

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD IN
THE YREKA CITY COUNCIL CHAMBER IN SAID CITY
ON THE 18th DAY OF MARCH 2009

On the 18th day of March at 6:30 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 Knitter and present were:

Commissioners: Deborah Baird
 Diane Knitter
 Steve Leal
 Mark McAllister
 Richard Rolzinski

Absent: Peggy Amaral
 Barry Ohlund

**USE PERMIT – CHIROPRACTIC OFFICE
TRACE VILLINES – 115 S. OREGON ST.**

APPROVED

Commissioner Knitter recused herself from participating in this agenda item to prevent a possible conflict of interest because she has ownership of property within 500 feet of the project location and left the room. Vice Chair Baird assumed the position of Chair.

The Commission reviewed the application submitted by Trace Villines for a use permit to establish and operate a chiropractic office facility with one chiropractor, two exam rooms and one employee on the property located at 115 S. Oregon Street.

This being the time and date set for a public hearing for an application for a use permit Vice Chair Baird opened the public hearing to the audience.

Staff reported the Technical Committee recommended approval.

Staff also recommended that the Commission make the determination that the 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 McAllister made a motion to approve the application for a use permit to establish and operate a chiropractic office facility with one chiropractor, two exam rooms and one employee on the property located at 115 S. Oregon Street, Assessor's Parcel No. 54-071-180, C-2 zone, and GC land use designation. With the determination that the 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 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 establishment and operation of a chiropractic office facility with one chiropractor, two exam rooms, and one employee 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 in an area with other professional office 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 chiropractic use is similar to other uses in the neighborhood.
 - c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because there is a city parking lot within 200 feet of the project site to accommodate parking needs.
 - 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 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, two exam rooms and one employee 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 shall be complied with.
3. Adequate off-street parking facilities shall be provided as follows: one (1) space for each chiropractor plus one (1) space for each employee, 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), calculated as 6 parking spaces for the proposed use. There are four (4) on-site parking spaces on the project site for joint use with the other retail use building (Cliff's Trophies); the building's parking requirement is grandfathered at one space for each 200 sq. ft. of office space. The grandfathered parking allotment for 1000 sq. ft. is five spaces. The proposed use requires 6 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 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.

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 Rolzinski seconded the motion. The motion carried by the following vote:

AYES: Baird, Leal, McAllister, Rolzinski
NOES: None

Commissioner Knitter returned to the Planning Commissioner's table.

**USE PERMIT – AUTHORIZATION TO REBUILD
CHARLES T. HARRISON 620-630 BUTTE ST.****TABLED**

~~Commissioner McAllister made a motion to hear and act on Agenda Items 3, 4, and 6 concurrently and out of order. Commissioner Ohlund seconded the motion, all voting aye the motion carried. Correction per PC 4/15/09~~

The Commission reviewed the application submitted by Charles T. Harrison for a use permit to allow rebuilding the existing 4 unit apartment structure to the current footprint in the event of fire or other casualty. The apartment building is non-conforming because there are 4 units, 2 units are allowed pursuant to current R-2 zoning (YMC 16.20.030); the existing structure is non-conforming because it has a front setback of 18.5 ft. not 20 ft. and a rear setback of 17.5 ft. not 20 ft. (YMC 16.20.040.A); the apartments are non-conforming as it relates to on-site parking because there are 2 covered spaces and 2 uncovered spaces, the uncovered spaces are located within the front yard setback and are in tandem which are not currently allowed, 4 covered and 4 uncovered parking spaces are currently required (YMC 16.20.040.D). Assessor's Parcel No. 054-123-280, R-2 (Medium Density Residential) zone, MDR (Medium Density Residential) General Plan designation.

This being the time and date set for public hearing on the application listed above, Chair Knitter opened the hearing to the public.

Staff reported that the Technical Committee recommended approval, allowing a fourplex to be rebuilt to the current square footage (1,720 square feet per floor) subject to meeting all setback requirements and construction of 8 improved parking spaces including 2 covered spaces. Staff also recommended that the Planning Commission make a 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 that has potential for causing a significant effect on the environment.

Notification of the public hearing was mailed to property owners/occupants located within 300 feet of the project on March 6, 2009 and a Notice of Public Hearing was published in the Siskiyou Daily News on March 6, 2009.

Government Code Section 65852.25 authorizes the rebuilding of a multifamily dwelling that is involuntarily damaged or destroyed by fire, or other catastrophic event, or the public enemy, unless the local agency determines that the use is not compatible with surrounding properties in the same general area within the same zone or that it would be contrary to public health, safety, comfort and general welfare to allow the reconstruction to the current footprint.

Jerry Benton, 659 Butte Street, has concern for all of the Harrison requests for authorization to rebuild as listed on the March Planning Commission agenda. He stated there is excessive traffic, excessive Police calls, and the area is a slum. He said the property should be zoned single family not multi-family, allowing 18 family units instead of 28 family units.

Charlie Harrison, Applicant, reported that he had requested the Police to patrol the area.

There being no further comments from the public, the public hearing was closed and discussion was opened to the Commission.

Following Commission discussion Commissioner McAllister made a motion to table this agenda item until the April meeting to allow further investigation regarding Police calls and traffic issues.

