

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD IN
THE YREKA CITY COUNCIL CHAMBER IN SAID CITY
ON THE 15th DAY OF AUGUST 2007

On the 15th day of August 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
 Diane Knitter
 Mark McAllister
 Richard Rolzinski
 Judi Rowland
 Joe Schettino

Absent: None

**NEGATIVE DECLARATION – USE PERMIT – COS EXPANSION
COS BY DAVID PELHAM - 2001 CAMPUS DRIVE**

The Commission reviewed the environmental review for a Negative Declaration for a Use Permit and reviewed the application for the Use Permit to construct, establish, and operate an expansion to the existing College of the Siskiyous – Yreka Campus. The project includes construction of a single-story community college training facility specifically designed to meet the occupational training requirements of the health care industry. The building will contain assigned square footage of specialized classroom and lab space. The building will be located on a portion of the existing parking lot with a new parking lot to be constructed on vacant land to the north. Campus Drive will be extended to the northern end of the parcel containing the new parking lot. Project applicant is Siskiyou Joint Community College District by W. David Pelham, Ed.D.

This being the time and date set for a public hearing for an environmental review for a Negative Declaration for a Use Permit and for the application for the Use Permit to construct, establish, and operate an expansion to the existing College of the Siskiyou – Yreka Campus, Chair Rolzinski announced that the project would be heard and discussed concurrently and opened the hearing to the public.

Staff reported that the Technical Committee recommended approval of the Negative Declaration and approval of the Use Permit subject to the additional condition that the parking lot must be made available for public parking for City use, including access from Ranch Lane and modification of the landscape plan to replace the Sequoiadendron Giganteum with a Sequoia Semperviern because the Giganteum would be too big for the

space.

David Pelham, Ed.D, Superintendent/President of Siskiyou Joint Community College District thanked the City for their interest in partnering with the College.

Dan Prideaux, Project Manager, requested modifications to the Conditions as it pertains to a College and State requirements as follows (underlined and in italics):

1. Permittee granted a permit to construct, establish, and operate an expansion to the existing College of the Siskiyous – Yreka Campus at the location set forth in the application, subject to full compliance with applicable city and state codes. The project includes construction of a single-story 18,753 +/- sq. ft. community college training facility specifically designed to meet the occupational training requirements of the health care industry. The building will contain 11,520 +/- assigned sq. ft. of specialized classroom and lab space. The building will be located on a portion of the existing parking lot with a new parking lot to be constructed on vacant land to the north. Campus Drive will be extended to the northern end of the parcel containing the new parking lot. **The premises shall not be occupied or opened to the students until the Department of State Architect files "Form 6" with the State, and all conditions hereinafter set forth have been complied with by the Permittee.**

6. 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 Building Official and~~ in accordance with Section 16.54.090 of the Yreka Municipal Code.

9. All landscaping shall be installed, maintained, and replaced as necessary as depicted on the site plan with the exception that a suitable replacement shall be determined for the Sequoiadendron Giganteum.

11. Permittee shall obtain a building permit and shall pay the necessary fees through the Department of State Architect and provide a final floor plan and a copy of the permit to the City of Yreka 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 are required and will be constructed to City Standards as approved by the Director of Public Works.

16. Exterior construction activities shall be limited to the hours of 7:00 a.m. to 5:00 p.m. as indicated in Policy No. 10 of the Noise Element of the City of Yreka General Plan.

