

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD IN
THE YREKA CITY COUNCIL CHAMBER IN SAID CITY
ON THE 18th DAY OF JULY 2007

On the 18th day of July 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
Mark McAllister
Richard Rolzinski
Judi Rowland
Joe Schettino

Absent: Rollie Elsea
Diane Knitter

USE PERMIT – CO-LOCATE WIRELESS COMMUNICATION ANTENNAS
EDGE WIRELESS, LLC - 400 S. MAIN ST. APPROVED

The Commission reviewed the application for a Use Permit to construct a wireless communications facility which will include a ground mounted equipment cabinet, electrical and telephone equipment backboard, cable tray and the installation of three flush mounted panel antennas at the 63 foot height on the existing Littrell's pole sign, within a 6' high fenced enclosure on the property located at 400 S. Main Street. The application was submitted for Edge Wireless LLC by William Roberts.

This being the time and date set for a public hearing for an application for a use permit to co-locate a wireless communications facility on an existing pole sign, Chair Rolzinski opened the hearing to the public.

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

- Permittee shall provide a copy of the lease agreement between the property owner and the lessee authorizing use of the property for installation of the wireless communications facility.
- Permittee shall provide a visual screening, such as site obscuring slats, around the wireless communications facility at such time as the City determines it is necessary.

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 15061(b)(3) of the CEQA Guidelines in that it is not a project which has 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 Schettino made a motion to approve the application for a use permit to construct a wireless communications facility which will include a ground mounted equipment cabinet, electrical and telephone equipment backboard, cable tray and the installation of three flush mounted panel antennas at the 63 foot height on the existing Littrell's pole sign, within a 6' high fenced enclosure on the property located at 400 S. Main Street, Assessor's Parcel No. 54-191-570, CH zone, GC General Plan designation subject to the following additional conditions:

- Permittee shall provide a copy of the lease agreement between the property owner and the lessee authorizing use of the property for installation of the wireless communications facility.
- Permittee shall provide a visual screening, such as site obscuring slats, around the wireless communications facility at such time as the City determines it is necessary.

Also 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 in that it is not a project which has potential for causing a significant effect on the environment.

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 of a wireless communication facility which will include a ground mounted equipment cabinet, electrical & telephone equipment backboard, cable tray and the installation of three flush mounted panel antennas at the 63 foot height on the existing Littrell's pole sign 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.
3. The project is covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment. The project of adding antennas to the existing sign pole will not have a significant effect on the environment and is therefore not subject to CEQA.

CONDITIONS:

1. Permittee granted a permit to construct a wireless communication facility which will include a ground mounted equipment cabinet, electrical & telephone equipment backboard, cable tray and the installation of three flush mounted panel antennas at the 63 foot height on the existing Littrell's pole sign at the location set forth in the application, subject to full compliance with applicable city and state codes. **The equipment shall not be utilized until all conditions hereinafter set forth have been complied with by.**
2. Permittee shall provide a copy of the lease agreement between the property owner and the lessee authorizing use of the property for installation of the wireless communications facility.
3. Permittee shall provide a visual screening, such as site obscuring slats, around the wireless communications facility at such time as the City determines it is necessary.
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 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 access drives and off-street parking facilities shall be constructed in accordance with the City's Public Works standards and in accordance with Section 16.40.080 of the Yreka Municipal Code.
6. 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.

7. Permittee shall secure 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 wireless communication facility.

8. 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. 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.

9. 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.

10. 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, McAllister, Rolzinski, Rowland, Schettino
NOES: None

USE PERMIT – PET GROOMING BUSINESS

NELSON & MORALES – 504 A E. OBERLIN RD.

APPROVED

The Commission reviewed the application for a Use Permit submitted by Gina Nelson and Kim Morales to establish and operate a pet grooming salon including retail sale of pet supplies on the property located at 504 A E. Oberlin Road.

This being the time and date set for a public hearing on an application for a Use Permit for a pet grooming salon on the property located at 504 A E. Oberlin Road, Chair Rolzinski opened the hearing to the public.

Staff reported the Technical Committee recommended approval.

Staff 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 15061(b)(3) of the CEQA Guidelines in that it is not a project which has potential for causing a significant effect on the environment.

Applicant Gina Nelson asked for and received clarification on a few of the proposed conditions. There being no further comments from the public, the public hearing was closed and discussion was opened to the Commission.

Following Commission discussion, Commissioner Schettino made a motion to approve the application for a Use Permit to establish and operate a pet grooming salon including retail sale of pet supplies on the property located at 504 A E. Oberlin Road, Assessor's Parcel No. 61-301-200, 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 in that it is not a project which has potential for causing a significant effect on the environment. 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 pet grooming salon including retail sale of pet supplies 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.
3. The project is covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects which have the potential for causing a significant effect on the environment, Section 15061(b)(3) of the CEQA Guidelines. The project of establishing and operating a pet grooming business in an existing structure will not have a significant effect on the environment and is therefore not subject to CEQA.

CONDITIONS:

1. Permittee granted a permit to establish and operate a pet grooming salon including retail sales of pet supplies 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 shall be complied with.
3. Adequate off-street parking facilities shall be provided as follows: one (1) space for each two hundred square feet of floor area as set forth in Section 16.54.020.A.2.a of the Yreka Municipal Code.
4. The existing off-street parking plan and facilities previously 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 in accordance with Section 16.54.090 of the Yreka Municipal Code.
5. 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.
6. 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.
7. Permittee shall comply at all times with the zoning district regulations for an M-1 zone as set forth in Section 16.40 of the Yreka Municipal Code.
8. 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.
9. There shall be no overnight boarding of animals.
10. 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 pet grooming business.

11. No signs shall be placed on the premises without prior approval of the Planning Department.
12. Permittee shall secure an annual City business license to carry on the business of a pet grooming business.
13. 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.
- 14. 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 McAllister seconded the motion. The motion carried by the following vote:

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

AUDIENCE STATEMENTS & COMMENTS

None.

APPROVAL OF THE MINUTES OF THE JUNE 20, 2007 MEETING

The Commission, having received a copy of the minutes of the regular meeting held June 20, 2007 approved the minutes as presented on a motion made by Commissioner McAllister and seconded by Commissioner Amaral.

COMMISSIONER'S STATEMENTS & COMMENTS

Commissioner Schettino reported he had heard complaints regarding the Teen Night Club. If the complaints continue and the business owner does not take care of the complaints the Use Permit can be revoked. Staff has reminded the owner of the Conditions of Approval for the business.

There being no further business before the Commission, the meeting was adjourned at 7:50 p.m.

Pamela J. Hayden, Planning Director