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

AYES: Baird, Knitter, McAllister, Rolzinski
NOES: Leal

**USE PERMIT – AUTHORIZATION TO REBUILD
CHARLES HARRISON – 612 – 614 BUTTE ST.**

APPROVED

The Commission reviewed the application submitted by Charles T. Harrison for a use permit to allow rebuilding the existing duplex structure to the current footprint in the event of fire or other casualty. The duplex is non-conforming because the lot size is 5,800 sq. ft. not the minimum 8,000 sq. ft. required for a duplex (YMC 16.20.030); the structure is non-conforming because it has a front setback of 19 ft. not 20 ft., a rear setback of 13 ft. not 20 ft., and a side setback of 3 ft. not 5 ft. (YMC 16.20.040.A); the duplex is non-conforming as it relates to on-site parking because there is 1 covered space and 3 uncovered spaces, the uncovered spaces are located within the front yard setback and are in tandem which are not currently allowed, 2 covered and 2 uncovered parking spaces are currently required (YMC 16.20.040.D). Assessor's Parcel No. 054-123-290, R-2 (Medium Density Residential) zone, MDR (Medium Density Residential) General Plan designation.

This being the time and date set for a public hearing on the application, Chair Knitter opened the hearing to the public.

Staff reported that the Technical Committee recommended approval, allowing a duplex to be rebuilt to the current square footage (1,570.8 square feet) subject to meeting all setback and parking requirements.

Staff also recommended that the Planning Commission make a 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 that has potential for causing a significant effect on the environment.

Notification of the public hearing was mailed to property owners/occupants located within 300 feet of the project on March 6, 2009 and a Notice of Public Hearing was published in the Siskiyou Daily News on March 6, 2009.

Government Code Section 65852.25 authorizes the rebuilding of a multifamily dwelling that is involuntarily damaged or destroyed by fire, or other catastrophic event, or the public enemy, unless the local agency determines that the use is not compatible with surrounding properties in the same general area within the same zone or that it would be contrary to public health, safety, comfort and general welfare to allow the reconstruction to the current footprint.

Jerry Benton, 659 Butte Street, has concern for all of the Harrison requests for authorization to rebuild as listed on the March Planning Commission agenda. He stated there is excessive traffic, excessive Police calls, and the area is a slum. He said the property should be zoned single family not multi-family, allowing 18 family units instead of 28 family units.

There being no additional comments from the public, the public hearing was closed and discussion was opened to the Commission.

Following Commission discussion Commissioner Rolzinski made a motion to approve the application for a use permit to allow a duplex to be rebuilt to the current square footage (1,570.8 square feet) subject to meeting all setback and parking requirements in the event it is damaged or destroyed by fire or other casualty. The duplex is non-conforming because the lot size is 5,800 sq. ft. not the minimum 8,000 sq. ft. required for a duplex (YMC 16.20.030). The project is located at 612- 614 Butte Street, Assessor's Parcel No. 054-123-290, R-2 (Medium Density Residential) zone, MDR (Medium Density Residential) General Plan designation.

The approval is based on Staff's and the Technical Committee's recommendations, 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 that has potential for causing a significant effect on the environment, and 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 structure is a multifamily dwelling as described in California Government Code Section 65852.25.
2. The City records do not contain information sufficient to determine when these structures were constructed nor if building permits were obtained for the construction. Under the zoning regulations in effect today the duplex is non-conforming because the lot size is 5,800 sq. ft. not the minimum 8,000 sq. ft. required for a duplex (YMC 16.20.030); the structure is non-conforming because it has a front setback of 19 ft. not 20 ft., a rear setback of 13 ft. not 20 ft., and a side setback of 3 ft. not 5 ft. (YMC 16.20.040.A); the duplex is non-conforming as it relates to on-site parking because there is 1 covered space and 3 uncovered spaces, the uncovered spaces are located within the front yard setback and are in tandem which are not currently allowed, 2 covered and 2 uncovered parking spaces are

currently required (YMC 16.20.040.D). There is adequate room available on-site to meet current setbacks and construct required on-site parking.

3. Pursuant to the provisions of California Government Code Section 65852.25(b), the Planning Commission finds that rebuilding the existing structure to the current square footage in the event of involuntary destruction by fire, or other catastrophic event, or by the public enemy will not:

a. be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood, because the duplex is located in a block that has other multifamily residential units and there is no unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because there is adequate on-site parking available; the use will not change from the existing use; and there would be no change in the circulation or traffic patterns in the neighborhood.

b. be detrimental or injurious to property or improvements in the neighborhood because the current use would not change, the subject property is zoned R-2 (Medium Density Residential) which allows duplex, triplex, fourplex units subject to meeting density and site development standards. The surrounding property is zoned R-2 and R-1 (Single Family Residential).

4. The dwelling units may be reconstructed, restored, or rebuilt up to their pre-damaged size and number of dwelling units, and the non-conforming use may be resumed if the rebuilding and the use conform to the requirements set forth hereafter.

5. Pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) this action is determined to be 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.

CONDITIONS:

Based on the foregoing findings, the Planning Commission approves the reconstruction, restoration, or rebuilding of the existing structure to the current square footage of 1,570.8 square feet in the event of involuntary destruction by fire, or other catastrophic event, or the public enemy, and allows the continued use of a duplex that is non-conforming because the lot size is 5,800 sq. ft. not the minimum 8,000 sq. ft. required for a duplex (YMC 16.20.030); approval is subject to meeting current setback and parking requirements.

