

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD IN
THE YREKA CITY COUNCIL CHAMBER IN SAID CITY
ON THE 16th DAY OF JANUARY 2008

On the 16th day of January, 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
Jason Darrow
Diane Knitter
Richard Rolzinski
Judi Rowland
Joe Schettino

Absent: Mark McAllister

**USE PERMIT – ADD TRUCK DEPOT TO EXISTING BUSINESS
ALLEN WILLIAMS – 1409 S MAIN STREET**

APPROVED

The Commission reviewed the application for a Use Permit submitted by Allen Williams for a use permit to establish and operate a truck depot and truck parking business in addition to the existing automotive and R.V. repair shop; new and used car, truck, utility trailer, and motorcycle sales; and auto rental business on the property located at 1409 S. Main Street.

This being the time and date set for a public hearing on an application for a use permit to establish and operate a truck depot and truck parking business in addition to the existing business on the property located at 1409 S. Main Street, Chair Rolzinski opened the hearing to the public.

Staff reported the Technical Committee recommended approval subject to the conditions presented with the additional condition that pursuant to the application the permit is limited to a maximum of 5 trucks. It was also reported that a letter received from Caltrans requesting an updated encroachment permit from the new property owner was sent to the applicant.

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.

Applicant was 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 establish and operate a truck depot and truck parking business in addition to the existing automotive and R.V. repair shop; new and used car, truck, utility trailer, and motorcycle sales; and auto rental business on the property located at 1409 S. Main Street, Assessor's Parcel No. 62-011-410, CH 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 15332 (Infill Development) 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 establishment and operation of a truck depot and truck parking business for 5 trucks in addition to the existing automotive & R.V. repair shop; new & used car, truck, utility trailer, and motorcycle sales; and auto rental business 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 proposed location is on a lot large enough to accommodate the mixed uses.
 - 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 trucks will be parked on the project site, not on the streets.
 - 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 exempt from the provisions of the California Environmental Quality Act pursuant to Section 15332 (Infill Development) of the CEQA Guidelines.

CONDITIONS:

1. Permittee granted a permit to establish and operate a truck depot and truck parking business for 5 trucks in addition to the existing automotive & R.V. repair shop; new & used car, truck, utility trailer, and motorcycle sales; and auto rental business 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. Permittee shall continue to comply with the Conditions of Approval for Use Permit No. 3404 as approved on May 19, 2004.
3. Five trucks shall be the maximum permitted with this use permit authorizing a truck depot and truck parking business.
4. The trucks utilized in the truck depot business shall not be parked on the street; they shall only be parked on the project site.
5. Adequate off-street parking facilities shall be provided as follows: one (1) space for each employee of the maximum working shift, plus the number of additional spaces prescribed by the Planning Commission as set forth in Section 16.54.020.A.9 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, 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. 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 maintained and replaced as necessary as previously approved for Use Permit No. 3404.
10. 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.
11. 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, 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.

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

13. Permittee shall secure an annual City business license to carry on the business of a truck depot, automotive & R.V. repair shop; new & used car, truck, utility trailer, and motorcycle sales; and auto rental business.

14. 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.

15. 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, Darrow, Knitter, Rolzinski, Rowland, Schettino

NOES: None

USE PERMIT – ACCESSORY BUILDING

KEVIN & LEANN STENSETHER – 624 W MINER ST.

APPROVED

The Commission reviewed the application for a use permit submitted by Kevin and LeAnn Stensether to construct a 21' x 42' (882 sq. ft.) accessory building for use as a garage/storage on the property located at 624 W. Miner Street.

This being the time and date set for a public hearing on an application for a use permit to construct a 21' x 42' (882 sq. ft.) accessory building for use as a garage/storage on the property located at 624 W. Miner Street, 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.

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 use permit to construct a 21' x 42' (882 sq. ft.) accessory building for use as a garage/storage on the property located at 624 W. Miner Street, Assessor's Parcel No. 53-341-180, 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 an 882 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 882 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 882 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 882 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. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. **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 Darrow seconded the motion. The motion carried by the following vote:

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

AUDIENCE STATEMENTS & COMMENTS

None.

APPROVAL OF THE MINUTES OF THE DECEMBER 19, 2007 MEETING

The Commission, having received a copy of the minutes of the regular meeting held December 19, 2007 approved the minutes, on a motion made by Commissioner Schettino and seconded by Commissioner Knitter.

ELECTION OF OFFICERS

Chair Rolzinski relinquished the role of Chair to the City Attorney, Mary Frances McHugh, and she assumed the position of Chair for election of officers and opened the nominations for Chair. Commissioner Rolzinski was nominated for Chair by Commissioner Amaral, there being no additional nominations, nominations were closed.

City Attorney McHugh opened the nominations for Vice Chair. Commissioner Knitter was nominated Vice Chair by Commissioner Rowland, and there being no further nominations for Vice Chair nominations were closed.

There being no contest, City Attorney McHugh declared the election of Richard Rolzinski Chair and Diane Knitter for Vice Chair by acclamation.

The Chair was relinquished back to Chair Rolzinski

COMMISSIONER'S STATEMENTS & COMMENTS

Commissioners asked what was happening at various buildings in the City.

City Manager, Brian Meek, reported on issues the City is dealing with regarding CalFire's new fire hazard map that designates several areas in Yreka as Very High Wild Fire Hazard Areas (VHWFHA) and the problem it creates within the City. He also reported on difficult issues concerning the new International Building Code the City is required to enforce.

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

Pamela J. Hayden, Planning Director