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 an environmental review for a **Negative Declaration** for a Use Permit to construct, establish, and operate an expansion to the existing College of the Siskiyous – Yreka Campus. Also approval of the **Use Permit** to construct, establish, and operate an expansion to the existing College of the Siskiyous – Yreka Campus. Project includes construction of a single story 18,753 +/- sq. ft. community college training facility specifically designed to meet the occupational training requirements of the health care industry. The building will contain 11,520 +/- assigned sq. ft. of specialized classroom and lab space. The building will be located on a portion of the existing parking lot with a new parking lot to be constructed on vacant land to the north. Campus Drive will be extended to the northern end of the parcel containing the new parking lot. The project is located on Assessor's Parcel Nos. 62-031-210 and 62-031-230, 2001 Campus Drive, M-1 zone and I General Plan designation. The approval is subject to the modifications to the Conditions as follows:

1. Permittee granted a permit to construct, establish, and operate an expansion to the existing College of the Siskiyous – Yreka Campus at the location set forth in the application, subject to full compliance with applicable city and state codes. The project includes construction of a single-story 18,753 +/- sq. ft. community college training facility specifically designed to meet the occupational training requirements of the health care industry. The building will contain 11,520 +/- assigned sq. ft. of specialized classroom and lab space. The building will be located on a portion of the existing parking lot with a new parking lot to be constructed on vacant land to the north. Campus Drive will be extended to the northern end of the parcel containing the new parking lot. **The premises shall not be occupied or opened to the students until the Department of State Architect files "Form 6" with the State, and all conditions hereinafter set forth have been complied with by the Permittee.**

6. 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 Building Official and~~ in accordance with Section 16.54.090 of the Yreka Municipal Code.

9. All landscaping shall be installed, maintained, and replaced as necessary as depicted on the site plan with the exception that a suitable replacement shall be determined for the Sequoiadendron Giganteum.

11. Permittee shall obtain a building permit and shall pay the necessary fees through the Department of State Architect and provide a final floor plan and a copy of the permit to the City of Yreka 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 are required and will be constructed to City Standards as approved by the Director of Public Works.

16. Exterior construction activities shall be limited to the hours of 7:00 a.m. to 5:00 p.m. as indicated in Policy No. 10 of the Noise Element of the City of Yreka General Plan.

The approvals are 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 findings and conditions of approval:

NEGATIVE DECLARATION

APPROVED

FINDINGS:

A) The project of expanding the Yreka Campus of the College of the Siskiyous as presented does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

The City is not aware of or in possession of information contrary to the finding.

B) The project of expanding the Yreka Campus of the College of the Siskiyous as presented does not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals. (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)

The City is not aware of or in possession of information contrary to the finding.

C) The project of expanding the Yreka Campus of the College of the Siskiyous as presented does not have impacts which are individually limited, but cumulatively considerable. (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.) The cumulative impacts from the project include an increase in effluent at the City's wastewater treatment facility. The increase in wastewater treatment at the plant from the new development is not significant as the City has the capacity to service the proposed project. Another cumulative impact is the increase in surface runoff from more impervious surfaces. Installation of a storm water detention facility, if required, would detain runoff from the site, and the City's storm drainage system can accommodate the extra runoff without the need for substantial alteration.

The City is not aware of or in possession of information contrary to the finding.

D) The project of expanding the Yreka Campus of the College of the Siskiyous as presented does not have environmental effects which cause substantial adverse effects on

human beings, either directly or indirectly.

The City is not aware of or in possession of information contrary to the finding.

E) All environmental issues have been reviewed and considered prior to approval of the project and the Planning Commission finds that there are no significant impacts which will not be mitigated.

The City is not aware of or in possession of information contrary to the finding.

F) Initial study has been conducted by the Planning Department and Technical Committee so as to evaluate the potential for an adverse environmental impact. The Planning Commission finds that there is no evidence before the Planning Commission that the proposed project will have any potential adverse affect on wildlife resources. A Negative Declaration has been prepared pursuant to Section 21080(c) of the Public Resources Code; therefore, a fee of \$1,800.00 shall be paid pursuant to Section 711.4(d) of the Fish and Game Code.

