

MINUTES OF THE REGULAR MEETING OF THE  
YREKA PLANNING COMMISSION HELD IN  
THE YREKA CITY COUNCIL CHAMBER IN SAID CITY  
ON THE 16<sup>th</sup> DAY OF JUNE 2010

On the 16<sup>th</sup> day of June, 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

Mayor Tom Amaral thanked the Commissioner's for the work they do for the City, and expressed that their efforts are appreciated. He said good-by as his 'tour of duty' with the City is over, his term on the City Council is over.

**USE PERMIT – STORAGE YARD**

**EVANS BUILDING & EXCAVATING BY RICK EVANS – 1420 MILL RD    APPROVED**

Commissioner's Baird and Ohlund recused themselves from participating in this agenda item to prevent a possible conflict of interest on a financial basis and they left the room.

The Commission reviewed the application submitted by Rick Evans for Evans Building and Excavating for a use permit to use one or two metal cargo containers as storage and use of the fenced parcel as a storage yard to store construction equipment for a personal construction business, the containers and storage area will not be for public use on the property located at 1420 Mill Road.

This being the time and date set for a public hearing on an application for a use permit to use one or two metal cargo containers as storage and use of the fenced parcel as a storage yard to store construction equipment, Chair Knitter opened the hearing to the public.

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

No. 3 Permittee shall install privacy slats in the fenced enclosure on the Mill Road frontage and 20 feet back on both sides.

No. 5 The access drives onto Mill Road shall be paved from the back of curb to the property line and for a distance of 20 feet back from the property line. Pavement shall be completed within 60 days of the project approval.

No. 10 If the storage yard is still in use after one year a landscape plan for a visual screen consisting of trees on the west side of the property to reduce the visual impact from the freeway shall be submitted to the Planning Director for administrative approval. The trees shall be placed on the street side of the fence if possible without encroaching into the public right-of-way.

No. 11 All trees shall be installed, maintained, and replaced as necessary as approved for this project.

No. 12 A water efficient irrigation system shall be installed for the landscaping.

Staff 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.

Staff also recommended modification of proposed Condition No. 5 pursuant to a conversation with the Director of Public Works and Building Official following the Technical Committee meeting as follows:

No. 5 The access drives onto Mill Road shall be paved from the back of curb for a distance of 20 feet. Pavement shall be completed within 60 days of the project approval.

Jim Nash, the project site property owner, objected to the proposed conditions. Staff responded to some of his concerns.

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

City Attorney McHugh asked if there had been any ex-parte contact, all Commissioners reported no.

Following Commission discussion, Commission Rolzinski made a motion to approve the application for a use permit to use one or two metal cargo containers as storage and use of the fenced parcel as a storage yard to store construction equipment for a personal construction business, the containers and storage area will not be for public use. Approval is subject to the following additional Conditions as modified:

No. 3 Permittee shall install privacy slats in the fenced enclosure on the Mill Road frontage

and 20 feet back on both sides.

No. 5 The access drives onto Mill Road shall be paved from the back of curb for a distance of 20 feet. Pavement shall be completed within 120 days of the project approval.

No. 10 If the storage yard is still in use after one year a landscape plan for a visual screen consisting of trees on the west side of the property to reduce the visual impact from the freeway shall be submitted to the Planning Director for administrative approval. The trees shall be placed on the street side of the fence if possible without encroaching into the public right-of-way.

No. 11 All trees shall be installed, maintained, and replaced as necessary as approved for this project.

No. 12 A water efficient irrigation system shall be installed for the landscaping.

The project is on the property located at 1420 Mill Road, Assessor's Parcel No. 062-051-500, M-1 (Light Industrial) zone, I (Industrial) 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 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 full compliance with all applicable city, state, and federal laws and regulations and the following findings and conditions of approval:

#### FINDINGS:

1. Use Permit to use one or two metal cargo containers as storage and use of the fenced parcel as a storage yard to store construction equipment for a personal construction business, the containers and storage area will not be for public use & 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 no onsite improved parking is required for a storage area for private use not open to the public.

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 subject to Yreka Municipal Code sections 16.40 and 16.46.140.
3. Pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) this action is determined to be exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

The foregoing findings are based upon the following:

The design of the project will not cause serious public health problems or significant environment damage since the proposed project is located in a light industrial zone area where existing uses include a trucking business (including truck repair), vehicle parking lots, vehicle storage, vehicle repair shop and medical/oxygen supply. There is vacant land to the east and north, and a mobile home park to the south. The project will utilize a fenced vacant lot to store construction equipment for a personal construction business.

