



**Siskiyou County**  
**Planning Commission Staff Report**  
**June 15, 2022**

**New Business Agenda Item No. 2**  
**Avenue3 Funding Tentative Parcel Map (TPM-22-02)**

**Applicant:** Gina Scafani, General Partner  
Avenue3 Funding LP  
1325 Pacific Highway  
San Diego, CA 92101

**Property Owners:** Avenue3 Funding LP  
1325 Pacific Highway  
San Diego, CA 92101

**Representatives:** Morgan Eastlick  
E&S Engineers and Surveyors  
329 West Miner Street  
Yreka, CA 96097

**Project Summary** The applicant is requesting approval of the following:

- Vesting tentative parcel map to subdivide an existing 50.9-acre parcel into four parcels and a remainder parcel (10.18-acres each).

**Location:** The project site is located south of Kidder Creek Road and east of Earl Smith Place, approximately 1-mile west of the unincorporated community of Greenview on APN: 024-230-370; Township 43 North, Range 9 West, Section 30, MDBM; Latitude 41.5452°, Longitude -122.9276°.

**Scott Valley Area Plan:** Flood Plain, Non-Resource Density 5-acres

**General Plan:** Erosion Hazard, Flood Hazard

**Zoning:** Rural Residential Agricultural, 5-acre minimum parcel size (R-R-B-5)

**Exhibits:**

- A. Draft Resolution PC 2022-015  
A Resolution of the Planning Commission of the County of Siskiyou, State of California, Approving the Avenue3 Funding LP Vesting Tentative Parcel Map (TPM-22-02) and Determining the Project Exempt from the California Environmental Quality Act.
  - A-1. Notations and Recommended Conditions of Approval
  - A-2. Recommended Findings
- B. Comments
- C. Vesting Tentative Parcel Map

## **Background**

The property owner, Gina Scafani of Avenue3 Funding LP, has applied for a vesting tentative parcel map to subdivide an existing 50.9-acre parcel into four parcels and a remainder parcel. Each parcel is proposed to be approximately 10.18 acres.

The property is located approximately one mile west of the unincorporated community of Greenvew. The property is bordered by Kidder Creek Road (County Road #5G001) to the north and Earl Smith Place (a 60' wide non-exclusive private road easement for ingress, egress, and utilities) to the west. Surrounding parcels are zoned and utilized for rural residential and non-prime agricultural uses and range in size from 5 to 84 acres in size.

The subject parcel is a legal parcel that was created as shown on the map entitled, "Parcel Map No. 2006-17 for Earl Smith", which map was filed for record in the Siskiyou County Recorder's Office on October 11, 2006 in Parcel Map Book 13 at pages 64 to 66, inclusive. The parcel was not subsequently modified. The adjacent parcel to the west, owned by Kenneth Berryhill, was recently subdivided through parcel map (TPM-20-06). Although both the Berryhill project and this project share the same surveying company, the applicant of this project has no affiliations with the previous subdividers.

The project site is generally sloped easterly at 1% to 2%. Vegetation on the project site includes sparse grasses and scattered pine and buckbrush. Wildlife in the area may include deer, coyote, small mammals, and birds. Soil consists of Atter very cobbly sandy loam, 0 to 5 percent slopes that is not prime farmland. It has been used in the past for residential and agricultural uses and the fencing, hog pens, sheds, and a driveway from those uses still remain. In addition, the property contains electric distribution facilities, two wells, and an approved septic site. The barn and home that previously existed on the site no longer remain.



Figure 1: Project Location<sup>1</sup>

<sup>1</sup> Property boundaries are approximate. Per PMB 13 at page 64 and PMB 14 at page 151, the private road named Earl Smith Place is the western boundary of the subject parcel.