The building shall not be enlarged or increased, nor be extended to occupy a greater area than that occupied by the current building. Approval is subject to compliance with the following conditions at all times that the use permitted by this permit occupies the premises. Any reconstruction, restoration, or rebuilding undertaken pursuant to Government Code Section 65852.25 shall conform to all of the following:

a. Compliance with current setback and parking requirements.

b. The California Building Standards Code as that code is in effect at the time of reconstruction, restoration, or rebuilding.

c. Any more restrictive local building standards authorized pursuant to Sections 13869.7, 17958.7, and 18941.5 of the Health and Safety Code, as those standards are in effect at the time of reconstruction, restoration, or rebuilding.

d. The State Historical Building Code (Part 2.7 (commencing with Section 18950) of Division 13 of the Health and Safety Code) for work on qualified historical buildings or structures.

e. Local zoning ordinances, including the Historic District regulations set forth in Title 17 of the Yreka Municipal Code, so long as the predamage size and number of dwelling units are maintained with the exceptions approved with this Permit.

f. Architectural regulations and standards, as long as the predamage size and number of dwelling units are maintained.

g. Building permit shall be obtained within two years after the date of the damage or destruction and diligently continued to completion.

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

AYES: Baird, Knitter, Leal, McAllister, Rolzinski

NOES: None

USE PERMIT – AUTHORIZATION TO REBUILD

MARGERY J. HARRISON - 615 – 621 BUTTE STREET

APPROVED

The Commission reviewed the application submitted by Margery J. Harrison for a use permit to allow rebuilding the existing fourplex structure to the current footprint in the event of fire or other casualty. The fourplex is non-conforming because the lot size is 8,100 sq. ft. not the 13,332 sq. ft. required for a fourplex (YMC 16.20.030); the fourplex is also non-conforming as it relates to on-site parking because there are 4 uncovered parking spaces, the uncovered spaces are located within the front yard setback which is not currently allowed, 4 covered and 4 uncovered parking spaces are currently required (YMC 16.20.040.D). Assessor's Parcel No. 054-123-270, R-2 (Medium Density Residential) zone, MDR (Medium Density Residential) General Plan designation.

This being the time and date set for a public hearing on the application, Chair Knitter opened the hearing to the public.

Staff reported that the Technical Committee recommended approval, allowing a fourplex to be rebuilt to the current square footage (1,475 square feet per floor) subject to meeting all setback and parking requirements.

Staff also recommended that the Planning Commission make a 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 that has potential for causing a significant effect on the environment.

Notification of the public hearing was mailed to property owners/occupants located within 300 feet of the project on March 6, 2009 and a Notice of Public Hearing was published in the Siskiyou Daily News on March 6, 2009.

Government Code Section 65852.25 authorizes the rebuilding of a multifamily dwelling that is involuntarily damaged or destroyed by fire, or other catastrophic event, or the public enemy, unless the local agency determines that the use is not compatible with surrounding properties in the same general area within the same zone or that it would be contrary to public health, safety, comfort and general welfare to allow the reconstruction to the current footprint.

Jerry Benton, 659 Butte Street, has concern for all of the Harrison requests for authorization to rebuild as listed on the March Planning Commission agenda. He stated there is excessive traffic, excessive Police calls, and the area is a slum. He said the property should be zoned single family not multi-family, allowing 18 family units instead of 28 family units.

There being no additional comments from the public, the public hearing was closed and discussion was opened to the Commission.

Following Commission discussion Commissioner Baird made a motion to approve the application for a use permit to allow a fourplex to be rebuilt to the current square footage (1,475 square feet per floor) subject to meeting all setback and parking requirements in the event it is damaged or destroyed by fire or other casualty. The fourplex is non-conforming because the lot size is 8,100 sq. ft. not the 13,332 sq. ft. required for a fourplex (YMC 16.20.030). The project is located at 615 – 621 Butte Street, Assessor's Parcel No. 054-123-270, R-2 (Medium Density Residential) zone, MDR (Medium Density Residential) General Plan designation.

The approval is based on Staff's and the Technical Committee's recommendations, 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 that has potential for causing a significant effect on the environment, and 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 structure is a multifamily dwelling as described in California Government Code Section 65852.25.

2. The City records do not contain information sufficient to determine when these structures were constructed nor if building permits were obtained for the construction. Under the zoning regulations in effect today the fourplex is non-conforming because the lot size is 8,100 sq. ft. not the 13,332 sq. ft. required for a fourplex (YMC 16.20.030); the fourplex is also non-conforming as it relates to on-site parking because there are 4 uncovered parking spaces, the uncovered spaces are located within the front yard setback which is not currently allowed, 4 covered and 4 uncovered parking spaces are currently required (YMC 16.20.040.D). There is adequate room available on-site to meet current setbacks and construct required on-site parking.

3. Pursuant to the provisions of California Government Code Section 65852.25(b), the Planning Commission finds that rebuilding the existing structure to the current square footage of 1,475 square feet in the event of involuntary destruction by fire, or other catastrophic event, or by the public enemy will not:

a. be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood, because the fourplex is located in a block that has other multifamily residential units and there is no unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because the use will not change from the existing use; and there would be no change in the circulation or traffic patterns in the neighborhood.

b. be detrimental or injurious to property or improvements in the neighborhood because the current use would not change, the subject property is zoned R-2 (Medium Density Residential) which allows duplex, triplex, fourplex units subject to meeting density and site development standards. The surrounding property is zoned R-2 and R-1 (Single Family Residential).

