

MINUTES OF A SPECIAL MEETING OF THE
YREKA HISTORIC DISTRICT & LANDMARKS COMMISSION
HELD IN THE YREKA CITY COUNCIL CHAMBER IN SAID CITY
ON THE 8TH DAY OF DECEMBER 2011

On the 8th day of December 2011, at 5:00 p.m., the Historic District & Landmarks Commission of the City of Yreka met in the City Council Chamber in said city in special session. The meeting was called to order by Vice Chair O'Brien and present were:

Commissioners: Selma George
 Don East
 Peter O'Brien
 Jackie Terwilliger

Absent: None

PUBLIC COMMENTS

Claudia East thanked the Commission for their service and hard work. She also congratulated Pam Hayden, Planning Director on her upcoming retirement.

MINUTES

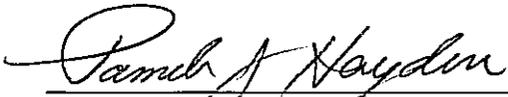
The Commission having received a copy of the minutes of the regular meeting held on October 13, 2011, the minutes were approved on a motion made by Commissioner East, seconded by Commissioner George, all in attendance voting aye.

COMMISSIONER STATEMENTS AND COMMENTS

Pursuant to Ordinance No. 828, which is attached to these minutes, the powers and duties of the Historic District and Landmarks Commission have been reassigned and will be assumed by the Planning Commission and staff as directed in the Ordinance due to budgetary and staffing constraints. This is, therefore, the final meeting of this Historic District and Landmarks Commission.

Commissioners expressed regret at the dissolution of this Commission. Commissioner O'Brien stated he feels something has been lost by the end of the Commission.

There being no further business before the Commission, the meeting adjourned at 5:10 p.m.



Minutes of this meeting prepared by
Pamela J. Hayden, Planning Director,
minutes not reviewed for approval by
the Commission

**AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF YREKA.
RELATING TO THE REASSIGNMENT OF THE POWERS AND DUTIES
OF THE HISTORIC DISTRICT AND LANDMARKS COMMISSION**

BE IT ORDAINED by the City Council of the City of Yreka as follows:

SECTION 1. The Historic District and Landmarks Commission was established in 1972 to implement and regulate the requirements of the Historic District. With restructuring of staff due to budget considerations and the pending retirement of the Planning Director, the development review process is being streamlined to lessen consumption of staff resources. As a consequence, the City Council finds it is in the best interests of the City of Yreka that the powers and duties of the Historic District and Landmarks Commission be temporarily realigned in order to respond to these fiscal needs and to effectively perform the responsibilities in Title 17 of the Yreka Municipal Code.

SECTION 2. Accordingly, IT IS FURTHER ORDAINED as follows:

A. The duties and responsibilities of the Historic District and Landmarks Commission as provided for in Title 17 of the Yreka Municipal Code, and specifically including the duties in Section 17.04.051, shall be assumed by the Planning Commission according to the terms of this Ordinance, excepting those duties and responsibilities delegated to staff below.

B. Upon the effective date of this Ordinance, the City Manager or his/her designee shall assume the duties and responsibilities of the Historic District and Landmarks Commission as outlined below:

- i. The duties of the historic district advisory council as provided for in Section 17.04.051 (b);
- ii. The approval of request for signs placed, erected, altered or relocated on any property within the historic district or landscape site as provided for in Section 17.04.080 and related Sections;
- iii. The approval of requests for sidewalk encroachments within the historic district as provided for in Section 17.04.110.

C. The current Historic District and Landmarks Commission shall be dissolved upon the effective date of this Ordinance.

D. There is no other change affecting Title 17 of the Yreka Municipal Code.

E. This Ordinance shall remain in effect for the later of one year from the effective date, the effective date of a rescission of this ordinance, or the appointment of seven members of a Historic District and Landmarks Commission.

SECTION 3. EXEMPTION FROM CEQA. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

SECTION 4. If any section, subsection, part, clause, sentence or phrase of this Ordinance or the application thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, the validity of the remaining portions of this Ordinance, the application thereof, shall not be effected thereby but shall remain in full force and effect, it being the intention of the City Council to adopt each and every section, subsection, part, clause, sentence phrase regardless of whether any other section, subsection, part, clause, sentence or phrase or the application thereof is held to be invalid or unconstitutional.