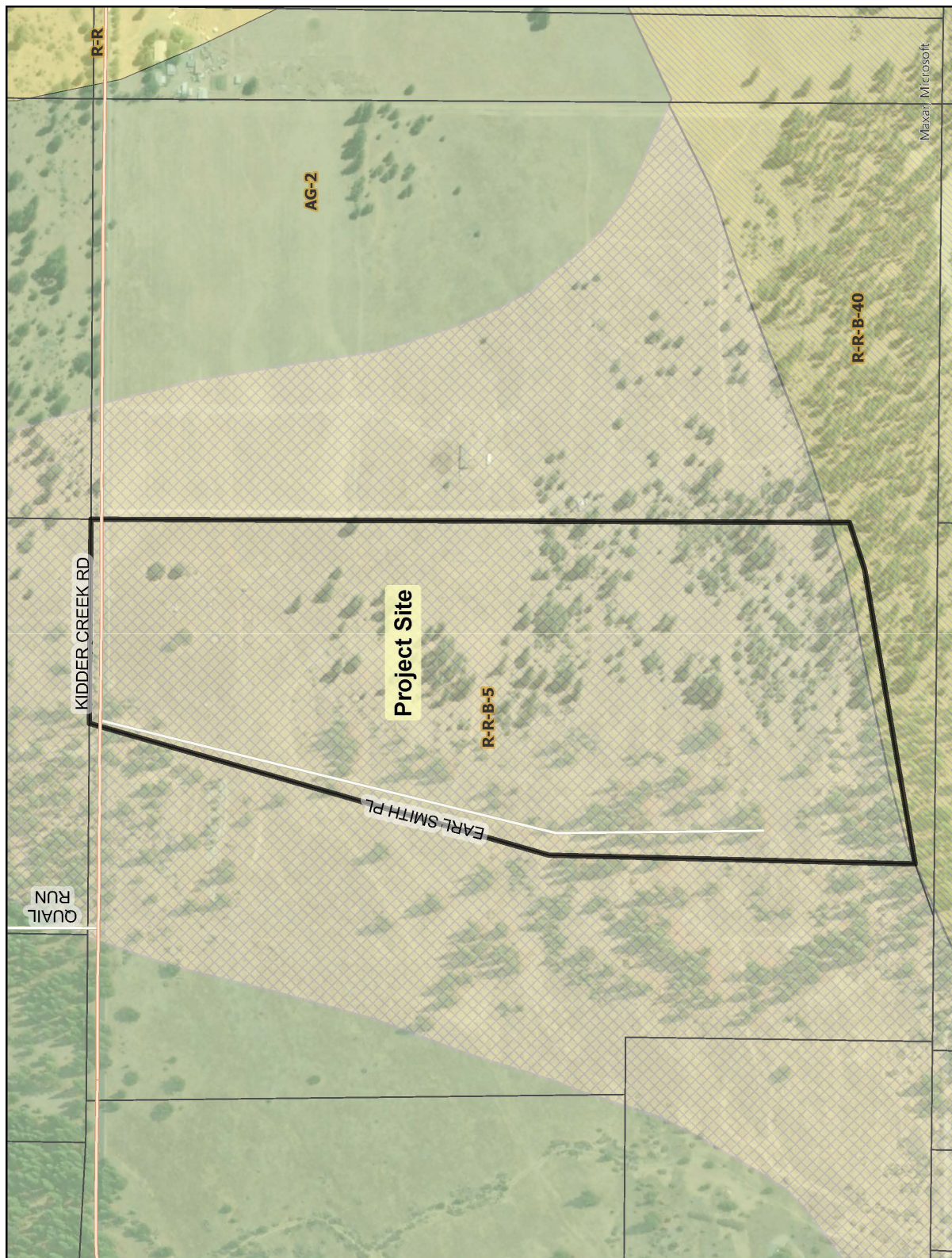


Figure 2: Zoning Map<sup>2</sup>

<sup>2</sup> Property and zoning boundaries are approximate. The entirety of the subject parcel is zoned R-R-B-5.



## **Analysis**

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

The Scott Valley Area Plan identifies the project site as being within the natural hazard area for Flood Plain. Planning staff has identified that Comprehensive-Composite Plan Policies 33, 34, 35, and 36 also apply to the proposed project.

### **General Plan Consistency**

The Land Use Element of the Siskiyou County General Plan identifies the project site as being with the mapped resource overlay area for Erosion Hazard and Flood Hazard. Planning staff has identified that Composite Overall Policies 41.3(e), 41.3(f), 41.5 through 41.10, and 41.18 also apply to the proposed project.

Staff has conducted a detailed analysis of each of the required findings and found that the proposed project is consistent with the applicable Scott Valley Area Plan and General Plan policies governing the subject site. Additionally, the use of the property would be compatible with the surrounding land uses, would have adequate roadway access for transportation and public health and safety provisions, and would not create environmental impacts to on-or off-site resources. The recommend findings are detailed in the Scott Valley Area Plan Consistency Findings and General Plan Consistency Findings sections of Exhibit A-2 attached to this staff report and are submitted for the Commission's review, consideration, and approval.

### **Subdivision and Zoning Consistency**

Pursuant to Siskiyou County Code Section 10-4.105.3 and 10-6.5501, the proposed lots are consistent with all County lot design standards.

The subject property is zoned Rural Residential Agricultural with a 5-acre minimum parcel size (R-R-B-5). All proposed parcels and the remainder exceed the minimum required 5-acre parcel size.

Access for the four newly created parcels and the remainder parcel would be from Earl Smith Place, a private road. Proposed Parcel A would also have direct access to Kidder Creek Road, a public road.

Based on staff's analysis of the proposed project, staff believes that the necessary findings can be made for approval of this application.

## **Environmental Review**

Staff evaluated the project's potential for environmental impacts by reviewing the project relative to Appendix G of the CEQA Guidelines. Based on this review, it was determined that the subdivision of the property, as proposed, would not adversely impact the environment.

The project site previously contained a dwelling and barn, and is currently developed with structures (sheds, wells, fencing, etc.) pertinent to the previous residential and agricultural use of the property in addition to a driveway from Kidder Creek Road and a private road on the west side of the project site. The proposed vesting tentative parcel map would potentially result in development of new single-family dwellings and accessory structures.

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Because there is not substantial evidence, in light of the whole record before the County, that the proposed vesting tentative parcel map may have a significant effect on the environment, staff recommends that the Planning Commission find the project exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Sections 15061(b)(3), 15301(c), and 15304. Section 15301(c) exempts the minor repair, maintenance, and minor alteration of existing public or private roads. Section 15304 exempts minor alterations in the condition of land. CEQA Section 15061(b)(3) states 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."

**Comments**

A Preliminary Project Review was circulated to Siskiyou County Reviewing Agencies and State Responsible Agencies. A Notice of Public Hearing was published in the Siskiyou Daily News on June 1, 2022 and mailed to property owners within 300 feet of the applicant's property. No public comments have been received at the time this staff report was published.

**Siskiyou County Environmental Health Division – April 7, 2022**

Environmental Health has no objections to this proposed parcel map. On-site sewage disposal has been approved for non-conventional, engineered Wisconsin Mounds. Specific sewage disposal areas will be identified at the time of well permit issuance or project proposal. The general area indicates probable ground water availability for residential development. All parcels conform to Environmental Health sewage density standard.

Planning Response: No response necessary.

