

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD IN
THE YREKA CITY COUNCIL CHAMBER IN SAID CITY
ON THE 19th DAY OF DECEMBER 2007

On the 19th day of December, 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: Diane Knitter
Mark McAllister
Richard Rolzinski
Joe Schettino

Absent: Peggy Amaral
Jason Darrow
Judi Rowland

USE PERMIT – ACCESSORY BUILDING

RACHEL & PETER JEREB – 182 HUMBUG ROAD

APPROVED

City Attorney, Mary Frances McHugh, recused herself from giving legal advice in this agenda item to prevent a possible conflict of interest because she has ownership of property within 500 feet of the project site and she left the room.

The Commission reviewed the application for a Use Permit submitted by Rachel and Peter Jereb to construct a 1,152 sq. ft. accessory building for use as a garage/storage on the property located at 182 Humbug Road.

This being the time and date set for a public hearing on an application for a Use Permit to construct a 48' x 24' (1,152 sq. ft.) accessory building for use as a garage/storage on the property located at 182 Humbug 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 the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303(e) (Small New Structures) of the CEQA Guidelines.

Applicants were available to answer questions.

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 48' x 24' (1,152 sq. ft.) accessory building for use as a garage/storage on the property located at 182 Humbug Road, Assessor's Parcel No. 53-662-400, R-1 zone, LDR General Plan designation with the determination that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303(e) (Small New Structures) of the CEQA Guidelines. The approval is based on Staff's and 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 construction of a 1,152 square foot garage/storage building 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 and it complies with the City setback requirements.
 - 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 project site is surrounded by residential uses.
 - c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because the use a 1,152 sq. ft. garage will not significantly 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 construction of a 1,152 sq. ft. garage will allow parking of vehicles off the street and on the project site.
2. The use is compatible with the policies and objectives of the zoning ordinance.
3. The project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Categorical Exemption Section 15303(e) (Construction of Small Structures – accessory structures including garages) of the CEQA Guidelines.

CONDITIONS:

1. Permittee granted a permit to construct a 1,152 square foot garage/storage structure on the location set forth in the application, subject to full compliance with applicable city and state codes. **The premises shall not be occupied until all conditions hereinafter set forth have been complied with by the Permittee.**
2. The structure shall be for personal residential use only. The structure shall not be utilized for any commercial activity.
3. The front setback shall be calculated from the northerly Humbug Road right-of-way/easement.
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. 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.
6. 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 subject accessory structure for use as a garage/storage.
7. 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.
8. Use permit granted in accordance with the terms of this title may be revoked if any of the conditions or terms of such permit are violated or if any law or ordinance is violated in connection therewith, or if the Planning Commission finds, with the concurrence of the City Council, that the continuance of the use permit will endanger the public health, safety, or welfare.
9. **The use permit shall be automatically revoked and terminated if not used within one year from the date of approval, or in the event the use permitted is abandoned or not utilized for a period of one year.**

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

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

City Attorney, McHugh, returned to the Commissioners Table.

AUDIENCE STATEMENTS & COMMENTS

None.

APPROVAL OF THE MINUTES OF THE NOVEMBER 27, 2007 MEETING

The Commission, having received a copy of the minutes of the special meeting held November 27, 2007 approved the minutes with the correction that Chair Rolzinski called the meeting to order not Vice Chair Knitter, on a motion made by Commissioner Knitter and seconded by Commissioner Schettino.

SITE, LANDSCAPE, PARKING PLAN – OFFICE/WAREHOUSE STORAGE TIM ZIMBELMAN – 209 E. OBERLIN ROAD APPROVED

The Commission reviewed the application submitted by Tim Zimbelman for a site, landscape, and parking plan for construction of approximately 3,000 sq. ft. of office and warehouse storage space on the property located at 209 E. Oberlin Road.

Staff reported the Technical Committee recommended approval subject to the conditions presented. It was noted that a street light might be required depending on the spacing of existing lights.

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 15332 (Infill Development) of the CEQA Guidelines.

