential, open space, and small-scale commercial, industrial, recreation uses, and public or quasi-public uses may be permitted.

No new development is proposed as part of this project.

Policy 10 Residential, small-scale commercial, industrial, recreation uses, and public or quasi-public uses may only be permitted when they are clearly compatible with the surrounding and existing uses of the land.

No change in use is proposed as part of this project.

Policy 11 In all secondary flood plains, the minimum parcel size shall be 10 acres.

Both resultant parcels exceed the minimum 10-acre requirement.

**Exhibit A-2 to Resolution PC-2021-026
Recommended Findings**

Map VI Landslide Area

Policy 12 No development will be allowed in identified and potential landslide areas unless certified by a registered California geologist or geological engineer as safe. Proof that an area is safe from landslide, other than from a licensed California geologist or geological engineer, can be made by the County Planning Department if an on-site field inspection indicates that the mapped area of concern obviously presents no danger of landslide.

No new development is proposed as part of this project.

Policy 13 Only agricultural, residential, open space, and small-scale commercial, industrial, recreational uses, and public and quasi-public uses may be permitted.

No change in use is proposed as part of this project.

Policy 14 Residential, small-scale commercial, industrial, recreational uses, and public or quasi-public uses may only be permitted when they are clearly compatible with the surrounding or planned uses of the land.

No change in use is proposed as part of this project.

Map VII Excessive Slope

Policy 16 Reducing the percentage of slope below 30% by grading or other man related activities is strictly prohibited and not considered acceptable as a means of conforming to this density requirement. This policy is specifically intended to prohibit the grading of excessive slope areas to create buildable sites for any proposed use of the land.

No new development or grading is proposed as part of this project.

Policy 17 Only agriculture, residential, open space, and small-scale commercial, industrial, recreational uses, and public or quasi-public uses may be permitted.

No change in use is proposed as part of this project.

Policy 18 Residential, small-scale commercial, industrial, recreational uses, and public or quasi-public uses may only be permitted when they are clearly compatible with the surrounding and existing uses of the land.

No change in use is proposed as part of this project.

Policy 19 In all areas proven to be 30% or greater natural slope, the minimum parcel size shall be 40 acres. It is the intent of this policy that all areas entirely within excessive slope mapped areas shall have a 40-acre minimum parcel size, regardless of site-specific slopes. This policy shall not apply to areas mapped as excessive slope, but adjacent to lands not otherwise restricted (non-resource areas), where the slope of the land is less than 30%, i.e., fringe areas between the valley floor and the mountainous areas. The fringe area density shall be the continuation of the prevalent non-resource density adjacent to the parcel.

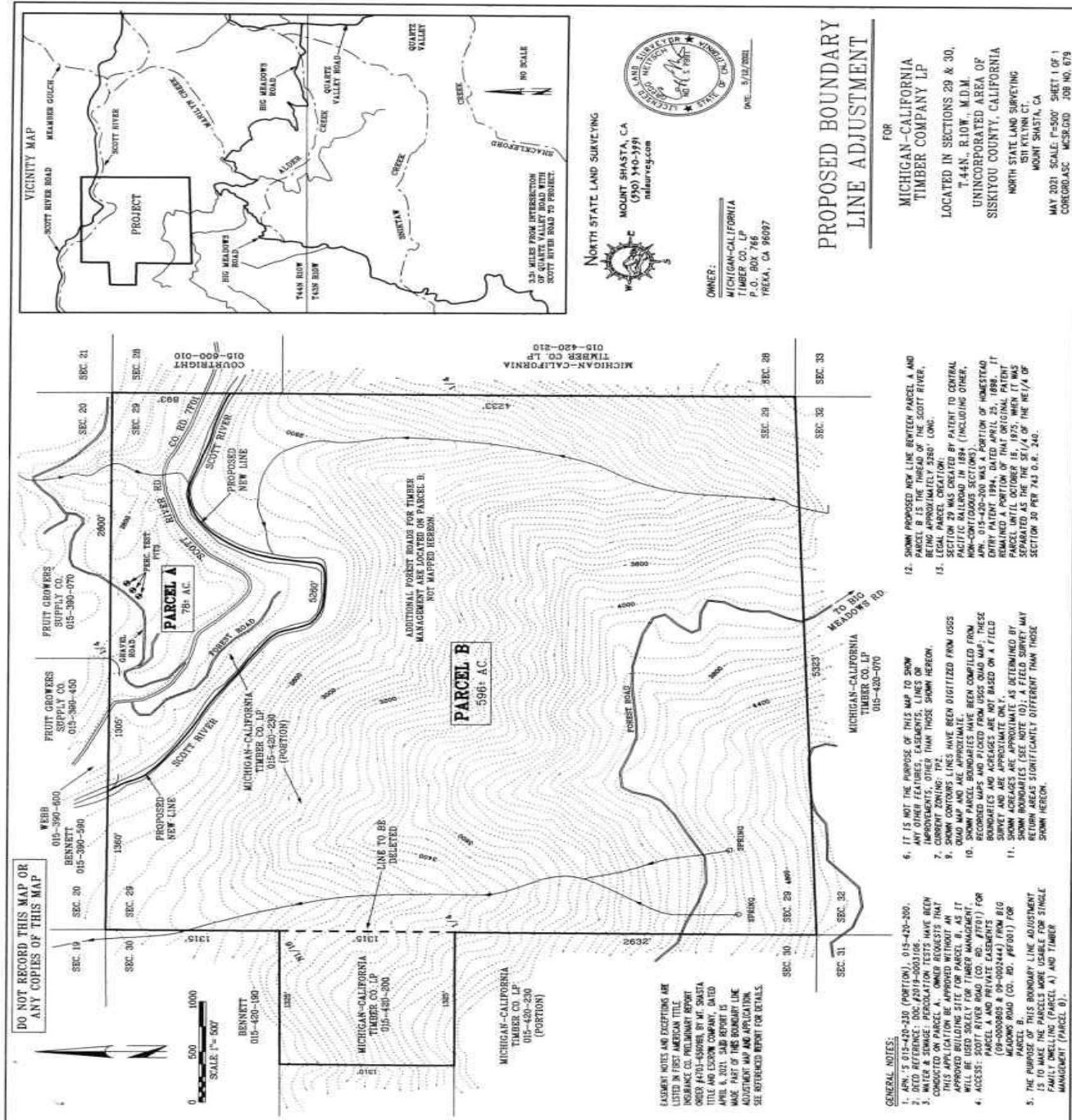
Exhibit A-2 to Resolution PC-2021-026
Recommended Findings

Proposed Parcel B is mapped as an excessive slope area and exceeds the minimum required 40-acre parcel size.

California Environmental Quality Act (CEQA) Findings

1. Because there is not substantial evidence, considering the whole record before the County, that the boundary line adjustment would have a significant effect on the environment, Staff is recommending the “common sense” exemption be adopted in accordance with Section 15061(b)(3) of the CEQA Guidelines.
2. In making its recommendation, the Planning Commission has reviewed and considered the proposed project and all comments submitted and has determined that the record demonstrates that there is no evidence that the proposed project will have an individually or cumulatively significant effect on the environment.
3. The Planning Commission has determined that the custodian of all documents and other material which constitute the record of proceedings shall rest with the County of Siskiyou Planning Division.