**California Department of Forestry and Fire Protection (Cal Fire) – August 28, 2020**

Cal Fire provided comments regarding Public Resources Code 4290 as it relates to this project. The comment specifically mentioned Road and Street Networks, Road Signing, Water Standards, and Fuel Modification. In addition, Cal Fire noted that the if timber is to be commercially harvested, the conditions set forth in the Z'berg-Nejedly Forest Practice Act of 1973 must be adhered to. During subsequent building permit applications, additional requirements must be met: Driveway Design and Surface Requirements, Addresses for Building, and Fuel Modification and Standards.

Planning Response: Condition of Approval number 5 has been added that requires the applicant to comply with, and provide verification of compliance, with all applicable statutory requirements of the Public Resources Code 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning Division.



## **Planning Staff Recommendations**

- Adopt Resolution PC 2022-015 taking the following actions:
  - Determine the project exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3), 15301(c), and 15304 of the CEQA Guidelines; and
  - Approve the Vesting Tentative Parcel Map based on the recommended findings and subject to the recommended conditions of approval.

## **Suggested Motion**

I move that we adopt Resolution PC 2022-015, A Resolution of the Planning Commission of the County of Siskiyou, State of California, Determining the Project Exempt from the California Environmental Quality Act and Approving the Avenue3 Funding LP Vesting Tentative Parcel Map (TPM-22-02).

## **Preparation**

Prepared by the Siskiyou County Planning Division.

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

Rachel Jereb, Senior Planner  
Siskiyou County Planning Division  
806 S. Main Street  
Yreka, California 96097

## **Resolution PC 2022-015**

### **A Resolution of the Planning Commission of the County of Siskiyou, State of California, Approving the Avenue3 Funding, LP Vesting Tentative Parcel Map (TPM-22-02) and Determining the Project Exempt from the California Environmental Quality Act**

**Whereas**, an application has been received from Gina Scafani of Avenue3 Funding LP for a vesting tentative parcel map to subdivide a 50.9-acre legal parcel (APN 024-230-370) into four new parcels (10.18 acres, each) with a 10.18-acre remainder parcel; and

**Whereas**, a vesting tentative parcel map was prepared for the project as required by Section 10-4.501.1 of the Siskiyou County Code; and

**Whereas**, the project site is currently developed with multiple accessory structures from prior residential and agricultural development of the property; and

**Whereas**, a Notice of Public Hearing was published in the Siskiyou Daily News on June 1, 2022; and

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

**Whereas**, comments received on the project resulted in conditions of approval being recommended by staff; and

**Whereas**, the Planning Division presented its oral and written staff report on the Avenue3 Funding LP Vesting Tentative Parcel Map (TPM-22-02) at a regular meeting of the Planning Commission on June 15, 2022; and

**Whereas**, the Planning Division recommended that the project be determined 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), Section 15301(c), and Section 15304; and

**Whereas**, the Planning Division recommends approval of the Avenue3 Funding LP Tentative Parcel Map (TPM-22-02) subject to the conditions of approval included in Attachment A-1 to this resolution; and

**Whereas**, on June 15, 2022, the chair of the Planning Commission opened the duly noticed public hearing on the Avenue3 Funding LP Vesting Tentative Parcel Map (TPM-22-02) to receive testimony both oral and written, following which the Chair closed the public hearing and the Commission discussed the project; and



**Whereas**, there is no substantial evidence, in light of the whole record before the County, that the proposed tentative parcel map would have a significant effect on the environment; and

**Whereas**, on June 15, 2022, the Commission discussed TPM-22-02 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 actions on the Avenue3 Funding LP Vesting Tentative Parcel Map (TPM-22-02):

1. Approves Vesting Tentative Parcel Map (TPM-22-02), subject to the notations and conditions of approval contained in Exhibit A-1 to this resolution referenced hereto and incorporated herein; and
2. Determines the project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), Section 15301(c), and Section 15304.

**It is Hereby Certified** that the foregoing Resolution PC 2022-015 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 15<sup>th</sup> day of June 2022 by the following vote:

Ayes:  
Noes:  
Absent:  
Abstain:

Siskiyou County Planning Commission

\_\_\_\_\_  
Danielle Lindler, Chair

Witness, my hand and seal this 15th day of June 2022

\_\_\_\_\_  
Hailey Lang, Secretary of the Commission

**Exhibit A-1 to Resolution PC 2022-015**  
**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 Siskiyou County 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 in order 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.
3. If timber operations (as defined by PRC Section 4527) are involved with a project, they must be approved by Cal Fire prior to undertaking operations. Further, a Timber Harvest Plan (THP) and/or Timber Conversion Permit (TCP) may be required.
4. If a proposed project will result in the conversion of greater than three (3) acres of timberland to non-timber use, a TCP will be 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 14 CCR 1104.
5. Section PRC 1104.2 (Exemption for Conversion of Non-TPZ Land for Subdivision Development) allows exemption from the TCP rules if timber operations are conducted as a means to convert Non-TPZ land, three acres or larger, to subdivision development. A Notice of Exemption from the Timber Conversion Permit for Subdivision form will be required. Please reference this section of code for the particulars of the exemption.

**Conditions of Approval**

1. The project shall substantially conform to the project description and vesting tentative parcel map dated February 2022 and reviewed by the Planning Commission on June 15, 2022. Any proposed amendment(s) shall be submitted to the Deputy Director of Planning. Minor amendments shall be considered by the Community Development Director. Major amendments shall be considered by the Planning Commission.