Conditions of approval will provide maximum land use compatibility between the proposed industrial project and the existing commercial neighborhood. None of the findings necessary for denial of this proposal can be found in the affirmative.

#### CONDITIONS:

1. Permittee granted a permit to use one or two metal cargo containers as storage and use of the fenced parcel as a storage yard to store construction equipment for a personal construction business, the containers and storage area will not be for public use at the location set forth in the application, subject to full compliance with applicable city and state codes.
2. All elements of the project description shall be complied with.
3. Permittee shall install privacy slats in the fenced enclosure on the Mill Road frontage and 20 feet back on both sides.
4. The surface of the equipment storage lot shall be a minimum of 2 inches of gravel as dust control.
5. The access drives onto Mill Road shall be paved from the back of curb for a distance of 20 feet. Pavement shall be completed within 120 days of the project approval.
6. There shall be no vehicle/equipment dismantling on the project site.
7. The project is for private use only; there will be no public use of the project site.

8. There shall be no onsite storage junk as defined in Section 16.12.610 of the Yreka Municipal code.
9. Use shall be conducted in accordance with the site plan as submitted and no alterations shall be made 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.
10. If the storage yard is still in use after one year a landscape plan for a visual screen consisting of trees on the west side of the property to reduce the visual impact from the freeway shall be submitted to the Planning Director for administrative approval. The trees shall be placed on the street side of the fence if possible without encroaching into the public right-of-way.
11. All trees shall be installed, maintained, and replaced as necessary as approved for this project.
12. A water efficient irrigation system shall be installed for the landscaping.
13. Permittee shall comply at all times with the zoning district regulations for an M-1 zone as set forth in Chapter 16.40 of the Yreka Municipal Code.
14. 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, 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.
15. Permittee shall only use the storage containers for storage of merchandise, inventory, shelving displays, or other incidental items related to the operation of the business.
16. There shall be no business or sale of merchandise conducted from the storage container, nor shall the storage container be used as a habitable space, office, or meeting area, and shall be kept closed and secured at all times other than when items are being moved to or from the storage container.
17. The storage containers shall be oriented to minimize the view from the public right-of-way. In no case shall the storage containers be placed so as to cover, block, or otherwise impact required parking, or impact circulation and emergency access.
18. The storage containers shall be painted in a single color matching or similar to the field color of the primary structure, if applicable, and/or properly screened with screening walls and/or landscaping. Graffiti shall be removed within twenty-four (24) hours from any storage container or screening.

19. Cargo containers shall be located above the base flood elevation or suitably anchored as approved by the Building Official.

20. The placement of any signs, advertising copy, banners, or similar item is prohibited on storage containers.

21. No more than two (2) storage containers with a combined floor area of no more than six hundred forty (640) square feet shall be allowed. Storage containers shall not exceed a height of ten (10) feet.

22. Storage container location:

(a) Front setback: Storage container shall be no closer to the front lot line than the front-most wall of the building nearest the front lot line, or fifty (50) feet, whichever distance is greater. In no case shall a storage container be located closer than fifty (50) feet to any front lot line.

(b) Side and rear setbacks: Side and rear setbacks shall be the same as those for the underlying zone.

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

24. 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 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 Leal seconded the motion. The motion carried by the following vote:

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

Commissioners Baird and Ohlund returned to the Commissioners table.

**USE PERMIT – STORAGE YARD  
DANCER FENCING BY JAY DANCER – 1420 MILL RD APPROVED**

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The Commission reviewed the application submitted by Jay Dancer for a use permit to use a portion of the fenced parcel for storage of fencing materials, trailers, tools, and small equipment, the storage area will not be for public use on the property located at 1420 Mill Road.

This being the time and date set for a public hearing on an application for a use permit to use a portion of the fenced parcel for storage of fencing materials, trailers, tools, and small equipment, Chair Knitter opened the hearing to the public.

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

No. 3 Permittee shall install privacy slats in the fenced enclosure on the Mill Road frontage and 20 feet back on both sides.

No. 5 The access drives onto Mill Road shall be paved from the back of curb to the property line and for a distance of 20 feet back from the property line. Pavement shall be completed within 60 days of the project approval.

