

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD
ON THE 18TH DAY OF DECEMBER, 2013

On the 18th day of December, 2013 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 Leal and present were:

Commissioners: Deborah Baird, Diane Knitter, Steve Leal, Paul McCoy, Barry Ohlund and Richard Rolzinski. Absent: Matt Osborn

PUBLIC COMMENTS – None

Consent Calendar: Chair Leal announced that all matters listed under the consent calendar are considered routine and will be enacted by one motion unless any member of the Planning Commission wishes to remove an item for discussion or a member of the audience wishes to comment on an item:

- a. Approval of Minutes of the regular meeting held on November 20, 2013.

Following Commission discussion, Commissioner Ohlund moved to approve the minutes of the regular meeting on the consent calendar as submitted.

Commissioner Knitter seconded the motion, and upon roll call, the following voted YEA: Baird, Knitter, Leal, McCoy, Ohlund and Rolzinski.

Chair Leal thereupon declared the motion carried.

City of Yreka 2014-2019 Housing Element Update – Public Review Draft presented by Scott Friend of Pacific Municipal Consultants.

The purpose of the Public Hearing is to receive input and respond to questions regarding the Draft Housing Element Update of the Yreka General Plan that reflects the new State's Regional Housing Need Assessment requirements for planning period 2014-2019, and includes strategies to meet the City's current and future housing needs as required by the State of California Department of Housing and Community Development.

Public Hearing - This being the time and date set for the public hearing, Chair Leal opened the hearing to the audience.

There being no statements or comments from the audience, Chair Leal closed the public hearing and discussion was opened to the Commission.

Correspondence was received from Charles Harrison – Harrison’s Apartments, 306 S. Broadway Street, Yreka, in opposition of building additional low income apartments until vacancy drops to below 3% in existing facilities in Yreka.

Discussion/Possible Action – **Conditional Use Permit: CUP # 4188 and Mitigated Negative Declaration MND Permit #4189 (Norton Investments, Inc.)**. The proposed project consists of construction, establishment, and operation of a new 19,028 square foot retail store (Tractor Supply Company) with an outside sales area of 15,320 square feet on an existing +/- 3-acre parcel. The vacant parcel is located at 1455 State Route 3 which is at the northwest corner of Greenhorn Road and South Main Street/State Route 3 in the City of Yreka. The parcel is zoned CH, Commercial Highway and the General Plan designation is GC, General Commercial. The Assessor’s Parcel Number is 062-011-430.

City Manager Steve Baker presented the Commission with the staff report and the following background – The City has received a Conditional Use Permit application from Norton Investments, Inc. to facilitate the construction and operation of a new Tractor Supply Company retail store on an existing parcel of land located at 1455 South Main Street. The project site is a vacant parcel located at the northwest corner of South Main Street and Greenhorn Road. A Conditional Use Permit is required to allow the sale of large equipment and to allow outdoor sales at the site. The existing zoning allows for the Commercial use of the property.

City staff has reviewed the application and recommends approval of the Conditional Use Permit subject to the findings and conditions of approval. A mitigated negative declaration has been prepared for the project and no significant impacts have been identified. Staff is recommending approval of the mitigated negative declaration for the project.

Background:

The application requests approval to establish a +/- 19,000 square foot Tractor Supply Company retail store with outdoor display areas in front of the building and a +/-15,000 square foot secured outdoor sales area for larger equipment and supplies along South Main Street. Per Yreka Municipal Code Chapter 16.36, retail establishments are a permitted use in the *CH, Commercial Highway* zoning district. However, large equipment sales and outdoor sales require an approved Conditional Use Permit. Development regulations for the project include setbacks of 20 feet in the front, 10 feet on the side, and 10 feet in the rear; lot coverage of up to 100 percent; and a maximum building height of 35 feet. The project meets all setbacks, lot coverage, and the maximum building height requirements.

The project site is approximately three acres in size and is accessible via three planned driveways: two on South Main Street and one on Greenhorn Road. The site was previously owned and utilized by Siskiyou County as a Shop / Maintenance Yard. Surrounding land uses consist of existing commercial businesses to the north (Shasta Valley Chainsaw); State Route 3 and Interstate 5 to the east; a vacant and undeveloped parcel to the west; and, a vacant commercial building to the south across Greenhorn Road.

