

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD IN
THE YREKA CITY COUNCIL CHAMBER IN SAID CITY
ON THE 16TH DAY OF MAY 2007

On the 16th day of May 2007, at 7:30 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 Rolzinski and present were:

Commissioners: Peggy Amaral
Rollie Elsea
Mark McAllister
Richard Rolzinski
Joe Schettino

Absent: Diane Knitter
Judi Rowland

TENTATIVE PARCEL MAP MODIFICATION

TIM WILLIS & ELDONNA CHRISTIE – MONTAGUE ROAD

APPROVED

The Commission reviewed the application for modification of Permit No. 3583, a vesting tentative parcel map creating three parcels of 5.20, 6.00, and 3.25 acres to a vesting tentative parcel map for a minor subdivision creating two parcels of 5.20 and 6.00 acres plus a 3.25 acre remainder on approximately 14.5 acres on the property known as Assessor's Parcel No. 53-672-370 on the south side of Montague Road across from Quarry Circle. The application was submitted by Tim Willis and Eldonna Christie

This being the time and date set for a public hearing for an application for modification of Permit No. 3583, a vesting tentative parcel map creating three parcels of 5.20, 6.00, and 3.25 acres to a vesting tentative parcel map for a minor subdivision creating two parcels of 5.20 and 6.00 acres plus a 3.25 acre remainder on approximately 14.5 acres, Chair Rolzinski opened the hearing to the public.

Staff reported that the Technical Committee recommended approval subject to the modified Findings and Conditions as presented; and recommended that the application be processed with an addendum to the Negative Declaration that was filed for Permit No. 3583 on June 27, 2006. The proposed project is a modification to Tentative Parcel Map Permit No. 3583 for the property located on the south side of Montague Road (St. Rt. 3) across from Quarry Circle, Assessor's Parcel No. 53-672-370, approved June 21, 2006. The previous map approved the creation of three parcels. The proposed project reduces the number of parcels created to two plus a remainder. Reducing the number of parcels will

not create a substantial change to the project as approved on June 21, 2006. Substantial changes will not occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previously approved Negative Declaration due to the involvement of new significant environmental effects.

There being no comments from the public, the public hearing was closed and discussion was open to the Commission.

Following Commission discussion, Commissioner Schettino made a motion to approve the application for modification of Permit No. 3583, a vesting tentative parcel map creating three parcels of 5.20, 6.00, and 3.25 acres to a vesting tentative parcel map for a minor subdivision creating two parcels of 5.20 and 6.00 acres plus a 3.25 acre remainder on approximately 14.5 acres on the property known as Assessor's Parcel No. 53-672-370 on the south side of Montague Road across from Quarry Circle, RA zone, RA General Plan designation subject to the modified Findings and Conditions as presented to the Commission.

The approval was based on the Technical Committee's recommendation and subject to full compliance with all applicable city, state, and federal laws and regulations and the following findings and conditions of approval:

FINDINGS:

1. The proposed map complies with the requirements of Title 15, Subdivisions, of the Yreka Municipal Code, the Subdivisions Map Act, and zoning laws of the City, and all applicable state laws.
2. The tentative parcel map is consistent with the applicable general and specific plans of the City of Yreka.
3. The design and improvements of the proposed subdivision are consistent with the applicable general and specific plans of the City of Yreka.
4. The site is physically suitable for the proposed density of development because the property is zoned R-A, Residential Agriculture, one acre minimum lot size for single family homes, the site is a 14+ acre parcel being divided into two lots plus a remainder, the smallest being 3.25 acres.
5. The site is physically suitable for the construction of single family residences.
6. The design of the subdivision and the proposed improvement will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
7. The design of the subdivision and the 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.