No. 10 If the storage yard is still in use after one year a landscape plan for a visual screen consisting of trees on the west side of the property to reduce the visual impact from the freeway shall be submitted to the Planning Director for administrative approval. The trees shall be placed on the street side of the fence if possible without encroaching into the public right-of-way.

No. 11 All trees shall be installed, maintained, and replaced as necessary as approved for this project.

No. 12 A water efficient irrigation system shall be installed for the landscaping.

No. 13 There shall be no on-site use of the camp trailer as living quarters or office use.

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.

Staff also recommended modification of proposed Condition No. 5 pursuant to a conversation with the Director of Public Works and Building Official following the Technical Committee meeting as follows:

No. 5 The access drives onto Mill Road shall be paved from the back of curb for a distance of 20 feet. Pavement shall be completed within 60 days of the project approval.

Jim Nash, project site property owner, objected to the proposed conditions.

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

Following Commission discussion, Commission Rolzinski made a motion to approve the

application for a use permit to use a portion of the fenced parcel for storage of fencing materials, trailers, tools, and small equipment, the storage area will not be for public use. Approval is subject to the following additional Conditions as modified:

No. 3 Permittee shall install privacy slats in the fenced enclosure on the Mill Road frontage and 20 feet back on both sides.

No. 5 The access drives onto Mill Road shall be paved from the back of curb for a distance of 20 feet. Pavement shall be completed within 120 days of the project approval.

No. 10 If the storage yard is still in use after one year a landscape plan for a visual screen consisting of trees on the west side of the property to reduce the visual impact from the freeway shall be submitted to the Planning Director for administrative approval. The trees shall be placed on the street side of the fence if possible without encroaching into the public right-of-way.

No. 11 All trees shall be installed, maintained, and replaced as necessary as approved for this project.

No. 12 A water efficient irrigation system shall be installed for the landscaping.

No. 13 There shall be no on-site use of the camp trailer as living quarters or office use.

The project is on the property located at 1420 Mill Road, Assessor's Parcel No. 062-051-500, M-1 (Light Industrial) zone, I (Industrial) 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 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 full compliance with all applicable city, state, and federal laws and regulations and the following findings and conditions of approval:

#### FINDINGS:

1. Use Permit to use a portion of the fenced parcel for storage of fencing materials, trailers, tools, and small equipment, the storage area will not be for public use & 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 no onsite improved parking is required for a storage area for private use not open to the public.
  - 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 subject to Yreka Municipal Code section 16.40.
  3. Pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) this action is determined to be exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

The foregoing findings are based upon the following:

The design of the project will not cause serious public health problems or significant environment damage since the proposed project is located in a light industrial zone area where existing uses include a trucking business (including truck repair), vehicle parking lots, vehicle storage, vehicle repair shop and medical/oxygen supply. There is vacant land to the east and north, and a mobile home park to the south. The project will utilize a fenced vacant lot to store fencing materials, trailers, tools, and small equipment for a fence construction business.

Conditions of approval will provide maximum land use compatibility between the proposed industrial project and the existing commercial neighborhood. None of the findings necessary for denial of this proposal can be found in the affirmative.

#### CONDITIONS:

1. Permittee granted a permit to use a portion of the fenced parcel for storage of fencing materials, trailers, tools, and small equipment at the location set forth in the application, subject to full compliance with applicable city and state codes. The storage area will not be for public use.
2. All elements of the project description shall be complied with.
3. Permittee shall install privacy slats in the fenced enclosure on the Mill Road frontage and 20 feet back on both sides.
4. The surface of the equipment storage lot shall be a minimum of 2 inches of gravel as dust control.

5. The access drives onto Mill Road shall be paved from the back of curb for a distance of 20 feet. Pavement shall be completed within 120 days of the project approval.
6. There shall be no vehicle/equipment dismantling on the project site.
7. The project is for private use only; there will be no public use of the project site.
8. There shall be no onsite storage junk as defined in Section 16.12.610 of the Yreka Municipal code.
9. Use shall be conducted in accordance with the site plan as submitted and no alterations shall be made 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.
10. If the storage yard is still in use after one year a landscape plan for a visual screen consisting of trees on the west side of the property to reduce the visual impact from the freeway shall be submitted to the Planning Director for administrative approval. The trees shall be placed on the street side of the fence if possible without encroaching into the public right-of-way.
11. All trees shall be installed, maintained, and replaced as necessary as approved for this project.
12. A water efficient irrigation system shall be installed for the landscaping.
13. There shall be no on-site use of the camp trailer as living quarters or office use.
14. Permittee shall comply at all times with the zoning district regulations for an M-1 zone as set forth in Chapter 16.40 of the Yreka Municipal Code.
15. 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, 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.
16. No signs shall be placed on the premises without prior approval of the Planning Department.
17. 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.

