

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD IN
THE YREKA CITY COUNCIL CHAMBER IN SAID CITY
ON THE 20th DAY OF JUNE 2007

On the 20th day of June 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
Judi Rowland
Joe Schettino

Absent: Diane Knitter

USE PERMIT – MEDICAL & GENERAL OFFICE CONSTRUCTION AND USE
JASON DARROW & DONALD HILL – 106 RANCH LANE **APPROVED**

The Commission reviewed the application to construct, establish, and operate approximately 7,320 sq. ft. of office space; 3,784 sq. ft. of that space will be used for medical offices on the property located at 106 Ranch Lane. The application includes a request for common use of parking facilities with an adjacent property under the same ownership. The application was submitted by Jason Darrow and Donald Hill, The Attollo Group, LLC.

This being the time and date set for a public hearing for an application for a use permit to construct, establish and operate approximately 7,320 sq. ft. of office space, Chair Rolzinski opened the hearing to the public.

Staff reported that the Technical Committee recommended approval subject to the following additional conditions:

- Permittee shall repair the deteriorated transition pavement previously installed.
- Permittee shall install Fire hydrants if required pursuant to the California Fire Code.
- An on-site detention basin for storm water runoff is not required if a pipe with the

capacity to carry the flow from a 100 year storm is constructed from the project site to Greenhorn Creek. Permittee shall submit a copy of the recorded easement for the storm drain. Permittee shall install the private storm drain and maintain it in perpetuity.

It was also recommended that the Applicant be informed that street lights will probably be a requirement pursuant to Condition No. 10; and that construction of sidewalk is required and that the power pole may need to be relocated to comply with ADA (Americans with Disabilities Act) requirements.

Staff also recommended that the Planning Commission make a determination that this project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15332 (Infill Development) of the CEQA Guidelines.

The project proposes adequate parking for the requested uses subject to approval of the Planning Commission for Common Parking with the existing Espresso business.

Jason Darrow, Applicant, asked if it would be possible to construct the sidewalk around the pole rather than moving it. Staff reported that the sidewalk needs to meet the requirements of the Americans with Disabilities Act and that he could work with the Director of Public Works to meet that requirement. There being no additional 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 a use permit to construct, establish, and operate approximately 7,320 sq. ft. of office space; 3,784 sq. ft. of that space will be used for medical offices; and approve the request for common use of parking facilities with the adjacent property under the same ownership for the property located at 106 Ranch Lane, Assessor's Parcel Nos. 62-041-310, 510, 580, and 600, CH zone, GC General Plan designation subject to the following additional conditions:

- Permittee shall repair the deteriorated transition pavement previously installed.
- Permittee shall install Fire hydrants if required pursuant to the California Fire Code.
- An on-site detention basin for storm water runoff is not required if a pipe with the capacity to carry the flow from a 100 year storm is constructed from the project site to Greenhorn Creek. Permittee shall submit a copy of the recorded easement for the storm drain. Permittee shall install the private storm drain and maintain it in perpetuity.

and 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 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 construction, establishment and operation of approximately 7,320 sq. ft. of office space, 3,784 sq. ft. of that space to be used for medical offices and use of common parking facilities with an adjacent property 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 site is large enough to accommodate the building and parking within the required setbacks. The site is zoned properly for the proposed office use.

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 because the surrounding uses are also commercial.

c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because the project provides adequate on site parking for the project. The project is located on Ranch Lane which is designated as a Local Street that provides access to Main Street (State Route 3) and carries low traffic volume.

d. adversely affect matters regarding police protection, crime prevention, and security by developing with offices an undeveloped parcel of land.

e. adversely affect circulation or traffic patterns in the neighborhood or constitute a nuisance because no new streets are proposed with the project.

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

CONDITIONS:

1. Permittee granted a permit to construct, establish and operate approximately 7,320 sq. ft. of office space, 3,784 sq. ft. of that space will be used for medical offices; and Permittee authorized common parking facilities with an adjacent property 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. All elements of the project application including site, landscape, and parking plan shall

be complied with.