USE PERMIT

APPROVED

FINDINGS:

1. The construction, establishment and operation of an expansion to the existing College of the Siskiyous – Yreka Campus 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 neighborhood consists of light industrial, commercial, and professional office uses; the college use is compatible with those uses.

b. be detrimental to property or improvements in the neighborhood and the institutional use will not impair the desirability of investment or occupation in the vicinity because the project is located in a light industrial zoned area and it is an allowable and compatible use within that zone. The property to the west is zoned open space and is a mountainous area that is not utilized by the public.

c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because adequate parking and street extension will be provided for the proposed use. Except during construction the expansion will not cause significant additional noise 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 because adequate parking will be provided on site and the traffic patterns will not be altered.
2. The use is compatible with the policies and objectives of the zoning ordinance. The project is located in an M-1 (Light Industrial) zone and subject to a conditional use permit approval schools are allowed in the Light Industrial zone.
3. An Initial study has been conducted by the Planning Department and Technical Committee so as to evaluate the potential for an adverse environmental impact. The Planning Commission finds that there is no evidence before the Planning Commission that the proposed project will have any potential adverse affect on wildlife resources. A Negative Declaration has been prepared pursuant to Section 21080(c) of the Public Resources Code; therefore, a fee of \$1,800.00 shall be paid pursuant to Section 711.4(d) of the Fish and Game Code.

CONDITIONS:

1. Permittee granted a permit to construct, establish, and operate an expansion to the existing College of the Siskiyous – Yreka Campus at the location set forth in the application, subject to full compliance with applicable city and state codes. The project includes construction of a single-story 18,753 +/- sq. ft. community college training facility specifically designed to meet the occupational training requirements of the health care industry. The building will contain 11,520 +/- assigned sq. ft. of specialized classroom and lab space. The building will be located on a portion of the existing parking lot with a new parking lot to be constructed on vacant land to the north. Campus Drive will be extended to the northern end of the parcel containing the new parking lot. **The premises shall not be occupied or opened to the students until the Department of State Architect files "Form 6" with the State, and 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. All elements of the project description shall be complied with.
4. The parking lots must be made available for public parking for City use, including access from Ranch Lane.
5. Adequate off-street parking facilities shall be provided as follows: one (1) space for each employee including teachers, administrators and custodians, plus one (1) space for each ten (10) students enrolled as set forth in Section 16.54.020.6.c of the Yreka Municipal Code.

6. 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 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. 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.
9. All landscaping shall be installed, maintained, and replaced as necessary as depicted on the site plan with the exception that a suitable replacement shall be determined for the Sequoiadendron Giganteum.
10. 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.
11. Permittee shall obtain a building permit and shall pay the necessary fees through the Department of State Architect and provide a final floor plan and a copy of the permit to the City of Yreka 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 are required and will be constructed to City Standards as approved by the Director of Public Works.
12. Permittee shall submit storm water detention analysis and plan shall be provided for review and approval by the Director of Public Works prior to start of construction including potential onsite storm water detention. Storm water permits will be obtained if required.
13. All outdoor lighting shall be designed to prevent unreasonable glare to adjoining properties and controlled by such reasonable means as are practical to prevent sky-reflected glare. Directional prismatic lenses and hooding devices will be utilized where possible.
14. Should any potential archaeological resource be uncovered in the course of any development, then all work shall cease in the immediate vicinity of the find until an archaeologist who meets the U.S. Secretary of the Interior's professional qualifications standards evaluates the potential resource. If the find is determined to be a significant resource under CEQA guidelines, the developer shall implement all mitigation measures

recommended by the archaeologist to avoid or to reduce adverse impacts. Local representatives of the appropriate Native American organization acting as a responsible agency will be contracted to observe on-site grading and excavation operations.

15. Should any human remains be accidentally discovered in the course of development work on the site, CEQA Guidelines Section 15064.5(e) sets forth the procedures to be followed.

16. Exterior construction activities shall be limited to the hours of 7:00 a.m. to 5:00 p.m. as indicated in Policy No. 10 of the Noise Element of the City of Yreka General Plan.

17. Permittee shall assure that the contractor involved in grading or other earth moving work on the site will follow Best Management Practices (BMPs) in erosion control.

