

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 APRIL 2011

On the 20th day of April, 2011 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 Baird and present were:

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

Absent: Matt Osborn
Commissioner Osborn arrived 6:35 p.m.

**TEMPORARY USE PERMIT – OUTDOOR GARDEN DEPARTMENT
WAL-MART #1630 BY ROBERT JOHNSON – 1960 FT. JONES RD. APPROVED**

Commissioner Rolzinski recused himself from participating in this agenda item because he has a financial interest in property located within 500 feet of the subject property to prevent a possible conflict of interest in this matter and left the room.

The Commission reviewed the application submitted by Robert Johnson for Wal-Mart #1630 for a temporary use permit to establish and operate a temporary outdoor garden department for approximately 6 months, the area will be covered by a tent and occupy approximately 46 parking spaces and drive aisle, area will be fenced, temporary water and power will be provided to the site. Assessor’s Parcel Nos. 062-131-140 and 062-191-070, CH (Commercial Highway) zone, GC (General Commercial) General Plan designation.

This being the time and date set for a public hearing on an application for a temporary use permit allowing a temporary outdoor garden department for approximately 6 months on the property located at 1960 Ft. Jones Road, Chair Baird opened the hearing to the public.

Staff recommended approval subject to the conditions presented. The garden merchandise currently located in the parking lot will be relocated within the new proposed garden department area pursuant to a phone conversation with the applicant.

Staff also recommended that the Planning Commission make a determination that the project is categorically 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 which has the potential for causing a significant effect on the environment.

The applicant reported that there may be a 20' x 48' greenhouse instead of a tent.

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 temporary use permit to establish and operate a temporary outdoor garden department for approximately 6 months, the area will be covered by a tent or greenhouse and occupy approximately 46 parking spaces and drive aisle, area will be fenced, temporary water and power will be provided to the site, on the property located at 1906 Ft. Jones Road, Assessor's Parcel Nos. 062-131-140 and 062-191-070, CH (Commercial Highway) zone, GC (General Commercial) General Plan designation with the determination that the project is categorically 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 which has the potential for causing a significant effect on the environment.

The project approval is based on Staff's recommendation 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 is the establishment and operation of a temporary outdoor garden department for approximately six (6) months during modification of the existing garden department, the area will be covered by a tent and occupy approximately 46 parking spaces and drive aisle, the area will be fenced, and temporary water and power will be provided to the site and the project 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 project site is currently a parking lot that is paved with asphalt and with 600 +/- parking spaces provided on the site, the temporary use of 46 parking stalls will not be significant.

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 there is a garden department currently located within the existing business, due to proposed construction the garden department will temporarily be located outside the building; therefore, the commercial use will not change.

- c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors, the off-street parking plan will be temporarily modified to allow the use of 46 parking spaces plus the drive aisle, there is adequate parking on site to accommodate a temporary reduction in the number of parking spaces available as stated in (a) above.
 - d.. adversely affect matters regarding police protection, crime prevention, and security because the area will be completely fenced and located under a tent.
 - e. adversely affect circulation or traffic patterns in the neighborhood or constitute a nuisance because the project location is within an existing parking lot and will not alter off-site circulation or traffic patterns.
2. The use is compatible with the policies and objectives of the zoning ordinance subject to approval of this permit.
 3. This 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 which has the potential for causing a significant effect on the environment.

CONDITIONS:

1. Permittee granted a permit to establish and operate a temporary outdoor garden department for approximately six (6) months during modification of the existing garden department, the area will be covered by a tent and occupy approximately 46 parking spaces and drive aisle, area will be fenced, temporary water and power will be provided to the site, at the location and as 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. The temporary use permit granted for a period of not to exceed six months or until the garden department construction is complete and open to the public, but in no event to exceed twelve months without obtaining an extension to this permit. The period shall commence with the beginning of construction of the garden department. Approval may be extended upon written application to the Planning Commission before expiration of the first approval.
3. The temporary structure shall be removed from the property and outdoor garden department use shall cease upon termination of this use permit.
4. Use shall be conducted in accordance with the site plan as submitted and no additional alterations shall be made of the building location(s) parking and landscaping

without prior approval of the Planning Commission; provided, however, upon request of the Permittee and showing of good cause, the City Manager is authorized to permit minor modifications of the site plan without resubmission to the Planning Commission.

