

MINUTES OF THE REGULAR MEETING OF THE  
YREKA PLANNING COMMISSION HELD IN  
THE YREKA CITY COUNCIL CHAMBER IN SAID CITY  
ON THE 20<sup>th</sup> DAY OF FEBRUARY 2008

On the 20<sup>th</sup> day of February, 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  
                                  Joe Schettino

Absent:                     Judi Rowland  
                                  Mark McAllister

**USE PERMIT – CHIROPRACTIC OFFICE**  
**DR. FRANK D. STICKLEY – 222 BUTTE STREET** **APPROVED**

The Commission reviewed the application for a Use Permit submitted by Dr. Frank D. Stickley for a use permit to establish and operate a chiropractic office facility with one chiropractor, one exam room and no employees on the property located at 222 Butte Street.

This being the time and date set for a public hearing on an application for a use permit to establish and operate a chiropractic office on the property located at 222 Butte Street, Chair Rolzinski opened the hearing to the public.

Staff reported the Technical Committee recommended approval subject to the conditions presented.

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

Parking is the major concern for this location since the project site has no on-site parking available. As provided in proposed Condition No. 2, the building's parking requirement is grandfathered at one space for each 200 sq. ft. of office space. The grandfathered parking allotment for 378 sq. ft. is two spaces. The proposed use requires 3 parking spaces. Yreka Municipal Code Section 16.54.040.B provides that in the event a change in use creates a need for an increase of two or less off-street spaces, no additional parking facilities shall be

required.

As stated in the applicant's letter of application, his hours of operation are on days and hours the higher traffic producers in the building will not be in operation in order to help reduce any parking impact to the area.

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 Amaral made a motion to approve the application for a use permit to establish and operate a chiropractic office facility with one chiropractor, one exam room and no employees on the property located at 222 Butte Street, Assessor's Parcel No. 54-182-140, C2 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 chiropractic office facility with one chiropractor, one exam room, and no employees 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 it is a business in an existing building and similar to other uses in the neighborhood.
  - 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 chiropractic use is similar to other uses in the neighborhood.
  - c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because the hours of operation are planned to be Friday, Saturday, and Monday 11:00 a.m. to 6:00 p.m. when other high traffic produces in the building are either not open or open on part of the days in order to minimize the impact on parking in the area.
  - d. adversely affect matters regarding police protection, crime prevention, and security since the business will be in an existing building with several other existing businesses.

- e. adversely affect circulation or traffic patterns in the neighborhood or constitute a nuisance since no traffic patterns or circulation will be changed.
2. The use is compatible with the policies and objectives of the zoning ordinance and the C2 (Downtown Commercial) zoning.
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 chiropractic office facility with one chiropractor, one exam room and no employees at the location set forth in the application utilizing 378 sq. ft. of office space, subject to full compliance with applicable city and state codes. **The premises shall not be occupied or opened to the public until all conditions hereinafter set forth have been complied with by the Permittee.**
2. All elements of the project application, including hours and days of operation, shall be complied with.
3. Adequate off-street parking facilities shall be provided as follows: one (1) space for each chiropractor plus two (2) spaces for each examining room as set forth in Section 16.54.020.A.4.a of the Yreka Municipal Code (YMC). There is no on-site parking on the project site; the building's parking requirement is grandfathered at one space for each 200 sq. ft. of office space. The grandfathered parking allotment for 378 sq. ft. is 2 spaces. The proposed use requires 3 parking spaces. YMC Section 16.54.040.B provides that in the event a change in use creates a need for an increase of two or less off-street parking spaces, no additional parking facilities shall be required.
4. Permittee shall comply at all times with the zoning district regulations for a C2 zone as set forth in section 16.34 of the Yreka Municipal Code.
5. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to making any building, electrical, mechanical, or plumbing installations and/or improvements. Public infrastructure improvements such as curb, gutter, sidewalk, street lights, wheel chair ramps, driveway approaches and asphalt concrete street pavement may be required upon issuance of a building permit in accordance with Yreka Municipal Code Section 11.24.030.
6. 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 medical office facility.
7. No signs shall be placed on the premises without prior approval of the Planning Department.

8. Permittee shall secure an annual City business license to carry on the business of a medical office facility.
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 Knitter seconded the motion. The motion carried by the following vote:

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

#### **AUDIENCE STATEMENTS & COMMENTS**

None.

#### **APPROVAL OF THE MINUTES OF THE JANUARY 16, 2008 MEETING**

The Commission, having received a copy of the minutes of the regular meeting held January 16, 2008, approved the minutes on a motion made by Commissioner Knitter and seconded by Commissioner Schettino.