Michigan-California Timber Company LP
Boundary Line Adjustment (BLA-21-22) Exhibit Map



BIG MEADOWS JOINT TIMBER MANAGEMENT PLAN



✓

INTRODUCTION

This Joint Timber Management Plan (JTMP) is being prepared to fulfill the requirements of California Government Code 51119.5 pertaining to the division of parcels zoned as timber production (T.P.Z.). The Michigan-California Timber Company, LLC (MCTC) is proposing a parcel division in Siskiyou County, California in Township 44-North Range 10-West Sections 28 and 29 as part of a Boundary Line Adjustment prepared by North State Land Surveying. Specifically, parcel 015-420-230 is proposed to be divided into two parcels: "PARCEL A" and "PARCEL B". PARCEL A is being proposed to be north of the thread of the Scott River. PARCEL B is being proposed to be south of the thread of the Scott River and is also being proposed to include existing parcel 015-420-200. See MAP 1 on page 6. *Italic typeface indicates verbage from EXHIBIT "A" CRITERIA FOR T.P.Z. MANAGEMENT PLANS* while **bold typeface indicates MCTC's discussion.**

SECTION 1

Map showing legal description and the assessor's parcel number(s) and map(s). Additionally, as part of the management plans, the map shall contain the following elements.

- a) *Stated scale:* see **MAP 1 on page 6, MAP 2 on page 7, and MAP 3 on page 8.**
- b) *Location of existing roads and principal streams:* see **MAP 1 on page 6, MAP 2 on page 7, and MAP 3 on page 8.**
- c) *Broad timber types including any unstocked areas:* see **MAP 2 on page 7.**
- d) *Estimated Site Classes:* see **MAP 2 on page 7.**
- e) *Name of owners of surrounding lands and type of zoning:* see **MAP 1 on page 6.**
- f) *Total number of acres in parcels:* see **table in bottom right corner of MAP 2 on page 7.**
- g) *Total number of stocked acres:* see **first row of table in bottom right corner of MAP 2 on page 7.**
- h) *Total acres of the various site classes:* see **first row of table in bottom right corner of MAP 2 on page 7.**
- i) *Date:* see **bottom portions of MAP 1 on page 6, MAP 2 on page 7, and MAP 3 on page 8.**
- j) *Name of preparer:* see **bottom portions of MAP 1 on page 6, MAP 2 on page 7, and MAP 3 on page 8.**

SECTION 2

- a) *Status of access, both legal and physical:* **Parcel A is legally accessible via Scott River Road. Scott River Road bisects the parcel and two spur roads access both the northern and southern portions of Parcel A. Each spur road is gated. Parcel B is legally accessible from a series of spur roads via Big Meadows Road "BMR" (see MAP 3 on page 8). All spur roads are physically accessible except for the 605, 607, 608 roads and the western portion of the 600 road. Access is planned to be restored to these roads in the summer of 2021. The 600, 700, 1000, and 1200 roads are gated at their intersection with Big Meadows Road.**

b) *Approximate age and condition of forest stands:*

Stand #	Approximate Age	Stand #	Approximate Age
01	Nontimber	13	82
02	Nontimber	14	82
03	111	15	82
04	67	16	82
05	82	17	92
06	67	18	48
07	58	19	73
08	50	20	73
09	Nontimber	21	61
10	111	22	61
11	65	23	46
12	44		

In general all stands within the proposed parcels appear in good condition. The rate of mortality is at an acceptable level with little influence from drought and/or insect outbreaks. Mistletoe, fir engraver (*Scolytus ventralis*), bark beetles (*Dendroctonus spp.*) and other agents do not appear to be extensively present. Stands 04, 05, 12, 22, 23 had sanitation harvesting entries in 2018.

- c) *Statement of owner's objective in owning and managing the property:* Michigan-California Timber Company strives to be good stewards of the land, air, and water to practice sustainable forestry without compromising the needs of future generations. MCTC's main management goal is to maximize a sustainable yield of forest products while not precluding management for other resources such as: water quality, wildlife, fish, historic sites/artifacts, and recreation.
- d) *Measures to be employed for the control of insects & diseases:* If stand health and/or vigor appears to be affected by either abiotic or biotic factors then affected trees are planned to be removed. Sanitation and/or salvage harvesting will be limited to trees that are being attacked, diseased, dead, dying, or deteriorating. Pre-commercial and commercial thinning will also be utilized where feasible. Post-harvest top and slash piles will be burned in a timely fashion to minimize potential insect or disease outbreaks.
- e) *Measures, if any, for stocking understocked areas and for treating overstocked areas:* As stated in Section 3 the proposed parcels meet the stocking standards of the Forest Practice Rules. Unstocked areas exist within the proposed parcels but are either small enough or are areas that do not naturally bear timber (i.e. water, river channel, or grass) and therefore do not bring the parcels below the stocking standards of the Forest Practice Rules. If evenaged management is used on the proposed parcels then, as required by the Forest Practice Rules, the harvest area shall be regenerated to at least the minimum stocking standards (14 CCR 932.7(b)). Pre-commercial and commercial thinning will also be utilized where feasible to treat overstocked areas.

- f) *Plan for protection from fire, trespass and other agents:* As stated in Section 2 Item a), all private spur roads that access the proposed parcels via a public road are gated.

MCTC takes multiple precautions to limit the impact of wildfire such as; developing an annual fire plan, maintaining firefighting tools and equipment, conducting annual fire line training for staff, conducting routine fire inspections of contractors, monitoring fire weather conditions, observing Red Flag activity levels, maintaining membership in the Northern California Fire Cooperative Association, and opening gates prior to forecasted lightning events.

- g) *Timetable for eventual harvest:* The harvest areas of the Snow Creek and Isinglass Timber Harvest Plans (THP) occur within proposed Parcel B. 14 acres of Unit 5 of the Snow Creek THP occurs within Parcel B, clearcutting is the proposed silviculture. Units 4, 5, 6, 7, 8, 9, & 12 of the Isinglass THP occur within proposed Parcel B for a total of 134 acres. The proposed silviculture includes Seed Tree Seed Step, Alternative Prescription (Shelterwood Removal & Sanitation/Salvage), and another Alternative Prescription (Modified Shelterwood Seed Step). Harvest of these units is planned for 2022. No other timber harvest plans for proposed for the next decade on the proposed parcels.

- h) *Schedule for inventory:* Inventory for the proposed parcels was last collected in 2020. MCTC keeps a 10 to 15 year schedule on updating the inventory over its entire ownership. Therefore Parcel B will be cruised in 2031-2036.

- i) *Evidence that the owner possesses the knowledge to manage the forest property, or has sought advice and information from appropriate sources:* Michigan-California Timber Company (an affiliate of Timber Products Company) has been managing timberlands in Siskiyou County since 1994 and previously in the Sierra Nevada for nearly a century. Currently MCTC employs 5 Registered Professional Foresters (RPF) combining for over 90 years of forestry experience.

- j) *Signature and License number of Registered Professional Forester:*
Registered Professional Forester: Cole Humphrey #3106

Signature: 

- k.) *Signature of owner:*

Michigan-California Timber Company: Chris Quirmbach – Chief Forester

Signature: 

- l.) *Date:* 6/03/2021

SECTION 3

The parcel shall currently meet the stocking standards of the Forest Practice Rules, or the owner must enter into an agreement with the Board to meet the standards within five years: the proposed parcels meet the stocking standards of the Forest Practice Rules. Unstocked areas exist within the proposed parcels but are either small enough or are areas that do not naturally bear timber (i.e. water, river channel, or grass) and therefore do not bring the parcels below the stocking standards of the Forest Practice Rules.