3. Adequate off-street parking facilities shall be provided as determined by the Planning Commission as follows: one space for each doctor, dentist, or practitioner, plus one space for each employee, plus two spaces for each examining room as set forth in Section 16.54.020.A.4.a of the Yreka Municipal Code for the doctor office use and one space for each two hundred sq. ft. of floor area as set forth in Section 16.54.020.A.2.a for office use.

4. Common parking facilities will be provided with the adjacent lot known as Assessor's Parcel Nos. 62-041-590 and 62-041-610. The total of such off-street parking spaces, when used together, shall not be less than the sum required for the various uses computed separately, pursuant to Yreka Municipal Code section 16.54.080. Also as provided in Yreka Municipal Code Section 16.54.080 where the uses utilizing a common parking facility require more than twenty (20) parking spaces, a ten (10) percent reduction in the total number of spaces may be permitted by the Planning Commission. Taking in to consideration the common parking facilities and ten percent reduction, the total parking requirement for the project as submitted is 37 spaces.

5. The off-street parking plan and facilities approved by the Planning Commission shall not be deviated from unless prior approval of the Planning Commission is secured, and all loading, customer, and employee parking areas, access drives and aisles shall be paved and striped and bumper rails or other barriers shall be provided, as determined by the Director of Public Works and in accordance with Section 16.40.080 of the Yreka Municipal Code.

6. Parking required for disabled persons shall be marked, posted, and maintained in accord with provisions of the Motor Vehicles Code and any other law or regulation now or hereinafter enacted relating to parking for disabled persons.

7. Use shall be conducted in accordance with the site plan as submitted and no alterations shall be made of the building location(s) parking and landscaping without prior approval of the Planning Commission; provided, however, upon 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.

8. All landscaping shall be installed, maintained, and replaced as necessary as depicted on the site plan.

9. Permittee shall submit an irrigation design plan meeting the requirements of Section 11.38.050 of the Yreka Municipal Code prior to building permit issuance, for approval by the City Manager or Building Official.

10. Permittee shall obtain a building permit and shall pay the necessary fees therefore 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 with Phase 1 construction upon issuance of a building permit in accordance with Yreka Municipal Code Section 11.24.030.

11. Permittee shall repair the deteriorated transition pavement previously installed.
12. Permittee shall install Fire hydrants if required pursuant to the California Fire Code.
13. Permittee shall complete on-site paving for each phase as indicated on approved site plan.
14. An on-site detention basin for storm water runoff is not required if a pipe with the capacity to carry the flow from a 100 year storm is constructed from the project site to Greenhorn Creek. Permittee shall submit a copy of the recorded easement for the storm drain. Permittee shall install the private storm drain and maintain it in perpetuity.
15. Permittee shall provide documentation as to the location of Greenhorn Creek in relation to the north property boundary lines. Pursuant to Yreka Municipal Code Section 16.56.030, no person shall alter, fill, excavate, divert, remove vegetation from, or place any obstruction in or upon any water channel within the city, or permit liquid waste to enter a water channel without prior approval.
16. Permittee shall comply at all times with the zoning district regulations for a CH zone as set forth in Section 16.36 of the Yreka Municipal Code.
17. Permittee shall secure a Certificate of Occupancy and approval of the Building Official and Fire Marshal that structures meet building standards and fire regulations of the Uniform Building and Fire Codes prior to use of subject offices.
18. Permittee shall provide evidence of Health Department approval for the medical office, submitted to the Planning Department prior to issuance of business license.
19. No signs shall be placed on the premises without prior approval of the Planning Department.
20. Permittee shall secure, or inform occupants of the requirement to obtain, an annual City business license to carry on a chiropractic business and other office uses.
21. 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.

22. 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, Rowland, Schettino
 NOES: None

SIGN USE PERMIT – WALL SIGNS

MCHALE SIGN CO. – 204 SOUTH ST & 423 S. BROADWAY ST APPROVED

The Commission reviewed the application submitted by Ben Storms of McHale Sign Co. for a Sign Use Permit to install internally illuminated 3' x 12' (36 sq. ft.) wall sign with LED time/temp unit, install 16" x 12' (16 sq. ft.) LED reader board wall sign, and a 24" x 72" (12 sq. ft.) non-illuminated wall sign for a total of 64 sq. ft. of wall signage, copy to read "Foster Care Children First..." on the property located at 204 South Street and 423 S. Broadway Street.

