

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 OCTOBER 2010

On the 20th day of October, 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 Vice Chair Baird and present were:

Commissioners: Deborah Baird
 Mark McAllister
 Matt Osborn
 Richard Rolzinski

Absent: Diane Knitter
 Steve Leal
 Barry Ohlund

VARIANCE - PARKING

SIS CO ECONOMIC DEVELOPMENT COUNCIL – 1512 S ORE ST APPROVED

The Commission reviewed the application submitted by Tonya Dowse for Siskiyou County Economic Development Council (SCEDC) for a variance to Yreka Municipal Code Section 16.54.020 Parking Space Schedule, for the mixed use of manufacturing, office, and storage, allowing a reduction of required parking spaces from 27 to 22 to accommodate conversion of a portion of the existing space from manufacturing to office use. Assessor's Parcel No. 061-341-140, CH (Commercial Highway) zone, GC (General Commercial) General Plan designation.

Commissioner Baird recused herself from participating in this agenda item to prevent a possible conflict of interest on a financial basis. Due to legal necessity, in order to maintain a quorum of the Commission, Commissioner Baird remained at the Commissioner's table and participated in this agenda item.

This being the time and date set for a public hearing on an application for a variance to the parking space schedule on the property located at 1512 S. Oregon Street, Vice Chair Baird opened the hearing to the public.

Staff reported that they recommended approval subject to clarification of the table in Finding No. 3.

Staff also reported that there are special circumstances of the applicant's land which cause

literal enforcement of the requirements for parking spaces to be an unnecessary hardship for the applicant due to the fact that the building is existing and was previously utilized as an industrial use of a particular type which is not suitable for the current zone and it is not economically feasible to rebuild or relocate, the parking plan for the original approved use is no longer feasible because of the unavailability of the area previously used for overflow parking.

Staff recommended that the Planning Commission make the determination that the project of a variance to parking requirements, needed as a result of converting 2,764 +/- sq. ft. of manufacturing use to office use, 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.

Jason Darrow, representing the SCEDC, offered to answer questions of the Planning Commission.

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

Following Commission discussion, Commission Rolzinski made a motion to approve the application for a variance to Yreka Municipal Code Section 16.54.020 Parking Space Schedule, for the mixed use of manufacturing, office, and storage, allowing a reduction of required parking spaces from 27 to 22 to accommodate conversion of a portion of the existing space from manufacturing to office use. Assessor's Parcel No. 061-341-140, CH (Commercial Highway) zone, GC (General Commercial) General Plan designation. Approval is subject to the clarification to Finding No. 3 as provided to Commissioners.

The approval is based on Staff's recommendations with the determination that the project of a variance to parking requirements, needed as a result of converting 2,764 +/- sq. ft. of manufacturing use to office use, 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:

Variance granted to Yreka Municipal Code Section 16.54.020 Parking Space Schedule, for the mixed uses of manufacturing, office and storage, allowing a reduction of required parking spaces from 27 to 22 to accommodate conversion of a portion of the existing space from manufacturing to office use.

The following findings of fact have been determined by the Planning Commission.

1. The project is located at 1512 S. Oregon Street, upon a parcel of land, Assessor's Parcel No. 61-341-140, within a CH (Commercial Highway) zone district.
2. The project of a variance to parking requirements, needed as a result of converting 2,764 +/- sq. ft. of manufacturing use to office use, 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.
3. The project proposes to convert 2,764 sq. ft. of manufacturing space into office space in the building located at 1512 S. Oregon Street; the conversion will create a need for additional parking beyond that approved with the initial Use Permit for the business incubator. The project site is a business incubator which includes manufacturing uses and office uses, applicant requests expansion of the office use which has a greater parking requirement than the prior approved manufacturing use.

The parking requirement for the original approval and the requested change, as calculated pursuant to Yreka Municipal Code (YMC) Sections 16.54.020 and 16.54.040, is as follows:

Original Approval:

Manufacturing	10 spaces	13,000 sq. ft.
Office	<u>10 spaces</u>	<u>2,000 sq. ft.</u>
Total	20 spaces	15,000 sq. ft.