#### **TEMPORARY USE PERMIT – NURSERY PLANT SALES JEFF BOURKE 600 S. BROADWAY**

**APPROVED**

The Commission reviewed the application for a temporary use permit submitted by Jeff Bourke for G & G Hardware Ace Home Center for a use permit to establish and operate a temporary business of live nursery plant sales for the months of March 31, 2008 through June 30, 2008 in conjunction with the existing flooring sales business at 600 S. Broadway and in conjunction with the hardware business located across the street at 729 S. Broadway Street.

Staff reported the Technical Committee recommended approval subject to the conditions presented.

Staff recommends that the Planning Commission make a determination that this project is exempt from the provisions of the California Environmental Quality Act pursuant to Section

15332 (Infill Development) of the CEQA Guidelines.

Following Commission discussion, Commissioner Schettino made a motion to approve the application for a temporary use permit to establish and operate a temporary business of live nursery plant sales for the months of March 31, 2008 through June 30, 2008 in conjunction with the existing flooring sales business at 600 S. Broadway and in conjunction with the hardware business located across the street at 729 S. Broadway Street, Assessor's Parcel No. 54-301-040, C2 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 applicant requested the application be amended to extend the period of operation to July 31, 2008.

Commissioner Schettino amended his motion to extend the period of operation to July 31, 2008 as requested.

The project 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 temporary business of live nursery plant sales 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 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 temporary use permit terminating July 31, 2008 to establish and operate a landscaping materials yard and landscaping 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. The requirement that adequate off-street parking facilities be provided as follows: one (1) space for each 2,000 square feet of floor area as set forth in Section 16.54.020 (A.2.d) of the Yreka Municipal Code shall be waived for this 4 month permit only, provided all parking spaces at the primary business located across the street at 729 Broadway Street remain open without merchandise to allow for maximum parking.
3. All existing on-site paved parking spaces at 600 S. Broadway shall remain unobstructed and usable for parking.
4. Use shall be conducted in accordance with the site plan as previously 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 a C2 zone as set forth in section 16.34 of the Yreka Municipal Code.
6. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to making any building, electrical, mechanical, or plumbing installations and/or improvements. Public infrastructure improvements such as curb, gutter, sidewalk, 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. No signs shall be placed on the premises without prior approval of the Planning Department.
8. Permittee shall secure an annual City business license to carry on the temporary business of live nursery plant sales.
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 Amaral seconded the motion and approved the amendment. The motion carried by the following vote:

AYES: Amaral, Darrow, Knitter, Rolzinski, Schettino

NOES: None

**USE PERMIT EXTENSION – RESTAURANT**

**MARCO RAMOS – 1515 S. MAIN ST**

**APPROVED**

The Commission reviewed the application submitted by Marco Ramos of MK & A, LLC dba Casa Ramos for extension of Use Permit #3568 to construct, establish, and operate a 6,400 sq. ft. restaurant and a 4,125 sq. ft. retail/office building with 111 parking spaces on a project site of 1.7 acres on the property located at 1515 S. Main Street/175 Greenhorn Road.

Staff reported the Technical Committee recommended approval of a one year extension.

Staff administratively authorized a one year extension of this project as provided in Yreka Municipal Code Section 16.44.050 in 2007.

Following Commission discussion, Commissioner Knitter made a motion to approve the application for a one year extension of Use Permit #3568 to construct, establish, and operate a 6,400 sq. ft. restaurant and a 4,125 sq. ft. retail/office building with 111 parking spaces on a project site of 1.7 acres on the property located at 1515 S. Main/175 Greenhorn Road, Assessor's Parcel No. 62-041-050, CH zone, GC General Plan designation. The project 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 findings and conditions as approved on February 15, 2006.

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

AYES: Amaral, Darrow, Knitter, Rolzinski, Schettino

NOES: None

**SITE, LANDSCAPE, AND PARKING PLAN – OFFICE USE**

**DARRELL COLLINS – 400 S. MAIN ST.**

**APPROVED**

The Commission reviewed the application submitted by Darrell Collins for JLD Group, Inc. for a site, landscape, and parking plan for 1,000 sq. ft. office space addition within the existing retail store, adding 30 improved parking spaces to comply with City Codes for the

existing and proposed uses, providing common parking for beauty salon, retail store, RV repair, machine shop, and office uses on the property located at 400 S. Main Street.

Staff reported the Technical Committee recommended approval with the following additional condition:

An encroachment permit shall be obtained from Cal Trans prior to any work in Main Street (State Route 3) public right-of-way and an encroachment permit from the City of Yreka Public Works Department prior to any work in the public right-of-way of Raymond Street.