4. The dwelling units may be reconstructed, restored, or rebuilt up to their pre-damaged size and number of dwelling units, and the non-conforming use may be resumed if the rebuilding and the use conform to the requirements set forth hereafter.

5. Pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) this action is determined to be 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.

CONDITIONS:

Based on the foregoing findings, the Planning Commission approves the reconstruction, restoration, or rebuilding of the existing structure to the current square footage of 1,475 square feet in the event of involuntary destruction by fire, or other catastrophic event, or the public enemy, and allows the continued use of a fourplex that is non-conforming because the lot size is 8,100 sq. ft. not the 13,332 sq. ft. required for a fourplex (YMC 16.20.030); approval is subject to meeting current setback and parking requirements.

The building shall not be enlarged or increased, nor be extended to occupy a greater area than that occupied by the current building. Approval is subject to compliance with the following conditions at all times that the use permitted by this permit occupies the premises. Any reconstruction, restoration, or rebuilding undertaken pursuant to Government Code Section 65852.25 shall conform to all of the following:

- a. Compliance with current setback and parking requirements.
- b. The California Building Standards Code as that code is in effect at the time of reconstruction, restoration, or rebuilding.
- c. Any more restrictive local building standards authorized pursuant to Sections 13869.7, 17958.7, and 18941.5 of the Health and Safety Code, as those standards are in effect at the time of reconstruction, restoration, or rebuilding.
- d. The State Historical Building Code (Part 2.7 (commencing with Section 18950) of Division 13 of the Health and Safety Code) for work on qualified historical buildings or structures.
- e. Local zoning ordinances, including the Historic District regulations set forth in Title 17 of the Yreka Municipal Code, so long as the predamage size and number of dwelling units are maintained with the exceptions approved with this Permit.
- f. Architectural regulations and standards, as long as the predamage size and number of dwelling units are maintained.
- g. Building permit shall be obtained within two years after the date of the damage or destruction and diligently continued to completion.

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

AYES: Baird, Knitter, Leal, McAllister, Rolzinski
 NOES: None

USE PERMIT – AUTHORIZATION TO REBUILD

MARGERY J. HARRISON - 631 – 637 BUTTE STREET

APPROVED

The Commission reviewed the application submitted by Margery J. Harrison for an application for a use permit to allow rebuilding two duplex structures to the current footprints in the event of fire or other casualty. The duplexes are non-conforming because the lot size is 9,420 sq. ft. not the 13,332 sq. ft. required for two duplex units (YMC 16.20.030); one structure is non-conforming because it has a rear setback of 12.5 ft. not 20 ft. (YMC 16.20.040.A); the duplexes are non-conforming as it relates to on-site parking because there are 8 uncovered spaces, 4 covered and 4 uncovered parking spaces are currently required (YMC 16.20.040.D). Assessor's Parcel No. 054-144-100, R-2 (Medium Density Residential) zone, MDR (Medium Density Residential) General Plan designation.

This being the time and date set for a public hearing on the application, Chair Knitter opened the hearing to the public.

Staff reported that the Technical Committee recommended approval, allowing two duplexes to be rebuilt to the current square footage (1,113 and 1,440 square feet) subject to meeting all setback and parking requirements.

Staff also recommended that the Planning Commission make a 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 that has potential for causing a significant effect on the environment.

Notification of the public hearing was mailed to property owners/occupants located within 300 feet of the project on March 6, 2009 and a Notice of Public Hearing was published in the Siskiyou Daily News on March 6, 2009.

Government Code Section 65852.25 authorizes the rebuilding of a multifamily dwelling that is involuntarily damaged or destroyed by fire, or other catastrophic event, or the public enemy, unless the local agency determines that the use is not compatible with surrounding properties in the same general area within the same zone or that it would be contrary to public health, safety, comfort and general welfare to allow the reconstruction to the current footprint.

Jerry Benton, 659 Butte Street, has concern for all of the Harrison requests for authorization to rebuild as listed on the March Planning Commission agenda. He stated there is excessive traffic, excessive Police calls, and the area is a slum. He said the property should be zoned single family not multi-family, allowing 18 family units instead of 28 family units. He stated that this is the dumpiest complex and has more criminal activity than the others.

There being no additional comments from the public, the public hearing was closed and discussion was opened to the Commission.

Following Commission discussion Commissioner Rolzinski made a motion to approve the application for a use permit allowing two duplexes to be rebuilt to the current square footage (1,113 and 1,440 square feet) subject to meeting all setback and parking requirements in the event it is damaged or destroyed by fire or other casualty. The duplexes are non-conforming because the lot size is 9,420 sq. ft. not the 13,332 sq. ft. required for two duplex units (YMC 16.20.030). The project is located at 631-637 Butte Street, Assessor's Parcel No. 054-144-100, R-2 (Medium Density Residential) zone, MDR (Medium Density Residential) General Plan designation.