18. All grading and construction work on the project site will incorporate the following dust control measures:

- All active construction areas shall be watered at least twice daily.
- Soil stabilizers shall be applied to inactive construction areas, as needed.
- All unpaved access roads and staging areas at construction sites shall be paved, have soil stabilizers applied, or have water applied three times daily.
- Exposed stockpiles of soil and other backfill material shall be enclosed or covered, and be watered twice daily or have soil binders added.
- All trucks hauling soil and other loose material shall be covered or have at least two feet of freeboard.
- If visible soil material is carried onto adjacent public streets, such streets shall be swept with water sweepers.
- Dust-producing activities shall be suspended when high winds create construction-induced visible dust plumes moving beyond the project site, in spite of dust control measures.

19. All graded slopes will be seeded with native grasses and covered with mulch upon completion of the grading. During construction, in those areas where storm water may run off exposed earth surfaces, straw bales will be used where necessary as a means to control silt run off in drainage areas.

20. Project noise levels shall not exceed those standards set forth in the Noise Element of the General Plan of the City of Yreka.

21. Permittee shall secure building occupancy approvals from the appropriate regulatory agencies and shall provide copies to the City prior to use of the subject College of the Siskiyous – Yreka Campus expansion.

22. No signs shall be placed on the premises without prior approval of the Planning

Department.

23. 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.

24. 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, Knitter, McAllister, Rolzinski, Rowland, Schettino

NOES: None

USE PERMIT – REBUILD NONCONFORMING RESIDENCE

DUANE & DAWN CULLEN –1405 OAK VIEW CIRCLE

APPROVED

The Commission reviewed the application for a Use Permit submitted by Duane & Dawn Cullen to rebuild a structure that was damaged by fire January 18, 2007 to an extent greater than fifty percent (50%) of its reasonable value to its pre-fire footprint, allowing the 4'6" (approximate) side yard setbacks as shown on the site plan on the property located at 1405 Oak View Circle.

This being the time and date set for a public hearing on an application for a Use Permit to rebuild a structure to its pre-fire footprint on the property located at 1405 Oak View Circle, Chair Rolzinski opened the hearing to the public.

City Attorney, Mary Frances McHugh, reported that the tape recorder quit, the remainder of the meeting will not be recorded.

Staff reported the Technical Committee recommended approval.

Staff recommended that the Planning Commission make a determination that 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 rebuilding a structure to its previous footprint will not have a significant effect on the environment and is therefore not subject to CEQA.

Following the Technical Committee meeting research was conducted regarding the subdivision creating the subject parcel called the Rolling Ranch Subdivision. The Tentative

Subdivision Map approved on March 15, 1978 allowed Lot Design Standards for the interior lots with 20' front setbacks and 5' side setbacks, therefore, staff recommended that the building be allowed to be built to the setbacks approved with the subdivision as approved March 15, 1978.

Applicant's representative, Robert O'Gorman, requested that they be allowed to expand the house to the 5' side setback and to allow the garage to be reconstructed to the original dimension of 19'6" wide.

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 rebuild a structure that was damaged by fire January 18, 2007 to an extent greater than fifty percent (50%) of its reasonable value to its pre-fire footprint, allowing the 4'6" and 5' (approximate) side yard setbacks as shown on the site plan; and as requested by applicant, allow expansion of the house to the 5' side setback and to allow the garage to be reconstructed to the original dimension of 19'6" wide, on the property located at 1405 Oak View Circle, Assessor's Parcel No. 61-331-100, 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 in that it is not a project which has potential for causing a significant effect on the environment.

The approval is based on Staff's and the Technical Committee's recommendations 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 a structure that was damaged by fire to an extent greater than fifty percent (50%) of its reasonable value to its pre-fire footprint, allowing the 4'6" and 5' (approximate) side yard setbacks as shown on the attached site plan 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 because reconstruction of the residence will not create additional traffic except for a short period during the construction.

d. adversely affect matters regarding police protection, crime prevention, and security as the use will be the same as before the building burned.

e. adversely affect circulation or traffic patterns in the neighborhood nor constitute a nuisance because the use will be the same as before the building burned.