5. Permittee shall comply at all times with the zoning district regulations for a CH zone as set forth in section 16.36 of the Yreka Municipal Code.

6. Permittee shall secure approval of the Building Official and Fire Marshal that the tent or other enclosure and site meet building standards and fire regulations of the Uniform Building and Fire Codes prior to use of subject temporary tent.

7. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to making any building, electrical, mechanical, or plumbing alterations/improvements to the project site.

8. 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.

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

AYES: Baird, Knitter, Leal, McAllister, Ohlund, Osborn
NOES: None

Commissioner Rolzinski returned to the Commissioners table.

SIGN USE PERMIT – COMMERCIAL SIGN PROGRAM
DONALD HILL for THE ATTOLLO GROUP – 106 RANCH LANE APPROVED

The Commission reviewed the application submitted by Donald Hill for The Attollo Group for a sign use permit to establish a commercial sign program for a commercial center that has the potential of 5 separate businesses. The sign program allows for 4 wall signs calculated by suite square footage (.0133 sq. ft. of signage per suite square footage). Suite A – 1889 sq. ft. = 25 sq. ft., Suite B – 2032 sq. ft. = 27 sq. ft., Suite C – 1193 sq. ft. = 16 sq. ft., Suite D – 2395 sq. ft. = 32 sq. ft. of signage for a total of 100 sq. ft. of wall signage for the parcel. The sign program also allows for a Commercial Center Identification sign allowing 4 to 5 individual tenant signs, 10 inches by 5 feet each. The sign will be 8 feet high, 6’6” x 5’, (32.5 sq. ft.) single sided. Assessor’s Parcel Nos. 062-041-310, 510, 580, & 600. The project site is zoned CH (Commercial Highway), GC (General Commercial) General Plan designation.

This being the time and date set for a public hearing on an application for a sign use permit

for a commercial sign program for the property located at 106 Ranch Lane, Chair Baird opened the hearing to the public.

Staff recommended approval subject to the conditions presented with the following additional condition:

Prior to installation of the monument sign, Permittee shall contact the Chief of Police to determine actual location of the sign to avoid potential traffic hazard.

Staff also recommended that the Planning Commission make a determination that the project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Section 15311(a) (on-premise signs) of the CEQA Guidelines.

There being no 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 approve the application for a sign use permit to establish a commercial sign program for a commercial center that has the potential of 5 separate businesses. The sign program allows for 4 wall signs calculated by suite square footage (.0133 sq. ft. of signage per suite square footage). Suite A – 1889 sq. ft. = 25 sq. ft., Suite B – 2032 sq. ft. = 27 sq. ft., Suite C – 1193 sq. ft. = 16 sq. ft., Suite D – 2395 sq. ft. = 32 sq. ft. of signage for a total of 100 sq. ft. of wall signage for the parcel. The sign program also allows for a Commercial Center Identification sign allowing 4 to 5 individual tenant signs, 10 inches by 5 feet each. The sign will be 8 feet high, 6'6" x 5', (32.5 sq. ft.) single sided. Assessor's Parcel Nos. 062-041-310, 510, 580, & 600. The project site is zoned CH (Commercial Highway), GC (General Commercial) General Plan designation. The approval is subject to the additional condition that: Prior to installation of the monument sign, Permittee shall contact the Chief of Police to determine actual location of the sign to avoid potential traffic hazard. The approval is with the determination that the project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Section 15311(a) (on-premise signs) of the CEQA Guidelines.