Discussion:

As summarized above, the proposed project consists of a single story building of approximately 19,000 square feet in size, with an abutting screened outdoor sales area of approximately 15,000 square feet for sale and storage of larger equipment and supplies. Within the screen sales area, the project proposes to construct a metal storage building intended to accommodate the outdoor storage of hay and feed supplies in a weather-protected environment. Typical of other Tractor Supply Company stores, the project proposes some outdoor display of items on the sidewalk in front of the building (outside of the public right-of-way and away from public walkways). On-site parking lot consists of 84 spaces, including four accessible spaces with parking lot lighting. The site will be landscaped to include perimeter landscaping on all sides as well as parking lot landscaping. The landscaping is intended to meet all City landscape standards. A truck loading/unloading area is located at the rear of the property with access provided via SR3/S. Main St

Fencing:

The proposed +/- 15,000 square foot fenced outdoor sales area on the south side of the store is proposed to provide secured sales space for agricultural equipment; storage for bulk supplies (hay and feed) and to accommodate an equipment rental component. The fencing of the yard area is proposed to be chain link at 8 feet which is 2 feet taller than permitted in the Yreka Municipal Code (YMC). The YMC Section 16.46.050 allows for a six foot fence and up to two feet additional for wire security fencing. Although the additional 2 feet is not wire security fencing, the fencing would be chain link which still maintains view permeability and provides for the intent of the code which is to provide security for businesses. The second display area is on the sidewalk in front of the store. Displays in this area would be brought in or secured at night. Staff has proposed a Condition of Approval requiring the use of coated and colored fencing in this area.

Parking:

The required parking for retail stores which handle only bulk merchandise items such as nursery and garden supplies, farm implements and machinery is one space per 600 square feet of floor area plus one space per 2,000 square feet of outdoor sales area [YMC Section 16.54.020 (A)(2)]. General retail stores are required to provide one space per 200 square feet of floor area. Using a ratio of 70 percent general retail and 30 percent bulk merchandise retail, the enclosed +/- 19,000 square foot retail floor space area requires approximately seventy-six (76) parking spaces and the outdoor sales area requires an additional eight (8) spaces. Eighty-four (84) parking spaces are required and the applicant is proposing eighty-seven (87) total parking spaces including three (3) over-sized stalls to accommodate trailers and over-length vehicles. Due to the building being greater than 5,000 square feet, an off-street loading space is required. A loading area is proposed at the rear of the building which meets the off-street loading space requirement.

Lighting:

The proposed outdoor lighting in the parking lot, on the building, and in the loading area has not been reviewed by staff as no photometric plans have yet been prepared. As specified in YMC Section 16.46.060, outdoor lighting should not cause unreasonable glare to adjoining properties or cause sky-reflected glare if practical. The lighting in the loading area according to YMC

Section 16.54.110 shall be deflected away from abutting properties so as not to cause annoying glare. A Condition of Approval has been added requiring all outdoor lighting to be full cut-off light fixtures or to have hooded devices to prevent glare and off-site lighting impacts.

Driveways:

City standards limit commercial driveways to a maximum width of twenty-six (26) feet (City Standards Y148.11 and Y148.10) unless otherwise approved. The driveway on Greenhorn Road and the western driveway on South Main Street are proposed at thirty (30) feet and the eastern driveway on South Main Street is proposed at forty-five and a half (45½) feet. The receiving and customer loading area is located at the rear of the building off of the widest driveway which has been designed to accommodate the turning of large vehicles (delivery trucks). The Public Works Director has reviewed the proposed driveway on Greenhorn Road and the southern-most access off of SR3/S. Main Street and agrees with the use of the thirty (30) foot width driveway approaches. The proposed forty-five and a half (45½) foot driveway at the northern edge of the property off of SR3/S Main Street is not opposed by the Public Works Director. However, driveways on SR3/S. Main Street are regulated by the California Department of Transportation (Caltrans) and a condition of approval has been added that final driveway widths on South Main Street shall be subject to approval by Caltrans.

Landscaping:

Staff has not reviewed the overall site landscaping plan, but the project has been conditioned to require that a landscape plan meeting the City's landscaping requirements be approved prior to building plan submittal. Conditions have also been added to ensure compatibility with landscape standards in YMC 16.52.030, such as a condition requiring one 5-gallon sized tree per ten (10) parking spaces. With the conditions of approval regarding landscaping, the site will be consistent with City policy and represent a significant streetscape improvement for the site.

