

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD IN
THE YREKA CITY COUNCIL CHAMBER IN SAID CITY
ON THE 21ST DAY OF APRIL 2010

On the 21st day of April, 2010 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
Barry Ohlund
Matt Osborn
Richard Rolzinski

Absent: None

**USE PERMIT – TEMPORARY STORAGE YARD
FAIRCHILD PROFESSIONAL GROUP – WENDY DRIVE APPROVED**

The Commission reviewed the application submitted by Jonathan Andrus for Fairchild Professional Group for a use permit for a temporary storage yard to store construction equipment and building materials, job shacks and contractor employee parking for the Fairchild Medical Plaza Clinic Addition Project located at 475 Bruce Street. The project is expected to last from May 2010 through June 2011 and is located on a portion of Assessor's Parcel Numbers 061-221-190, 200, and 220.

This being the time and date set for a public hearing on an application for a use permit to for temporary storage yard on the west side of Wendy Drive in the vicinity of the Bruce Street intersection, Chair Knitter opened the hearing to the public.

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

Driveway approach to the City Street (Wendy Drive) shall be graveled for a distance of not less than 20 feet from the edge of the pavement or as approved by the Director of Public Works.

Staff recommended that the Planning Commission make a determination that this project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15304(e) of the CEQA Guidelines, as a minor temporary use of land having negligible or no permanent effects on the environment.

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

Following Commission discussion, Commission Ohlund made a motion to approve the application for a use permit for a temporary storage yard to store construction equipment and building materials, job shacks and contractor employee parking for the Fairchild Medical Plaza Clinic Addition Project located at 475 Bruce Street. The project is expected to last from May 2010 through June 2011 and is located on a portion of Assessor's Parcel Numbers 061-221-190, 200, and 220, on the west side of Wendy Drive in the vicinity of the Bruce Street intersection, PUD (Planned Unit Development) zone, HDR (High Density Residential) General Plan designation. The approval is based on Staff's and the Technical Committee's recommendations with the determination that this project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15304(e) of the CEQA Guidelines, as a minor temporary use of land having negligible or no permanent effects on the environment. Subject to the additional condition that the driveway approach to the City Street (Wendy Drive) shall be graveled for a distance of not less than 20 feet from the edge of the pavement or as approved by the Director of Public Works. 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 temporary storage yard to store construction equipment and building materials, job shacks and contractor employee parking for the Fairchild Medical Plaza Clinic Addition Project located at 475 Bruce 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.
 - 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.
 - c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors.
 - 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.
2. The use is compatible with the policies and objectives of the zoning ordinance.
3. The Planning Commission determined that the project is exempt from the

environmental review pursuant to the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15304(e) Minor Alterations to Land of the CEQA Guidelines.

CONDITIONS:

1. Permittee granted a temporary permit to store construction equipment and building materials, job shacks and contractor employee parking for the Fairchild Medical Plaza Clinic Addition Project located at 475 Bruce Street 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. The driveway approach to the City Street (Wendy Drive) shall be graveled for a distance of not less than 20 feet from the edge of the pavement or as approved by the Director of Public Works.
3. The temporary use permit is for the period May 2010 through June 2011. Approval may be extended upon written application to the Planning Commission before expiration of the approval.
4. Construction related activities shall be limited to the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday as indicated in Policy No. 10 of the Noise Element of the City of Yreka General Plan.
5. All grading and construction related work on the project site will incorporate the following dust control measures:
 - All active areas will be watered at least twice daily or as required by the Building Official.
 - Soil stabilizers will be applied to inactivate areas as needed.
 - If visible gravel or other soil material is carried onto adjacent public streets, such streets will be cleaned of the debris by Permittee and at Permittee's expense.
 - Dust-producing activities shall be suspended when winds create visible dust plumes moving beyond the project site, in spite of dust control measures.
6. All weeds shall be removed from the construction equipment and materials storage project site.
7. Equipment, materials, and all project related items shall be placed behind security fencing.
8. Permittee shall keep city right of way clear of equipment.
9. Use shall be conducted in accordance with the application as submitted.
10. 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.

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

12. Permittee shall notify the contractor that business licenses are required for the contractor and all subcontractors.

13. There shall be no on-site residential use, no on-site camping.

14. 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.

15. 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 Osborn seconded the motion. The motion carried by the following vote:

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

**USE PERMIT – MOBILE HOT DOG SALES
DENNIS THOMAS – 827 S. MAIN STREET**

APPROVED

The Commission reviewed the application submitted by Dennis Thomas for a use permit to establish and operate a mobile hot dog sales business six days a week with hours of operation from 11:00 a.m. to 3:00 p.m. on the concrete walkway in front of the store located at 827 S. Main Street as designated on the site plan and as set forth in the application. The mobile unit is self-contained. The restroom facilities of the building located on the site will be available for employees of the hot dog sales business. The project is located at 827 S. Main Street.

This being the time and date set for a public hearing on an application for a use permit to establish and operate a mobile hot dog sales business on the property located at 827 S. Main Street, Chair Knitter opened the hearing to the public.