The approval is based on Staff's and the Technical Committee's recommendations, 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 that has potential for causing a significant effect on the environment, and 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 structure is a multifamily dwelling as described in California Government Code Section 65852.25.
2. The City records do not contain information sufficient to determine when these structures were constructed nor if building permits were obtained for the construction. Under the zoning regulations in effect today the two duplexes are non-conforming because the lot size is 9,420 sq. ft. not the 13,332 sq. ft. required for two duplex units (YMC 16.20.030); one structure is non-conforming because it has a rear setback of 12.5 ft. not 20 ft. (YMC 16.20.040.A); the duplexes are non-conforming as it relates to on-site parking because there are 8 uncovered spaces, 4 covered and 4 uncovered parking spaces are currently required (YMC 16.20.040.D). There is adequate room available on-site to meet current setbacks and construct required on-site parking.
3. Pursuant to the provisions of California Government Code Section 65852.25(b), the Planning Commission finds that rebuilding the existing structure to the current square footage of 1,113 and 1,440 square feet in the event of involuntary destruction by fire, or other catastrophic event, or by the public enemy will not:
 - a. be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood, because the duplexes are located in a block that has other multifamily residential units and there is no unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because there is adequate on-site parking available; the use will not change from the existing use; and there would be no change in the circulation or traffic patterns in the neighborhood.
 - b. be detrimental or injurious to property or improvements in the neighborhood because the current use would not change, the subject property is zoned R-2 (Medium Density Residential) which allows duplex, triplex, fourplex units subject to meeting density and site development standards. The surrounding property is zoned R-2 and R-1 (Single Family Residential).
4. The dwelling units may be reconstructed, restored, or rebuilt up to their pre-damaged size and number of dwelling units, and the non-conforming use may be resumed if the rebuilding and the use conform to the requirements set forth hereafter.
5. Pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) this action is determined to be 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.

CONDITIONS:

Based on the foregoing findings, the Planning Commission approves the reconstruction, restoration, or rebuilding of the existing structures to the current square footage of 1,113 and 1,440 square feet in the event of involuntary destruction by fire, or other catastrophic event, or the public enemy, and allows the continued use of two duplexes that are non-conforming because the lot size is 9,420 sq. ft. not the 13,332 sq. ft. required for two duplex units (YMC 16.20.030); approval is subject to meeting current setback and parking requirements.

The buildings shall not be enlarged or increased, nor be extended to occupy a greater area than that occupied by the current building. Approval is subject to compliance with the following conditions at all times that the use permitted by this permit occupies the premises. Any reconstruction, restoration, or rebuilding undertaken pursuant to Government Code Section 65852.25 shall conform to all of the following:

- a. Compliance with current setback and parking requirements.
- b. The California Building Standards Code as that code is in effect at the time of reconstruction, restoration, or rebuilding.
- c. Any more restrictive local building standards authorized pursuant to Sections 13869.7, 17958.7, and 18941.5 of the Health and Safety Code, as those standards are in effect at the time of reconstruction, restoration, or rebuilding.
- d. The State Historical Building Code (Part 2.7 (commencing with Section 18950) of Division 13 of the Health and Safety Code) for work on qualified historical buildings or structures.
- e. Local zoning ordinances, including the Historic District regulations set forth in Title 17 of the Yreka Municipal Code, so long as the predamage size and number of dwelling units are maintained with the exceptions approved with this Permit.
- f. Architectural regulations and standards, as long as the predamage size and number of dwelling units are maintained.
- g. Building permit shall be obtained within two years after the date of the damage or destruction and diligently continued to completion.

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

AYES: Baird, Knitter, Leal, McAllister, Rolzinski
 NOES: None

**USE PERMIT – AUTHORIZATION TO REBUILD
 MARGERY J. HARRISON - 639 – 645 BUTTE STREET**

APPROVED

The Commission reviewed the application submitted by Margery J. Harrison for an application for a use permit to allow rebuilding two duplex structures to the current footprints in the event of fire or other casualty. The duplexes are non-conforming because the lot size is 9,420 sq. ft. not the 13,332 sq. ft. required for two duplex units (YMC 16.20.030); one structure is non-conforming because it has a rear setback of 12.5 ft. not 20 ft. (YMC 16.20.040.A); the duplexes are non-conforming as it relates to on-site parking because there are 8 uncovered spaces, 4 covered and 4 uncovered parking spaces are currently required (YMC 16.20.040.D). Assessor's Parcel No. 054-144-090, R-2 (Medium Density Residential) zone, MDR (Medium Density Residential) General Plan designation.

This being the time and date set for a public hearing on the application, Chair Knitter opened the hearing to the public.

Staff reported that the Technical Committee recommended approval, allowing two duplexes to be rebuilt to the current square footage (1,113 and 1,440 square feet) subject to meeting all setback and parking requirements.

Staff also recommended that the Planning Commission make a 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 that has potential for causing a significant effect on the environment.

Notification of the public hearing was mailed to property owners/occupants located within 300 feet of the project on March 6, 2009 and a Notice of Public Hearing was published in the Siskiyou Daily News on March 6, 2009.

Government Code Section 65852.25 authorizes the rebuilding of a multifamily dwelling that is involuntarily damaged or destroyed by fire, or other catastrophic event, or the public enemy, unless the local agency determines that the use is not compatible with surrounding properties in the same general area within the same zone or that it would be contrary to public health, safety, comfort and general welfare to allow the reconstruction to the current footprint.

