

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD
ON THE 18th DAY OF MARCH 2020

On the 18TH day of March 2020 at 6:30 p.m., the Planning Commission of the City of Yreka met in the City Council Chamber in said City in regular session. The meeting was called to order by Chair Ohlund.

Commissioners: Catherine Gilbert, Corey Middleton, Craig Mommer, Peter O'Brien, Barry Ohlund and Richard Rolzinski.

Absent: Matt Osborn

Conflict of Interest Declaration – N/A

PUBLIC COMMENTS – N/A

Discussion/Possible Action – Consideration of proposed categorical exemption and Conditional Use Permit to allow living quarters in a commercial building. Property location 787 Montague Road, Yreka, California, CH (Commercial Highway) Zone and GC (General Commercial) General Plan designation. Assessor's Parcel No. 053-642-550, 560, & 660.

The Planning Commission reviewed Resolution No. 2020-03, Consideration of proposed categorical exemption and Conditional Use Permit # 2020-05. Applicant Yreka Properties Inc. (aka Yreka Truck Stop). Location – 787 Montague Road, Yreka, California, CH (Commercial Highway) Zone, GC (General Commercial) General Plan Designation. Assessor's Parcel Number 053-642-550, 560 & 660.

Assistant City Manager Liz Casson presented commissioners with staff report and the following background. The City has received an application for a Conditional Use Permit from Yreka Properties Inc. The applicant is requesting that the Planning Commission approve a Conditional Use Permit for the establishment and use of living quarters, to be located within an existing Business Facility known as the Yreka Truck Stop at 787 Montague Road.

Upon review of the application, staff finds that the proposed use is in conformance with the applicable policies of the City of Yreka General Plan and is consistent with the applicable zoning provisions. With the conditions of approval, the proposed use meets with the intent and requirements of the CH (Commercial Highway) zoning district, and staff is recommending approval.

Notification of the public hearing was mailed to property owners/occupants located within 300 feet of the proposed project on February 21, 2020 and a Notice of Public Hearing was published in the Siskiyou Daily News on March 4, 2020.

City staff recommends approval subject to the proposed findings and conditions of approval, which includes a determination that the proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Existing Facilities. Class 1 exemptions consist of the operation, maintenance, permitting, or licensing of existing

public or private structures or facilities involving negligible or no expansion of the use beyond what existed at the time of the lead agency's determination.

Public Hearing – This being the time and date set for the public hearing. Chair Ohlund opened the hearing to the audience.

Leslie Pratt representative of Yreka Properties Inc., was present to answer commissioners questions.

There being no statements or comments received, Chair Ohlund closed the public hearing and discussion was opened to the Commission.

Commissioner Mommer moved that the Planning Commission adopt Planning Commission Resolution PC 2020-3, approving Conditional Use Permit #2020-05, making the findings and subject to the Conditions of Approval and finding the project to be exempt from CEQA.

1. The proposal will not be materially detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use.

The proposal to allow the use of living quarters in a commercial building would not be materially detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood. Subject to the issuance of a Conditional Use Permit by the Planning Commission and subject to the Conditions of Approval, use of the site would remain consistent with the intent of the General Plan designation and zone district. As such, the project will not be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood.

2. The proposal will not be materially detrimental to property or improvements in the neighborhood.

The proposal will not be materially detrimental to property or improvements in the neighborhood. Conditions of Approval will provide for residential use compatibility between the proposed residential use and the existing commercial neighborhood and adjacent streets due to the fact there are many existing residential uses in the vicinity of the project.

3. The proposal will not be materially detrimental to the general welfare of the city.

The use is compatible with the policies and objectives of the zoning ordinance for a CH, Commercial Highway zone which allows living quarters in any commercial building upon approval and validation of a conditional use permit as set forth in Section 16.36.070 (A) & 16.34.070 (T) of the Yreka Municipal Code. This living quarters included in a commercial building keeps with the character of the surrounding area, and is found to be consistent with the General Plan. The proposal will not generate significant noise or lighting. The proposal will not increase traffic beyond the capacity of existing infrastructure in an area which is sufficient to accommodate commercial uses.

4. The Planning Commission has determined that the project is exempt from environmental review pursuant to the provisions of the California Environmental Quality Act (CEQA) Section 15301 Existing Facilities of the CEQA Guidelines.