SECTION 4

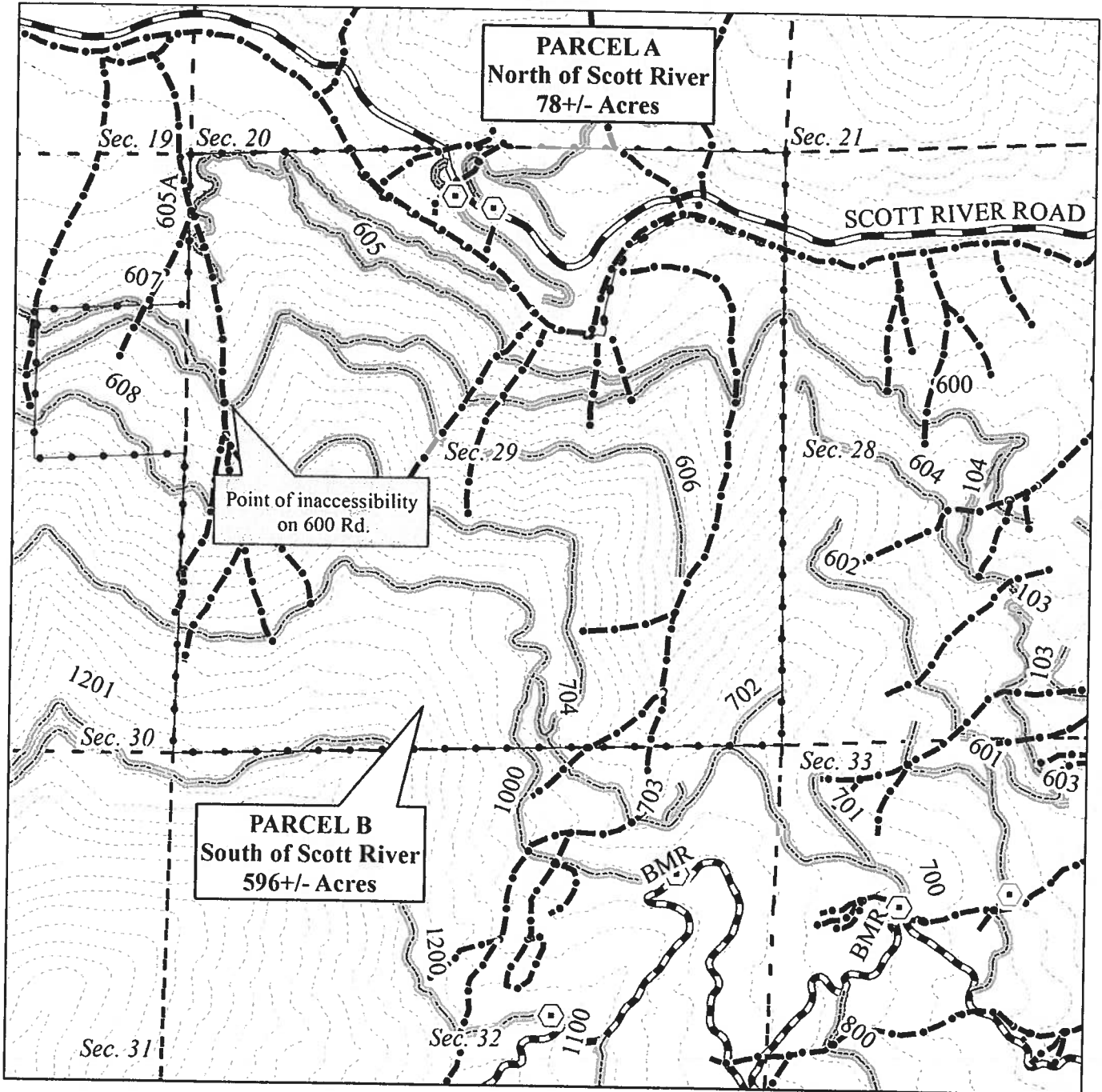
The parcel shall contain a minimum equivalency to 40 acres of site class III Timberland to the following productivity schedule:

<u>Site Class</u>	<u>Minimum Number of Acres*</u>	<u>Minimum Parcel Equivalency</u>
<i>I</i>	<i>18 acres</i>	<i>2.2:1</i>
<i>II</i>	<i>25 acres</i>	<i>1.6:1</i>
<i>III</i>	<i>40 acres</i>	<i>1:1</i>
<i>IV</i>	<i>80 acres</i>	<i>1:2</i>
<i>V</i>	<i>120 acres</i>	<i>1:3</i>

**Based on relative productivity of site classes. Tech. Bulletin #354 USDA-Dunning & Reineke*

As indicated in the table in the bottom right corner of MAP 2 on page 7, the parcels meet the 40-acre threshold since proposed PARCEL A has a minimum equivalency of 62 acres while PARCEL B has a minimum equivalency of 592 acres.

MAP 3



- Proposed Parcels
- Principal Streams
- Gates
- Section Lines
- Existing Roads
- County Road
- MAINLINE
- Private Road

Road Number	Accessible	Road Number	Accessible	Road Number	Accessible
600	Yes*	605A	No	702	Yes
601	Yes	606	Yes	703	Yes
602	Yes	607	No	704	Yes
603	Yes	608	No	1000	Yes
604	Yes	700	Yes	1200	Yes
605	No	701	Yes		

* See call out

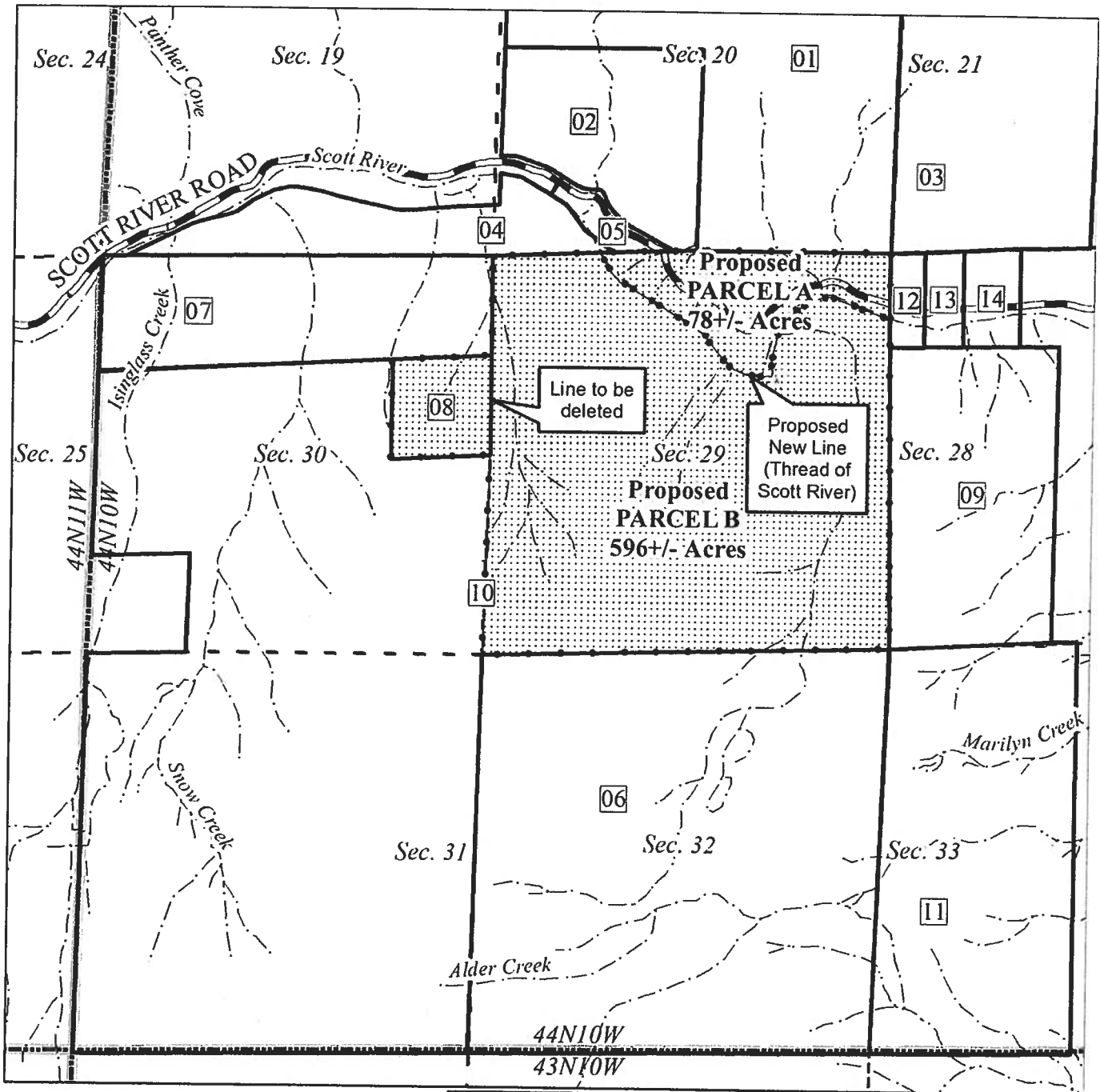


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Prepared by:
Cole Humphrey
5/26/2021