Jerry Benton, 659 Butte Street, has concern for all of the Harrison requests for authorization to rebuild as listed on the March Planning Commission agenda. He stated there is excessive traffic, excessive Police calls, and the area is a slum. He said the property should be zoned single family not multi-family, allowing 18 family units instead of 28 family units.

There being no additional comments from the public, the public hearing was closed and discussion was opened to the Commission.

Following Commission discussion Commissioner Rolzinski made a motion to approve the application for a use permit allowing two duplexes to be rebuilt to the current square footage (1,113 and 1,440 square feet) subject to meeting all setback and parking

requirements in the event they are damaged or destroyed by fire or other casualty. The duplexes are non-conforming because the lot size is 9,420 sq. ft. not the 13,332 sq. ft. required for two duplex units (YMC 16.20.030). The project is located at 639-645 Butte Street, Assessor's Parcel No. 054-144-090, R-2 (Medium Density Residential) zone, MDR (Medium Density Residential) General Plan designation.

The approval is based on Staff's and the Technical Committee's recommendations, 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 that has potential for causing a significant effect on the environment, and 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 structure is a multifamily dwelling as described in California Government Code Section 65852.25.
2. The City records do not contain information sufficient to determine when these structures were constructed nor if building permits were obtained for the construction. Under the zoning regulations in effect today the two duplexes are non-conforming because the lot size is 9,420 sq. ft. not the 13,332 sq. ft. required for two duplex units (YMC 16.20.030); one structure is non-conforming because it has a rear setback of 12.5 ft. not 20 ft. (YMC 16.20.040.A); the duplexes are non-conforming as it relates to on-site parking because there are 8 uncovered spaces, 4 covered and 4 uncovered parking spaces are currently required (YMC 16.20.040.D). There is adequate room available on-site to meet current setbacks and construct required on-site parking.
3. Pursuant to the provisions of California Government Code Section 65852.25(b), the Planning Commission finds that rebuilding the existing structure to the current square footage of 1,113 and 1,440 square feet in the event of involuntary destruction by fire, or other catastrophic event, or by the public enemy will not:
 - a. be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood, because the duplexes are located in a block that has other multifamily residential units and there is no unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because there is adequate on-site parking available; the use will not change from the existing use; and there would be no change in the circulation or traffic patterns in the neighborhood.
 - b. be detrimental or injurious to property or improvements in the neighborhood because the current use would not change, the subject property is zoned R-2 (Medium Density Residential) which allows duplex, triplex, fourplex units subject to meeting density and site development standards. The surrounding property is zoned R-2 and R-1 (Single Family Residential).

4. The dwelling units may be reconstructed, restored, or rebuilt up to their pre-damaged size and number of dwelling units, and the non-conforming use may be resumed if the rebuilding and the use conform to the requirements set forth hereafter.

5. Pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) this action is determined to be 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.

CONDITIONS:

Based on the foregoing findings, the Planning Commission approves the reconstruction, restoration, or rebuilding of the existing structure to the current square footage of 1,113 and 1,440 square feet in the event of involuntary destruction by fire, or other catastrophic event, or the public enemy, and allows the continued use of two duplexes that are non-conforming because the lot size is 9,420 sq. ft. not the 13,332 sq. ft. required for two duplex units (YMC 16.20.030); approval is subject to meeting current setback and parking requirements.

The building shall not be enlarged or increased, nor be extended to occupy a greater area than that occupied by the current building. Approval is subject to compliance with the following conditions at all times that the use permitted by this permit occupies the premises. Any reconstruction, restoration, or rebuilding undertaken pursuant to Government Code Section 65852.25 shall conform to all of the following:

- a. Compliance with current setback and parking requirements.
- b. The California Building Standards Code as that code is in effect at the time of reconstruction, restoration, or rebuilding.
- c. Any more restrictive local building standards authorized pursuant to Sections 13869.7, 17958.7, and 18941.5 of the Health and Safety Code, as those standards are in effect at the time of reconstruction, restoration, or rebuilding.
- d. The State Historical Building Code (Part 2.7 (commencing with Section 18950) of Division 13 of the Health and Safety Code) for work on qualified historical buildings or structures.
- e. Local zoning ordinances, including the Historic District regulations set forth in Title 17 of the Yreka Municipal Code, so long as the predamage size and number of dwelling units are maintained with the exceptions approved with this Permit.
- f. Architectural regulations and standards, as long as the predamage size and number of dwelling units are maintained.
- g. Building permit shall be obtained within two years after the date of the damage or destruction and diligently continued to completion.

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

AYES: Baird, Knitter, Leal, McAllister, Rolzinski
NOES: None

USE PERMIT – CARGO CONTAINERS

LES SCHWAB TIRE CENTER – 1508 FAIRLANE RD

APPROVED

The Commission reviewed the application submitted by Brian Hudspeth for Les Schwab Tire Center for an application for a use permit to allow the use of two metal cargo containers for use as storage on the property located at 1508 Fairlane Road.

This being the time and date set for a public hearing on the application, Chair Knitter opened the hearing to the public.

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

Cargo containers shall be located above the base flood elevation or suitably anchored as approved by the Building Official.

Staff also recommended that the Planning Commission make a 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 that has potential for causing a significant effect on the environment.

Applicant, Brian Hudspeth, was available to answer questions.

There being no additional comments from the public, the public hearing was closed and discussion was opened to the Commission.

