

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD IN
THE YREKA CITY COUNCIL CHAMBER IN SAID CITY
ON THE 20th DAY OF MAY 2009

On the 20th day of May 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: Peggy Amaral
Deborah Baird
Diane Knitter
Barry Ohlund
Richard Rolzinski

Absent: Steve Leal
Mark McAllister

SIGN USE PERMIT – WALL SIGNS
CHILDREN FIRST FOSTER FAMILY AGENCY – 490 S BROADWAY APPROVED

The Commission reviewed the application submitted by Pam Snyder for Children First Foster Family Agency for a sign use permit to install an internally illuminated 3 ft. x 12 ft. (36 sq. ft.) wall sign with an additional attached 16 in. x 12 ft. (16 sq. ft.) LED time/temperature/reader board wall sign; and install a 2 ft. x 6 ft. (12 sq. ft.) wall sign for a total of 64 sq. ft. of wall signage, copy to read “Foster Care Children First ...” on the property located at 490 S. Broadway. This being the time and date set for a public hearing for an application for a sign use permit Chair Knitter opened the public hearing to the audience.

Staff reported the Technical Committee recommended that the Planning Commission should evaluate compliance with Condition #6 that states “The signs shall harmonize with the materials, textures, sizes, shape, heights, locations, and designs of the buildings, properties, or neighborhood of which they are a part.”

Additional photographs with sign simulations were presented to the Commission for review.

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 15311(a) (On-premises signs) of the CEQA Guidelines.

Mike Logan, applicant, offered to answer questions. There being no further comment 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 sign use permit to install an internally illuminated 3 ft. x 12 ft. (36 sq. ft.) wall sign with an additional attached 16 in. x 12 ft. (16 sq. ft.) LED time/temperature/reader board wall sign; and install a 2 ft. x 6 ft. (12 sq. ft.) wall sign for a total of 64 sq. ft. of wall signage, copy to read "Foster Care Children First ...", on the property located at 409 S. Broadway, Assessor's Parcel No. 054-186-040, C2 (Downtown Commercial) zone, GC (General Commercial) General Plan designation. Approval is with the determination that the project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15311(a) (On-premises signs) 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 installation of an internally illuminated 3 ft. x 12 ft. (36 sq. ft.) wall sign with an additional attached 16 in. x 12 ft. (16 sq. ft.) LED time/temperature/reader board wall sign; and a 2 ft. x 6 ft. (12 sq. ft.) wall sign for a total of 64 sq. ft. of wall signage will not:
 - a. be contrary to the public's interest, safety, health, and welfare.
 - b. be detrimental to property or improvements in the neighborhood.
2. The Planning Commission made a determination that this project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15311(a) (On-Premises Signs) of the CEQA Guidelines.

CONDITIONS:

1. **The installation of a wall sign internally illuminated, sign with LED time/temp, electronic reader board sign, and non-illuminated wall sign shall comply with the specifications and plans approved by the Planning Commission on May 20, 2009 and shall serve only to identify the business carried on said premises as stated in Yreka Municipal Code Section 13.12.050.**
2. The signs shall be erected in accordance with the specifications and plans submitted for Children First Foster Family Agency and approved by the Planning Commission on May 20, 2009 and shall not be deviated from without prior review and approval of the Planning Commission.
3. The signs shall be erected in accordance with Title 13, Signs, of the Yreka Municipal Code. Including Section 13.080.050(4) that provides sign illumination, where allowed by provisions of Title 13 shall be at the lowest level consistent with adequate identification and readability.
4. The signs shall comply with Yreka Municipal Code Section 13.12.030 that prohibits

electrical signs intended to attract attention by any flashing on and off, or simulating any motion through a series of rapid light changes.

5. The signs shall comply with Yreka Municipal Code Section 13.12.040 that states that no sign shall be permitted to have movement or moving parts which is generated by electronic means except barber poles.
6. The signs shall harmonize with the materials, textures, sizes, shape, heights, locations, and designs of the buildings, properties, or neighborhood of which they are a part, and as approved by the Planning Commission.
7. The signs shall be erected in accordance with Title 13, Signs, of the Yreka Municipal Code.
8. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to installing the electrical sign.
9. The signs shall be removed within thirty days after the business closes and is no longer in operation on the property upon which the sign is located.
10. The sign use permit shall be automatically revoked and terminated if not used within one year from date of approval.

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

AYES: Amaral, Baird, Knitter, Ohlund, Rolzinski
 NOES: None

**USE PERMIT – REBUILD NON-CONFORMING CARPORT
 MIKE WHIPPLE – 650 W LENNOX ST**

TABLED

The Commission reviewed the application submitted by Mike Whipple for a use permit to rebuild a non-conforming carport structure to current footprint. The structure is non-conforming because it is one foot from the side property line, not the required five feet. Remove and replace the current carport due to its current unsafe and dilapidated condition on the property located at 650 W. Lennox Street. Assessor's Parcel No. 053-111-140, R-1 (Single Family Residential) zone, LDR (Low Density Residential) General Plan designation. This being the time and date set for a public hearing for an application for a use permit Chair Knitter opened the public hearing to the audience.