CONDITIONS:

1. All elements of the project description (for Permit No. 3583 with the modification to the description that the map will create two parcels of 5.20 and 6.00 acres plus a 3.25 acre remainder – Permit No. 3802) shall be complied with.
2. The following statement shall be placed on the Parcel Map: “Property shall not be exempt from any fees or charges imposed by the City for municipal utility services.”
3. Parcels to conform to the minimum lot sizes and improvements required in an R-A zone as set forth in Chapter 16.24 of the Yreka Municipal Code.
4. Extension of water mains along the frontage of each parcel created, the water mains shall be installed in the State Highway public right-of-way.
5. The water main shall be extended along the frontage of the remainder at the time of building permit issuance on the remainder.
6. Construction of water services to each parcel created.
7. Sewerage will be accommodated with individual on-site wastewater disposal systems with site-specific engineered systems. A plot plan shall be submitted for Health Department approval prior to issuance of any building permit.
8. Each parcel will be served by individual or common driveway access from State Highway 3 (Montague Road) subject to an encroachment permit from Caltrans and a cross access easement for any common driveway approaches.
9. Road approaches shall be designed to eliminate the potential for storm water runoff to pool, to sheet onto, or to otherwise impact the highway. If drainage facilities within the State right-of-way will be receiving increased runoff, the applicant is responsible for upgrading pipe sizes or providing detention facilities, if it is found to be necessary. The applicant shall demonstrate that no drainage is directed to the State facilities or provide drainage calculations for Caltrans concurrence demonstrating that post-construction flows are either equal to or less than pre-construction flows.
10. All surface water runoff that is discharged to the State’s highway right-of-way and Caltrans’ highway drainage facilities must meet North Coast Regional Water Quality Control Board clean water standards prior to discharge.
11. It shall be noted on the map: “The State will not be responsible for any necessary or desired noise attenuation, due to the proximity of the proposed land uses from the State Facility. The State will not be responsible for building “sound walls” should traffic noise

become objectionable.”

12. The identified on-site sewage disposal sites for each of proposed parcels shall be located on the parcel map to be recorded.

13. Permittee shall obtain a permit to construct the on-site sewage disposal systems from the Siskiyou County Public Health Department. The design of the systems shall be prepared by a Registered Civil Engineer and approved by the Health Department.

14. Prior to issuance of a City of Yreka building permit a scaled plot plan of the proposed parcel improvements shall be submitted to the Health Department for review and approval.

15. Street lights will not be required pursuant to Yreka Municipal Code Section 15.32.070 (5).

16. The existing drainage way shall be maintained in its natural state, it will not be piped. The following statement shall be placed on the map: “There shall be no interference with the natural drainage. The property owner is responsible to maintain the natural drainage way.”

17. Permits shall be obtained from the U.S. Army Corps of Engineers and/or the Regional Water Quality Control Board as needed.

18. A soils analysis shall be submitted to the Building Official at the time of building plan submittal.

19. Improvements on the State Route 3/Montague Road frontage shall be in accordance with California Department of Transportation “Caltrans” requirements. Encroachment permits from shall be obtained and complied with for all work in the Caltrans right-of-way. “

20. A ten (10) foot utility easement shall be required along all property frontages for public utilities provided that easements of lesser width may be allowed with concurrence of the director of public works as set forth in Section 15.32.210 of the Yreka Municipal Code.

21. A final grading plan and/or storm water detention analysis and plan for proposed subdivision shall be submitted to the Building Official for approval by Building Official and City Engineer prior to any on-site grading and developer being issued a grading permit by the Yreka Building Department.

22. Payment of parkland in-lieu fees for each parcel created as set forth in Chapter 15.42 of the Yreka Municipal Code.

23. Submittal of improvement plans, prior to improvement construction, to the Director of Public Works for all public improvements required including but not limited to water and other public improvements pursuant to Chapter 15.32 of the Yreka Municipal Code.

24. Should any previously unidentified archaeological resources be revealed during excavation and construction activity, work will cease in the immediate vicinity of the discovery, and the Permittee/property owner will take all reasonable measures to avoid or minimize harm to discovered resources until consultation with the State Historic Officer, as required by Section 106 of the NHPA is concluded.
25. During trenching operations for water line installation on the Remainder a Native American monitor as well as an archaeologist shall be present.
26. Prior to ground disturbing activities located within the Remainder cultural issues pertaining to the site shall be fully addressed pursuant to the Archaeological Survey and Findings Report prepared for Vann Cultural Resource Management by David Vann.
27. All grading and construction work on the project will incorporate the dust control measures stated in the project description.
28. Construction activities will be limited to the hours of 7:00 a.m. to 5:00 p.m. as provided in the Noise Element of the General Plan.
29. Construction/installation of all other necessary improvements pursuant to Yreka Municipal Code and the City's Public Works Standards.
30. Full compliance with the Subdivision Map Act and Title 15, Subdivisions, of the Yreka Municipal Code, and all other applicable city, state, and federal codes.
31. Filing of final subdivision map within twenty-four months from date of Planning Commission approval, with a copy to the Planning Department.