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

3. The residence was nonconforming because of side yard setbacks that do not meet current regulations. Yreka Municipal Code Section 16.46.130.C gives the Planning Commission authority to allow reconstruction of nonconforming buildings damaged to the extent greater than fifty percent (50%) of its reasonable value within six months after any such destruction. The required side yard setbacks are 5' and 10', the footprint of the nonconforming building showed that setbacks of the building were approximately 4'6" and 5'.

4. 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 rebuilding a structure to its previous footprint will not have a significant effect on the environment and is therefore not subject to CEQA.

5. The Rolling Ranch Subdivision, of which the subject parcel is a part, approved on March 15, 1978 allowed Lot Design Standards for the interior lots with 20' front setbacks and 5' side setbacks, therefore allowing the 5' side setbacks would be in conformance with the Subdivision as approved.

6. The garage width dimension of 19'6" is nonconforming because the required accessible area for storage is required to be 20' x 20' for a two car garage. Replacement of the garage that was destroyed by fire to the previous dimension of 19'6"x 20' will be allowed.

CONDITIONS:

1. The nonconforming garage structure destroyed by fire shall be rebuilt to the pre-fire building footprint within six months from date of approval.

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

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

NOES: None

SIGN USE PERMIT – WALL SIGN

WESTERN SIGN COMPANY INC., BY DENNIS SMALL

APPROVED

The Commission reviewed the application for a Sign Use Permit submitted by Dennis Small for Western Sign Company to install a single face fluorescent illuminated wall sign 28" x 51" (10 sq. ft.) copy to read "United States Post Office..." on the property located at 1842 Ft. Jones Rd.

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 1842 Ft. Jones Road, Chair Rolzinski opened the hearing to the public.

Staff reported the Technical Committee recommended approval. Staff also reported that the subject property is located within the Yreka Junction Shopping Center and must comply with their Planned Sign Program. The property management company signed for their approval of the signs. The project is located in the South Yreka Interchange as provided in Section 13.68.030 of the Yreka Municipal Code which allows the Planning Commission to grant additional advertising surface and height of signs.

Staff recommended that the Planning Commission make a determination that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15311(a) (On Premises 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 Amaral made a motion to approve the application for a Sign Use Permit to install a single face fluorescent illuminated wall sign 28" x 51" (10 sq. ft.) copy to read "United States Post Office...", on the property located at 1842 Ft. Jones Road, Assessor's Parcel No. 62-131-220, CT zone, GC General Plan designation with the determination that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15311(a) (On Premises Signs) of the CEQA Guidelines.

The approval is based on Staff's and the Technical Committee's recommendations 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 replacement of existing 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. The subject property is located at 1842 Fort Jones Road within the South Yreka Interchange as provided in Section 13.68.030 of the Yreka Municipal Code.

3. The project is exempt from the provisions of the California Environmental Quality Act as a Categorical Exemption pursuant to Section 15311(a) (on-premise signs) of the CEQA Guidelines.
4. The application was authorized by Kimco Realty, the Property Management Company.

CONDITIONS:

1. The replacement of signs shall comply with the specifications and plans approved by the Planning Commission on August 15, 2007 and shall serve only to identify the business carried on said premises.
2. The permit does not constitute approval from the Department of Transportation of the State of California; the Permittee shall comply with any and all statutes, rules, and regulations of the State of California if applicable.
3. The signs shall be erected in accordance with the specifications and plans submitted by Dennis Small for Western Sign Company and approved by the Planning Commission on August 15, 2007 and shall not be deviated from without the prior review and approval of the Planning Commission.
4. The signs 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.
5. The signs shall be erected in accordance with Title 13, Signs, of the Yreka Municipal Code.
6. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to installing the signs approved by the Planning Commission at its meeting held on August 15, 2007.
7. The sign shall be removed within thirty days after the businesses close and are no longer in operation on the property upon which the signs are located.
8. The sign use permit shall be automatically revoked and terminated if not used within one year from date of approval.