The project approval is based on Staff's recommendation 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 establishment of a commercial sign program establishing the sign standards for the whole complex as provided in the application 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 subject property has a commercial center with three or more independent businesses as defined in Section 13.04.100 of the Yreka Municipal Code, with a potential of at least 5 independent businesses.
3. The sign program allows for 4 wall signs calculated by suite square footage (.0133 per square foot of wall signage). Suite A – 1889 sq. ft. = 25 sq. ft., Suite B – 2032 sq. ft. = 27 sq. ft., Suite C – 1193 sq. ft. = 16 sq. ft., Suite D – 2395 sq. ft. = 32 sq. ft. of signage for a total of 100 sq. ft. of wall signage for the parcel. The sign program also allows for a Commercial Center Identification sign allowing 4 to 5 individual tenant signs, 10 inches by 5 feet each. The sign will be 8 feet high, 6'6" x 5', single sided.
4. The total advertising surface for the parcel does not exceed 300 square feet as provided in Yreka Municipal Code Section 13.10.010
5. The project is exempt from the provisions of the California Environmental Quality Act as a Categorical Exemption pursuant to Section 15311(a) (on-premise signs) of the CEQA Guidelines.

CONDITIONS:

1. The commercial sign program for the property located at 106 Ranch Lane Road shall be administered by the Planning Director in conjunction with the Building Official.
2. Prior to installation of the monument sign, Permittee shall contact the Chief of Police to determine actual location of the sign to avoid potential traffic hazard.
3. All signage shall comply with the standards set forth in Title 13, Signs, of the Yreka Municipal Code with the exceptions as set forth in the commercial sign program.
4. Signs erected in accord and complying with the commercial sign program shall not require additional sign use permits; however, an administratively approved sign permit is still required and building permit, if applicable.
5. The installation of all signs considered in the commercial sign program shall serve only to identify the businesses carried on said premises.
6. The 4.2 sq. ft. sign previously approved for Suite B for Edward Jones is hereby authorized to be relocated to Suite C.
7. The commercial sign program signs shall be erected in accordance with the specifications and plans submitted and shall not be deviated from without the prior review and approval of the Planning Director.
8. The signs shall harmonize with the materials, textures, sizes, shapes, heights,

locations, and designs of the buildings, properties, or neighborhood of which they are a part, and as approved by the Planning Commission.

9. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to installing electrical signs.

10. 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.

11. The sign use permit shall expire and terminate if not used within one (1) year from the date of approval. Approval may be extended upon written application to the Planning Department before expiration of the first approval.

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

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

NOES: None

**USE PERMIT – CHANGE FROM COMMERCIAL TO RESIDENTIAL USE
IRENE CARVER – 335 N. MAIN ST. APPROVED**

The Commission reviewed the application submitted by Irene Carver for a conditional use permit to change the commercial/office use of property to single family residential use on the property located at 335 N. Main Street, Assessor’s Parcel No. 053-212-040, CPO (Commercial Professional Office) zone, GC (General Commercial) General Plan designation.

This being the time and date set for a public hearing on an application for a conditional use permit to change the commercial/office use of property to single family residential use on the property located at 335 N. Main Street, Chair Baird opened the hearing to the public.

Staff recommended approval subject to the conditions presented.

Staff also recommended that the Planning Commission make a determination that the project is categorically 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 which has the potential for causing a significant effect on the environment.

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

Following Commission discussion, Commissioner Leal made a motion to approve the application for a conditional use permit to change the commercial/office use of property to

single family residential use on the property located at 335 N. Main Street, Assessor's Parcel No. 053-212-040, CPO (Commercial Professional Office) zone, GC (General Commercial) General Plan designation with the determination that the project is categorically 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 which has the potential for causing a significant effect on the environment.

The project approval is based on Staff's recommendation 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 change of a commercial use to a single family residential use on the property located at 335 N. Main Street will not:
 - a. be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood, and will not be detrimental to the harmonious and orderly growth of the City of Yreka because there are residential uses in the area.
 - b. be detrimental to property or improvements in the neighborhood and the residential use will not impair the desirability of investment or occupation in the vicinity due to the fact there are approximately 7 existing residential uses on N. Main Street between Yama Street and Lennox Street.
 - c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because the use as a residence will likely create no more traffic than the office use.
 - 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 for the reason in (c) above.
2. The use is compatible with the policies and objectives of the zoning ordinance which allows residential use in the CPO (Commercial Professional Office) zone subject to obtaining a use permit authorization.
3. This 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 which has the potential for causing a significant effect on the environment.