This being the time and date set for a public hearing on an application for a Sign Use Permit for wall signs on the property located at 204 South Street and 423 S. Broadway Street, Chair Rolzinski opened the hearing to the public.

Staff reported the Technical Committee made no recommendation.

It was recommended by staff to process the application as exempt from the provisions of the California Environmental Quality Act pursuant to Section 15311(a) (On-premise signs) 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 Sign Use Permit to install internally illuminated 3' x 12' (36 sq. ft.) wall sign with LED time/temp unit, install 16" x 12' (16 sq. ft.) LED reader board wall sign, and a 24" x 72" (12 sq. ft.) non-illuminated wall sign for a total of 64 sq. ft. of wall signage, copy to read "Foster Care Children First..." on the property located at 204 South Street and 423 S. Broadway Street, Assessor's Parcel No. 54-185-120, 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 15311(a) (On-premise signs) 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 installation of an internally illuminated 3' x 12' (36 sq. ft.) wall sign with LED time/temp unit, installation of an electronic 16" x 12' (16 sq. ft.) reader board wall sign, and a 24" x 72" (12 sq. ft.) non-illuminated wall sign for a total of 64 sq. ft. of wall signage will not:
 - a. be contrary to the public's interest, safety, health, and welfare.
 - b. be detrimental to property or improvements in the neighborhood.
2. Two additional wall signs are located on the building for a business located at 208 South Street that equal a total of 9 sq. ft. Total wall signage for the property will be 73 sq. ft. with the approval of this project which is within the limit of 100 sq. ft. allowed pursuant to Yreka Municipal Code Section 13.60.030.

CONDITIONS:

1. **The installation of a wall sign internally illuminated, sign with LED time/temp, electronic reader board sign, and non-illuminated wall sign shall comply with the specifications and plans approved by the Planning Commission on June 20, 2007 and shall serve only to identify the business carried on said premises as stated in Yreka Municipal Code Section 13.12.050.**
2. The signs shall be erected in accordance with the specifications and plans submitted by Ben Storms of McHale Sign Co. and approved by the Planning Commission on June 20, 2007 and shall not be deviated from without the prior review and approval of the Planning Commission.
3. The signs shall be erected in accordance with Title 13, Signs, of the Yreka Municipal Code. Including Section 13.080.050(4) that provides sign illumination, where allowed by provisions of Title 13 shall be at the lowest level consistent with adequate identification and readability.
4. The signs shall comply with Yreka Municipal Code Section 13.12.030 that prohibits electrical signs intended to attract attention by any flashing on and off, or simulating any motion through a series of rapid light changes.
5. The signs shall comply with Yreka Municipal Code Section 13.12.040 that states that no sign shall be permitted to have movement or moving parts which is generated by electronic means except barber poles.
6. The signs shall harmonize with the materials, textures, sizes, shape, heights,

locations, and designs of the buildings, properties, or neighborhood of which they are a part, and as approved by the Planning Commission.

7. The signs shall be erected in accordance with Title 13, Signs, of the Yreka Municipal Code.
8. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to installing the electrical sign.
9. The signs shall be removed within thirty days after the business closes and is no longer in operation on the property upon which the sign is located.
10. The sign use permit shall be automatically revoked and terminated if not used within one year from date of approval.

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

AYES: Elsea, McAllister, Rolzinski, Rowland, Schettino
 NOES: Amaral

SIGN USE PERMIT – WALL SIGNS

ERIC MEYER DC – 325 S. BROADWAY ST.

APPROVED

The Commission reviewed the application submitted by Eric Meyer DC for Yreka Chiropractic Clinic for a Sign Use Permit to install a wall sign 36" x 140" (35 sq. ft.), copy to read "Yreka Chiropractic Clinic..." on the property located at 325 S. Broadway.