Proposed:

Manufacturing	2 spaces	1,870 sq. ft.
Kitchen - Mfg.	4 spaces	1,197 sq. ft.
Office	<u>24 spaces</u>	<u>4,764 sq. ft.</u>
Total	30 spaces	7,831 sq. ft.
10% Reduction	-3	PC Approval
Code Required	27	
Variance Request	-5	PC Approval
Total Required	22	Net

4. Common parking facilities may be provided in lieu of the individual requirements, if such facilities are approved by the Planning Commission as to size, shape, and relationship to the sites to be served. Where the uses utilizing a common parking facility require more than twenty (20) parking spaces, a ten (10) percent reduction to the total number of spaces may be permitted by the Planning Commission (YMC 16.54.080). With a ten (10) percent reduction the total parking requirement is 27 parking spaces.

Based upon the foregoing, the off-street parking required is as follows: One (1) space for each 200 square feet of office space, one space for each employee of the maximum working shift for manufacturing use for a total of 27 spaces. No parking spaces are required for storage of materials used or created on site. The maximum number of parking

spaces that can be created on the site as shown on the parking plan dated 9-27-10 is 22. Therefore, a variance is requested for 5 parking spaces.

5. Granting of the variance to the number of parking spaces required for office use will not be detrimental to the health, safety, peace, morals, and comfort of persons residing or working in the neighborhood and will not be detrimental to the harmonious and orderly growth of the City due to the following facts:

The original approval calculated 20 parking spaces for on-site parking and included in its approved calculations of parking spaces a vacant County lot west of the site for any overflow parking to utilize. That lot has developed and is no longer available for off-site parking.

The proposed use with the recalculation of the parking requirement totals 27 parking spaces with a maximum on-site availability of 22 spaces.

There are more than five off-site parking spaces located within 200 feet of the project site available for the full parking requirement.

6. Granting of the variance to the number of parking spaces required for office use will not be detrimental to property or improvements in the neighborhood or to the general welfare of the City for the reasons stated above.

7. Granting of the variance to the number of parking spaces required for office use will not adversely affect matters regarding police protection, crime prevention, and security because there will be adequate on and off-site parking.

8. Granting of the variance to the number of parking spaces required for office use will not be contrary to the spirit of the City's zoning ordinance based on the fact that professional office use is a permitted use in the CH zone.

9. There are special circumstances of the applicant's land which cause literal enforcement of the requirements for parking spaces to be an unnecessary hardship for the applicant due to the fact that the building is existing and was previously utilized as an industrial use of a particular type which is not suitable for the current zone and it is not economically feasible to rebuild or relocate, the parking plan for the original approved use is no longer feasible because of the unavailability of the area previously used for overflow parking.

10. There will not be a diminution in value of surrounding property as a result of the granting of said variance because there are adequate off-site street parking spaces within 200 feet of the project site to accommodate the 5 parking spaces.

CONDITIONS:

1. The remaining 7,169 sq. ft. storage area, as shown in blue on the Floor Plan dated 7/12/10, shall be restricted to storage use.
2. Parking required for disabled persons shall be on-site, 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.

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

AYES: Baird, McAllister, Osborn, Rolzinski
 NOES: None

SIGN USE PERMIT

MIKE SPEARIN FOR PEXA INSURANCE – 922 FOURTH ST APPROVED

The Commission reviewed the application submitted by Mike Spearin for Pexa Insurance Agency for a sign use permit to install a 1 ft. x 10 ft. (10 sq. ft.) electronic reader board wall sign and a double sided monument sign 4 ft. x 4 ft. (16 sq. ft. per side), 5 ft. high, made of wood. Sign copy to read “Pexa Insurance Agency”. Assessor’s Parcel No. 061-272-100, 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 sign use permit to install an electronic reader board wall sign and a double sided monument sign on the property located at 922 Fourth Street, Vice Chair Baird opened the hearing to the public.

Staff reported that they had concern regarding the effect of nighttime lights with changing copy in the adjacent residential area. Scrolling sign copy is not permitted because it simulates motion and is prohibited pursuant to YMC Section 13.12.030.