Following Commission discussion, Commissioner McAllister made a motion to approve the application for a site, landscape, and parking plan for construction of approximately 3,000 sq. ft. of office and warehouse storage space on the property located at 209 E. Oberlin Road, Assessor's Parcel No. 62-051-040, M-1 zone, I General Plan designation, with the determination that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Infill Development) of the CEQA Guidelines because:

The project is an allowable use pursuant to the City of Yreka General Plan and Zoning Ordinance.

The project is located on a site of approximately 13,503 square feet.

The project site has been previously graded and is on dredger tailings and has no value as habitat for endangered, rare or threatened species.

The project is located on Oberlin Road which is considered an arterial that carries moderately heavy traffic. The proposed project is not anticipated to create significant additional traffic.

The site can be adequately served by all required utilities and public services.

The approval is based on Staff's and the Technical Committee's recommendations and is 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 project of a site, landscape, and parking plan for construction of approximately 3,000 square feet of office and warehouse storage space is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15332 (Infill Development) of the CEQA Guidelines.

- The project is an allowable use pursuant to the City of Yreka General Plan and Zoning Ordinance.
- The project is located on a site of approximately 13,503 square feet.
- The project site has been previously graded and is on dredger tailings and has no value as habitat for endangered, rare or threatened species.
- The project is located on Oberlin Road which is considered an arterial that carries moderately heavy traffic. The proposed project is not anticipated to create significant additional traffic.
- The site can be adequately served by all required utilities and public services.

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, including curb, gutter, sidewalk, and driveway approach, in the Oberlin Road right-of-way.

3. The site, landscape and parking plans submitted by Tim Zimbelman dated December 7, 2007 as approved by the Planning Commission on December 19, 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.

4. 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 Section 16.54.020 (A.2.a) and one space for each 1,500 square feet of floor area or one space for each employee of the maximum working shift, whichever is greater as set forth in Section 16.54.020 (A.2.i) of the Yreka Municipal Code. Seven (7) parking spaces are required for the proposed office – warehouse storage use.

5. The design and location of the off-street parking facilities as shown on the site plan dated December 7, 2007 as approved by the Planning Commission on December 19, 2007 shall not be deviated from unless prior approval of the Planning Commission (with the exception as stated in Condition #3) 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.

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. 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.

8. 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.

9. Permittee shall submit storm water drainage plan for Building Official/Director of Public Works approval prior to grading and/or building permit issuance. Onsite storm water detention is required.

10. Permittee shall comply at all times with the zoning district regulations for an M-1 (Light Industrial) zone as set forth in Section 16.40 of the Yreka Municipal Code. There shall be no storage on the premises not totally enclosed within the building pursuant to Yreka Municipal Code section 16.40.050.B Permitted Uses.

11. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to starting construction of the 3,000 square foot building.

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

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

USE PERMIT EXTENSION

RICKEY TORRES FOR GLOBAL PREMIER

APPROVED

The Commission reviewed the application submitted by Rickey Torres for Global Premier for an extension of Use Permit #3457 to construct, establish, and operate an 81 unit family apartment community on a project site of approximately 6.75 acres. The project will consist of 10 two story wood frame structures on the property located north of and adjacent to 510 N. Foothill Drive.

Staff reported the Technical Committee recommended approval of a one year extension subject to the conditions previously approved and modified with the following additional modification:

Condition No. 3:

The City of Yreka ~~is currently establishing development fees~~ has established Municipal Utility Services, Impact, and Connection Fees. The project shall be subject to ~~development~~ the fees at time of building permit issuance.

Following Commission discussion, Commissioner Schettino made a motion for a one year extension of Use Permit No. 3457 to construct, establish, and operate an 81 unit family apartment community on a project site of approximately 6.75 acres. The project will consist of 10 two story wood frame structures on the property located north of and adjacent to 510 N. Foothill Drive, Assessor's Parcel Nos. 53-651-0620 and 53-642-410, M-1 zone and I General Plan designation.