This being the time and date set for a public hearing on an application for a Sign Use Permit to install a wall sign on the property located at 325 S. Broadway, Chair Rolzinski opened the hearing to the public.

Staff reported the Technical Committee made no recommendation.

It was recommended by staff to process the application as exempt from the provisions of the California Environmental Quality Act pursuant to Section 15311(a) (On-premise signs) 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 Elsea made a motion to approve the application for a Sign Use Permit to install a wall sign 36" x 140" (35 sq. ft.), copy to read "Yreka Chiropractic Clinic..." on the property located at 325 S. Broadway, 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 15311(a) (On-premise signs) 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 installation of a wall sign 35 sq. ft. will not:
 - a. be contrary to the public's interest, safety, health, and welfare.
 - b. be detrimental to property or improvements in the neighborhood.
2. The subject property is a large parcel of approximately 6,473 sq. ft. and has multiple street frontages. And multiple tenants (in excess of 8) as provided in Section 13.68.020 of the Yreka Municipal Code and will therefore not be contrary to the intent of Chapter 13 or the public interest, safety, health and welfare.
3. There are 6 wall signs for a total of approximately 92 sq. ft. currently approved and installed on the building. The addition of one sign 35 sq. ft. will make a total of 127 sq. ft. of wall signage and would be within the limits allowed by Y.M.C. Section 13.68.020

CONDITIONS:

1. The installation of wall sign shall comply with the specifications and plans approved by the Planning Commission on June 20, 2007 and shall serve only to identify the business carried on said premises.
2. The sign shall be erected in accordance with the specifications and plans submitted by Eric Meyer and approved by the Planning Commission on June 20, 2007 and shall not be deviated from without the prior review and approval of the Planning Commission.
3. The sign shall harmonize with the materials, textures, sizes, shapes, heights, locations, and designs of the buildings, properties, or neighborhood of which they are a part, and as approved by the Planning Commission.
4. The sign shall be erected in accordance with Title 13, Signs, of the Yreka Municipal Code.
5. The sign shall be removed within thirty days after the business closes and is no longer in operation on the property upon which the sign is located.
6. The sign use permit shall be automatically revoked and terminated if not used within one year from date of approval.

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

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

USE PERMIT – MEETING HALL

ALCOHOLICS ANONYMOUS – 115 MONTAGUE ROAD

APPROVED

The Commission reviewed the application submitted by Kerrie Turner for Alcoholics Anonymous for a Use Permit to establish and operate a meeting hall for regularly scheduled meetings of Alcoholics Anonymous (Yreka Unity Hall) on the property located at 115 Montague Road.

This being the time and date set for a public hearing on an application for a Use Permit to establish and operate a meeting hall on the property located at 115 Montague Road, 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.

Mark Elfgen, of 113, Montague Road expressed concern regarding use of his marked parking and loitering by children and patrons of the meetings.

It was explained that marked parking spaces on private property are issues between the property owner and the tenants.

Kerrie Turner explained there were children at a function because it was a fund raiser. There will otherwise be no children at the facility. She asked that if neighbors have any problems with the facility that she be contacted, they want to be good neighbors.

There being no further 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 with a temporary one year Use Permit to establish and operate a meeting hall for regularly scheduled meetings of Alcoholics Anonymous (Yreka Unity Hall) on the property located at 115 Montague Road, Assessor's Parcel No. 53-473-160, CT 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 meeting hall for regularly scheduled meetings of Alcoholics Anonymous (Yreka Unity Hall), the meetings average 10 to 15 people per meeting 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 **temporary one year** permit to establish and operate a meeting hall for regularly scheduled meeting of Alcoholics Anonymous (Yreka Unity Hall), the meetings average 10 to 15 people per meeting 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. Adequate off-street parking facilities shall be provided as follows: one (1) space for each fifty hundred square feet of floor area as set forth in Section 16.54.020.A.5.f of the Yreka Municipal Code.
3. The off-street parking plan and facilities approved by the Planning Commission shall not be deviated from unless prior approval of the Planning Commission is secured, and all loading, customer, and employee parking areas, access drives and aisles shall be paved and striped and bumper rails or other barriers shall be provided, as determined by the Director of Public Works and in accordance with Section 16.54.090 of the Yreka Municipal Code.