**18. 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 Ohlund seconded the motion. The motion carried by the following vote:

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

**USE PERMIT – HEALTH CLUB/FITNESS CENTER**  
**RANDY DAVIS – 614 S. MAIN STREET TEMPORARY APPROVAL**

The Commission reviewed the application submitted by Randy Davis for a use permit to establish and operate a health club/fitness center including some retail sales on the property located at 614 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 health club/fitness center including some retail sales, Chair Knitter opened the hearing to the public.

Staff reported the Technical Committee recommended denial on the basis of a lack of adequate parking for the proposed use. In the event the Planning Commission approves the application, the Conditions presented to the Technical Committee are recommended.

Staff also recommended that if the Planning Commission approved the project they make a determination that the project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15332 (Infill Development) of the CEQA Guidelines.

Randy Davis, applicant, requested the Commission approve the project believing that there is enough parking available for the use.

Tommy Davis also requested that the Commission approve the project. The proposed hours of operation are from 5 a.m. to 8 p.m. with the morning use for the fighters only.

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

Following Commission discussion, Commissioner Rolzinski made a motion to approve the application for a use permit to establish and operate a health club/fitness center including some retail sales for a 6 month temporary basis with use of 25 parking spaces with a possible extension upon Planning Commission review. The project is located on the property at 614 S. Main Street, Assessor's Parcel No. 054-231-080, CH (Commercial Highway) zone, GC (General Commercial) General Plan designation.

The temporary approval is based on applicant's testimony, with the determination that 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.

The temporary 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 Commission finds sufficient evidence by applicant that applicant will have access to use of at least 25 parking spaces during hours of operation.
2. The establishment and operation of a health club/fitness center facility including some retail sales using limited parking of 25 spaces for the next 6 months 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 this permit will expire within 6 months and be subject to revocation before then if parking becomes a problem such that conflicts on use occur and complaints are received by 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 for the reason stated above (a).
  - c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because the existing parking lot is large enough to accommodate the proposed use for the reason stated above (a).
  - 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 above (a).
3. Yreka Municipal Code Section 16.54.020 (A.5.c) directs that health clubs provide one space for each fifty square feet of area available for public use plus one space for each employee; provided however the Planning Commission may determine the number of spaces required taking into consideration the intensity of the proposed use.
4. The use is compatible with the policies and objectives of the zoning ordinance by obtaining a Use Permit approval.
5. 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 15332 Infill Development of the CEQA Guidelines.

## CONDITIONS:

1. Permittee granted a temporary 6 month permit to establish and operate a health club/fitness center facility including some retail sales 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. Adequate off-street parking facilities shall be provided as follows: one (1) space for each 50 sq. ft. of area available for public use as set forth in Section 16.54.020 (A.5.c) of the Yreka Municipal Code. The required parking for this application is 25 parking spaces.
3. 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, and employee parking areas, access drives and aisles shall be paved and striped and bumper rails or other barriers shall be provided, as determined by the Director of Public Works and in accordance with Section 16.54.090 of the Yreka Municipal Code.
4. Parking required for disabled persons shall be marked, posted, and maintained in accord with provisions of the Motor Vehicles Code and any other law or regulation now or hereinafter enacted relating to parking for disabled persons.
5. Use shall be conducted in accordance with the site plan as submitted and no alterations shall be made of the building location(s) parking 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.
6. 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.
7. 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, 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.
8. The change of occupancy under the building code will need to comply with applicable building code requirements. 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 California Title 24 Codes prior to use of a health/fitness facility.
9. No signs shall be placed on the premises without prior approval of the Planning

Department.

10. Permittee shall secure an annual City business license to carry on the business of a health club/fitness center facility.

11. 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.

**12. The temporary use permit shall be automatically terminated December 16, 2010 if an extension has not been granted by the Planning Commission prior to that date.**

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

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

**USE PERMIT – VEHICLE MAINTENANCE SHOP  
COLLINS PROPERTIES LLC BY DARREL COLLINS – 310 S. MAIN ST APPROVED**

The Commission reviewed the application submitted by Darrel Collins for Collins Properties LLC for a use permit to establish and operate a vehicle maintenance shop for tenant owned fleet vehicles only, not for public use on the property located at 310 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 vehicle maintenance shop, 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:

7. Permittee shall install an interceptor pursuant to City of Redding Construction Standards 380.00

10. Permittee shall secure a Certificate of Occupancy and approval of the building and fire departments that structures meet building standards and fire regulations of the California Title 24 Code prior to use of subject vehicle maintenance shop.