2. A Taxes and Assessments Certificate shall be obtained from the County Assessor's Office, signed off by the County Tax Collector, and submitted with the legal descriptions for recording.
3. The engineer or surveyor for the applicant shall submit two copies of the map to the Planning Division to the satisfaction of the Planning Director for review and processing along with the applicable review fees as required by the adopted fee schedule.
4. The applicant shall comply with all adopted rules and regulations of the Siskiyou County Public Works Department Environmental Health Division of the Siskiyou County Community Development Department and all other local and state regulatory agencies.
5. The applicant shall comply with, and provide verification of compliance, with all applicable statutory requirements of the fire safe standards enacted pursuant to Public Resources Code Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning Division.
6. The approximate location of the 100-year flood plain shall be placed on the face of an additional map sheet for the Parcel Map. In addition, the following notation shall either be recorded as a separate document or shall be placed on the face of the additional map sheet for the Parcel Map: "This line shows the approximate location of the 100-year flood boundary (area of special flood hazards); base flood elevation and flood hazard factors have not been determined. Base flood elevations shall be established prior to any development located within the vicinity of the special flood hazard area."
7. The following notation shall either be recorded as a separate document or shall be placed on the face of an additional Notation and Disclosure Exhibit Map for the Parcel Map: "Prior to development, all driveway connections onto a County-maintained road shall be constructed in accordance with a Siskiyou County Public Works Encroachment Permit."
8. The following notation shall either be recorded as a separate document or shall be placed on the face of an additional Notation and Disclosure Exhibit Map for the Parcel Map: "Should prehistoric or historic material be discovered on or below the surface during the course of development, archaeological consultation shall be sought immediately, or in the case of prehistoric material, the appropriate Native American tribe has been consulted."
9. All Conditions of Approval must be completed and the Final Map shall be recorded within 24 months of the date of approval unless a request for a time extension is made prior to the expiration date pursuant to Section 10-4.401.8.2 of the Siskiyou County Code.

10. 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. In the event that the applicant fails to comply with the terms of the applicable agreement, the applicant does hereby consent and agree to all remedies in said agreement and does hereby agree and consent to the County rescinding all applicable project approvals.

# Findings

## **Vesting Tentative Parcel Map / Subdivision Map Act**

In accordance with Government Code Section 66473.5, the Planning Commission finds:

1. The subdivision is consistent with the General Plan

*The subdivision is consistent with all General Plan policies as set forth in the section titled General Plan Consistency Findings below.*

In accordance with Government Code Sections 66412.3, the Planning Commission finds:

1. Local agencies shall consider the effect of the approval or denial on the housing needs of the region in which the local jurisdiction is situated and balance these needs against the public service needs of its residents and available fiscal and environmental resources.

*The project site is located in the Rural Residential Agricultural, 5-acre minimum parcel size (R-R-B-5) zoning district. Single-family dwelling units and accessory dwelling units are allowed within that district. Therefore, the proposed subdivision will potentially have a positive net effect on the local housing supply by potentially adding dwelling units. Adequate groundwater exists in the area and the sites have been approved for non-conventional, engineered Wisconsin Mound on-site sewage disposal for the proposed parcels. Fire service by the Scott Valley Fire Protection District is approximately 1.1 miles away and police service is approximately 7.6 miles from the project site. The project will not detrimentally impact available public service fiscal resources.*

2. The design of the subdivision shall provide, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

*The subdivision is located on a relatively flat and open area and therefore design options exist that would feasibly allow the use of future solar passive heating and cooling.*

In accordance with Government Code Section 66474, the Planning Commission finds:

1. That the proposed map is consistent with applicable general and specific plans.

*The map and project are consistent with the General Plan as set forth in the section titled General Plan Consistency Findings below. The project is also within the policy area for the Scott Valley Area Plan. Consistency with that area plan is set forth in the section titled Scott Valley Area Plan Consistency Findings below.*

2. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

*The subdivision does not include new improvements which are inconsistent with the General Plan or Scott Valley Area Plan.*

3. That the site is physically suitable for the type of development.

*The project is designed within the density limits of the R-R-B-5 zoning district, which allows for new parcels with a minimum of 5 acres. The property slopes easterly at slopes generally between 1-2%. It is not within a geologic landslide area and is not near an active fault. Soils consist of Atter very cobbly sandy loam, 0 to 5 percent slopes that is not prime farmland that would not prohibit this type of development. Furthermore, the subject parcel has historically been developed with a single-family dwelling and accessory structures consistent with this project. Therefore, the site is physically suitable for the type of development.*



4. That the site is physically suitable for the proposed density of development.

*The project is designed within the density limits of the R-R-B-5 zoning district, which allows parcels with a minimum of 5 acres. Furthermore, the subject parcel has historically been developed with a single-family dwelling and accessory structures. There are no existing physical conditions on the site that appear to prohibit the already entitled rural residential agricultural development. Therefore, the site is physically suitable for the type of development.*

5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

*The design of the subdivision proposes to create four new parcels and a remainder parcel. The site is already improved with structures accessory to residential and agricultural development in addition to Earl Smith Place, a private road for ingress and egress. The continued development of the property for already-entitled rural residential uses is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat due to the size, scale, and intensity of this project.*

6. That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

*The subdivision will not cause serious public health problems in that any future development will be served by private water and sewer, the access to the site meets the requirements of the Department of Forestry and Fire Protection (Cal Fire), and any future development will be required to comply with the California Building Code.*

7. That the design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

*Kidder Creek Road, a public road, is partially within an existing 30-foot easement on the north end of the project site. Earl Smith Place, an existing private road, is within a 30-foot easement on the western edge of this project site. The design of the subdivision will not conflict with the existing easements and no improvements are proposed as part of this project.*

In accordance with Government Code Section 66474.02, the Planning Commission finds:

1. That the subdivision is consistent with regulations adopted by the State Board of Forestry and Fire Protection pursuant to Section 4290 and 4291 of the Public Resources Code or consistent with local ordinances certified by the State Board of Forestry and Fire Protection as meeting or exceeding the state regulations.