The following conditions shall be complied with at all times while the use permitted by this permit occupies the premises:

1. Permittee granted a permit to allow the use of living quarters in a commercial building at the location set forth in the application, subject to full compliance with applicable city and state codes. The premises shall not be occupied or opened to the public until all conditions hereinafter set forth have been complied with by the permittee.
2. Use shall be conducted in accordance with the application as submitted for the property located at 787 Montague Road, as approved by the Planning Commission on March 18, 2020.
3. Permittee shall comply at all times with the zoning district regulations for a *CH, Commercial Highway* zone, as set forth in section 16.36 of the Yreka Municipal Code. General Commercial (GC) General Plan designation.
4. Permittee shall submit plans drawn and wet stamped by a California Professional Engineer/Architect to the City of Yreka Building Department to obtain a building permit and shall pay the necessary fees prior to making any building, electrical, mechanical, or plumbing installations and/or improvements to the structure. Residential fire sprinkler system will be required for residential use.
5. Permittee shall secure a Certificate of Occupancy and approval of the Building Official and Fire Marshal that the structure meets the building standards and fire regulations of the California Building Code and the California Fire Codes standards prior to residential/commercial use.
6. Public infrastructure improvements such as curb, gutter, sidewalk, curb ramps, driveway approaches, street lights and asphalt concrete street pavement may be required upon issuance of a building permit in accordance with Yreka Municipal Code Section 11.24.030. If such improvements already exist, damaged public improvements shall be repaired and/or replaced to restore the improvements to a condition satisfactory to the Director of Public Works in accordance with Yreka Municipal Code Section 11.24.030.
7. The living quarters will be located in an existing commercial facility in the CH (Commercial Highway) zone and can be served by adequate off-street parking provided for existing 10,250 sq. ft. two story commercial building on a +/-10.8 acres site in addition to the site improvement for Semi-Truck and Trailer parking.
8. No signs shall be placed on the premises without prior approval of the Planning Department.

9. The use permit granted in accordance with the terms of this title may be revoked if any of the conditions or terms of such permit are violated or if any law or ordinance is violated in connection therewith, or if the Planning Commission finds, with the concurrence of the City Council, that the continuance of the use permit will endanger the public health, safety, or welfare.

Commissioner Rolzinski seconded the motion, and upon roll call, the following voted YEA: Gilbert, Middleton, Mommer, O'Brien, Ohlund and Rolzinski.

Chair Ohlund thereupon declared the motion carried.

The foregoing Resolution # 2020-03 was adopted by the Planning Commission on the 18th day of March by the following vote: Ayes: 6, Nays: 0

Discussion/Possible Action – Consideration of proposed categorical exemption and Conditional Use Permit for the construction of a 24' x 40' (960 sq. ft.) accessory building. Property location 720 Meadowlark Lane, Yreka, California, R-1 (Single Family Residential) Zone and LDR (Low Density Residential) General Plan designation. Assessor's Parcel No. 061-141-050 & 110.

The Planning Commission reviewed Resolution No. 2020-05, Consideration of proposed categorical exemption and Conditional Use Permit # 2020-10. Applicant Wayne & Carol Chandler. Location – 720 Meadowlark Lane, Yreka, California, R-1 (Single Family Residential) Zone, LDR (Low Density Residential) General Plan Designation. Assessor's Parcel Number 061-141-050 & 110.

Assistant City Manager Liz Casson presented commissioners with staff report and the following background. The City has received an application for a Conditional Use Permit for the construction of an accessory building 24' x 40' (960 sq. ft.) to be located adjacent to the Residence located at 720 Meadowlark Lane as depicted on the Site Plan.

Upon review of the application, staff finds that the proposed use is in conformance with the applicable policies of the City of Yreka General Plan and is consistent with the applicable zoning provisions. With the conditions of approval, the proposed use meets with the intent and requirements of the R1 (Single Family Residential) zoning district, and staff is recommending approval.

The project site consists of two (2) Parcels on Meadowlark Lane. Accessory structures are a permitted use as "An accessory to the primary residence existing on the parcel". In order to place the accessory structure in the site proposed, the applicants have submitted an application for a Boundary Line Adjustment moving the parcel lines of the two parcels. The project site is zoned R-1 Single Family Residential. The Single-Family Residential Zone District is intended to provide areas for conventional single-family homes, and accessory structures not exceeding six hundred and fifty (650) sq. ft. are permitted by right. However, Yreka Municipal Code Section 16.18.070 E. provides that garages and accessory structures larger than six hundred fifty square feet of floor area require a Conditional Use Permit.

Notification of the public hearing was mailed to property owners/occupants located within 300 feet of the proposed project on February 21, 2020 and a Notice of Public Hearing was published in the Siskiyou Daily News on March 4, 2020.

City staff recommends approval subject to the proposed findings and conditions of approval, which includes a determination that the proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (e) "Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences". exemptions consist of the operation, maintenance, permitting, or licensing of existing public or private structures or facilities involving negligible or no expansion of the use beyond what existed at the time of the lead agency's determination.