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.

Darrel Collins, applicant, asked about the requirement for installation of an interceptor. Staff explained it is to prevent oil and other potential contaminants from entering the creek from the project.

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

Following Commission discussion, Commissioner McAllister made a motion to approve the application for a use permit to establish and operate a vehicle maintenance shop for tenant owned fleet vehicles only, not for public use, on the property at 310 S. Main Street, Assessor's Parcel No. 054-191-580, CH zone, GC General Plan designation. The approval is subject to the following additional conditions:

7. Permittee shall install an interceptor pursuant to City of Redding Construction Standards 380.00

10. Permittee shall secure a Certificate of Occupancy and approval of the building and fire departments that structures meet building standards and fire regulations of the California Title 24 Code prior to use of subject vehicle maintenance shop.

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 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 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 vehicle maintenance shop for tenant owned fleet vehicles, not for public use, 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 commercial uses adjacent to the project site including R.V. repair shop, power company vehicle storage lot, auto supply store, and office uses.

b. be detrimental to property or improvements in the neighborhood and the industrial use will not impair the desirability of investment or occupation in the vicinity for the reasons stated above.

c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because there is adequate on-site parking proposed.

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 because the proposed use will not change the existing traffic patterns or circulation.
2. The use is compatible with the policies and objectives of the zoning ordinance for a Commercial Highway zone.
3. Pursuant to Title 14 of the California Code of Regulation, Section 15061(b)(3) this action is determined to be exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment.

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.

#### CONDITIONS:

1. Permittee granted a permit to establish and operate a vehicle maintenance shop for tenant owned fleet vehicles only, not for public 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. All elements of the project application including site and parking plan as approved shall be complied with.
3. Adequate off-street parking facilities shall be provided as follows: one (1) space for each six hundred square feet of floor area as set forth in Section 16.54.020.2.d. of the Yreka Municipal Code. Eight parking spaces shall be required.
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, and employee parking areas, access drives and aisles shall be paved and striped and bumper rails or other barriers shall be provided, as determined by the Building Official and in accordance with Section 16.54.090 of the Yreka Municipal Code.
5. The existing landscaping shall be maintained and replaced as necessary as previously approved.



6. Use shall be conducted in accordance with the site plan as submitted and approved and no alterations shall be made of the building location(s) parking and landscaping without prior approval of the City Manager.

7. Permittee shall install an interceptor pursuant to City of Redding Construction Standards 380.00.

8. Vehicles awaiting repair in excess of 12 hours shall be restricted to a screened compound (compound shall be screened with a 6' cyclone fence with slats or equivalent) behind the repair shop.

9. 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.

10. Permittee shall secure a Certificate of Occupancy and approval of the building and fire departments that structures meet building standards and fire regulations of the California Title 24 Code prior to use of subject vehicle maintenance shop.

11. Permittee shall obtain building permits and shall pay the necessary fees therefore prior to making any building, electrical, mechanical, or plumbing alterations/improvements to the structures.

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

13. Permittee shall secure an annual City business license to carry on the business of a vehicle maintenance business.

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

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

**PUBLIC COMMENTS**

Darrel Collins reported that the City's parking requirements create a problem with businesses. The City should consider modifying them.

### **APPROVAL OF THE MINUTES OF THE APRIL 21, 2010 MEETING**

The Commission, having received a copy of the minutes of the regular meeting held April 21, 2010, approved the minutes unanimously on a motion made by Commissioner Leal and seconded by Commissioner McAllister.

#### **USE PERMIT – EXTENSION**

**LEO & MARSHA MILLER – 552 E OBERLIN ROAD**

**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, 2011 for the property located at 552 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 Ohlund 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, 2011 for the property located at 552 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 Leal seconded the motion. The motion carried by the following vote:

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

### **COMMISSIONER'S STATEMENTS & COMMENTS**

It was reported that the Pioneer Press had closed its doors.

Commissioner's expressed concern regarding the weeds at the former Boston Shaft building.

There being no further business before the Commission, the meeting was adjourned at 8:00 p.m.

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Pamela J. Hayden, Planning Director