80 Meter Contour
Township 44-North Range 10-West
Mount Diablo Base and Meridian

MAP 1



- Township Range Boundaries
- Existing Parcel Boundaries
- Proposed Parcels
- Principal Streams
- Map Points
- Section Lines
- County Road



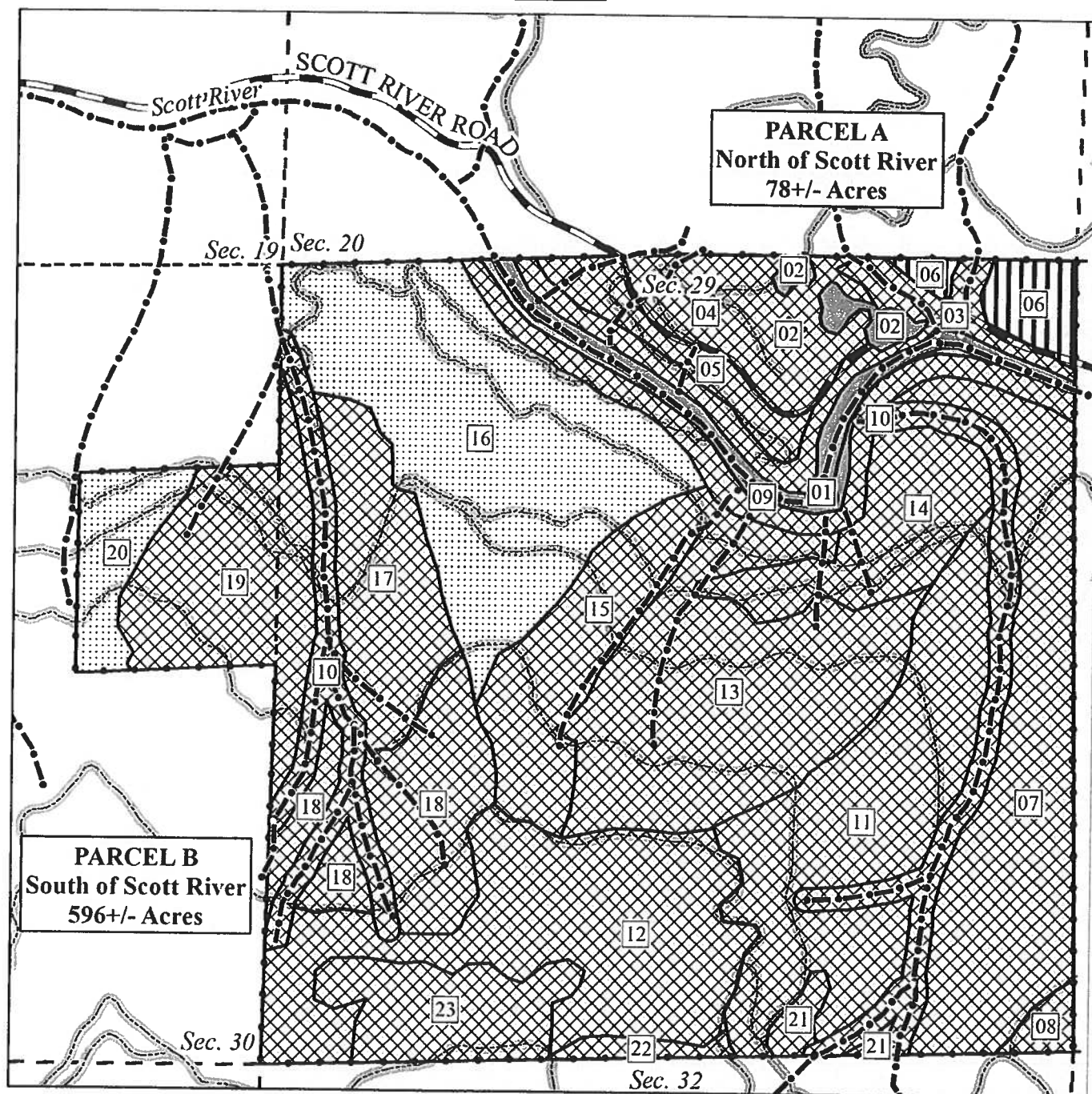
1:24,000

Prepared by:
Chris Quirnbach
5/25/2021

Mount Diablo Base and Meridian

MapPoint	Type of Zoning	Name Of Owner
01	TPZ	FRUIT GROWERS SUPPLY COMPANY
02	TPZ	FRUIT GROWERS SUPPLY COMPANY
03	TPZ	FRUIT GROWERS SUPPLY COMPANY
04	TPZ	BENNETT RONALD L. & TERE
05	Single-Family Residential	WEBB CHRIS S & SYLVIA GOMEZ
06	TPZ	MICHIGAN CALIFORNIA TIMBER COMPANY LP
07	TPZ	BENNETT RONALD L. & TERE
08	TPZ	MICHIGAN CALIFORNIA TIMBER COMPANY LP
09	TPZ	MICHIGAN CALIFORNIA TIMBER COMPANY LP
10	TPZ	MICHIGAN CALIFORNIA TIMBER COMPANY LP
11	TPZ	MICHIGAN CALIFORNIA TIMBER COMPANY LP
12	Single-Family Residential	COURTRIGHT BRUCE A & CATHERINE L BARASH TRUST
13	Residential	KNORR JULIE D TRUST
14	Residential	HUGG KENNETH RAY TRUSTEE

MAP 2



Stocking Status/Site Class	Acreage		
	PARCEL A	PARCEL B	Total
Stocked Areas (all Site Class III)	62	592	654
Unstocked Areas (No Site Class)	16	4	20
Total	78	596	674

1:12,000



Prepared by:
Chris Quirnbach
5/25/2021

Township 44-North Range 10-West
Mount Diablo Base and Meridian

**SISKIYOU COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
LAND DEVELOPMENT REVIEW**

OWNER MICHIGAN-CA TIMBER CO.

FILE # 015-420-230,-200

LOCATION SCOTT RIVER RD, FT JONES T 44N , R 10W , SEC. 30,29 PD# BLA-2122

REQUIREMENTS:

Sewage Disposal Test/Information:

- () None Required : Connection to Approved Sewage System
() Engineered Percolation Tests –
Parcels # _____
() Wet Weather Testing
() Engineered Sewage Disposal System
() Other _____

Water Supply Tests/Information:

- () None Required : Connection to Approved Water System
() Well Logs (Existing Wells) () Well Logs for Adjoining Property
() Drilled Well – Parcels # _____ () Spring Source-Verification
() Pump Test (Static Level) _____ Hours
() Bacteriological Analysis () Chemical Analysis () Physical Analysis
() Other _____

Project Information:

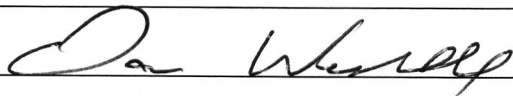
- () Location Map () Mark Project Area () Contour Map
() Food Establishment Plans () Swim Pool/Spa Plans
() Waste Information (Non-Sewage)
() Other _____

Comments/Conditions:

Environmental Health has reviewed this proposed BLA and has no objections as submitted.