*As a condition of approval (Condition of Approval number 5), the applicant is required to "comply with, and provide verification of compliance, with all applicable statutory requirements of the fire safe standards enacted pursuant to Public Resources Code 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning Division."*

2. That structural fire protection and suppression will be available for the subdivision.

*The project site is within the Scott Valley Fire Protection District, which provides structural fire protection within the district. Additionally, a Cal Fire station is approximately 6.6 miles north of the project site.*

In accordance with Siskiyou County Code Section 10-4.105.3 and Section 10-6.5501, the Planning Commission finds:

1. That the minimum lot size shall be two and one-half acres when water from an approved system is provided and on-site sewage disposal systems are required.

*The proposed parcels are each designed with a parcel size of 10.18 acres. All proposed parcels exceed the 2.5-acre minimum parcel size.*

2. That the depth of any lot shall not exceed three (3) times the width on lots of 300 feet or less in width nor exceed four (4) times the width on lots exceeding 300 feet in width.

*All proposed parcel sizes are within the required depth to width ratio.*

3. That the lot side lines shall be at approximately right angles or radial to street or road lines.

*The four proposed parcels and the remainder are designed with lot side lines that are at approximate right angles to Earl Smith Place. Additionally, the lot side lines for proposed Parcel A are at approximate right angles with Kidder Creek Road.*

4. That no lot shall have double frontage unless otherwise approved by the Planning Commission.

*No resultant parcels shall have double frontage.*

5. That no lot shall be divided by city, County, school district, or other taxing agency lines.

*The nearest tax line is north of the subject parcel and not within the project boundaries. Therefore, the proposed parcels will not be divided by a taxing agency line.*

### **Zoning Consistency Findings**

1. The proposed vesting tentative parcel map, as recommended for approval, is consistent with the applicable elements and policies of the Siskiyou County General Plan and County code, as documented herein.
2. The proposed resultant parcels are consistent with the Rural Residential Agricultural, 5-acre minimum parcel size (R-R-B-5) zoning district.
3. The Planning Commission has considered all written and oral comments received and based on its analysis of the public testimony and staff's analysis, the Commission has determined that the project as designed and conditioned would be compatible with existing and planned uses of the area.

## **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 neighboring parcels are zoned for rural residential agricultural and non-prime agricultural uses and are partially developed. The project site is also zoned for the same rural residential uses and no new uses are proposed as part of this project. As such, this project is clearly compatible with the surrounding and planned uses of the area.*

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 existing rural residential use of the land is not proposed to change as part of this project, and as such will clearly not be disruptive or destroy the intent of protecting each mapped resource.*

Policy 41.5 All development will be designed so that every proposed use and every individual parcel of land created is a buildable site, and will not create erosion, runoff, access, fire hazard or any other resource or environmentally related problems.

*No new development is proposed as part of this project, however the creation of four new parcels could allow the possibility of a higher density of development. All proposed parcels have been approved for a modified mound septic system and there is adequate groundwater in the area to serve the proposed parcels. Any future development is required to meet Building Code requirements for erosion and runoff. The project site has access from Kidder Creek Road, a public road, and Earl Smith Place, a private road on the western border of the project site. All future development would be required to meet fire safe standards enacted pursuant to Public Resources Code (PRC) Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning.*

Policy 41.6 There shall be a demonstration to the satisfaction of the Siskiyou County Health Department and/or the California Regional Water Quality Control Board that sewage disposal from all proposed development will not contaminate ground water.

*All parcels have been reviewed for on-site sewage disposal and approved based on the requirement for Wisconsin Mound alternative engineered septic system design criteria. Site specific individual septic system designs and locations shall be prepared by a certified RCE or equivalent at the time of proposed residential development.*

Policy 41.7 Evidence of water quality and quantity acceptable to the Siskiyou County Health Department must be submitted prior to development approval.

*Prior to development of resultant Parcels A through D and the Remainder parcel, evidence of water quality and quantity is required.*

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.

*The four new proposed parcels and the remainder have direct access to Earl Smith Place. Proposed Parcel A also has direct access to Kidder Creek Road. Earl Smith Place and any future development, including driveways, are required to be built or upgraded to comply with fire safe standards enacted pursuant to Public Resources Code (PRC) Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning. Upon compliance with the condition of approval, the access will be adequate to accommodate the immediate and cumulative traffic impacts of the project.*

Policy 41.18 Conformance with all policies in the Land Use Element shall be provided, documented, and demonstrated before the County may make a decision 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 as documented herein.*

## **Map 2: 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 time (where feasible) to lessen the effect of seasonal factors (rainfall and wind).

*No new development is proposed as part of this project. However, any future development is required to meet Building Code requirements for erosion and runoff.*

## **Map 7: Flood Hazard**

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

*No part of the project site is within a designated floodway. A small portion of the remainder parcel is within the flood hazard boundary; however, no new development is proposed as part of this project. Any future development is required to meet Building Code requirements for flood hazards.*

Policy 24 – 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 if the requirements of Policy 22 have been met. The permitted uses will not create erosion or sedimentation problems.

*The uses allowed within the existing zoning district are permitted uses per Policy 24 and will 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.

*The proposed 10.18-acre parcel size is greater than the required one-acre minimum parcel size pursuant to this policy. The permitted density will not create erosion or sedimentation problems.*



## **Scott Valley Area Plan Consistency Findings**

### **Natural Hazard Area – 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; any 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, recreational uses, and public or quasi-public uses may be permitted.

*The project site is zoned for Rural Residential Agricultural uses and no change to the zoning or use is proposed as part of this project. The already entitled uses are permitted uses per Policy 9.*

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.

