

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 JULY 2008

On the 16th day of July, 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
Joe Schettino

Absent: Judi Rowland

USE PERMIT – FORESTRY CONTRACTOR BUSINESS
ROBERT OCHOA – 1332 FAIRLANE RD

APPROVED

The Commission reviewed the application submitted by Robert Ochoa for a Use Permit to establish and operate a commercial forestry contractor's business including office use, vehicle maintenance for private use – not open to the public, and job equipment and vehicle storage on the property located at 1332 Fairlane Road.

This being the time and date set for a public hearing on an application for a Use Permit to establish and operate a commercial forestry contractor's business, Chair Rolzinski opened the hearing to the public.

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

1. Permittee shall modify the fence height as shown on the site plan to comply with Yreka Municipal Code Section 16.46.050 Fencing, walls, hedges, and screen planting.
2. All four (4) driveway approaches on the project site shall meet city standards established by the Director of Public Works. The driveways shall be improved by asphalt paving, poured concrete, or suitable material (such as pavers) approved by the Director of Public Works, which shall be installed from the back of the driveway approach to a minimum of twenty (20) feet from the property line.

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

At applicant's request it was recommended that proposed condition #2 was modified to read: "All driveway approaches on the project site"

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 commercial forestry contractor's business including office use, vehicle maintenance for private use – not open to the public, and job equipment and vehicle storage on the property located at 1332 Fairlane Road, Assessor's Parcel No. 62-051-080, M-1 zone, I General Plan designation with the following additional conditions as modified:

1. Permittee shall modify the fence height as shown on the site plan to comply with Yreka Municipal Code Section 16.46.050 Fencing, walls, hedges, and screen planting.
2. All driveway approaches on the project site shall meet city standards established by the Director of Public Works. The driveways shall be improved by asphalt paving, poured concrete, or suitable material (such as pavers) approved by the Director of Public Works, which shall be installed from the back of the driveway approach to a minimum of twenty (20) feet from the property line.

The approval is based on Staff's and the Technical Committee's recommendations with the 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. 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 establishment and operation of a commercial forestry contractor's business including office use, vehicle maintenance for private use – not open to the public, and job equipment and vehicle storage 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 there are commercial/industrial uses to the north, south, east and Freeway to the west of the project site including repair shops, trucking business, and Forest Service offices and parking lots.
 - 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 for the reasons stated above.
 - c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because there will be adequate off street parking and there are street for

ingress and egress on three sides of the property.

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 proposed use will not change the existing traffic patterns or circulation.

2. The use is compatible with the policies and objectives of the zoning ordinance for light industrial zones.

3. The Planning Commission determined that the project is exempt from the environmental review pursuant to the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332 Infill Development of the CEQA Guidelines.

The foregoing findings are based upon the following:

The design of the project and its proposed improvements will not cause serious public health problems or significant environment damage since the proposed project is for a commercial/light industrial use within an existing light industrial neighborhood.

Conditions of approval will provide maximum land use compatibility between the proposed commercial development and the existing commercial neighborhood. None of the findings necessary for denial of this proposal can be found in the affirmative.

CONDITIONS:

1. Permittee granted a permit to establish and operate a commercial forestry contractor's business including office use, vehicle maintenance for private use – not open to the public, and job equipment and vehicle storage at the location set forth in the application, subject to full compliance with applicable city and state codes. **The premises shall not be occupied or opened to the public until all conditions hereinafter set forth have been complied with by the Permittee.**

2. All elements of the project application including site, landscape, and parking plan as approved shall be complied with.

3. Adequate off-street parking facilities shall be provided as follows: one (1) space for each six hundred square feet of floor area as set forth in Section 16.54.020.A.2.d and one (1) space for each two hundred (200) square feet of floor area as set forth in Section 16.54.020.A.2.a of the Yreka Municipal Code. The parking requirement for the use as proposed will be 6 spaces.

4. 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 City Engineer and in accordance with Section 16.54.090 of the Yreka Municipal Code.

5. All driveway approaches on the project site shall meet city standards established by the Director of Public Works. The driveways shall be improved by asphalt paving, poured concrete, or suitable material (such as pavers) approved by the Director of Public Works, which shall be installed from the back of the driveway approach to a minimum of twenty (20) feet from the property line.

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. Use shall be conducted in accordance with the site plan as submitted and approved 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.

8. Permittee shall modify the fence height as shown on the site plan to comply with Yreka Municipal Code Section 16.46.050 Fencing, walls, hedges, and screen planting.

9. All landscaping shall be installed, maintained, and replaced as necessary as depicted on the site plan.

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 therefor prior to making any building, electrical, mechanical, or plumbing installations and/or improvements. Public infrastructure improvements such as curb, gutter, sidewalk, street lights, wheel chair ramps, driveway approaches and asphalt concrete street pavement may be required upon issuance of a building permit in accordance with Yreka Municipal Code Section 11.24.030.

12. Permittee shall submit storm water drainage plan subject to Director of Public Works approval prior to grading permit and/or building permit issuance for potential installation of onsite storm water detention. If an open detention basin is the chosen method for stormwater detention an additional landscape plan must be submitted for approval screening the basin from public view.

13. 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 office and repair shop.

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

Department.

15. Permittee shall secure an annual City business license to carry on the business of a forestry business.

16. 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.

17. 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, Knitter, McAllister, Rolzinski, Schettino
NOES: None

AUDIENCE STATEMENTS & COMMENTS

None.

APPROVAL OF THE MINUTES OF THE JUNE 18, 2008 MEETING

The Commission, having received a copy of the minutes of the regular meeting held June 18, 2008, approved the minutes on a motion made by Commissioner Amaral and seconded by Commissioner McAllister.

COMMISSIONER'S STATEMENTS & COMMENTS

Commissioner's expressed concern regarding the visual blight created by the weeds at the Boston Shaft building at the corner of Ft. Jones Road and Moonlit Oaks Ave. Staff reported that a letter will be sent to the owner to request the weeds be removed.

The Commissioner's also asked if the Church located at 1303 S. Main Street was complying with their conditions of approval in obtaining a building permit if required. Staff will check on the status of the project.

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

Pamela J. Hayden, Planning Director