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

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

Following Commission discussion, Commission Osborn made a motion to approve the application for a sign use permit to install a 1 ft. x 10 ft. (10 sq. ft.) electronic reader board wall sign and a double sided monument sign 4 ft. x 4 ft. (16 sq. ft. per side), 5 ft. high, made of wood. Sign copy to read “Pexa Insurance Agency”. Assessor’s Parcel No. 061-272-100, CH (Commercial Highway) zone, GC (General Commercial) General Plan designation. The

approval is based on Staff's recommendations with the determination that the project is exempt from the environmental review pursuant to the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15311(a) on- premise signs 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 installation of a 1 ft. x 10 ft. (10 sq. ft.) electronic reader board wall sign and a double sided monument sign 4 ft. x 4 ft. (16 sq. ft. per side) 5 ft. high, made of wood will not:

a. be contrary to the public's interest, safety, health, and welfare because scrolling electronic signage is prohibited under Yreka Municipal Code section 13.12.030, and is also prohibited as a condition of approval of this Sign Use Permit, and other conditions of approval are intended to mitigate traffic distractions. Placement of an electronic sign except as provided by the conditions of this Sign Use Permit will otherwise create traffic distractions.

b. be detrimental to property or improvements in the neighborhood because as a condition of approval of this Sign Use Permit, during nighttime hours no electronic change of copy of the sign will occur because the sign faces residential areas and scrolling electronic signage is prohibited under Yreka Municipal Code section 13.12.030.

2. The Planning Commission made a determination that this project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15311(a) (On-Premises Signs) of the CEQA Guidelines.

CONDITIONS:

1. The installation of a 1 ft. x 10 ft. (10 sq. ft.) electronic reader board wall sign, and a double sided monument sign 4 ft. x 4 ft. (16 sq. ft. per side) 5 ft. high, made of wood, shall comply with the specifications and plans approved by the Planning Commission on October 20, 2010, and shall serve to identify only the business carried on said premises as stated in Yreka Municipal Code Section 13.12.050.

2. During nighttime hours no electronic change of copy of the sign will occur because the reader board sign faces residential areas and scrolling electronic signage is prohibited under Yreka Municipal Code section 13.12.030. For the purposes of the Sign Use Permit the term "nighttime hours" shall include the hours from 7:00 PM to 7:00 AM.

3. The reader board sign shall comply with Yreka Municipal Code Section 13.12.030. Scrolling electronic signage is prohibited under Yreka Municipal Code section 13.12.030, and no scrolling electronic signage shall occur.

4. The electronic reader board sign shall not flash on and off or simulate any motion through a series of rapid light changes and shall not be installed, designed or used to attract attention by any flashing on and off, or simulating any motion through a series of rapid light changes. For purposes of this permit, "flashing on and off" means blinking, flashing or fluttering lights, or a changing light intensity, brightness or color.
5. The signs shall be erected in accordance with the specifications and plans submitted for Pexa Insurance Agency approved by the Planning Commission on October 20, 2010, and shall not be deviated from without prior review and approval of the Planning Commission.
6. The signs shall be erected in accordance with Title 13, Signs, of the Yreka Municipal Code. Including Section 13.080.050(4) that provides sign illumination, where allowed by provisions of Title 13 shall be at the lowest level consistent with adequate identification and readability.
7. The signs shall comply with Yreka Municipal Code Section 13.12.040 that states that no sign shall be permitted to have movement or moving parts which is generated by electronic means except barber poles.
8. The signs shall harmonize with the materials, textures, sizes, shape, heights, locations, and designs of the buildings, properties, or neighborhood of which they are a part, and as approved by the Planning Commission.
9. The signs shall be erected in accordance with Title 13, Signs, of the Yreka Municipal Code.
10. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to installing the electrical sign.
11. 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.
12. 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 Baird seconded the motion. The motion carried by the following vote:

AYES: Baird, Osborn, Rolzinski
NOES: McAllister

PUBLIC COMMENTS

None.