SECTION 5. MANDATORY DUTY SAVINGS CLAUSE.

By the use of such words as "shall" and "must" herein the City Council does not intend to create a mandatory duty upon the city. In imposing duties in this ordinance the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

SECTION 6. EFFECTIVE DATE. This ordinance shall be in full force and effect thirty (30) days from and after the date of its adoption.

SECTION 7. PUBLICATION. The City Clerk is directed to cause a copy of the full text of this ordinance to be published once in an adjudicated newspaper of general circulation in the City of Yreka within fifteen (15) days after adoption of this ordinance.

SECTION 8. CODIFICATION. It is further ordered that this ordinance shall not be codified. The City Clerk shall cause a copy of this Ordinance to be posted at the website of the City of Yreka.

Introduced at a regular meeting of the City Council held November 17, 2011, and adopted as an ordinance of the City of Yreka at a regular meeting of the City Council held on December 1, 2011, by the following vote:

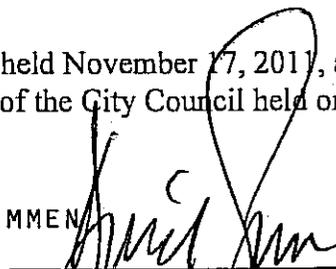
AYES: BICEGO, FOSTER, MERCIER & SIMMEN

NOES: NONE

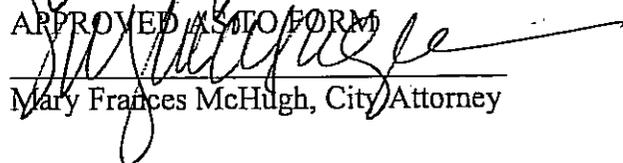
ABSENT: MCNEIL

ATTEST:


Liz Casson, City Clerk


Rory McNeil, Mayor

APPROVED AS TO FORM


Mary Frances McHugh, City Attorney



CITY OF YREKA
CITY COUNCIL AGENDA MEMORANDUM

To: Yreka City Council
Prepared by: Steve Baker, City Manager
Agenda title: Introduction of an Uncodified Ordinance Relating to the Reassignment of the Powers and Duties of the Historic District and Landmarks Commission.
Meeting date: November 17, 2011

Discussion: On October 6, 2011, the Council Directed staff to prepare an ordinance to reassign the duties of the Historic District and Landmarks Commission ("Historic Commission") to the Planning Commission and Staff for a one year period. This change was based on restructuring due to budget considerations and the upcoming retirement of the Planning Director with staff reviewing ways to streamline the development process and lessen staff time. The Historic Commission's responsibilities are outlined in Section 17.04 and 17.05 of the Yreka Municipal Code. The proposed allocation of responsibilities between the Planning Commission and staff as presented on October 6, 2011 is outlined below:

Allocate to Planning Commission:

- Landmark Designation – YMC 17.04.052
- Historic District designation – YMC 17.04.054
- Adopt minimum performance conditions – any changes – YMC 17.04.058
- Appeals– YMC 17.04.061
- Permits to construct, change, alter, modify, remove or remodel any improvement, building structure or sign as to its exterior appearance– YMC 17.04.056
- Requests showing of hardship – YMC 17.04.180
- Applications for Mills Act Agreements – YMC 17.05.010

Delegate to Staff:

- Requests to construct or modify fences, roofing, exterior painting - YMC 17.04.051.b (staff)
- Requests for signs – placed, erected, altered or relocated on any property within the historic district or landmark site – YMC 17.04.080 (staff)
- Requests for sidewalk encroachments, sandwich signboards, tables or chairs for dining purposes – YMC 17.04.110 (staff)

The attached ordinance implements these changes.

Fiscal Impact: Minor cost savings will result from staffing one less meeting and staff time savings for putting together the agenda packets.

Recommendation: Staff recommends introduction of the ordinance.

Approved by: 
Steven Baker, City Manager