*The project site and surrounding properties are zoned for Rural Residential Agricultural uses and no change to the zoning or use is proposed as part of this project. Therefore, the already entitled uses are clearly compatible with the surrounding and existing uses of the land.*

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

*No part of the project site is within a designated floodway. A small portion of the proposed 10.18-acre remainder parcel is within the flood hazard boundary and exceeds the 10-acre minimum parcel size required pursuant to Policy 11.*

### **Comprehensive-Composite Plan Policies**

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

*The project site is mapped to be within the 5-acre minimum Non-Resource Density area as specified on the Comprehensive-Composite Plan map (Map XII). The proposed parcel size of 10.18 acres exceeds the minimum parcel size.*

Policy 34 – If more than one development policy affects the same parcel of land, the most restrictive development policy shall apply, first followed by the other policies in order of diminishing restriction.

*The proposed Remainder parcel within the project site is mapped within the natural hazard area for Flood Plain and the 5-acre minimum Non-Resource Density area. The minimum parcel size for Flood Plain is 10 acres. Therefore, the minimum parcel size for the proposed Remainder is 10 acres. The proposed Remainder parcel size of 10.18 acres exceeds the required 10-acre minimum parcel size.*

Policy 35 – All development will be designed so that every individual parcel of land created is a buildable site, and will not create erosion, runoff, access, fire hazard, resource protection, or any other environmentally related problems. This policy shall also apply to all proposed uses of the land.

*All proposed parcels have been approved for a modified mound septic system and there is adequate groundwater in the area to serve the proposed parcels. Any future development is required to meet Building Code requirements for erosion and runoff. The project site has access from Kidder Creek Road, a public road, and Earl Smith Place, a private road on the western border of the project site. All future development would be required to meet fire safe standards enacted pursuant to Public Resources Code (PRC) Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning.*

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.

*The four new proposed parcels and the remainder have direct access to Earl Smith Place. Proposed Parcel A also has direct access to Kidder Creek Road. Earl Smith Place and any future development, including driveways, are required to be built or upgraded to comply with fire safe standards enacted pursuant to Public Resources Code (PRC) Section 4290 and California Code of Regulations, Title 14, Fire Safe Regulations, to the satisfaction of Cal Fire and Siskiyou County Planning. Upon compliance with the condition of approval, the access will be adequate to accommodate the immediate and cumulative traffic impacts of the project.*

#### **California Environmental Quality Act (CEQA) Findings**

1. Because there is not substantial evidence, in light of the whole record before the County, that the vesting tentative parcel map 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. Section 15301(c), Class 1 projects consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing streets involving negligible or no expansion of use are categorically exempt from the provisions of CEQA. Because the project involves existing private roads, any repair of the road required to meet Cal Fire 4290 standards is exempt from CEQA.
3. Section 15304, Class 4 projects consist of minor public or private alterations in the condition of the land, water, and/or vegetation. Because the project involves the Environmental Health requirement for alternative mound septic systems and the Public Resource Code 4290 requirement for Fuel Modification and Standards which are minor alterations to the condition of the land and/or vegetation, any construction or clearing to meet those requirements is exempt from CEQA.
4. In making its recommendation, the Planning Commission has reviewed and considered the proposed project and all comments submitted and has determined that the record, as a whole, demonstrates that there is no evidence that the proposed project will have an individually or cumulatively significant effect.
5. The Planning Commission has determined that the custodian of all documents and material which constitute the record of proceedings shall rest with the County of Siskiyou Community Development Department.

SISKIYOU COUNTY COMMUNITY DEVELOPMENT DEPARTMENT  
LAND DEVELOPMENT REVIEW

OWNER AVENUE 3 FUNDING LP FILE # 024-230-370

LOCATION N KIDDER CREAK RD T 43N , R 9W , SEC. 30 PD# TPM-2202

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 no objections to this proposed parcel map.

Onsite sewage disposal has been approved for non-conventional, engineered, Wisconsin Mounds. Specific sewage disposal areas will be identified at the time of well permit issuance or project proposal.

The general area indicates probable ground water availability for residential development.

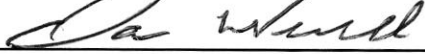
All parcels conform to Environmental Health sewage density standard.

REHS \_\_\_\_\_ DATE 4/7/22

**ENVIRONMENTAL HEALTH ACTION**

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

( x ) Approved ( ) Recommended for Denial  
( ) Approved with conditions (see comments)

REHS  DATE 4/7/22

Date sent to Planning:

**DEPARTMENT OF FORESTRY AND FIRE PROTECTION**

1809 Fairlane Road  
P.O. Box 128  
Yreka, CA 96097  
(530) 842-3516  
Website: [www.fire.ca.gov](http://www.fire.ca.gov)



4/29/2022

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

Attention: Dianne Johnson,

Subject: Avenue 3 Funding LP Tentative Parcel Map (TPM2202)

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):

**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

**WATER STANDARDS**

1275.02 – Not required as an ISO 8B/10 rated fire station is within the 5 miles of the project.

**FUEL MODIFICATION**

1276.01, 1276.02, 1276.03, 1276.04

**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.



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

**DRIVEWAY DESIGN AND SURFACE REQUIREMENTS**

1273.02, 1273.03, 1273.04, 1273.05, 1273.06, 1273.07, 1273.10, 1273.11

**ADDRESSES FOR BUILDING**

1274.01, 1274.02, 1274.03, 1274.04

**FUEL MODIFICATION AND STANDARDS**

1276.01, 1276.02, 1274.03, 1274.04, 1276.05, 1276.06

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

If you have any questions, please call 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**

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[govt.westlaw.com/calregs](http://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.