CONDITIONS:

1. Permittee granted a permit to change the commercial use of an office to single family residential use 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. A garage conversion was completed without the necessary permits to do so, converting a single car garage to office use. Permittee shall provide a one car garage or carport on the site and obtain approval of the Building Official that the conversion meets building code requirements.
3. Setbacks shall be complied with as set forth in Section 16.18.040 of the Yreka Municipal Code as required in the R-1 (Single Family Residential) zone.
4. Permittee shall comply at all times with the zoning district regulations for CPO and R-1 zones as set forth in sections 16.30 and 16.18 of the Yreka Municipal Code.
5. 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, 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 residence.
7. No signs shall be placed on the premises without prior approval of the Planning Department.
8. 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.
9. **Use permit 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 Ohlund seconded the motion. The motion carried by the following vote:

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

**USE PERMIT – CERTIFIED FARMERS MARKET
WHEELER FOR CERTIFIED FARMERS MARKET – 1409 S MAIN ST APPROVED**

The Commission reviewed the application submitted by Marilyn Wheeler for Certified Farmers Market for a conditional use permit to establish and operate the business of a certified farmers market for the months of June through October for one day weekly, using approximately 40 parking spaces of the Yreka Outlands parking lot on the property located at 1409 S. Main Street. Assessor's Parcel No. 062-011-410, CH (Commercial Highway) zone, GC (General Commercial) General Plan designation.

This being the time and date set for a public hearing on an application for a conditional use permit to establish and operate a certified farmers market for the months of June through October on the property located at 1409 S. Main Street, Chair Baird opened the hearing to the public.

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

The use permit is subject to the ongoing consent and approval of the property owner.

Pursuant to YMC 13.68.020.A the Planning Commission can authorize additional sign size and locations upon proof of eligibility for an exception by verified application. The City Manager is hereby authorized to approve additional sign size and location for banner signs for the farmers market use if requested by the Permittee upon written request of the Permittee, showing to the satisfaction of the City Manager the factors set forth in YMC 13.68.020.

This use permit approval shall be reviewed administratively each year prior to April 1 for possible extension upon payment of a \$75 administrative review fee. In the event conditions change whereby the issuance of the permit would result in a violation of any City ordinance, the City Manager may deny the permit renewal or attach additional conditions. If no application for renewal is received by April 1 of the renewal year, this permit shall lapse by its terms. If there has been a failure to comply with the conditions of the use permit the City Manager may deny renewal.

Staff also recommended that the Planning Commission make a determination that the project is categorically 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

which has the potential for causing a significant effect on the environment.

Applicant Marilyn Wheeler offered to answer questions and expressed gratitude for the help received from staff in the application process.

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 conditional use permit to establish and operate the business of a certified farmers market for the months of June through October for one day weekly, using approximately 40 parking spaces of the Yreka Outlands parking lot on the property located at 1409 S. Main Street, Assessor's Parcel No. 062-011-410, CH (Commercial Highway) zone, GC (General Commercial) General Plan designation subject to the following additional conditions:

The use permit is subject to the ongoing consent and approval of the property owner.

Pursuant to YMC 13.68.020.A the Planning Commission can authorize additional sign size and locations upon proof of eligibility for an exception by verified application. The City Manager is hereby authorized to approve additional sign size and location for banner signs for the farmers market use if requested by the Permittee upon written request of the Permittee, showing to the satisfaction of the City Manager the factors set forth in YMC 13.68.020.

This use permit approval shall be reviewed administratively each year prior to April 1 for possible extension upon payment of a \$75 administrative review fee. In the event conditions change whereby the issuance of the permit would result in a violation of any City ordinance, the City Manager may deny the permit renewal or attach additional conditions. If no application for renewal is received by April 1 of the renewal year, this permit shall lapse by its terms. If there has been a failure to comply with the conditions of the use permit the City Manager may deny renewal.

The approval is with the determination that the project is categorically 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 which has the potential for causing a significant effect on the environment.

The project approval is based on Staff's recommendation 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 establishment and operation of the business of a certified farmers market for the months of June through October for one day weekly, using approximately 40 parking spaces of the Yreka Outlands parking lot on the property located at 1409 S. Main Street 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 event will be held in an existing improved parking lot with adequate access and parking spaces available.

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 activity will be held in an area where there are other commercial uses.

c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors for the reason stated in (a) above.

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 for the reason stated in (a) above..

