

MINUTES OF THE REGULAR MEETING OF THE  
YREKA PLANNING COMMISSION HELD  
ON THE 20<sup>TH</sup> DAY OF FEBRUARY, 2013

On the 20<sup>th</sup> day of February, 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, Barry Ohlund, Matt Osborn and Richard Rolzinski. Absent: Paul McCoy

**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 January 16, 2013.
- b. Approval of a one year extension of Permit # 3568 to construct, establish and operate a 6,400 sq. ft. restaurant and a 4,125 sq. ft. retail/office building with 111 parking spaces on a project site of 1.7 acres.  
Applicant: MK & A, LLC dba Casa Ramos by Marco Ramos  
Location: 1515 S. Main Street/175 Greenhorn Road - Assessor's Parcel # 062-041-050

Following Commission discussion, Commissioner Ohlund moved to approve the items on the consent calendar as submitted.

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

Chair Leal thereupon declared the motion carried.

Discussion/Possible Action – Interpretation of Yreka Municipal Code 16.34.050 to allow the use of Taxidermy as a permitted use in C-2 Zone under the subtitle of Art Studios.

Planning Commissioner Ohlund announced his recusal. Ohlund stating that he has a conflict of interest by reason of property ownership within 500 feet of the proposed project, and therefore recused himself.

City Manager Steve Baker reported that the City has received a request from Kevin McCanna to operate a Taxidermy Studio at 208 W. Miner Street. Mr. McCanna currently operates his Taxidermy Business in the County and wants to move this business to the Miner Street location.

City Staff reviewed the application with the following considerations:

Is Taxidermy a permitted use in the C-2 zone district: Yes we believe it is. Taxidermy could be considered an artist's studio with dead animals. Artist Studios and Galleries are a permitted use in the C-2 zone district.

- Is this a "Commercial" use as defined by the City's Zoning Code: Yes;
- Is the Use (taxidermy) specifically prohibited or identified as a use in another zone district of the City: No;
- Is the Use similar to a listed use in a more intense zone district: No;
- Is the Use otherwise regulated by another agency; Yes (Dept. of Fish and Wildlife requires permits for taxidermists and the County Health Dept. may also require a permit);
- Are there any potential negative attributes associated with the use
  - Noise: No (animals are dead);
  - Odor: Maybe, however, the animals are generally already preserved.
  - Light/Glare: No
  - Parking/Traffic: Probably not
  - Use of Controlled Substances: No

The Planning Commission is the body whose duty it is to manage, apply and interpret the City Zoning Code. Based on the lack of specificity in the Yreka Municipal Code for this type of use, staff is seeking an interpretation of the Yreka Municipal Code .

Recommendation: Staff recommends that the Planning Commission make an interpretation of Yreka Municipal Code Section 16.34.050 Permitted Uses in the C-2 Zone District, that the use of "taxidermy" is a use similar to those listed as permitted uses in the C-2 Zone, specifically Artist Studio, and therefore is a permitted use subject to the issuance of a building permit (if applicable), business license, and any other County, State, or Federal permit that may be required to conduct said use.

Kevin McCanna, Applicant, was presented to answer questions from the commissioner's.

Following Commission discussion, Commissioner Knitter moved to approve the interpretation that the use of "taxidermy" is a use similar to those listed as permitted uses in the C-2 Zone, specifically Artist Studio, and therefore is a permitted use subject to the issuance of a building permit (if applicable), business license, and any other County, State, or Federal permit that may be required to conduct said use the allowed use of a Taxidermy as a permitted use in C-2 Zone under the subtitle of Art Studios.

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

Chair Leal thereupon declared the motion carried.

Commissioner Ohlund returned to his seat at the table.

#### City Manager Report

City Manager Baker reported on the installation of solar systems on existing roofs installed in the Historic District. The Solar Right Act of 1979 put a limit on the ability of public agencies and Homeowners Associations to prevent the installation of solar systems and required that public agencies use an administrative, nondiscretionary review process for on-site solar systems. The Act also limits the ability of a public agency to enforce or apply restrictions addressing visual or aesthetic concerns.

Steve Mathews, 403 Third Street, was presented to let the commissioners know that he has applied for a building permit to install solar at his residents.

#### Commissioner's Statements & Comments

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

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Steve Leal, Chair  
Approved by motion of the Planning  
Commission on March 20, 2013