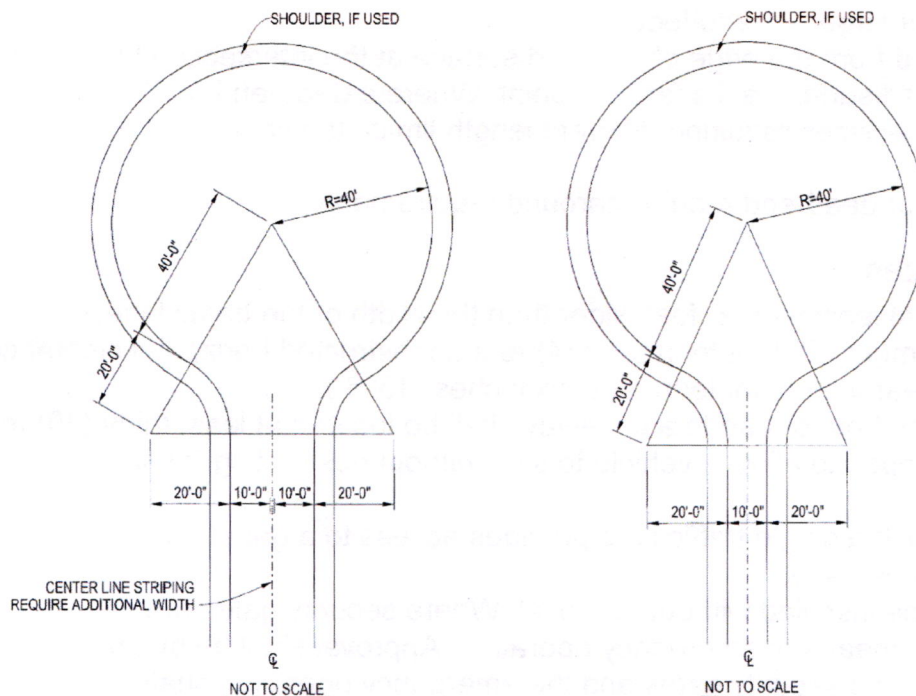


FIGURE FOR 14 CCR § 1273.05. TURNAROUND EXAMPLES

## § 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.

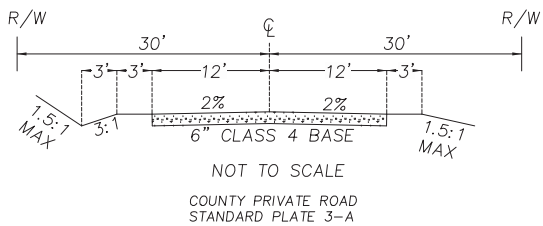




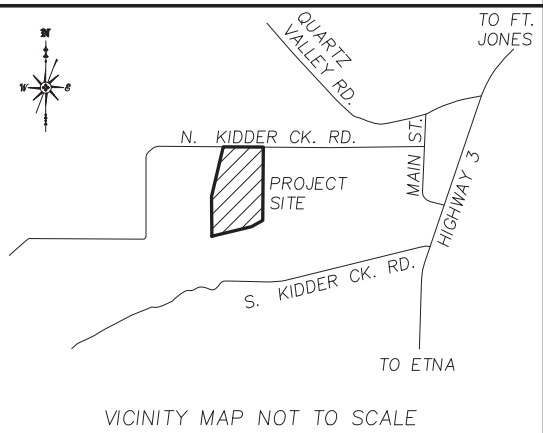
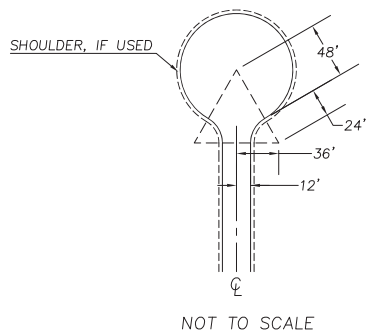
NOTES:

- 1) CONTOUR INTERVAL: 5 FOOT  
2) CONTOURS DERIVED FROM USGS QUADRANGLE  
3) ZONING: R-R-B-5  
4) FIRE HAZARD DESIGNATION: HIGH  
5) FEE OWNER: AVENUE3 FUNDING LP.  
6) CURRENT LAND USE: NONE/VACANT  
7) PLANNED LAND USE: RURAL RESIDENTIAL  
8) NOISE LEVEL: COUNTY ROAD TRAFFIC MINIMAL  
9) WATER SOURCES SHALL BE BY INDIVIDUAL WELLS  
10) SEWER TO BE ENGINEERED MOUND SYSTEMS GIVEN SITE SOIL CHARACTERISTICS. INDIVIDUAL ON SITE REVIEW MAY BE DONE PRIOR TO DEVELOPMENT OF PARCELS.  
11) APN: 024-230-370