The created portion of APN 015-420-230 that lies to the north of Scott River Road has been reviewed and approved for a conventional onsite sewage disposal.

REHS



DATE 6/16/2021

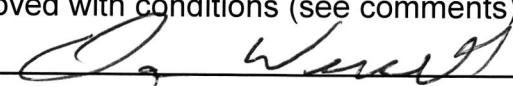
ENVIRONMENTAL HEALTH ACTION

(x) Application Accepted () Application Rejected as Incomplete (see comments)

(x) Approved () Recommended for Denial

() Approved with conditions (see comments)

REHS



DATE 6/16/2021

Date sent to Planning:

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

P.O. Box 128
1809 Fairlane Road
YREKA, CA 96097-0128
(530) 842-3516
Website: www.fire.ca.gov



Date: 7/14/2021

Siskiyou County Department of Public
Health and Community Development
806 South Main Street
Yreka, CA 96097-3321

Attention: Dianne Johnson

Subject: Boundary Line Adjustment Michigan- California Timber Co BLA2122

The California Department of Forestry and Fire Protection has the following Public Resources Code 4290 requirements for the above referenced project (reference Calif. Code of Regulations Title 14, Division 1.5, Chapter 7, Article 5, Subchapter 2, SRA Fire Safe Regulations):

Cal fire has no requirements to the boundary line adjustment and would only object to the adjustment if the new boundary line encroaches on previously permitted structures or roadways approved under the following requirements.

ROAD AND STREET NETWORKS

1273.01, 1273.02, 1273.03, 1273.04, 1273.05, 1273.06, 1273.07, 1273.08, 1273.09

ROAD SIGNING

1274.01, 1274.02, 1274.03, 1274.04

FUEL MODIFICATION

1276.02, 1276.03

SEE THE ATTACHED "4290 CHECKLIST" FOR SPECIFIC CODE REQUIREMENTS.

In addition to the Public Resources Code 4290 requirements, if timber is to be commercially harvested as part of this subdivision creation, the conditions set forth in the Z'berg-Nejedly Forest Practice Act of 1973 (California Code of Regulations Title 14, Division 1.5) must be adhered to.

BLA2122
Date:7/14/2021
Page 2

Additional Public Resources Code 4290 requirements that must be met during subsequent building permit applications are as follows:

DRIVEWAY DESIGN AND SURFACE REQUIREMENTS

1273.01, 1273.02, 1273.03, 1273.04, 1273.05, 1273.06, 1273.07, 1273.08, 1273.09

ADDRESSES FOR BUILDING

1274.08, 1274.09, 1274.10

FUEL MODIFICATION AND STANDARDS

1276.01, 1276.02, 1276.03,

SEE THE ATTACHED "4290 CHECKLIST" FOR SPECIFIC CODE REQUIREMENTS.

If you have any questions, please call Kieth Dietz, Jake Burgess or Nicholas Pisano at (530) 842-3516.



Nicholas Pisano
Fire Captain Specialist-Prevention

For: Phillip Anzo
Siskiyou Unit Chief

Attachment

Cc: file

SRA Fire Safe Regulations

Board of Forestry and Fire Protection



FOR INFORMATIONAL USE ONLY

View the official California Code of Regulations online at
govt.westlaw.com/calregs

As of July 28, 2020

California Code of Regulations

Title 14 Natural Resources

Division 1.5 Department of Forestry

Chapter 7 - Fire Protection

Subchapter 2 SRA Fire Safe Regulations

Articles 1-5

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Article 1 Administration

§ 1270.00. Title

These regulations shall be known as the "SRA Fire Safe Regulations," and shall constitute the basic wildfire protection standards of the California Board of Forestry and Fire Protection.

§ 1270.01. Purpose

(a) These regulations have been prepared and adopted for the purpose of establishing minimum wildfire protection standards in conjunction with building, construction and development in the State Responsibility Area (SRA).

(b) The future design and construction of structures, subdivisions and developments in the SRA shall provide for basic emergency access and perimeter wildfire protection measures as specified in the following articles.

(c) These measures shall provide for emergency access; signing and building numbering; private water supply reserves for emergency fire use; and vegetation modification. The fire protection standards which follow shall specify the minimums for such measures.

§ 1270.02. Scope

(a) These regulations shall apply to:

(1) the perimeters and access to all residential, commercial, and industrial building construction within the SRA approved after January 1, 1991 except as set forth below in subsections (b.) through (d), inclusive, and (f);

(2) the siting of newly installed commercial modulars, manufactured homes, mobilehomes, and factory-built housing, as defined in Health and Safety Code sections 18001.8, 18007, 18008, and 19971, except where being sited or installed as an accessory or junior accessory dwelling unit as set forth in subsection (d) below; (3) all tentative and parcel maps or other developments approved after January 1, 1991; and

(4) applications for building permits on a parcel approved in a pre-1991 parcel or

tentative map to the extent that conditions relating to the perimeters and access to the buildings were not imposed as part of the approval of the parcel or tentative map.

(b) These regulations do not apply where an application for a building permit is filed after January 1, 1991 for building construction on a parcel that was formed from a parcel map or tentative map (if the final map for the tentative map is approved within the time prescribed by the local ordinance) approved prior to January 1, 1991, to the extent that conditions relating to the perimeters and access to the buildings were imposed by the parcel map or final tentative map approved prior to January 1, 1991.

(c)(1) At the discretion of the local jurisdiction, and subject to any requirements imposed by the local jurisdiction to ensure reasonable ingress, egress, and capacity for evacuation and emergency response during a wildfire, these regulations shall not apply to the reconstruction or repair of legally constructed residential, commercial, or industrial buildings due to a wildfire, to the extent that the reconstruction or repair does not:

(A) increase the square footage of the residential, commercial, or industrial building or buildings that previously existed; or

(B) change the use of the building or buildings that had existed previously; or

(C) construct a new building or buildings that did not previously exist on the site.

(2) Nothing in this subsection shall be construed to alter the extent to which these regulations apply to the reconstruction or repair of a legally constructed residential, commercial, or industrial building for reasons unrelated to a wildfire.

(d) These regulations do not apply to the creation of accessory or junior accessory dwelling units that comply with Government Code sections 65852.2 or 65852.22, or any local

ordinances enacted thereunder, as applicable, including any local ordinances requiring provisions for fire and life safety.

(e) Unless otherwise exempt pursuant to this subchapter, affected activities include, but are not limited to:

- (1) permitting or approval of new parcels, excluding lot line adjustments as specified in Government Code (GC) section 66412(d);
- (2) application for a building permit for new building construction;
- (3) application for a use permit; and
- (4) road construction.

(f) EXEMPTION: Roads used solely for agricultural, mining, or the management and harvesting of wood products.

§ 1270.03. Provisions for Application of These Regulations.

This subchapter shall be applied as follows:

- (a) the local jurisdictions shall provide the Director of the California Department of Forestry and Fire Protection (CAL FIRE) or their designee with notice of applications for building permits, tentative parcel maps, tentative maps, and installation or use permits for construction or development within the SRA.
- (b) the Director or their designee may review and make fire protection recommendations on applicable construction or development permits or maps provided by the local jurisdiction.
- (c) the local jurisdiction shall ensure that the applicable sections of this subchapter become a condition of approval of any applicable construction or development permit or map.