Following Commission discussion Commissioner McAllister made a motion to approve the application for a use permit to allow the use of two metal cargo containers for use as storage on the property located at 1508 Fairlane Road, Assessor's Parcel No. 62-051-190 and 200, M-1 zone and I General Plan designation subject to the additional condition that cargo containers shall be located above the base flood elevation or suitably anchored as approved by the Building Official. The approval is based on Staff's and the Technical Committee's recommendations, 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 that has potential for causing a significant effect on the environment, and 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 use of two metal cargo containers for use as 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 the site is zoned properly for the proposed uses subject to use permit approval.
 - 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 surrounding uses are also light industrial.
 - c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because the use of cargo containers for storage will not impact traffic or parking because of the proposed location of the containers.
 - 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 no new streets are proposed with the project.
2. The use is compatible with the policies and objectives of the zoning ordinance subject to Yreka Municipal Code section 16.46.140.
3. The use of cargo containers is an accessory to the primary permitted use of a tire sale and service business.
4. Pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) this action is determined to be 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.

CONDITIONS:

1. Permittee granted a permit to use two metal cargo containers for use as storage at the location set forth in the application, subject to full compliance with applicable city and state codes.
2. Permittee shall only use the storage containers for storage of merchandise, inventory, shelving displays, or other incidental items related to the operation of the business.
3. There shall be no business or sale of merchandise conducted from the storage container, nor shall the storage container be used as a habitable space, office, or meeting area, and shall be kept closed and secured at all times other than when items are being

moved to or from the storage container.

4. The storage containers shall be oriented to minimize the view from the public right-of-way. In no case shall the storage containers be placed so as to cover, block, or otherwise impact required parking, or impact circulation and emergency access.

5. The storage containers shall be painted in a single color matching or similar to the field color of the primary structure and/or properly screened with screening walls and/or landscaping. Graffiti shall be removed within twenty-four (24) hours from any storage container or screening.

6. Cargo containers shall be located above the base flood elevation or suitably anchored as approved by the Building Official.

7. The placement of any signs, advertising copy, banners, or similar item is prohibited on storage containers.

8. No more than two (2) storage containers with a combined floor area of no more than six hundred forty (640) square feet shall be allowed. Storage containers shall not exceed a height of ten (10) feet.

9. Storage container location:

(a) Front setback: Storage container shall be no closer to the front lot line than the front-most wall of the building nearest the front lot line, or fifty (50) feet, whichever distance is greater. In no case shall a storage container be located closer than fifty (50) feet to any front lot line.

(b) Side and rear setbacks: Side and rear setbacks shall be the same as those for the underlying zone.

10. 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.

11. 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 Baird seconded the motion. The motion carried by the following vote:

AYES: Baird, Knitter, Leal, McAllister, Rolzinski
NOES: None

AUDIENCE STATEMENTS & COMMENTS

None.

APPROVAL OF THE MINUTES OF THE FEBRUARY 18, 2009 MEETING

The Commission, having received a copy of the minutes of the regular meeting held February 18, 2009, approved the minutes with corrections on page 1, 26, and 31 on a motion made by Commissioner Rolzinski and seconded by Commissioner Baird.

SITE, LANDSCAPE, AND PARKING PLAN – TIRE STORE**LES SCHWAB TIRE CENTER – 1508 FAIRLANE RD****APPROVED**

The Commission reviewed the application submitted by Brian Hudspeth for Les Schwab Tire Center for a site, landscape, and parking plan for construction of a 9,546 +/- sq. ft. building as an addition to the existing Les Schwab Tire facility, for use as a show room and service area, with the existing facility to be use for service and storage. Assessor's Parcel Nos. 062-051-190, & 200, M-1 (Light Industrial) zone, I (Industrial) General Plan designation.

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

Permittee shall submit a legal description prepared by a licensed land surveyor or appropriately registered civil engineer in the State of California for, and shall offer for dedication, a five foot pedestrian easement adjacent to the existing property line for the sole purpose of Americans with Disabilities Act (ADA) compliant sidewalk facilities for driveway approaches and curb ramps. The dedication shall occur by the time of issuance of a Certificate of Occupancy.

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, wheel chair ramps, driveway approaches and asphalt concrete street pavement may be required upon issuance of a building permit. If such improvements already exist, damaged public improvements shall be repaired and/or replaced to restore the improvements to a condition satisfactory to the Director of Public Works in accordance with Yreka Municipal Code Section 11.24.030.

Permittee shall remove existing curb returns at the south driveway entrance. Construct commercial/industrial driveway approach pursuant to Public Works standards including dropped curb, gutter, and sidewalk compliant with Americans with Disabilities Act (ADA). Maximum driveway width shall be 26 feet.

Staff also recommended that the Planning Commission make 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.

Applicant Brian Hudspeth had concern regarding a 26 foot driveway. It was suggested to modify Condition No. 16 to include "or as agreed to by the Director of Public Works."