4. Parking required for disabled persons shall be marked, posted, and maintained in accord with provisions of the Motor Vehicles Code and any other law or regulation now or hereinafter enacted relating to parking for disabled persons.
5. Use shall be conducted in accordance with the site plan as submitted and no alterations shall be made of the building location(s) parking and landscaping without prior approval of the Planning Commission; provided, however, upon 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.
6. Permittee shall comply at all times with the zoning district regulations for a CT zone as set forth in section 16.38 of the Yreka Municipal Code.
7. Permittee shall obtain a building permit and shall pay the necessary fees therefore 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.
8. 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 meeting hall for regularly scheduled meeting of Alcoholics Anonymous (Yreka Unity Hall).
9. No signs shall be placed on the premises without prior approval of the Planning Department.
10. Permittee shall secure an annual City business license to carry on the business of a meeting hall for regularly scheduled meeting of Alcoholics Anonymous (Yreka Unity Hall).
11. 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.
- 12. 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, Rowland, Schettino

NOES: None

USE PERMIT – CONVERT USE TO RESIDENTIAL AND/OR MEETING ROOM
YREKA 7TH DAY ADVENTIST CHURCH – 346 PAYNE LANE **APPROVED**

The Commission reviewed the application submitted by Valerie Eastman for the Yreka Seventh-Day Adventist Church and School for a Use Permit to convert use of an accessory structure (manufactured home) from cleaning and sorting used clothing and furniture to residential occupancy and/or church meeting rooms, the structure is 1,440 sq. ft, on the property located at 346 Payne Lane.

This being the time and date set for a public hearing on an application for a Use Permit to convert use of a structure to a residential occupancy and/or meeting rooms on the property located at 346 Payne Lane, Chair Rolzinski opened the hearing to the public.

Staff reported the Technical Committee recommended approval of the residential use subject to meeting the conditions presented including construction of a garage or carport. Denial was recommended for use of the manufactured home for meetings.

A manufactured home is either constructed for residential use or commercial use. Pursuant to the Title 25 California Code of Regulations, it cannot be used for both. The records in our files show that it is a manufactured home, not a commercial coach.

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.

Applicant asked why there could be no meetings held in the facility? City Manager, Brian Meek, explained that residential coaches and commercial coaches are constructed to different load capacities and it would be very difficult to convert it to State standards.

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

Following Commission discussion, Commissioner Amaral made a motion to approve the application for a Use Permit to convert the use of an accessory structure (manufactured home) from cleaning and sorting used clothing and furniture to residential occupancy only, not approving use for meeting rooms on the property located at 346 Payne Lane, Assessor's Parcel No. 61-361-030, R-1 zone LDR 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. The change of use from cleaning and sorting used clothing and furniture to residential occupancy 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, it is on the same parcel as a church and will be used for church purposes.

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 area has residential uses on 3 sides and a commercial trucking business on the other side.

c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because the use as a residence not 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 change in use will not create more traffic than exists with the current use.

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

CONDITIONS:

1. Permittee granted a permit to change usage from an accessory structure for cleaning and sorting used clothing and furniture to residential occupancy 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. Adequate off-street parking facilities shall be provided as follows: two garage or carport spaces per residential unit as set forth in Section 16.18.040.D.1 of the Yreka Municipal Code.

3. The off-street parking plan and facilities approved by the Planning Commission shall not be deviated from, except for the addition of the required garage or carport that is not shown on the plan, unless prior approval of the Planning Commission is secured.

4. Use shall be conducted in accordance with the site plan as submitted and no alterations shall be made of the building location(s) parking and landscaping without prior approval of the Planning Commission; provided, however, upon 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. All landscaping shall be maintained and replaced as necessary as depicted on the site plan.
6. 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.
7. 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, 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.
8. Permittee shall secure a Certificate of Occupancy and approval of the Building Official and Fire Marshal that structures meet building standards and fire regulations of the Uniform Building and Fire Codes prior to use as residential occupancy.
9. No signs shall be placed on the premises without prior approval of the Planning Department.
10. 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.
- 11. 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 Rowland seconded the motion. The motion carried by the following vote:

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

AUDIENCE STATEMENTS & COMMENTS

Pastor Larry Weidell expressed appreciation to the City Staff for all they do for the Citizens of Yreka.