§ 1270.04. Local Ordinances.

- (a) Nothing contained in these regulations shall be considered as abrogating the provisions of any ordinance, rule or regulation of any state or local jurisdiction provided that such ordinance, rule, or regulation is equal to or exceeds these minimum standards.
- (b) Counties may submit their local ordinances for certification via email to the Board, and the Board may certify them as equaling or exceeding these regulations when they provide the same practical effect. If the Board determines that the local requirements do not equal or exceed these regulations, it shall not certify the local ordinance.
- (c) When the Board grants certification, the local ordinances, in lieu of these regulations, shall be applied as described in 14 CCR § 1270.02 and used as the basis for inspections performed under 14 CCR § 1270.05.
- (d) The Board's certification of local ordinances pursuant to this section is rendered invalid when previously certified ordinances are subsequently amended by local jurisdictions, or the regulations are amended by the Board, without Board re-certification of the amended ordinances. The Board's regulations supersede the amended local ordinance(s) when the amended local ordinance(s) are not re-certified by the Board. Amendments made by local jurisdictions to previously certified ordinances shall be submitted for re-certification.

§ 1270.05. Inspections.

Inspections shall conform to the following requirements:

- (a) Inspection shall be made by:
 - (1) the Director, or
 - (2) local jurisdictions that have assumed state fire protection responsibility on SRA lands, or
 - (3) local jurisdictions where the inspection duties have been formally delegated by CAL FIRE to the local jurisdiction.

- (b) Nothing in this section abrogates CAL FIRE's authority to inspect and enforce state forest and fire laws even when the inspection duties have been delegated pursuant to this section.
- (c) Reports of violations shall be provided to the CAL FIRE Unit headquarters that administers SRA fire protection in the local jurisdiction.
- (d) When inspections are conducted, they shall occur prior to: the issuance of the use permit or certificate of occupancy; the recordation of the parcel map or final map; the filing of a notice of completion; or the final inspection of any project or building permit.

§ 1270.06. Exceptions to Standards.

- (a) Upon request by the applicant, exceptions to standards within this subchapter or to local jurisdiction certified ordinances may be allowed by the inspection entity listed in 14 CCR § 1270.05, where the exceptions provide the same practical effect as these regulations towards providing defensible space. Exceptions granted by the inspection entity listed in 14 CCR § 1270.05 shall be made on a case-by-case basis only. Exceptions granted by the inspection entity listed in 14 CCR § 1270.05 shall be forwarded to the appropriate CAL FIRE Unit Office that administers SRA fire protection in that county and shall be retained on file at the Unit Office.
- (b) Requests for an exception shall be made in writing to the inspection entity listed in 14 CCR § 1270.05 by the applicant or the applicant's authorized representative. At a minimum, the request shall state the specific section(s) for which an exception is requested, material facts supporting the contention of the applicant, the details of the exception proposed, and a map showing the proposed location and siting of the exception. Local jurisdictions listed in 14 CCR section 1270.05 may establish additional procedures or requirements for exception requests.
- (c) Where an exception is not granted by the inspection entity, the applicant may appeal such denial to the local jurisdiction. The local jurisdiction may establish or utilize an appeal process consistent with existing local building or planning department appeal processes.
- (d) Before the local jurisdiction makes a determination on an appeal, the inspection authority shall be consulted and shall provide to that local jurisdiction documentation outlining the effects of the requested exception on wildfire protection.
- (e) If an appeal is granted, the local jurisdiction shall make findings that the decision meets the intent of providing defensible space consistent with these regulations. Such findings shall include a statement of reasons for the decision. A written copy of these findings shall be provided to the CAL FIRE Unit headquarters that administers SRA fire protection in that local jurisdiction.

§ 1271.00. Definitions

Agriculture: Land used for agricultural purposes as defined in a local jurisdiction's zoning ordinances.

Building: Any structure used or intended for supporting or sheltering any use or occupancy, except Utility and Miscellaneous Group U buildings.

CAL FIRE: California Department of Forestry and Fire Protection.

Dead-end road: A road that has only one point of vehicular ingress/egress, including cul-de-sacs and looped roads.

Defensible space: The area within the perimeter of a parcel, development, neighborhood or community where basic wildland fire protection practices and measures are implemented, providing the key point of defense from an approaching wildfire or defense against encroaching wildfires or escaping structure fires. The perimeter as used in this regulation is the area encompassing the parcel or parcels proposed for construction and/or development, excluding the physical structure itself. The area is characterized by the establishment and

maintenance of emergency vehicle access, emergency water reserves, road names and building identification, and fuel modification measures.

Development: As defined in section 66418.1 of the California Government Code.

Director: Director of the Department of Forestry and Fire Protection or their designee.

Driveway: A vehicular access that serves up to two (2) parcels with no more than two (2) residential units and any number of non-commercial or industrial buildings on each parcel.

Note: Driveway standard includes up to a total of four (4) residential Units on one (1) parcel- Board of Forestry

Distance Measurements: All specified or referenced distances are measured along the ground, unless otherwise stated.

Exception: An alternative to the specified standard requested by the applicant that may be necessary due to health, safety, environmental conditions, physical site limitations or other limiting conditions, such as recorded historical sites, that provides mitigation of the problem.

Fire valve: see hydrant.

Fuel modification area: An area where the volume of flammable vegetation has been reduced, providing reduced fire intensity and duration.

Greenbelts: A facility or land-use, designed for a use other than fire protection, which will slow or resist the spread of a wildfire. Includes parking lots, irrigated or landscaped areas, golf courses, parks, playgrounds, maintained vineyards, orchards or annual crops that do not cure in the field.

Hammerhead/T: A road or driveway that provides a "T" shaped, three-point turnaround space for emergency equipment, being no narrower than the road that serves it.

Hydrant: A valved connection on a water supply or storage system, having either one two and a half (2 1/2) inch or one four and a half (4 1/2) inch outlet, with male American National Fire Hose Screw Threads (NH), used to supply fire apparatus and hoses with water.

Local Jurisdiction: Any county, city/county agency or department, or any locally authorized district that issues or approves building permits, use permits, tentative maps or tentative parcel maps, or has authority to regulate development and construction activity.

Occupancy: The purpose for which a building, or part thereof, is used or intended to be used.

One-way road: A minimum of one traffic lane width designed for traffic flow in one direction only.

Residential unit: Any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and/or sanitation for one or more persons.

Manufactured homes, mobilehomes, and factory-built housing are considered residential units for the purposes of mandatory measures required in 14 CCR § 1270.01(c), unless being sited or installed as an accessory or junior accessory dwelling unit in accordance with 14 CCR § 1270.02(d).

Road: Vehicular access to more than two (2) parcels; more than four (4) residential units; or access to any industrial or commercial occupancy. Includes public and private streets and lanes.

Road or driveway structures: Bridges, culverts, and other appurtenant structures which supplement the traffic lane or shoulders.

Same Practical Effect: As used in this subchapter, means an exception or alternative with the capability of applying accepted wildland fire suppression strategies and tactics, and provisions for fire fighter safety, including:

- (a) access for emergency wildland fire equipment,
- (b) safe civilian evacuation,
- (c) signing that avoids delays in emergency equipment response,
- (d) available and accessible water to effectively attack wildfire or defend a structure from wildfire, and

(e) fuel modification sufficient for civilian and fire fighter safety.

Shoulder: Vehicular access adjacent to the traffic lane.

State Board of Forestry and Fire Protection (Board): As defined in Public Resources Code section 730.