APPROVAL OF THE MINUTES OF THE SEPTEMBER 15, 2010 MEETING

The Commission, having received a copy of the minutes of the regular meeting of the Planning Commission held September 15, 2010, approved the minutes unanimously on a motion made by Commissioner McAllister and seconded by Commissioner Rolzinski.

TENTATIVE PARCEL MAP EXTENSION

MYRON AND JUDY ANDERSON – TAYLOR AVE

APPROVED

The Commission reviewed the application submitted by Myron and Judy Anderson for a one year extension of Permit # 3809 for a tentative parcel map for a minor subdivision creating four (4) parcels, 2.53, 2.4, 2.0 and 2.0 acres plus a 77 +/- acre remainder, the remainder parcel is located in Siskiyou County outside the Yreka City limits. Assessor's Parcel No. 062-181-010, R-A (Residential Agriculture) zone, RA (Residential Agriculture) General Plan designation.

Staff reported the Technical Committee recommended approval of a one year extension subject to modification of Condition No.11, changes in italics as follows:

11. Permittee shall submit storm water drainage plan subject to *Building Official/Director* of Public Works approval prior to grading permit and/or building permit issuance. *Onsite storm water detention is required.*

A Negative Declaration was filed for this project on October 30, 2007.

Following Commission discussion, Commissioner McAllister made a motion to approve the application for a one year extension of Permit No. 3809 for a tentative parcel map for a minor subdivision creating four (4) parcels, 2.53, 2.4, 2.0 and 2.0 acres plus a 77 +/- acre remainder, the remainder parcel is located in Siskiyou County outside the Yreka City limits. Assessor's Parcel No. 062-181-010, R-A (Residential Agriculture) zone, RA (Residential Agriculture) General Plan designation. Approval is subject to the Findings and Conditions of Approval previously approved on October 17, 2007 with the modification of Condition #11 as follows in italics:

11. Permittee shall submit storm water drainage plan subject to *Building Official/Director* of Public Works approval prior to grading permit and/or building permit issuance. *Onsite storm water detention is required.*

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.

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

AYES: Baird, McAllister, Osborn, Rolzinski
 NOES: None

**USE PERMIT EXTENSION – TEMPORARY STRUCTURE
 LACO ASSOCIATES – 1240 S MAIN ST**

APPROVED

The Commission reviewed the application submitted by Bryan Dussell for LACO Associates for extension of Use Permit #4019 for the temporary installation of an 8 ft. x 10 ft. temporary structure, located within the rear and side yard setbacks, to house monitoring equipment for a State-mandated clean-up of petroleum hydrocarbon contamination associated with the former Yreka Texaco. Assessor's Parcel No. 61-352-030, CH (Commercial Highway) zone, GC (General Commercial) General Plan designation on the property located at 1240 S. Main Street.

Staff reported that the Technical Committee recommended approval of a one year extension.

Staff also 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 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.

Following Commission discussion, Commissioner Rolzinski made a motion to approve the application for a one year extension of Temporary Use Permit #4019 for the temporary installation of an 8 ft. x 10 ft. temporary structure, located within the rear and side yard setbacks, to house monitoring equipment for a State-mandated clean-up of petroleum hydrocarbon contamination associated with the former Yreka Texaco. Assessor's Parcel No. 61-352-030, CH (Commercial Highway) zone, GC (General Commercial) General Plan designation on the property located at 1240 S. Main Street. Approval based on the Technical Committee's recommendations and subject to full compliance with all applicable city, state, and federal laws and regulations and the findings and conditions as approved on June 19, 2002.

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

AYES: Baird, McAllister, Osborn, Rolzinski
 NOES: None

COMMISSIONER'S STATEMENTS & COMMENTS

Concern was expressed regarding trash located behind Burger King. Staff reported that homeless people are creating the mess. The property owner has cleaned the site and is notified when the trash accumulates again for clean up.

10/20/10

-10- PC

It was reported that the balloon fair was a great success this year.

There being no further business before the Commission, the meeting was adjourned at 7:07 p.m.

Pamela J. Hayden, Planning Director