Staff recommends the Planning Commission make the determination that the project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.

Following Commission discussion, Commissioner Schettino made a motion to approve the application for a site, landscape, and parking plan for 1,000 sq. ft. office space addition within the existing retail store, adding 30 improved parking spaces to comply with City Codes for the existing and proposed uses, providing common parking for beauty salon, retail store, RV repair, machine shop, and office uses on the property located at 400 S. Main Street, Assessor's Parcel No. 54-191-570, CH zone, GC General Plan designation with the determination that the project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines; and with the additional condition that an encroachment permit shall be obtained from Cal Trans prior to any work in Main Street (State Route 3) public right-of-way and an encroachment permit from the City of Yreka Public Works Department prior to any work in the public right-of-way of Raymond Street. The project 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. 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 a City of Yreka right-of-way.
3. An encroachment permit shall be obtained from Cal Trans prior to any work in Main Street (State Route 3) public right-of-way.
4. Permittee shall obtain all State and Federal permits required prior to work in the area of Yreka Creek.
5. The site, landscape and parking plans submitted by Darrel Collins for JLD Group,

Inc. dated November 11, 2007 as approved by the Planning Commission on February 20, 2008 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.

6. 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 (A.2.b), one space for each 100 square feet of floor area plus one space for each employee as set forth in Section 16.54.020(A.2.c), one space for each employee of the maximum working shift as set forth in Section 16.54.020(A.2.g), and one space for each 600 square feet of floor area as set forth in Section 16.54.020(A.2.d) of the Yreka Municipal Code for the retail, office, beauty salon, machine shop, and RV repair shop uses.

7. Common parking facilities will be provided with the adjacent lot known as Assessor's Parcel Nos. 54-191-540 and 54-191-570. The total of such off-street parking spaces, when used together, shall not be less than the sum required for the various uses computed separately, pursuant to Yreka Municipal Code Section 16.54.080. Also as provided in Yreka Municipal Code Section 16.54.080 where the uses utilizing a common parking facility require more than twenty (20) parking spaces, a ten (10) percent reduction in the total number of spaces may be permitted by the Planning Commission. Taking into consideration the common parking facilities and ten percent reduction, the total parking requirement for the use of the site is 65 spaces. Thirty-five spaces are existing thirty spaces are proposed.

8. The design and location of the off-street parking facilities as shown on the site plan dated November 14, 2007 as approved by the Planning Commission on February 20, 2008 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 Building Official and in accordance with Section 16.54.090 of the Yreka Municipal Code.

9. 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.

10. 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.

11. 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 may be required.
12. Permittee shall comply at all times with the zoning district regulations for a CH (Commercial Highway) zone as set forth in Section 16.36 of the Yreka Municipal Code. There shall be no storage on the premises not totally enclosed within a building pursuant to Yreka Municipal Code section 16.40.050.B Permitted Uses.
13. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to starting construction of the 3,000 square foot building.
- 14. 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 Amaral seconded the motion. The motion carried by the following vote:

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

### **SIGN AND BANNER POLICY**

City Attorney McHugh gave background on requests for modification to the City's sign ordinance regarding the sign and banner usage and location for community event publicity.

A possible option for a banner location in addition to the one on Miner Street is on Broadway by Jackson Street, there is also a possibility of a sign location (reader board or small banner) at the Jolley's Club (Y) intersection, determination of property ownership at the Y will be needed. These locations would be for community/civic events only.

The Commission expressed preference to use the Y intersection if possible; they were open to the second banner site on Broadway near Jackson Street. The reader board option was not preferred.

Some members of the audience were concerned that service clubs would not be able to afford the fees if they have to pay for City employee time and a share of installation of devices to make sign installation easier. Other members recognized that advertising their event will cost money.

The definition of Community Event was discussed. The City of Redding's definition was

read.

Reader Board pros and cons were discussed.

A Title Report and survey would be needed to determine ownership of the property at the Y intersection. A request for funds to do this will be presented to City Council at their next meeting.

Nancy O'Connor thanked the City for working on the banner sign issue.

No action was taken by the Planning Commission.

### **COMMISSIONER'S STATEMENTS & COMMENTS**

City Attorney McHugh gave a status report on the City's efforts to modify the CalFire Draft Fire Hazard Severity Zone located within the City limit. The City may hire a consultant to do a study and submit modifications to the State.

There being no further business before the Commission, the meeting was adjourned at 8:50 p.m.

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Pamela J. Hayden, Planning Director