2. The use is compatible with the policies and objectives of the zoning ordinance upon approval of this Conditional Use Permit.

3. 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 which has the potential for causing a significant effect on the environment.

CONDITIONS:

1. Permittee granted a permit to establish and operate a certified farmers market for the months of June through October for one day weekly, using approximately 40 parking spaces of the Yreka Outlands parking lot on the property located at 1409 S. Main Street, Yreka, CA as 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.** This permit is subject to annual renewal and shall only be extended upon written application prior to April 1 for possible extension upon payment of a \$75 administrative review fee.

2. The use permit is subject to the ongoing consent and approval of the property owner.

3. All elements of the project application, as approved, shall be complied with.
4. Permittee shall secure an annual City business license to carry on the business of a Certified Farmer's Market. Individuals selling what they have directly produced are covered under that business license. Those selling crafts or products made from ingredients not directly produced by that individual must get a daily business license for each market day.
5. No conduct of personal service business shall occur at the Certified Farmers Market.
6. Adequate off-street parking facilities shall be maintained as provided on the approved site plan.
7. Use shall be conducted in accordance with the site plan as submitted and no alterations shall be made of the building location(s) parking and landscaping without prior approval of the Planning Commission; provided, however, upon request of the Permittee and showing of good cause, the City Manager is authorized to permit minor modifications of the site plan without resubmission to the Planning Commission.
8. Permittee shall comply at all times with the zoning district regulations for a CH zone as set forth in section 16.36 of the Yreka Municipal Code.
9. 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.
10. No signs shall be placed on the premises except as allowed pursuant to Yreka Municipal Code Section (YMC)13.16.020.D, for temporary signs promoting short-term activities provided they shall not be displayed for more than 30 days in any 180 day period, with a maximum sign area not to exceed 50 square feet, one such sign for each street frontage, sign shall not be free standing and shall be affixed to the face of a building.
11. Pursuant to YMC 13.68.020.a the Planning Commission can authorize additional sign size and locations upon proof of eligibility for an exception by verified application. The City Manager is hereby authorized to approve additional sign size and location for banner signs for the farmers market use if requested by the Permittee upon written request of the Permittee, showing to the satisfaction of the City Manager the factors set forth in YMC 13.68.020.
12. This use permit approval shall be reviewed administratively each year prior to April 1 for possible extension upon payment of a \$75 administrative review fee. In the event

conditions change whereby the issuance of the permit would result in a violation of any City ordinance, the City Manager may deny the permit renewal or attach additional conditions. If no application for renewal is received by April 1 of the renewal year, this permit shall lapse by its terms. If there has been a failure to comply with the conditions of the use permit the City Manager may deny renewal.

13. Pursuant to Yreka Municipal Code Section 13.12.090 portable signs (A-frame, sandwich signboard) are prohibited.

14. Vendor identification and price signs located on each individual booth not intended for the traveling public are allowed.

15. 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.

16. The use permit 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 or in the event the use permitted is abandoned or not utilized for a period of one year. 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, Ohlund, Osborn, Rolzinski

NOES: None

PUBLIC COMMENTS

None.

APPROVAL OF THE MINUTES OF THE MARCH 16, 2011 MEETING

The Commission, having received a copy of the minutes of the regular meeting of the Planning Commission held March 16, 2011, approved the minutes unanimously on a motion made by Commissioner Rolzinski and seconded by Commissioner Ohlund.

2010 GENERAL PLAN HOUSING ELEMENT ANNUAL REPORT

Staff reported that California Government Code Section 65400 requires annual review of the Housing Element of the General Plan to assure that the goals, program statements,

and specific housing programs are pursued and continue to be compatible with other elements of the General Plan. California Planning law requires the report also be submitted to the Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

The 2010 General Plan Annual Housing Element Progress Report was presented to the Planning Commission.

Following discussion and answering questions, Commissioner Leal made a motion to acknowledge receipt of the 2010 General Plan Annual Housing Element Progress Report.

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

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

COMMISSIONER'S STATEMENTS & COMMENTS

Commissioner's asked about the status of various projects.

There being no further business before the Commission, the meeting was adjourned at 7:10 p.m.

Pamela J. Hayden, Planning Director