Following Commission discussion, Commissioner Baird made a motion to approve the application for a site, landscape, and parking plan for construction of a 9,546 +/- sq. ft. building as an addition to the existing Les Schwab Tire facility, for use as a show room and service area, with the existing facility to be use for service and storage. Assessor's Parcel Nos. 062-051-190, & 200, M-1 (Light Industrial) zone, I (Industrial) General Plan designation. Approval is subject to the following additional conditions:

Permittee shall submit a legal description prepared by a licensed land surveyor or appropriately registered civil engineer in the State of California for, and shall offer for dedication, a five foot pedestrian easement adjacent to the existing property line for the sole purpose of Americans with Disabilities Act (ADA) compliant sidewalk facilities for driveway approaches and curb ramps. The dedication shall occur by the time of issuance of a Certificate of Occupancy.

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, wheel chair ramps, driveway approaches and asphalt concrete street pavement may be required upon issuance of a building permit. If such improvements already exist, damaged public improvements shall be repaired and/or replaced to restore the improvements to a condition satisfactory to the Director of Public Works in accordance with Yreka Municipal Code Section 11.24.030.

Permittee shall remove existing curb returns at the south driveway entrance. Construct commercial/industrial driveway approach pursuant to Public Works standards including dropped curb, gutter, and sidewalk compliant with Americans with Disabilities Act (ADA). Maximum driveway width shall be 26 feet.

Modify Condition No. 16 to include "or as agreed to by the Director of Public Works."

Approval is made 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 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 project of a site, landscape, and parking plan for construction of a 9,546 +/- sq. ft. building as an addition to the existing Les Schwab Tire facility, for use as a show room

and service area, with the existing facility to be used for service and storage 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 3.05 acres (two separate parcels 1.37 and 1.68 acres that will be combined into one).
- The project is located on two parcels, one has an existing structure and the other is vacant land that has been used as for overflow parking, the vacant project site which is the front 280 feet of a 480 foot parcel has been undeveloped for the last 40 years and shows no indications of threatened or endangered species. The rear of the parcel will not be developed other than grassy swales for drainage. Yreka Creek is located on the easterly portion (approximately 70 ft.) of the parcel. The improvements (building and paved parking) will be located 180 feet west of the thread of the creek.
- The project is located on Fairlane Road which is considered a collector street that carries moderately heavy traffic volume. The proposed project is not anticipated to create significant additional traffic or result in significant effects relating to noise, air quality, or water quality.
- 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 unless otherwise stated.
2. An encroachment permit shall be obtained prior to any work, including curb, gutter, sidewalk, and driveway approach, in the public right-of-way, or affecting public improvements.
3. The site, landscape and parking plans submitted by Brian Hudspeth of Les Schwab Tire Center received February 9, 2009 as approved and modified by the Planning Commission on March 18, 2009 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 600 square feet of floor area for commercial service establishments and retail stores as set forth in Section 16.54.020 (A.2.d) of the Yreka Municipal Code. Twenty-two (22) parking spaces are required for the proposed use.

5. Permittee shall perfect a boundary line adjustment eliminating or relocating the parcel line between AP# 62-051-190 and 62-051-200 to prevent building a structure across parcel lines and record the same with the Siskiyou County Recorder. The proposed adjusted lot line as shown on the site plan received February 9, 2009 shall not be allowed because a lot without City street access would be created.
6. The design and location of the off-street parking facilities as shown on the site plan received by the City of Yreka on February 9, 2009 as approved by the Planning Commission on March 18, 2009 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, access drives and aisles 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.
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. 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.
9. Permittee shall submit an in ground automated irrigation system design with specifications; the plan shall meet 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.
10. 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.
11. Permittee shall install Fire hydrants if required pursuant to the California Fire Code or as required by the Fire Marshall and Fire Chief.
12. If any archaeological discoveries (human skeletal remains, culturally modified lithic materials, structural features, or historic artifacts) are encountered during ground disturbing activities, all such activities should halt within a 100-foot radius of the discovery, and a qualified archaeologist should be contacted to determine the nature of the find, evaluate its significance, and, if necessary, suggest preservation or mitigation measures.
13. 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.
14. 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, wheel chair ramps, driveway approaches and asphalt concrete street pavement may be required upon issuance of a building permit. If such improvements already exist, damaged public improvements shall be repaired and/or replaced to restore the improvements to a condition satisfactory to the Director of Public Works in accordance with Yreka Municipal Code Section 11.24.030.

15. Permittee shall submit a legal description prepared by a licensed land surveyor or appropriately registered civil engineer in the State of California for, and shall offer for dedication, a five foot pedestrian easement adjacent to the existing property line for the sole purpose of Americans with Disabilities Act (ADA) compliant sidewalk facilities for driveway approaches and curb ramps. The dedication shall occur by the time of issuance of a Certificate of Occupancy.

16. Permittee shall remove existing curb returns at the south driveway entrance. Construct commercial/industrial driveway approach pursuant to Public Works standards including dropped curb, gutter, and sidewalk compliant with Americans with Disabilities Act (ADA). Maximum driveway width shall be 26 feet or as agreed to by the Director of Public Works.

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

18. Fences shall comply with the Yreka Municipal Code Section 16.46.050.

19. Permittee shall secure, or inform occupants of the requirement to obtain, an annual City business license to carry on business at the project site.

20. 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 Leal seconded the motion. The motion carried by the following vote:

AYES: Baird, Knitter, Leal, McAllister, Rolzinski,

NOES: None

COMMISSIONER'S STATEMENTS & COMMENTS

None.

There being no further business before the Commission, the meeting was adjourned at 7:35 p.m.

Pamela J. Hayden, Planning Director