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

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

AUDIENCE STATEMENTS & COMMENTS

None.

APPROVAL OF THE MINUTES OF THE JULY 18, 2007 MEETING

The Commission, having received a copy of the minutes of the regular meeting held July 18, 2007 approved the minutes as presented on a motion made by Commissioner McAllister and seconded by Commissioner Rowland.

GENERAL PLAN CONSISTENCY – LAND ACQUISITION & USE

The Commission reviewed the request for the City of Yreka to acquire certain properties and installation of storm drainage facilities on those properties and the City owned parcels APN 053-111-030 (Barham Street) and 054-271-280 (Shasta Avenue) as it pertains to the City of Yreka General Plan consistency.

City Attorney, Mary Frances McHugh explained that the City was awarded a grant for implementation of a stormwater management project that is expected to reduce the incidences of flood damage within the City and that the project requires acquisition of certain interests in real property and use of certain City owned parcels for detention facilities. It is required that Planning Commission determines whether or not the acquisition of property and use of City owned property is consistent with the General Plan.

Following Commission discussion, Commissioner Schettino made a motion to adopt the following resolution finding that the proposed stormwater management project of the City and acquisition of certain interests in real property conforms to the General Plan of the City of Yreka.

RESOLUTION NO. PC- 28**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF YREKA
FINDING THAT THE PROPOSED STORMWATER MANAGEMENT PROJECT
OF THE CITY AND ACQUISITION OF CERTAIN INTERESTS IN REAL
PROPERTY CONFORMS TO THE GENERAL PLAN OF THE CITY OF YREKA**

WHEREAS, the City is a municipal corporation; and,

WHEREAS, on September 8, 2006, the City of Yreka was awarded a grant for the implementation of a stormwater management project which is expected to reduce the incidences of flood damage within the City and which will benefit regional water quality goals; and

WHEREAS, implementation of this project requires the acquisition of certain interests in real property reserved for floodplain purposes adjacent to Humbug Creek within the City of Yreka at Assessor's Parcel Numbers 061-370-170 (owner: Humbug Hollow HOA), 061-091-160, 170, 180 and 190 (owner: T. Parker).

WHEREAS, review is required pursuant to California Government Code Section 65402 as to whether acquisition of an easement or fee title in favor of the City of Yreka on those properties for the purposes of installing storm drainage facilities will be consistent with the General Plan; and

WHEREAS, implementation of this project requires review pursuant to California Government Code Section 65402(a) that the use of City owned parcels at 053-111-030 (Barham Street) and 054-271-280 (Shasta Avenue) for detention facilities is consistent with the General Plan; and,

WHEREAS, pursuant California Government Code Section 65402, the Planning Commission must make a report as to the conformity of the proposed acquisition and use of that property with the City's General Plan within 40 days or some other period of time designated by the City Council; and,

WHEREAS, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) this action 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; and

NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The Commission hereby finds and determines that the foregoing recitals are true and correct.

Section 2. The Commission hereby finds and determines that the proposed acquisition and use set forth above is consistent with the General Plan of the City of Yreka.

Section 3. This resolution shall take effect immediately upon its passage.

Passed and adopted this ___ day of August, 2007, by the following vote:

AYES:
NAYS:
ABSENT:

Richard Rolzinski, Commission Chairperson

APPROVED AS TO FORM:

Mary Frances McHugh,
City Attorney

Attest:

Pam Hayden,
Deputy City Clerk

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

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

COMMISSIONER'S STATEMENTS & COMMENTS

Commissioners Schettino & Rolzinski reported they received complaints from members of the Elks Club regarding problems with patrons of the Teen Club such as climbing on the roof of the Elks Club and drinking alcohol in the parking lot.

Staff will investigate for potential referral to the Commission for possible Use Permit

8/15/07

-16- PC

revocation.

Commissioners expressed sincere sorrow at the sudden passing of Commissioner Rollie Elsea and took a moment of silence in his memory. He will be missed.

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

Pamela J. Hayden, Planning Director