Analysis:

The purpose of the Commercial Highway (CH) zoning district is 'to serve as the commercial land use zone district for areas outside of the commercial downtown district...' and provides for a variety of commercial uses (YMC Chapter 16.36). The intent of the district is to provide a variety of commercial uses including retail stores which are permitted by-right. The use permit is only required for the large equipment and outdoor sales components of the project. Per YMC Section 16.44.040, a use permit can be granted by the Planning Commission if the use is found to not be materially detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood; if the use is found not to be materially detrimental to property or improvements in the neighborhood; and, if the use is found not to be materially detrimental to the general welfare of the city.

As listed in the Findings and Conditions of Approval for CUP #4188, the proposed large equipment and outdoor sales will not generate significant noise or lighting. A condition of approval has been added to prohibit any outdoor public address system to ensure that the outdoor sales do not disturb the nearby public. The lighting has been conditioned to be fully cut-off or hooded to prevent glare on adjacent properties. The proposal will not increase traffic beyond the capacity of existing infrastructure in an area which is sufficient to accommodate commercial

uses. The site plan includes three trailer parking spaces and a loading area on the rear side of the store to provide parking for large hauling vehicles. These parking spaces, the loading area, and the standard parking spaces will keep associated store parking on-site. With the conditions of approval, the retail store including the sales of large equipment and outdoors sales meet with the intent of the CH zoning district and would contribute to the streetscape by providing an aesthetic upgrade of the site.

Environmental Determination:

A mitigated negative declaration was prepared for this project consistent with the requirements of the California Environmental Quality Act (CEQA). The mitigated negative declaration was prepared pursuant to Section 15070 - 15075 of the CEQA Guidelines and Title 19 *Environmental Impact Procedure* of the YMC. The public comment period for the Mitigated Negative Declaration was November 18, 2013 to December 9, 2013. At the time this staff report was published, one comment letter was received from the State of California Department of Transportation, on the mitigated negative declaration. The analysis in the document concluded that there were less than significant impacts with mitigation incorporated in the Air Quality and Cultural Resources subsections. The impacts and mitigation measures can be found in the Mitigation Monitoring Program. The initial study indicates that there is no substantial evidence, in light of the whole record before the Planning Commission, that the project will have a significant effect on the environment if the mitigation measures are adopted and implemented. In order to approve the environmental determination of a mitigated negative declaration, the Planning Commission must adopt the findings in the Mitigated Negative Declaration and the Mitigation Monitoring Program.

Recommendation:

Staff recommended that the Planning Commission adopt the Mitigated Negative Declaration #4189 and the Mitigation Monitoring Program with the Findings of Approval as submitted. Staff also recommends that the Commission grant approval for Conditional Use Permit #4188 with the Findings and Conditions of Approval as submitted to permit sales of large equipment and the use of permanent outdoor sales areas for the Tractor Supply Company to be located at 1455 South Main Street.

Notification of the public hearing was mailed to property owners/occupants located within 300 feet of the proposed project on November 22, 2013 and A Notice of Public Hearing was published in the Siskiyou Daily News on November 25, 2013.

Public Hearing - This being the time and date set for the public hearing, Chair Leal opened the hearing to the audience.

Mark Norton of Norton Investment and architect Dennis Cook representatives for Tractor Supply were present to answer questions.

John Richter of Richter Scale Real Estate spoke in regards to Tractor Supply Company being a benefit to the City of Yreka.

There being no statements or comments from the audience, Chair Leal closed the public hearing and discussion was opened to the Commission.

Following Commission discussion, Commissioner Knitter moved to approve the contents of the mitigated negative declaration and the procedures through which it was prepared, publicized, and reviewed, determining that it complies with the provisions of the California Environmental Quality Act, the State CEQA Guidelines, and Title 19 Environmental Impact Procedures of the Yreka Municipal Code and that the significant environmental impacts that have been identified are mitigated by the mitigation measures/conditions of approval to a less than significant level, and adopting the Mitigated Negative Declaration and findings as submitted for the project as provided for in the California Environmental Quality Act, and the Mitigation Monitoring Program.