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

1. The raised sidewalk along the store front shall be repaired to remove possible trip hazard.
2. The broken curb adjacent to the landscaping shall be repaired or replaced.
3. All of the landscaping in the planters adjacent to the building and along the walkway shall be maintained and replaced as needed (remove weeds, remove and replace dead plants).
4. The cart shall be located in a manner to maintain a sufficient path of travel pursuant to the Americans with Disabilities Act (ADA) standards on the walkway.

Staff reported that following the Technical Committee meeting it was determined that the planters adjacent to the south end of the building are not a part of the 827 S. Main Street parcel.

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

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

Following Commissioners discussion, Commissioner Ohlund made a motion to approve the application for a use permit to establish and operate a mobile hot dog sales business six days a week with hours of operation from 11:00 a.m. to 3:00 p.m. on the concrete walkway in front of the store located at 827 S. Main Street as designated on the site plan and as set forth in the application. The mobile unit is self-contained. The restroom facilities of the building located on the site will be available for employees of the hot dog sales business. The project is located at 827 S. Main Street, Assessor's Parcel No. 054-292-210, C-2 zone, GC General Plan designation.

The approval is based on Staff's and the Technical Committee's recommendations with the determination that this 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.

The approval is subject to the following additional conditions, condition three modified as follows:

1. The raised sidewalk along the store front shall be repaired to remove possible trip hazard.
2. The broken curb adjacent to the landscaping shall be repaired or replaced.
3. All of the landscaping in the planters adjacent to the building and along the walkway shall be maintained and replaced as needed (remove weeds, remove and replace

dead plants).

4. The cart shall be located in a manner to maintain a sufficient path of travel pursuant to the Americans with Disabilities Act (ADA) standards on the walkway.

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 establishment and operation of a mobile hot dog sales business 6 days a week with hours of operation from 11:00 a.m. to 3:00 p.m. on the sidewalk in front of the store located at 827 S. Main Street, Yreka, California:

a. will not 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 at this time the building located on the parcel is not occupied to its full capacity and use of approximately 3 parking spaces of the parking lot will not create a need for additional parking spaces.

b. will not 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 are existing commercial uses adjacent to the project site.

c. will not cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because the customer vehicles will be located in the parking lot not on the street, and there is adequate street access to the existing parking lot.

d. will not adversely affect matters regarding police protection, crime prevention, and security.

e. will not adversely affect circulation or traffic patterns in the neighborhood or constitute a nuisance for the reasons stated in (c) above.

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

3. 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.

CONDITIONS:

1. Permittee granted a permit to establish, place, and operate a mobile hot dog sales business 6 days a week with hours of operation from 11:00 a.m. to 3:00 p.m. on the concrete walkway in front of the store located at 827 S. Main Street as designated on the

site plan and as set forth in the application. The mobile unit is self-contained and the restroom facilities of the building located on the site will be available for employees of the hot dog sales business. Approval is 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 site plan submitted with the application and approved by the Planning Commission on April 21, 2010 shall not be deviated from without prior approval of the Planning Commission. No additional portable structures shall be built or placed, no open space, off-street parking facilities, public access areas, or landscaping shall be altered without the 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.

3. The raised sidewalk along the store front shall be repaired to remove possible trip hazard.

4. The broken curb adjacent to the landscaping shall be repaired or replaced.

5. All of the landscaping ~~in the planters adjacent to the building and~~ along the walkway shall be maintained and replaced as needed (remove weeds, remove and replace dead plants).

6. The cart shall be located in a manner to maintain a sufficient path of travel pursuant to the Americans with Disabilities Act (ADA) standards on the walkway.

7. 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.

8. Permittee shall comply with Yreka Municipal Code (YMC) Title 13, Sign Ordinance. Signage attached to the mobile business facility shall be limited to 12 square feet as provided in YMC Section 13.16.020.A.5. Informational window signs are exempt pursuant to YMC Section 13.16.020.C. **No free standing signs shall be permitted.**

9. Permittee shall provide the city with verification of compliance with Siskiyou County Public Health Department requirements.

10. The mobile unit shall be totally self contained or shall be a permanent structure with permanent connection to all utilities, no hose or electrical connections permitted.

11. Restroom facilities of the building located at 827 S. Main Street shall be available for use by the hot dog sales business employees at all times the business is located on the project site.

12. Permittee shall secure an annual City business license to carry on the business of a mobile hot dog sales business.

13. 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.

14. 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 Osborn 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 17, 2010 MEETING

The Commission, having received a copy of the minutes of the regular meeting held March 17, 2010, approved the minutes on a motion made by Commissioner Leal and seconded by Commissioner McAllister.

COMMISSIONER'S STATEMENTS & COMMENTS

Commissioner Baird reported that at the Planner's Institute Commissioners from other areas had business cards to present to people when they did a site visit they also made site visits with staff. All Commissioners attending made comments on the Conference and expressed their gratitude at being able to attend, as it was very informative.

There being no further business before the Commission, the meeting was adjourned at 7:05 p.m.

Pamela J. Hayden, Planning Director