Staff reported the Technical Committee recommended denial unless applicant can demonstrate why the structure could not be constructed somewhere else on the lot and comply with the current setbacks.

Staff also recommended that the Planning Commission make a determination that this project is covered by the general rule that the California Environmental Quality Act (CEQA)

applies only to projects which have the potential for causing a significant effect on the environment, Section 15061(b)(3) of the CEQA Guidelines. The project of rebuilding a structure to its previous footprint will not have a significant effect on the environment and is therefore not subject to CEQA.

Applicant provided a letter of explanation and additional pictures of the site showing extensive landscaping including large trees that would need to be removed to locate the carport in back yard.

Allen McWilliams, 644 W. Lennox Street, asked questions about the project. He was provided the information he requested.

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

Following Commission discussion, Commissioner Ohlund made a motion to table the application until the applicant or a representative can attend the meeting to explore options to relocate the structure.

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

AYES: Amaral, Baird, Knitter, Ohlund, Rolzinski
NOES: None

AUDIENCE STATEMENTS & COMMENTS

None.

APPROVAL OF THE MINUTES OF THE APRIL 15, 2009 MEETING

The Commission, having received a copy of the minutes of the regular meeting held April 15, 2009, approved the minutes on a motion made by Commissioner Amaral and seconded by Commissioner Ohlund.

USE PERMIT – EXTENSION

LEO & MARCIA MILLER – 522 E OBERLIN RD

APPROVED

The Commission reviewed the application submitted by Leo and Marcia Miller for an extension to Use Permit No. 3905 Conditions Number 6 and 7 for one year to June 18, 2010 for the property located at 522 E. Oberlin Road.

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

Applicant representative, John Wood, was in attendance to answer questions as needed.

Following Commission discussion, Commissioner Amaral made a motion to approve the

application for an extension to Use Permit No. 3905 Conditions Number 6 and 7 for one year to June 18, 2010 for the property located at 522 E. Oberlin Road, Assessor's Parcel No. 061-301-180, M-1 (Light Industrial) zone, I (Industrial) General Plan designation. Approval is subject to the Findings and Conditions of Approval previously approved on June 18, 2008, and subject to executing an extension to the Improvement Agreement and providing security for the Agreement.

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

AYES: Amaral, Baird, Knitter, Ohlund, Rolzinski
NOES: None

PREFABRICATED CARPORT/STORAGE STRUCTURES CITY WIDE

Staff reported that the Technical Committee had been discussing problems with prefabricated carports and storage structures being installed without proper permits. Due to a proliferation of carport and storage structures that are being located within the setback areas and installed without obtaining building permits, staff is planning to move forward with code enforcement for these violations.

There should be no structures, as defined in the building code, located within the setbacks except fences pursuant to Yreka Municipal Code sections 16.08.030 (Buildings erected or altered contrary to title unlawful-Procedure), 16.12.790 ("Yard" defined), 16.54.010 Off-street parking facilities required), 9.47.020 (Public nuisances designated – Hazardous Obstructions).

All of the structures are required to meet building code, they must have engineering for wind and snow load.

It was suggested to do a survey of the non-complying structures and send letters to all owners with visible non-complying structures and ask them to comply. If owners do not comply, record a notice of non-compliance with the Siskiyou County Recorder.

Vendors locally and out of town tell purchasers the structures are exempt from building permit requirements. The only structures that are exempt from building permits are structures less than 120 square feet.

A survey of other cities showed that they have problems with them too and they do enforce the codes.

This agenda item was to inform the Planning Commission of the carport and storage container problem and the plan to move forward with compliance.

In addition to the action proposed to be taken by City staff, it was suggested that the public be informed in the City newsletter that the structures are non-complying.

COMMISSIONER'S STATEMENTS & COMMENTS

Commissioner's requested that a letter be sent to the Boston Shaft building regarding removal of the weeds and request removal of the sign.

Brian Meek, City Manger, asked the Commission to consider what is acceptable to have stored on the front porch of residential property.

Commissioner's commended the City for the newsletter that has been presented in the water bills. They said it is very informative and to keep up the good work.

Commissioner's requested an update on the work in Miner Street. Brian Meek explained there are multiple projects with multiple contractors and they are doing what they can to minimize disruptions to businesses.

There being no further business before the Commission, the meeting was adjourned at 7:37 p.m.

Pamela J. Hayden, Planning Director