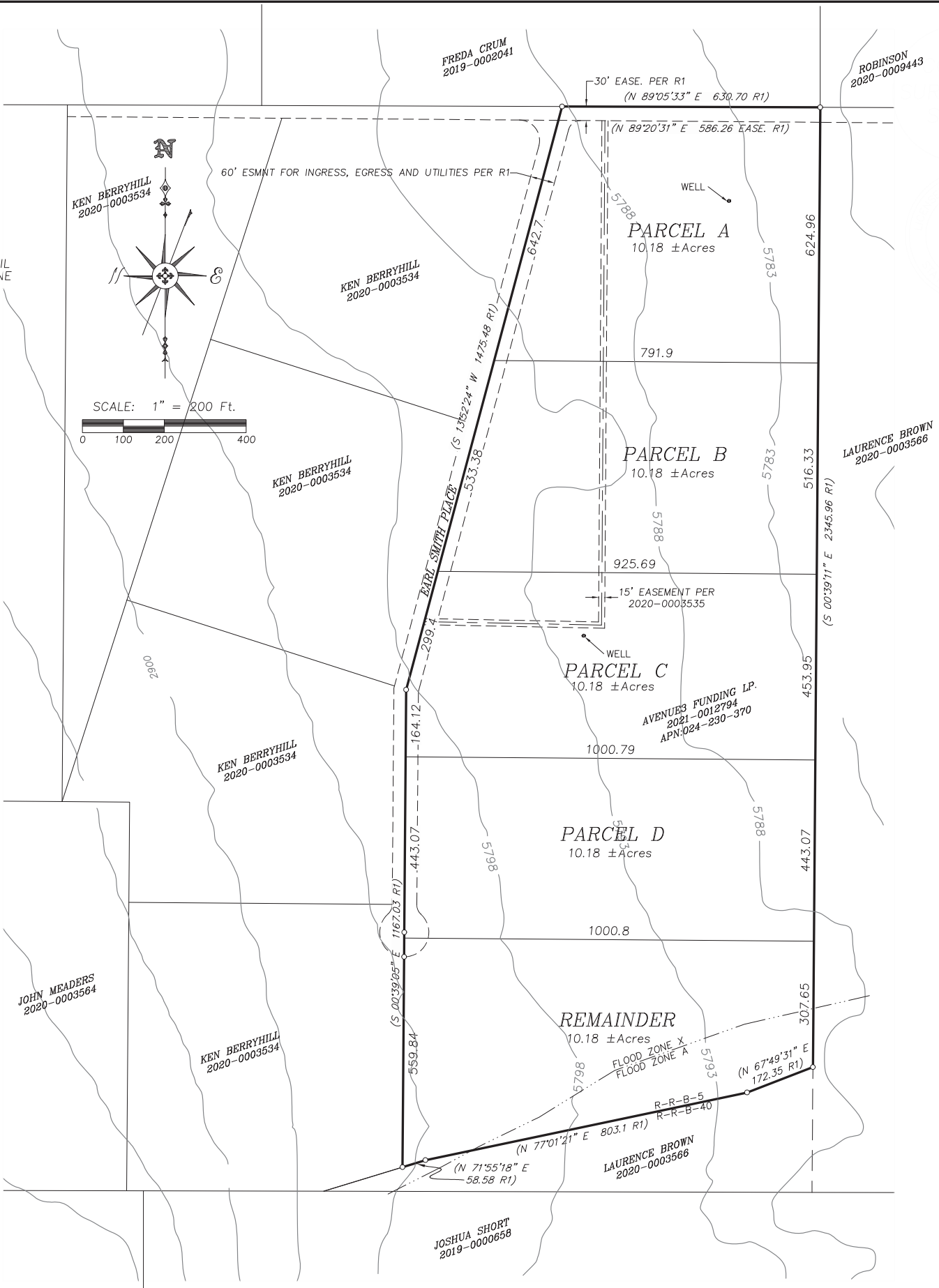
TYPICAL ROAD CROSS SECTION



TYPICAL TURNAROUND SECTION



| REVISIONS | DATE |
|-----------|------|
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|           |      |
|           |      |
|           |      |
|           |      |
|           |      |



RECORDER'S STATEMENT:

FILED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022 AT \_\_\_\_\_.M.,  
IN BOOK NO. \_\_\_\_\_ OF RECORD SURVEYS AT PAGE \_\_\_\_\_  
AT THE REQUEST OF WADE DEDOBBELEER LS 9458  
FEE: \$\_\_\_\_\_ PAID  
SIGNED: \_\_\_\_\_  
COUNTY RECORDER  
DOC. No. \_\_\_\_\_

COUNTY SURVEYOR'S STATEMENT:

THIS MAP HAS BEEN EXAMINED IN ACCORDANCE WITH SECTION 8766  
OF THE PROFESSIONAL LAND SURVEYORS' ACT THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_, 2022.  
SIGNED: \_\_\_\_\_  
COUNTY SURVEYOR, L.S. NO. \_\_\_\_\_

SURVEYOR'S STATEMENT:

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR  
UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS  
OF THE PROFESSIONAL LAND SURVEYORS' ACT AT THE REQUEST OF  
AVENUE3 FUNDING LP. IN DECEMBER, 2021.

DRAFT

SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_  
WADE DEDOBBELEER LS 9458  
SISKIYOU LAND SURVEYING LLP.  
IN COORDINATION WITH  
E & S ENGINEERS & SURVEYORS, INC.

LEGEND:

- o CALCULATED POSITION PER (R1)  
(xxx) RECORD BEARING AND DISTANCE PER (R1) OR AS NOTED

REFERENCE DATA:

R1) PMB 13 PG'S 64-66

NOTES:

1. EASEMENT PER 222 O.R. 70 IS BLANKET IN NATURE AND NOT LOCATABLE WITH CERTAINTY.  
2. EASEMENT PER 557 O.R. 384 QUITCLAIMED PER DOC.#2021-0013029.

VESTING  
TENTATIVE PARCEL MAP  
FOR:  
AVENUE3 FUNDING LP

LOCATED IN A PORTION OF THE SOUTHWEST  
1/4 OF SECTION 30, TOWNSHIP 43 NORTH,  
RANGE 9 WEST, M.D.M.

SISKIYOU COUNTY - - - CALIFORNIA

FILE #: 21026  
E & S, ENGINEERS & SURVEYORS, INC.  
329 WEST MINER ST.  
YREKA, CALIFORNIA 96097  
(530) 842-6813

SCALE: 1"= 200 Ft.  
DATE: 6.9.22  
MAPPING: W.R.D.  
SH. NO. 1 OF 1