State Responsibility Area (SRA): As defined in Public Resources Code sections 4126-4127; and the California Code of Regulations, title 14, division 1.5, chapter 7, article 1, sections 1220-1220.5.

Structure: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Subdivision: As defined in section 66424 of the Government Code.

Traffic lane: The portion of a road or driveway that provides a single line of vehicle travel.

Turnaround: A road or driveway, unobstructed by parking, which allows for a safe opposite change of direction for emergency equipment. Design of such area may be a hammerhead/T or terminus bulb.

Turnouts: A widening in a road or driveway to allow vehicles to pass.

Utility and Miscellaneous Group U building: A structure of an accessory character or a miscellaneous structure not classified in any specific occupancy permitted, constructed, equipped, and maintained to conform to the requirements of Title 24, California Building Standards Code.

Vertical clearance: The minimum specified height of a bridge or overhead projection above the road or driveway.

Wildfire: As defined in Public Resources Code Section 4103 and 4104.

Article 2 Emergency Access and Egress

§ 1273.00. Intent

Roads and driveways, whether public or private, unless exempted under 14 CCR § 1270.02(d), shall provide for safe access for emergency wildfire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with 14 CCR §§ 1273.00 through 1273.09.

§ 1273.01. Width.

(a) All roads shall be constructed to provide a minimum of two ten (10) foot traffic lanes, not including shoulder and striping. These traffic lanes shall provide for two-way traffic flow to support emergency vehicle and civilian egress, unless other standards are provided in this article or additional requirements are mandated by local jurisdictions or local subdivision requirements. Vertical clearances shall conform to the requirements in California Vehicle Code section 35250.

(b) All one-way roads shall be constructed to provide a minimum of one twelve (12) foot traffic lane, not including shoulders. The local jurisdiction may approve one-way roads.

(1) All one-way roads shall, at both ends, connect to a road with two traffic lanes providing for travel in different directions, and shall provide access to an area currently zoned for no more than ten (10) residential units.

(2) In no case shall a one-way road exceed 2,640 feet in length. A turnout shall be placed and constructed at approximately the midpoint of each one-way road.

(c) All driveways shall be constructed to provide a minimum of one (1) ten (10) foot traffic lane, fourteen (14) feet unobstructed horizontal clearance, and unobstructed vertical clearance of thirteen feet, six inches (13' 6").

§ 1273.02. Road Surfaces

- (a) Roads shall be designed and maintained to support the imposed load of fire apparatus weighing at least 75,000 pounds and provide an aggregate base.
- (b) Driveways and road and driveway structures shall be designed and maintained to support at least 40,000 pounds.
- (c) Project proponent shall provide engineering specifications to support design, if requested by the local authority having jurisdiction.

§ 1273.03. Grades

- (a) At no point shall the grade for all roads and driveways exceed 16 percent.
- (b) The grade may exceed 16%, not to exceed 20%, with approval from the local authority having jurisdiction and with mitigations to provide for same practical effect.

1273.04. Radius

- (a) No road or road structure shall have a horizontal inside radius of curvature of less than fifty (50) feet. An additional surface width of four (4) feet shall be added to curves of 50-100 feet radius; two (2) feet to those from 100-200 feet.
- (b) The length of vertical curves in roadways, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall be not less than one hundred (100) feet.

§ 1273.05. Turnarounds

- (a) Turnarounds are required on driveways and dead-end roads.
- (b) The minimum turning radius for a turnaround shall be forty (40) feet, not including parking, in accordance with the figures in 14 CCR §§ 1273.05(e) and 1273.05(f). If a hammerhead/T is used instead, the top of the "T" shall be a minimum of sixty (60) feet in length.
- (c) Driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided no more than 400 feet apart.
- (d) A turnaround shall be provided on driveways over 300 feet in length and shall be within fifty (50) feet of the building.
- (d) Each dead-end road shall have a turnaround constructed at its terminus. Where parcels are zoned five (5) acres or larger, turnarounds shall be provided at a maximum of 1,320 foot intervals.
- (e) Figure A. Turnarounds on roads with two ten-foot traffic lanes.

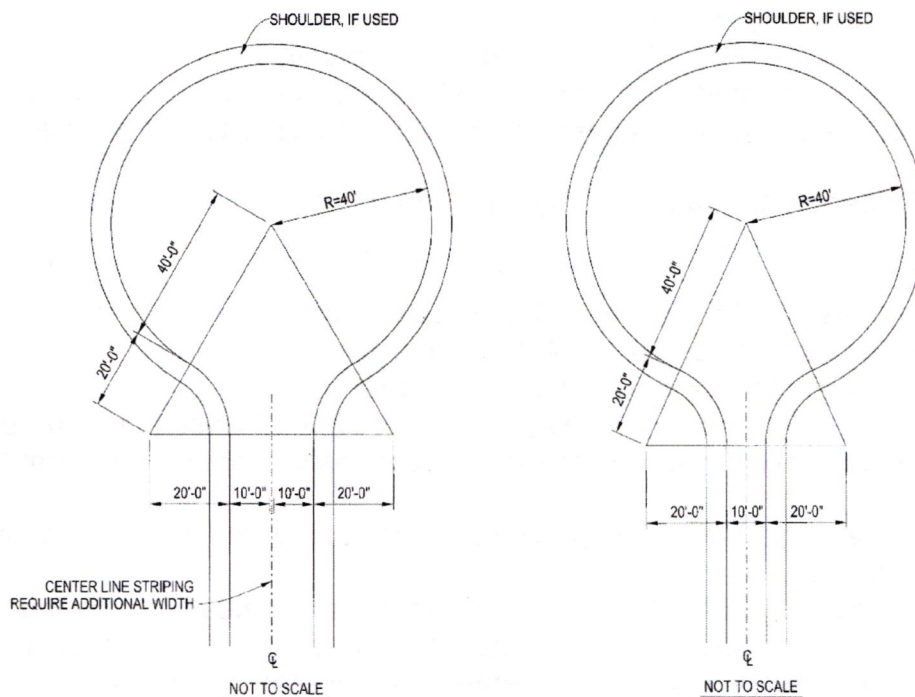


FIGURE FOR 14 CCR § 1273.05. TURNAROUND EXAMPLES

§ 1273.06. Turnouts

Turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum twenty-five (25) foot taper on each end.

§ 1273.07. Road and Driveway Structures

- (a) Appropriate signing, including but not limited to weight or vertical clearance limitations, one-way road or single traffic lane conditions, shall reflect the capability of each bridge.
- (b) Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with the American Association of State and Highway Transportation Officials Standard Specifications for Highway Bridges, 17th Edition, published 2002 (known as AASHTO HB-17), hereby incorporated by reference. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the local authority having jurisdiction.
- (c) Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, barriers, or signs, or both, as approved by the local authority having jurisdiction, shall be installed and maintained.
- (d) A bridge with only one traffic lane may be authorized by the local jurisdiction; however, it shall provide for unobstructed visibility from one end to the other and turnouts at both ends.

§ 1273.08. Dead-end Roads

- (a) The maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
parcels zoned for less than one acre - 800 feet

parcels zoned for 1 acre to 4.99 acres - 1,320 feet
parcels zoned for 5 acres to 19.99 acres - 2,640 feet
parcels zoned for 20 acres or larger - 5,280 feet

All lengths shall be measured from the edge of the road surface at the intersection that begins the road to the end of the road surface at its farthest point. Where a dead-end road crosses areas of differing zoned parcel sizes requiring different length limits, the shortest allowable length shall apply.

(b) See 14 CCR § 1273.05 for dead-end road turnaround requirements.