APPROVAL OF THE MINUTES OF THE MAY 16, 2007 MEETING

Staff requested the Commission make the correction to page 1 and 2 changing the Permit No. 3583 to 3582 in paragraphs one, two and three as noted and paragraph three on page 2. The Commission, having received a copy of the minutes of the regular meeting held May 16, 2007 approved the minutes as corrected on a motion made by Commissioner Amaral and seconded by Commissioner McAllister.

SITE, LANDSCAPE, & PARKING PLAN – OFFICE BUILDING GLENN RIZZO – 608 & 610 S. MAIN ST.

APPROVED

The Commission reviewed the application submitted by Robert Glenn Rizzo for Rizzo Real Estate, Inc. for a site, landscape, and parking plan for construction of a 6,160 sq. ft. office building on the property located at 608 and 610 S. Main Street.

Staff reported that the Technical Committee recommended approval subject to the following additional condition:

A detention basin for storm water runoff is not required if adequate on-site facilities are installed to carry the flow from a 100 year storm to Yreka Creek as approved by the Director of Public Works. Permittee shall install the private storm drain and maintain it in perpetuity.

And modification of Condition No. 3 relocating the requested utility easement as follows:

Permittee shall offer to the City of Yreka for dedication a 15 foot utility easement for storm water drainage through the parking lot, the exact location to be determined by the Permittee and Director of Public Works.

Staff also recommended that the Planning Commission make the determination that the project is exempt from environmental review pursuant to the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Infill Development) of the CEQA Guidelines.

Following Commission discussion, Commissioner Schettino made a motion to approve the application for a site, landscape, and parking plan for construction of a 6,160 sq. ft. office building on the property located at 608 and 610 S. Main Street, Assessor's Parcel Nos. 54-231-080, 160, and 270, CH zone, GC General Plan designation, subject to the following additional conditions

- A detention basin for storm water runoff is not required if adequate on-site facilities

are installed to carry the flow from a 100 year storm to Yreka Creek as approved by the Director of Public Works. Permittee shall install the private storm drain and maintain it in perpetuity.

And modification of Condition No. 3 relocating the requested utility easement as follows:

- Permittee shall offer to the City of Yreka for dedication a 15 foot utility easement for storm water drainage through the parking lot, the exact location to be determined by the Permittee and Director of Public Works.

With the determination that the project is exempt from environmental review pursuant to the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332 Infill Development of the CEQA Guidelines.

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

CONDITIONS:

1. All conditions hereinafter set forth shall be complied with by the Permittee prior to issuance of a certificate of occupancy.
2. An encroachment permit shall be obtained prior to any work in the Main Street right-of-way.
3. Permittee shall offer to the City of Yreka for dedication a 15 foot utility easement for storm water drainage through the parking lot, the exact location to be determined by the Permittee and Director of Public Works.
4. The site, landscape and parking plans application as re-submitted by Robert Glenn Rizzo for Rizzo Real Estate Inc. dated May 29, 2007 as modified and approved by the Planning Commission on June 20, 2007 shall not be changed or deviated from without approval of the Planning Commission. After construction of improvements, no changes in use of the existing structures and no additional structures shall be built, and no open space, off-street parking facilities and public access areas, or landscaping shall be altered without prior approval of the Planning Commission; provided, however, upon 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. Adequate off-street parking shall be provided as follows: One space for each 200 square feet of floor area for office use as set forth in Sections 16.54.020 (A.2.b) of the Yreka Municipal Code.
6. The design and location of the off-street parking facilities as shown on the site plan dated January 13, 2006, and approved by the Planning Commission on June 20, 2007 shall

not be deviated from unless prior approval of the Planning Commission (with the exception as stated in Condition #4) is secured, and all loading, employee, and customer parking areas shall be paved and striped. Bumper rails or other barriers shall be provided where needed for safety or to protect property, as determined by the Director of Public Works and in accordance with Section 16.54.090 of the Yreka Municipal Code.

