

Assessor's Parcel No. 061-181-100, R-1 zone, LDR 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 15303(e) (Construction of Small Structures) of the CEQA Guidelines. 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 construction of an 810 square foot vehicle storage/hobby shop building 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 is located in a residential zoned area and it complies with the City setback requirements.
 - 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 because the project site is surrounded by residential uses.
 - c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because the use an 810 sq. ft. vehicle storage/hobby shop will not significantly increase the traffic beyond what is existing.
 - 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 construction of an 810 sq. ft. storage/hobby shop will allow parking of vehicles off the street and on the project site.
2. The use is compatible with the policies and objectives of the zoning ordinance subject to this Permit approval.
3. The project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Categorical Exemption Section 15303(e) (Construction of Small Structures – accessory structures including garages) of the CEQA Guidelines.

CONDITIONS:

1. Permittee granted a permit to construct an 810 square foot storage/hobby shop/storage structure on the location set forth in the application, subject to full compliance with applicable city and state codes. **The premises shall not be occupied until all conditions hereinafter set forth have been complied with by the Permittee.**

- 2. The structure shall be for personal residential use only. The structure shall not be utilized for any commercial activity.
- 3. 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.
- 4. Permittee shall comply at all times with the zoning district regulations for an R-1 zone as set forth in section 16.18 of the Yreka Municipal Code.
- 5. Permittee shall secure 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 accessory structure for use as a vehicle storage/hobby shop.
- 6. Permittee shall obtain a building permit and shall pay the necessary fees therefor prior to making any building, electrical, mechanical, or plumbing alterations/improvements to the structures. Public infrastructure improvements such as curb, gutter, sidewalk, 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.
- 7. 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.
- 8. 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

ZONING TEXT MODIFICATION
CITY OF YREKA

This being the time and date set for a public hearing to consider a possible zoning text modification to modify Yreka Municipal Code Section 16.46.080 Sales from vehicles, trailers or mobile units, or on public property Chair Knitter opened the public hearing to the audience. The modification would allow mobile units to remain upon private property for a period not in excess of two hours unless a permit is obtained pursuant to YMC 16.46.080.B, and as otherwise provided in YMC 16.46.080.

Staff reported the Technical Committee recommended approval subject to the conditions presented, with the additional condition that any temporary structures installed shall be located a minimum of 5 feet from the front and side property lines.

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 15332 (Infill Development) of the CEQA Guidelines.

Following Commission discussion, Commissioner Ohlund made a motion to approve the application for a temporary use permit to establish and operate a temporary business of live nursery plant sales for the months of April 1, 2010 through June 30, 2010 in conjunction with the existing flooring sales business at 600 S. Broadway and in conjunction with the hardware business located across the street at 729 S. Broadway Street, Assessor's Parcel No. 54-301-040, C2 zone, GC General Plan designation with the determination that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Infill Development) of the CEQA Guidelines, with the additional condition that any temporary structures installed shall be located a minimum of 5 feet from the front and side property lines.

The project approval is based on Staff's and Technical Committee's recommendations 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 a temporary business of live nursery plant sales 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 project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15332 (Infill Development) of the CEQA Guidelines.

CONDITIONS:

1. Permittee granted a temporary use permit terminating June 30, 2010 to establish and operate a landscaping materials yard and landscaping business 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 requirement that adequate off-street parking facilities be provided as follows: one (1) space for each 2,000 square feet of floor area as set forth in Section 16.54.020 (A.2.d) of the Yreka Municipal Code shall be waived for this 3 month permit only, provided all parking spaces at the primary business located across the street at 729 Broadway Street remain open without merchandise to allow for maximum parking.

3. All existing on-site paved parking spaces at 600 S. Broadway shall remain unobstructed and usable for parking.

4. Permittee shall place any temporary structures installed a minimum of 5 feet from the front and side property lines.

5. Use shall be conducted in accordance with the site plan as previously 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.

6. 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.

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

9. Permittee shall secure an annual City business license to carry on the temporary business of live nursery plant sales.

10. 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.

11. 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 Rolzinski seconded the motion. The motion carried by the following vote:

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

GENERAL PLAN HOUSING ELEMENT ANNUAL REPORT

Staff reported that the Housing Element of the General Plan requires an annual review 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.

The General Plan Housing Element – 2008 and 2009 annual report was presented to the Planning Commission.

Following discussion and answering questions, Commissioner Leal made a motion to acknowledge receipt of the General Plan Housing Element – 2008 and 2009 Annual Report.

Commissioner Baird 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 expressed concern regarding vehicles turning the wrong way when leaving businesses on E. Center and E. Miner Streets because the drivers do not know they are one-way streets.

Concern was also expressed regarding the recent accident in the cross walk by the old hospital on Main Street.

There being no further business before the Commission, the meeting was adjourned at 7:18 p.m.