Findings for Adoption of the Mitigated Negative Declaration

1. The Planning Commission has considered the proposed Mitigated Negative Declaration before making a decision on the project.
2. The Planning Commission has considered comments received on the Mitigated Negative Declaration during the public review process.
3. The Planning Commission finds that the initial study identified potentially significant effects, but: a) mitigation measures agreed to by the Applicant before the mitigated negative declaration and initial study were released for public review would avoid the effects or mitigate the effects to a point where clearly no significant impact would occur, and b) there is no substantial evidence, in light of the whole record before the City, that the project as revised to include the mitigation measures may have a significant effect on the environment.
4. With the Mitigation Monitoring Program, there is no substantial evidence of a fair argument that the project will have a significant effect on the environment.
5. The Mitigated Negative Declaration has been prepared in compliance with CEQA, the State CEQA Guidelines, and Yreka Municipal Code Title 19 *Environmental Impact Procedure*, and is determined to be complete and final.
6. The Mitigation Monitoring Program ensures implementation of mitigation measures identified in the Mitigated Negative Declaration. The Planning Commission finds that these mitigation measures are fully enforceable as conditions of approval of the project, and shall be binding on the Applicant, future property owners, and affect parties.

Commissioner Knitter moved to adopt the findings as submitted and to approve the Conditional Use Permit #4188 to allow for large equipment and outdoor sales, subject to the Findings and Conditions of Approval as submitted.

FINDINGS AND CONDITIONS APPROVAL FOR CONDITIONAL USE PERMIT # 4188

1. The proposal will not be materially detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use.

The proposal of a new +/- 19,000 square foot retail store with an outside sales area of +/- 15,000 square feet would not be materially detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood. The proposal would not generate significant noise, and lighting would be fully cut-off or hooded to prevent glare on adjacent properties. Subject to the issuance of a Conditional Use Permit by the Planning Commission and subject to the Conditions of Approval, use of the site would remain consistent with the intent of the General Plan designation and zone district. As such, the project will not be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood.

2. The proposal will not be materially detrimental to property or improvements in the neighborhood.

The proposal will not be materially detrimental to property or improvements in the neighborhood. The granting of the Conditional Use Permit would contribute significantly to the streetscape and landscape improvements will provide an aesthetic enhancement of the site and the area. Conditions of Approval will provide for land use compatibility between the proposed commercial development and the existing commercial neighborhood and adjacent streets.

3. The proposal will not be materially detrimental to the general welfare of the city.

The use is compatible with the policies and objectives of the zoning ordinance for a CH, Commercial Highway zone which allows a commercial retail business with large equipment and outdoor sales upon approval and validation of a conditional use permit as set forth in Section 16.36.070 (D) and (U) of the Yreka Municipal Code. The Tractor Supply Company keeps with the character of the surrounding area, and is found to be consistent with the General Plan. The proposal will not increase traffic beyond the capacity of existing infrastructure in an area which has been planned to have commercial uses on it.

4. An initial study has been prepared by the Planning Department to evaluate the potential for adverse environmental impacts. The Planning Commission finds that there is no evidence before the Planning Commission that the proposed project would not be a mitigated negative declaration. A mitigated negative declaration has been prepared.

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 use within an existing commercial 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.

The following conditions shall be complied with at all times while the use permitted by this permit occupies the premises:

1. Permittee granted a permit to construct, establish and operate a +/- 19,000 square foot commercial retail facility including approximately +/- 15,000 square feet of fenced outside sales plus display areas on a project site of +/- 3.0 acres at 1455 S. Main Street (1455 State Route 3), APN: 062-011-430. 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 the site plan shall be complied with as approved.
3. Adequate off-street parking facilities shall be provided as follows: one (1) space for each two hundred (200) square feet of floor area for eighty (80) percent of the main structure square footage; one (1) space for each six hundred (600) square feet of floor area for twenty (20) percent of the main structure square footage; plus one (1) space per 2,000 square feet of outdoor sales area as set forth in Chapter 16.54 of the Yreka Municipal Code. As submitted the project requires eighty four (84) parking 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, access drives and aisles shall be paved and striped and bumper rails or other barriers shall be provided, as determined by the City Building Official, Director of Public Works and in accordance with Section 16.54.090 of the Yreka Municipal Code.
5. Parking required for disabled persons shall be marked, posted, and maintained in accord with provisions of the Motor Vehicles Code, California Building Code and any other law or regulation now or hereinafter enacted relating to parking for disabled persons. A minimum of four (4) accessible parking spaces are required for a parking lot with 76 to 100 parking spaces.
6. Use shall be conducted in accordance with the site plan as submitted for the property located at 1455 State Route 3, as approved by the Planning Commission on December 18, 2013, and the site plan shall not be changed or deviated from without 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.