7. Parking required for disabled persons shall be marked, posted, and maintained in accord with provisions of the Motor Vehicles Code and any other law or regulation now or hereinafter enacted relating to parking for disabled persons.

8. All landscaping shall be installed, maintained, and replaced as necessary as depicted on the approved landscape plan, and shall be completed prior to issuance of a certificate of occupancy or until security is posted in the amount of one hundred fifty percent to cover the costs of the unfinished work.

9. Permittee shall submit an irrigation design plan meeting the requirements of Section 11.38.050 of the Yreka Municipal Code prior to building permit issuance, for approval by the City Manager or Building Official.

10. A detention basin for storm water runoff is not required if adequate on-site facilities are installed to carry the flow from a 100 year storm to Yreka Creek as approved by the Director of Public Works. Permittee shall install the private storm drain and maintain it in perpetuity.

11. Permittee shall show compliance with FEMA (Federal Emergency Management Agency) Flood Insurance Rate Map Flood Insurance Rate Map, dated November 18, 1981, prepared by the Federal Insurance Administration for the City of Yreka. Construction of buildings and structures at or above one foot above the base flood elevation may affect flood insurance rates.

12. Permittee shall submit application for boundary line adjustment to combine Assessor's Parcel Nos. 54-231-160, 54-231-270, and portion of 54-231-080 to incorporate the project area into one parcel. Application shall be submitted to the Yreka Planning Department for approval, upon approval of the boundary line adjustment and any conditions imposed by the Planning Director, the lot line adjustment shall be reflected in a deed or record of survey which shall be recorded with the County Recorder prior to commencement of construction of the office building and parking lot.

13. Permittee shall provide documentation as to the location of Yreka Creek in relation to the east property boundary lines and compliance with Yreka Municipal Code Section 16.56.030 that provides that no person shall alter, fill, excavate, divert, remove vegetation from, or place any obstruction in or upon any water channel (forty-five feet centered on the thread of Yreka Creek) within the city, or permit liquid waste to enter a water channel without prior approval.

14. 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.
15. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to starting construction of the office building.
- 16. The site plan approval shall be automatically revoked and terminated if not used within one year from the date of approval unless, prior to the expiration of one year, a building permit is issued and construction is commenced. Approval may be extended upon written application to the Planning Commission before expiration of the first approval.**

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

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

**TENTATIVE PARCEL MAP – EXTENSION
 WARD HANSEN – SHASTA AVENUE**

APPROVED

The Commission reviewed the application submitted by Ward Hansen for extension of Permit #3412 for a tentative parcel map for a minor subdivision creating four (4) parcels from one 16.8 +/- acre parcel on property located on Shasta Avenue across from Childs Way.

Staff reported the Technical Committee recommended approval of a one year extension subject to the Findings and Conditions as modified June 21, 2006.

A Negative Declaration was filed for this project on August 16, 2004.

Following Commission discussion, Commissioner McAllister made a motion to approve a one year extension of Permit #3412 for a tentative parcel map for a minor subdivision creating four (4) parcels from one 16.8 +/- acre parcel on the property located on Meadowlark Lane, French St., Evergreen Lane, and specifically adjacent to Shasta Avenue across from Childs Way, Assessor's Parcel Nos. 54-271-330 and 61-141-030, R-1 zone and LDR General Plan designation. Approval based on the Technical Committee's recommendations and subject to full compliance with all applicable city, state, and federal laws and regulations and the Findings and Conditions of approval as approved on July 21, 2004, and modified on June 21, 2006.

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

AYES: Amaral, Elsea, Knitter, Rolzinski, Rowland, Schettino

NOES: None

COMMISSIONER'S STATEMENTS & COMMENTS

There were questions on City codes relating to banners. It was explained that banners are currently regulated in the Yreka Municipal Code.

There being no further business before the Commission, the meeting was adjourned at 8:18 p.m.

Pamela J. Hayden, Planning Director