Commissioner Elsea seconded the motion. The motion carried by the following vote:

AYES: Amaral, Elsea, McAllister, Rolzinski, Schettino
 NOES: None

**USE PERMIT – CHIROPRACTIC OFFICE
 ERIC MEYER DC – 325 S. BROADWAY**

APPROVED

The Commission reviewed the application submitted by Eric Meyer DC for a Use Permit to establish and operate a chiropractic office facility with one chiropractor and one employee on the property located at 325 S. Broadway Street, Assessor's Parcel No. 54-182-140.

This being the time and date set for a public hearing on an application for a use permit for a chiropractic office on the property located at 325 S. Broadway Street, Chair Rolzinski opened the hearing to the public.

Staff reported the Technical Committee recommended approval.

It was recommended by staff to process the application as exempt from the provisions of the California Environmental Quality Act pursuant to Section 15332 (Infill Development) of the CEQA Guidelines.

There being no comments from the public, the public hearing was closed and discussion was opened to the Commission.

Following Commission discussion, Commissioner McAllister made a motion to approve the application for a Use Permit to establish and operate a chiropractic office facility with one chiropractor and one employee on the property located at 325 S. Broadway Street, Assessor's Parcel No. 54-182-140, C-2 zone, GC General Plan designation, with the determination that the project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15332 (Infill Development) of the CEQA Guidelines. The approval is based on the Technical Committee's recommendation and subject to full compliance with all applicable city, state, and federal laws and regulations and the following findings and conditions of approval:

FINDINGS:

1. The establishment and operation of a chiropractic office facility with one chiropractor and one employee 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.
 - b. be detrimental to property or improvements in the neighborhood and the commercial use will not impair the desirability of investment or occupation in the vicinity.
 - c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors.
 - 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.
2. The use is compatible with the policies and objectives of the zoning ordinance.

CONDITIONS:

1. Permittee granted a permit to establish and operate a chiropractic office facility with one chiropractor and one employee at the location set forth in the application utilizing 800 sq. ft. of office space, 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. Adequate off-street parking facilities shall be provided as follows: one (1) space for each chiropractor plus one (1) space for each employee, plus two (2) spaces for each examining room as set forth in Section 16.54.020.A.4.a of the Yreka Municipal Code (YMC), calculated as 6 parking spaces for the proposed use. There is no on-site parking on the project site; the building's parking requirement is grandfathered at one space for each 200 sq. ft. of office space. The grandfathered parking allotment for 800 sq. ft. is four spaces. The proposed use requires 6 parking spaces. YMC Section 16.54.040.B provides that in the event a change in use creates a need for an increase of two or less off-street parking spaces, no additional parking facilities shall be required.
3. Permittee shall comply at all times with the zoning district regulations for a C2 zone as set forth in section 16.34 of the Yreka Municipal Code.
4. Permittee shall obtain a building permit and shall pay the necessary fees therefor prior to making any building, electrical, mechanical, or plumbing installations and/or improvements. Public infrastructure improvements such as curb, gutter, sidewalk, street lights, wheel chair ramps, 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.
5. Permittee shall secure a Certificate of Occupancy and approval of the Building Official and Fire Marshal that structure meets building standards and fire regulations of the Uniform Building and Fire Codes prior to use of subject medical office facility.
6. No signs shall be placed on the premises without prior approval of the Planning Department.
7. Permittee shall secure an annual City business license to carry on the business of a medical office facility.
8. 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.
9. **The use permit shall be automatically revoked and terminated if not used within one year from the date of approval, or in the event the use permitted is**

abandoned or not utilized for a period of one year.

Commissioner Amaral seconded the motion. The motion carried by the following vote:

AYES: Amaral, Elsea, McAllister, Rolzinski, Schettino
NOES: None

USE PERMIT – REBUILD TO CURRENT FOOTPRINT

MICHELLE HILL – 505 & 509 S. FOOTHILL

APPROVED

The Commission reviewed the application submitted by Michelle Hill for a Use Permit to rebuild the existing structure to the current footprint in the event of fire or other casualty, the existing structure is non-conforming because it does not meet current side and rear yard setback requirements on the property located at 505 and 509 S. Foothill Drive, Assessor's Parcel No. 54-203-120.