Public Hearing – This being the time and date set for the public hearing. Chair Ohlund opened the hearing to the audience.

Wayne & Carol Chandler, applicants were presented to answer commissioners questions.

There being no statements or comments received, Chair Ohlund closed the public hearing and discussion was opened to the Commission.

Following Commission discussion Commissioner Mommer moved that the Planning Commission adopt Planning Commission Resolution PC 2020-05, approving Conditional Use Permit #2020-10, making the findings and subject to the Conditions of Approval and finding the project to be exempt from CEQA.

1. The construction of a 24 ft. X 40 ft. (960 sq. ft.) accessory structure for use as a garage/storage building will not.
 - a. be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood, and will not be detrimental to the harmonious and orderly growth of the City of Yreka because the project is located in a residential zoned area and it complies with the City setback requirements.
 - b. be detrimental to property or improvements in the neighborhood and the residential use will not impair the desirability of investment or occupation in the vicinity because the project site is surrounded by residential uses.
 - c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because the use of a 960 sq. ft. accessory structure for a garage/storage building will not significantly increase the traffic beyond what is existing.
 - d. adversely affect matters regarding police protection, crime prevention, and security.
 - e. adversely affect circulation or traffic patterns in the neighborhood or constitute a nuisance because the construction of a 960 sq. ft. accessory structure for a garage /storage building will allow parking of vehicles off the street and on the project site.

2. The use is compatible with the policies and objectives of the zoning ordinance subject to this Permit approval.

3. The Planning Commission has determined that the project is exempt from environmental review pursuant to the provisions of the California Environmental Quality Act (CEQA) Section 15303(E) Accessory Structure of the CEQA Guidelines.

The following conditions shall be complied with at all times that the use permitted by this permit occupies the premises:

1. Permittee granted a *Use Permit* to construct a 960 square foot accessory building for a garage/storage building on the location set forth in the application, subject to full compliance with applicable city and state codes. The premises shall not be occupied until all conditions hereinafter set forth have been complied with by the Permittee.

2. A Boundary Line Adjustment must be recorded before a building permit can be issued.

3. The accessory structure shall be for personal residential use only. The accessory structure shall not be utilized for any commercial activity.

4. Use shall be conducted in accordance with the site plan as submitted and no alterations shall be made without prior approval of the Planning Commission; provided, however, upon *written* request of the Permittee and showing of good cause, the City Manager is authorized to permit minor modifications of the site plan without resubmission to the Planning Commission.

5. Permittee shall comply at all times with the zoning district regulations for an R-1 zone as set forth in section 16.18 of the Yreka Municipal Code.

6. Permittee shall secure approval of the Building Official that structure meets building standards and fire regulations of the Uniform Building and Fire Codes prior to use of subject accessory structure for use as a garage/storage building.

7. Permittee shall obtain a building permit and shall pay the necessary fees therefor prior to making any building, electrical, mechanical, or plumbing alterations/improvements to the structures.

8. Public infrastructure improvements such as streetlights, fire hydrants, curb, gutter, sidewalk, driveway approaches and asphalt concrete street pavement may be required upon issuance of a building permit in accordance with Yreka Municipal Code Section 11.24.030. If such improvements already exist, damaged public improvements shall be repaired and/or replaced to restore the improvements to a condition satisfactory to the Director of Public Works in accordance with Yreka Municipal Code Section 11.24.030, and current Americans with Disabilities Act (ADA) requirements.

9. An encroachment permit shall be obtained *from the Department of Public Works* prior to any work, including curb, gutter, sidewalk, and driveway approach, in the public right-of-way, or affecting public improvements. Additional existing water services must be abandoned at the City Main by way of excavation at the City water main and turning off the corporation stop. Additional

sewer lateral connections shall be located and ensured to be properly abandoned at back of walk by installation of a plug suitable to the City Encroachment Permit Inspector. Extraneous driveway approach shall be removed and replaced with sidewalk, and remaining driveway approaches to be reconfigured to current ADA standards.

10. Permittee shall comply with Yreka Municipal Code Section 11.01.075 - It shall be the responsibility of anyone engaging in construction or demolition work to restrict the hours of work activity on the site as follows: No construction equipment shall be operated nor any outdoor construction or repair work shall be permitted within five hundred feet from any occupied residence except during the hours of seven a.m. to seven p.m., Monday through Saturday, and eight a.m. to five p.m., on Sunday. Interior work which would not create noise or disturbance noticeable to a reasonable person of normal sensitivity in the surrounding neighborhood shall not be subject to these restrictions.