7. Prior to building permit issuance, an in-ground automated irrigation system designed with specifications that meets the requirements of Section 11.38.050 of the Yreka Municipal Code shall be submitted and approved by the City Manager or Building Official.
8. An encroachment permit from the California Department of Transportation shall be obtained prior to any work in the State Route 3 right-of-way, including landscaping, curb, gutter, sidewalk, or driveway approach. The encroachment permit will need to address that the sidewalk facilities and driveway aprons meet current Americans with Disabilities Act requirements. Final driveway widths on State Route 3 are subject to Caltrans approval.
9. Prior to building permit issuance, a drainage study report shall be submitted to both Caltrans (for approval) and the City (for concurrence) and shall include adequate information to demonstrate that drainage shall either be directed away from the State's facilities or that the facilities have adequate capacity for the drainage.
10. Permittee shall obtain approval of all required public improvements through the Department of Public Works' encroachment permit process for construction of and/or connection to any City sewer, water, or storm drain. For any public infrastructure improvements that need to be constructed, the Department of Public Works may require plans prepared by a registered civil engineer. The required plans would be in addition to the plans prepared for the Building Department.
11. Permittee shall submit a grading plan for review and approval by the Building Official prior to construction or any on-site grading.
12. All on-site exterior lighting shall be full cut-off fixtures, have hooded devices, or be designed in such a way to prevent glare on adjoining properties or sky-reflected glare.
13. Permittee shall submit a storm water detention analysis and drainage plan for review and approval by the Director of Public Works and/or Building Official prior to start of construction or any on-site grading. On-site detention or storm drain extension may be required.
14. 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.
15. Permittee shall obtain a building permit and shall pay the necessary fees including Utility Services, Impact and Connection fees prior to making any building, electrical, mechanical, or plumbing installations and/or improvements to the structure. Driveway approaches and street lights are required. Public infrastructure improvements such as curb, gutter, sidewalk, curb ramps, and asphalt concrete street pavement may be required

upon issuance of a building permit in accordance with Yreka Municipal Code Section 11.24.030. 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.

16. Prior to the use of the commercial retail store, the permittee shall secure a Certificate of Occupancy and approval of the Building Official and Fire Marshal that the structure meets the building standards and the fire regulations of the California Building Standards.
17. The project shall be constructed as depicted as warranted to the City on the Site Plan dated October 8, 2013 unless otherwise approved by the City Manager.
18. The proposed fence shall be vinyl coated chain-link painted to match the primary structure or black in color and shall have a maximum height of eight (8) feet in accordance with Yreka Municipal Code 16.46.050 (a). Posts and supports shall match the color and properties of the primary fencing material.
19. Per YMC Section 16.38.080, the outdoor sales areas shall be paved with a minimum six-inch (6") base and double chip sealed. The area shall be graded and drained as to dispose of surface water. The design and specifications are subject to approval by the City Engineer.
20. Prior to any building plans submittal, a landscape plan shall be submitted and approved by the City Manager. Per Section 16.52.030 of the Yreka Municipal Code, the following is required:
 - a. Five percent of the parking area shall be planted with trees, shrubs and ground covers.
 - b. A minimum of one 5-gallon sized tree is required per ten (10) parking spaces.
 - c. Parking areas provided adjacent to the street shall be separated from the street by landscaping within the required building setback area. One 15-gallon sized tree for each one hundred (100) feet of street frontage and one-gallon sized shrub for each five (5) feet of street frontage is required. This landscape area does not qualify for the five percent requirement in subsection (a.).
21. The installation and maintenance of the landscaping shall be per the approved landscape plan. As necessary, replacement of landscaping is required to match the approved plan. Water efficient irrigation system shall be installed for the landscaping per Yreka Municipal Code Section 16.52.030 (E).
22. No signs shall be placed on the premises without first obtaining a sign permit.
23. Permittee shall secure an annual City business license to carry on the business of a commercial retail facility.
24. The 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.

25. The site plan approval shall expire and terminate if not used within one (1) 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 Ohlunds seconded the motion, and upon roll call, the following voted YEA:
Baird, Knitter, Leal, McCoy, Ohlund and Rolzinski.

City Manager Steve Baker reported that City Hall will be closed December 24th & 25th for the Christmas holiday and no City Council meeting will be held January 2nd, 2014.

City Manager Baker also reported that the Draft Housing Element Update and the Karuk Tribe Casino Project Draft Tribal Environmental Impact Reports are available for public review on the city's website.

There being no further business before the Commission, the meeting was adjourned.



Steve Leal, Chair

Approved by motion of the Planning
Commission on March 19, 2014