§ 1273.09. Gate Entrances

(a) Gate entrances shall be at least two (2) feet wider than the width of the traffic lane(s) serving that gate and a minimum width of fourteen (14) feet unobstructed horizontal clearance and unobstructed vertical clearance of thirteen feet, six inches (13' 6").

(b) All gates providing access from a road to a driveway shall be located at least thirty (30) feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road.

(c) Where a one-way road with a single traffic lane provides access to a gated entrance, a forty (40) foot turning radius shall be used.

(d) Security gates shall not be installed without approval. Where security gates are installed, they shall have an approved means of emergency operation. Approval shall be by the local authority having jurisdiction. The security gates and the emergency operation shall be maintained operational at all times.

Article 3 Signing and Building Numbering

§ 1274.00. Intent

To facilitate locating a fire and to avoid delays in response, all newly constructed or approved roads and buildings shall be designated by names or numbers posted on signs clearly visible and legible from the road. This section shall not restrict the size of letters or numbers appearing on road signs for other purposes.

§ 1274.01. Road Signs.

(a) Newly constructed or approved roads must be identified by a name or number through a consistent system that provides for sequenced or patterned numbering and/or non-duplicative naming within each local jurisdiction. This section does not require any entity to rename or renumber existing roads, nor shall a road providing access only to a single commercial or industrial occupancy require naming or numbering.

(b) The size of letters, numbers, and symbols for road signs shall be a minimum four (4) inch letter height, half inch (.5) inch stroke, reflectorized, contrasting with the background color of the sign.

§ 1274.02. Road Sign Installation, Location, and Visibility.

(a) Road signs shall be visible and legible from both directions of vehicle travel for a distance of at least one hundred (100) feet.

(b) Signs required by this article identifying intersecting roads shall be placed at the intersection of those roads.

(c) A sign identifying traffic access or flow limitations, including but not limited to weight or vertical clearance limitations, dead-end roads, one-way roads, or single lane conditions, shall be placed:

(i) at the intersection preceding the traffic access limitation; and

- (ii) no more than one hundred (100) feet before such traffic access limitation.
- (d) Road signs required by this article shall be posted at the beginning of construction and shall be maintained thereafter.

§ 1274.03. Addresses for Buildings.

- (a) All buildings shall be issued an address by the local jurisdiction which conforms to that jurisdiction's overall address system. Utility and miscellaneous Group U buildings are not required to have a separate address; however, each residential unit within a building shall be separately identified.
- (b) The size of letters, numbers, and symbols for addresses shall conform to the standards in the California Fire Code, California Code of Regulations title 24, part 9.
- (c) Addresses for residential buildings shall be reflectorized.

§ 1274.04. Address Installation, Location, and Visibility.

- (a) All buildings shall have a permanently posted address which shall be plainly legible and visible from the road fronting the property.
- (b) Where access is by means of a private road and the address identification cannot be viewed from the public way, an unobstructed sign or other means shall be used so that the address is visible from the public way.
- (c) Address signs along one-way roads shall be visible from both directions.
- (d) Where multiple addresses are required at a single driveway, they shall be mounted on a single sign or post.
- (e) Where a road provides access solely to a single commercial or industrial business, the address sign shall be placed at the nearest road intersection providing access to that site, or otherwise posted to provide for unobstructed visibility from that intersection.
- (f) In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter.

Article 4 Emergency Water Standards

§ 1275.00. Intent

Emergency water for wildfire protection shall be available, accessible, and maintained in quantities and locations specified in the statute and these regulations in order to attack a wildfire or defend property from a wildfire.

§ 1275.01. Application

The provisions of this article shall apply in the tentative and parcel map process when new parcels are approved by the local jurisdiction having authority.

§ 1275.02. Water Supply.

- (a) When a water supply for structure defense is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction except when alternative methods of protection are provided and approved by the local authority having jurisdiction.
- (b) Water systems equaling or exceeding the California Fire Code, California Code of Regulations title 24, part 9, or, where a municipal-type water supply is unavailable, National Fire Protection Association (NFPA) 1142, "Standard on Water Supplies for Suburban and Rural Fire Fighting," 2017 Edition, hereby incorporated by reference, shall be accepted as meeting the requirements of this article.

(c) Such emergency water may be provided in a fire agency mobile water tender, or naturally occurring or man made containment structure, as long as the specified quantity is immediately available.

(d) Nothing in this article prohibits the combined storage of emergency wildfire and structural firefighting water supplies unless so prohibited by local ordinance or specified by the local fire agency.

(e) Where freeze or crash protection is required by local jurisdictions having authority, such protection measures shall be provided.

§ 1275.03. Hydrants and Fire Valves.

(a) The hydrant or fire valve shall be eighteen (18) inches above the finished surface. Its location in relation to the road or driveway and to the building(s) or structure(s) it serves shall comply with California Fire Code, California Code of Regulations title 24, part 9, Chapter 5, and Appendix C.

(b) The hydrant head shall be a two and half (2 1/2) inch National Hose male thread with cap for pressure and gravity flow systems and four and a half (4 1/2) inch for draft systems.

(c) Hydrants shall be wet or dry barrel and have suitable freeze or crash protection as required by the local jurisdiction.

§ 1275.04. Signing of Water Sources.

(a) Each hydrant, fire valve, or access to water shall be identified as follows:

(1) if located along a driveway, a reflectorized blue marker, with a minimum dimension of three (3) inches shall be located on the driveway address sign and mounted on a fire retardant post, or

(2) if located along a road,

(i) a reflectorized blue marker, with a minimum dimension of three (3) inches, shall be mounted on a fire retardant post. The sign post shall be within three (3) feet of said hydrant or fire valve, with the sign no less than three (3) feet nor greater than five (5) feet above ground, in a horizontal position and visible from the driveway, or

(ii) as specified in the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

Article 5 Fuel Modification Standards

§ 1276.00 Intent

To reduce the intensity of a wildfire by reducing the volume and density of flammable vegetation, the strategic siting of fuel modification and greenbelts shall provide for increased safety for emergency fire equipment and evacuating civilians by its utilization around structures and roads, including driveways, and a point of attack or defense from a wildfire.

§ 1276.01. Setback for Structure Defensible Space.

(a) All parcels shall provide a minimum thirty (30) foot setback for all buildings from all property lines and/or the center of a road.

(b) When a thirty (30) foot setback is not possible for practical reasons, which may include but are not limited to parcel dimensions or size, topographic limitations, or other easements, the local jurisdiction shall provide for same practical effect.

(i) Same practical effect requirements shall reduce the likelihood of home-to-home ignition.

(ii) Same practical effect options may include, but are not limited to, noncombustible block walls or fences; five (5) feet of noncombustible material horizontally around the

structure; installing hardscape landscaping or reducing exposed windows on the side of the structure with a less than thirty (30) foot setback; or additional structure hardening such as those required in the California Building Code, California Code of Regulations title 24, part 2, Chapter 7A.

(c) Structures constructed in the SRA are required to comply with the defensible space regulations in Title 14. Natural Resources Division 1.5. Department of Forestry and Fire Protection Chapter 7. Fire Protection Subchapter 3. Fire Hazard.

§ 1276.02. Maintenance of Defensible Space Measures.

To ensure continued maintenance of commonly owned properties in conformance with these standards and to assure continued availability, access, and utilization of the defensible space provided by these standards during a wildfire, provisions for annual maintenance shall be provided in emergency access covenants or similar binding agreements.

§ 1276.03 Disposal of Flammable Vegetation and Fuels

Disposal, including chipping, burying, burning or removal to a site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of a building permit.

§ 1276.04 Greenbelts

Subdivision and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically as a separation between wildland fuels and structures. The locations shall be approved by the local authority having jurisdiction and may be consistent with the CAL FIRE Unit Fire Management Plan or Contract County Fire Plan.