The approval is based on Staff's and the Technical Committee's recommendations including the modification to Condition No. 3 as follows: The City of Yreka ~~is currently establishing development fees~~ has established Municipal Utility Services, Impact, and Connection Fees. The project shall be subject to ~~development~~ the fees at time of building permit issuance. The approval is 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 an 81 unit family apartment community on a project site of approximately 6.75 acres 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 use will not impair the desirability of investment or occupation in the vicinity.
 - c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors.
 - d. adversely affect matters regarding police protection, crime prevention, and security.
 - e. adversely affect circulation or traffic patterns in the neighborhood or constitute a nuisance.
2. The use is compatible with the policies and objectives of the zoning ordinance.

CONDITIONS:

1. Permittee granted a permit to construct, establish and operate an 81 unit family apartment community on a project site of approximately 6.79 acres 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 description shall be complied with.
3. The City of Yreka ~~is currently establishing development fees~~ has established Municipal Utility Services, Impact, and Connection Fees. The project shall be subject to the ~~development fees~~ at time of building permit issuance.
4. A project specific water delivery study that evaluates the adequacy of water *supply and water* distribution to the project shall be conducted prior to building permit issuance. The study shall take into consideration all other approved projects in the area. Whatever determination and recommendations are made *pursuant to that study* and approved by the Director of Public Works shall be complied with.
5. Adequate off-street parking facilities shall be provided as follows: one and one half (1½) spaces for each dwelling unit as set forth in Section 16.22.040(D) of the Yreka Municipal Code. The parking spaces shall be 9' x 20' as set forth in Section 16.54.090.

6. On-site fire truck access shall be designed to meet the requirements of *Article 9* of the California Uniform Fire Code.
7. Street lights shall be installed on Foothill Drive pursuant to the Public Works standards.
8. Addresses shall be assigned in accordance with City of Yreka policy.
9. Fence heights shall be installed in accordance with Yreka Municipal Code Section 16.46.050.
10. 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.
11. 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.
12. 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.
13. All landscaping shall be installed, maintained, and replaced as necessary as depicted on a revised detailed landscape plan to be resubmitted for Planning Commission approval prior to building permit issuance. The revised plan shall include a plan for water efficient irrigation in accord with City policy.
14. 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.
15. Permittee shall submit a soils analysis to the Building Official at time of building plan submittal.
16. Permittee shall submit a grading plan and storm water detention analysis for review and approval of the Director of Public Works and/or Building Official prior to start of construction or any on-site grading.
17. Sewer, water, and storm drain lines will be extended to accommodate the project.

18. All outdoor lighting will 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.

19. Should any previously unidentified archaeological resources be revealed during excavation and construction activity, work will cease in the immediate vicinity of the discovery, and all reasonable measures will be taken to avoid or minimize harm to discovered resources until consultation with the State Historic Officer, as required by Section 106 of the NHPA is concluded.

20. 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.

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

- All active construction areas will be watered at least twice daily or as required by the Building Official.
- Soil stabilizers will be applied to inactivate construction areas as needed.
- If visible soil material is carried onto adjacent public streets, such streets will be cleaned of the debris.
- Dust-producing activities will be suspended when high winds create construction-induced visible dust plumes moving beyond the project site, in spite of dust control measures.

22. 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.

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

24. 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.

25. 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 81 unit family apartment community.

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

27. 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.

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

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

GENERAL PLAN HOUSING ELEMENT ANNUAL REPORT

Staff reported that the Housing Element of the General Plan requires an annual review to assure that the goals, program statements, and specific housing programs are pursued and continue to be compatible with other elements of the General Plan. California Planning law requires the report also be submitted to the Office of Planning and Research.

The General Plan Housing Element - 2006 annual report was presented to the Planning Commission.

Commissioner McAllister made a motion to acknowledge receipt of the General Plan Housing Element – 2006 Annual Report.

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

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

COMMISSIONER'S STATEMENTS & COMMENTS

Commissioners expressed concern regarding the parking lot at the High School because it is dark and dangerous because there are lights not working. It was explained that the City has offered to help with the lights and paving and they refused the offer.

Brian Meek, City Manager, gave an additional explanation of the reason City residents

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continue to pay a \$2.00 landfill fee.

There being no further business before the Commission, the meeting was adjourned at 8:05 p.m.

Pamela J. Hayden, Planning Director