This being the time and date set for a public hearing on an application for a use permit to rebuild the existing structure to the current footprint in the event of fire or other casualty on the property located at 505 and 509 S. Foothill Drive, Chair Rolzinski opened the hearing to the public.

Staff reported the Technical Committee recommended approval.

It was recommended by staff to process the application as exempt from the provisions of the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines because it is not a project which has a potential for causing a significant effect on the environment.

There being no comments from the public, the public hearing was closed and discussion was opened to the Commission.

Following Commission discussion, Commissioner Elsea made a motion to approve the application for a Use Permit authorizing the rebuilding of the existing structure to the current footprint in the event of fire or other casualty, the existing structure is non-conforming because it does not meet current side and rear yard setback requirements on the property located at 505 and 509 S. Foothill Drive, Assessor's Parcel No. 54-203-120, M-1 zone, I General Plan designation, with the determination that the project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines. The approval is based on the Technical Committee's recommendation and subject to full compliance with all applicable city, state, and federal laws and regulations and the following findings and conditions of approval:

FINDINGS:

1. Rebuilding the existing structure to the current building footprint in the event of fire or other casualty 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.

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.

c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors.

d. adversely affect matters regarding police protection, crime prevention, and security.

e. adversely affect circulation or traffic patterns in the neighborhood nor constitute a nuisance.

2. The use is compatible with the policies and objectives of the zoning ordinance.

3. The nonconforming use of a duplex in a light industrial zone may be continued provided no such use shall be enlarged or increased, nor be extended to occupy a greater area than that occupied by such use. If the nonconforming use ceases voluntarily by the owner for a continuous period of six (6) months, it shall be considered abandoned and shall thereafter be used only in accordance with the regulations for the district in which it is located pursuant to Yreka Municipal Code Section 16.40.050.A.

CONDITIONS:

1. Any structure destroyed or damaged by fire or casualty shall be rebuilt to the existing building footprint within six months from date of such destruction or damage.

Commissioner McAllister seconded the motion. The motion carried by the following vote:

AYES: Amaral, Elsea, McAllister, Rolzinski, Schettino
NOES: None

AUDIENCE STATEMENTS & COMMENTS

None.

APPROVAL OF THE MINUTES OF THE APRIL 18, 2007 MEETING

The Commission, having received a copy of the minutes of the regular meeting held April 18, 2007 the minutes were approved on a motion made by Commissioner Elsea and seconded by Commissioner Amaral.

PLANTERS ON MINER AND BROADWAY STREETS

Council Member, Grace Bennett, explained the plan for beautifying Miner and Broadway Streets by placing planters on specific sidewalk areas and hanging baskets from the horse head posts. It is planned to place planters in the doorway alcoves at the businesses. The goal is to have as many planters as possible in place by May 19th. They will be removed when the plants no longer look good.

Staff reported that the Technical Committee reviewed the project and recommended that the placement of pots for plants should be limited to private property and in alcoves. The alcoves are a good location as it lessens City liability, avoids trip hazards and meets the need to keep ADA access clear. The traveled portion of the sidewalk may not be reduced to less than 48" for handicap access pursuant to Section 1133B.7.1 of the 2001 CBC.

Following Commission discussion, Commissioner Schettino made a motion to approve the plan to add planters to sidewalk areas on Miner and Broadway Streets, placing them in alcoves as much as possible as recommended by the Technical Committee.

Commissioner McAllister seconded the motion. The motion carried by the following vote:

AYES: Amaral, Elsea, McAllister, Rolzinski, Schettino
NOES: None

COMMISSIONER'S STATEMENTS & COMMENTS

The Commission reported to Council Member Bennett that they have requested trees on Main Street too.

City Manager Meek also reported that there is discussion regarding the problem the trees around the jail are causing to the sidewalks. The City is requesting that if the trees must be removed that new trees be replanted.

There being no further business before the Commission, the meeting was adjourned at 8:15 p.m.

Pamela J. Hayden, Planning Director