11. Permittee shall incorporate Best Management Practices (BMPs) to minimize the polluting of storm water, both during construction and long-term. Low Impact Development (LID) techniques and facilities shall be used to the maximum extent possible.

12. The applicant shall submit a signed copy of the Conditions of Approval to the City of Yreka Planning Division.

13. The use permit granted in accordance with the terms of this title may be revoked if any of the conditions or terms of such permit are violated or if any law or ordinance is violated in connection therewith, or if the Planning Commission finds, with the concurrence of the City Council, that the continuance of the use permit will endanger the public health, safety, or welfare.

Commissioner Middleton seconded the motion, and upon roll call, the following voted YEA: Gilbert, Middleton, Mommer, O'Brien, Ohlund and Rolzinski.

Chair Ohlund thereupon declared the motion carried.

The foregoing Resolution # 2020-02 was adopted by the Planning Commission on the 18th day of March by the following vote: Ayes: 6, Nays: 0

Discussion/Possible Action – Municipal Code Amendments: Resolution # PC 2020-4 recommending revision of Title 16-Zoning to update accessory dwelling unit (ADU) and junior accessory dwelling units (JADU) requirements to with State Law.

City Manager Steve Baker presented commissioners with staff report and the following background. On January 1st, 2020, new legislation adopted by the State of California (SB 13 and AB 68, 587, 670, 671, and 881) regarding Accessory Dwelling Units (ADUs) and Junior Dwelling Units (JADUs) came in effect. City staff prepared the proposed revisions to the City Municipal Code to address existing deficiencies, to bring the Code into compliance with State law, and modifying areas of the Code to remove inconsistencies with the requested revisions and state housing law.

Public Hearing – This being the time and date set for the public hearing, Chair Ohlund opened the hearing to the audience.

There being no statement or comments received, Chair Ohlund closed the public hearing and discussion was opened to the Commission.

Following Commission discussion, Commissioner Mommer moved to adopt Resolution No. PC 2020-4 recommending for approval to the City Council an Amendment to the Yreka Municipal Code including Title 16- Zoning: Chapter 16.12DEFINITIONS, 16.12.045- Accessory dwelling unit; Chapter 16.18- SINGLE-FAMILY RESIDENTIAL R-1 (1-6 Units Per Acre), 16.18.050- Permitted Uses; Chapter 16.20MEDIUM DENSITY RESIDENTIAL R-2 (1 - 13 Units Per Acre), 16.20.050- Permitted Uses; Chapter 16.22- HIGH DENSITY RESIDENTIAL R-3 (1- 16 Units Per Acre), 16.22.050Permitted Uses; Chapter 16.24- RESIDENTIAL AGRICULTURE R-A (One acre minimum), 16.24.050- Permitted Uses; Chapter 16.26- RESIDENTIAL PROFESSIONAL OFFICE RPO, 16.26.080- Second units in residential zones; Chapter 16.40- LIGHT INDUSTRIAL M-1, 16.40.050- Permitted Uses; and Chapter 16.46 - SPECIAL PROVISIONS, 16.46.170 - Accessory dwelling units as presented herein and approval of the Categorical Exemption as presented.

Commissioner Middleton seconded the motion, and upon roll call, the following voted.
YEA: Gilbert, Middleton, Mommer, O'Brien, Ohlund and Rolzinski.

Chair Ohlund thereupon declared the motion carried.

Consent Calendar - Chair Ohlund announced that all matters listed under the consent calendar are considered routine and will be enacted by one motion unless any member of the Planning Commission wishes to remove an item for discussion or a member of the audience wishes to comment on an item:

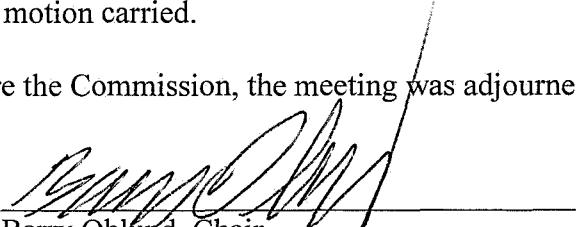
- a. Approval of Minutes of the regular meeting held on February 19, 2020.
- b. Acknowledge receipt of General Plan Housing Element 2019 Annual Report.

Following Commission discussion, Commissioner Mommer moved to approve the consent calendar items as submitted.

Commissioner Rolzinski seconded the motion, and upon roll call, the following voted.
YEA: Gilbert, Middleton, Mommer, O'Brien, Ohlund and Rolzinski.

Chair Ohlund thereupon declared the motion carried.

There being no further business before the Commission, the meeting was adjourned.


Barry Ohlund, Chair
Approved by motion of the Planning
Commission on May 20, 2020