

Rule exemption (Section 15061(b)(3) of the CEQA Guidelines). The update of the Housing Element is consistent with State requirements, and primarily contains revised demographic information. There are no significant policy changes, rezoning, or physical changes to the environment that will occur as a result of the Housing Element update.

Staff reported that a letter was received from the Karuk Tribe Housing Authority. The letter was read in its entirety. Staff recommended that no amendments be made to the Housing Element in response to the letter dated October 23, 2009 for the following reasons:

1. Page A-19: The survey taken was from the newspaper advertisements, the KTHA housing was not listed in the newspaper and therefore not included in the survey. In addition, the Karuk Tribe Housing Authority (KTHA) has historically and consistently taken the position the KTHA is not within jurisdiction of the City of Yreka. The Housing Element addresses matters over which the City of Yreka has jurisdiction and control.
2. Page A-22: The same as #1 above. The process identified in item #2 of the October 23, 2009 comment letter was a unique situation. The project of a planned unit development was applied for on October 25, 2005 and approved by the City of Yreka on December 21, 2005. A negotiated settlement was required due to the project applicant's lack of understanding of building permit and occupancy conditions.
3. Page A-29: Same as #2 above.
4. Page A-32: Same as #1 above.
5. Page A-33: There is no housing authority formed under the laws of the State of California within the jurisdiction of the City of Yreka.

Ann Escobar of the KTHA reported that the Tribe was requesting that they be identified in the document as being located within the City of Yreka.

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

Following Commission discussion, Commissioner Leal made a motion to recommend that Yreka City Council approve the Draft 2009 Housing Element Update of the General Plan with no additional amendments in response to the comment letter dated October 23, 2009, and that the project be processed as exempt from the California Environmental Quality Act subject to the General Rule exemption (Section 15061(b)(3) of the CEQA Guidelines).

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

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

**GENERAL PLAN AMENDMENT & PRE-ZONE
SHASTA FOREST PRODUCTS BY RICHARD CONROY RECOMMEND APPROVAL**

The Commission reviewed the application for a General Plan Amendment to designate property proposed to be annexed into the city limits of Yreka with a General Plan designation of I (Industrial). The proposed annexation is an approximately 2.5 +/- acre parcel known as Assessor's Parcel No. 013-300-300. And consideration of pre-zoning a 2.5 +/- acre parcel that is proposed to be annexed into the city limits of Yreka to M-2 (Heavy Industrial) zone designation. Assessor's Parcel No. 013-300-300.

This being the time and date set for a public hearing for review and comment on a General Plan Amendment and Pre-zone for property proposed to be annexed into the City of Yreka, Vice Chair Baird opened the public hearing to the audience.

Staff reported the Technical Committee recommended approval subject to the findings presented.

Staff also recommended that the Planning Commission make a determination that the General Plan Amendment and Pre-zone for property proposed to be annexed into the City limits of Yreka are exempt from the California Environmental Quality Act pursuant to both Sections 15061(b)(3) and 15319. The project would annex into the City land that is basically surrounded by property within the City limits. The proposed General Plan and zoning designations are consistent with the surrounding properties, and will therefore not cause a significant effect on the environment. The General Plan Amendment and Pre-zone are required as part of the annexation procedure and the proposed annexation is exempt as it is a parcel that is currently developed with structures used for commercial activities, the property currently utilizes City water service, has a septic system and would have the option to connect to the existing City sewer system.

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

Following Commission discussion, Commissioner Rolzinski made a motion to recommend that Yreka City Council approve the General Plan Amendment to designate property located at 1412 E. Highway 3 that is proposed to be annexed into the city limits of Yreka with a General Plan designation of I (Industrial); and recommend pre-zoning the same 2.5 +/- acre parcel that is proposed to be annexed into the city limits of Yreka to M-2 (Heavy Industrial) zone designation, Assessor's Parcel No. 013-300-300; and that the projects be processed as exempt from the California Environmental Quality Act pursuant to both Sections 15061(b)(3) and 15319.

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

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

**GENERAL PLAN AMENDMENT & PRE-ZONE
TOM & KRIS McCULLOUGH****RECOMMEND APPROVAL**

The Commission reviewed the application for a General Plan Amendment to designate property proposed to be annexed into the city limits of Yreka with a General Plan designation of LDR (Low Density Residential). The proposed annexation is approximately 17,275 sq. ft. (.39 +/- acres) of the 49.51 acre parcel known as Assessor's Parcel No. 013-060-190 located adjacent to 898 North View Drive. Plus consideration of pre-zoning approximately 17,275 sq. ft. (.39 +/- acres) of Assessor's Parcel No. 013-060-190 to R-1 (Single Family Residential) that is proposed to be annexed into the City of Yreka and bisects a parcel of property located within the city limits of Yreka which is also zoned R-1.

This being the time and date set for a public hearing for review and comment on a General Plan Amendment and Pre-zone for property proposed to be annexed into the City of Yreka, Vice Chair Baird opened the public hearing to the audience.

Staff reported the Technical Committee recommended approval subject to the findings presented.

Staff also recommended that the Planning Commission make a determination that the General Plan Amendment and Pre-zone for property proposed to be annexed into the City limits of Yreka are exempt from the California Environmental Quality Act pursuant to both Sections 15061(b)(3) and 15319. The project would annex into the City land that is basically surrounded by property within the City limits. The proposed General Plan and zoning designations are consistent with the surrounding properties, and will therefore not cause a significant effect on the environment. The General Plan Amendment and Pre-zone are required as part of the annexation procedure and the proposed annexation is exempt as it is a small parcel that would provide for no more than one single family residence, the property currently has City utility services available.

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

Following Commission discussion, Commissioner Rolzinski made a motion to recommend that Yreka City Council approve the General Plan Amendment to designate property located adjacent to 898 North View Drive proposed to be annexed into the city limits of Yreka with a General Plan designation of LDR (Low Density Residential); and approval of pre-zoning the property located adjacent to 898 North View Drive which is approximately 17,275 sq. ft. (.39 +/- acres) of Assessor's Parcel No. 013-060-190 to R-1 (Single Family Residential); and that the projects be processed as exempt from the California Environmental Quality Act pursuant to both Sections 15061(b)(3) and 15319.

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

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

**TEMPORARY USE PERMIT – TEMPORARY STRUCTURE
LACO ASSOCIATES BY BRYAN DUSSELL – 1240 S MAIN****APPROVAL**

Vice Chair Baird presented the agenda item and then recused herself from participating in this agenda item due to a contractual relationship with the applicant to prevent a possible conflict of interest in this matter and she left the Commissioner's table.

In the absence of Chair and Vice Chair a temporary replacement Chair was required. City Attorney McHugh requested nominations for replacement Chair. Commissioner Rolzinski was nominated, there being no further nominations Commissioner McAllister made a motion to close the nominations. Commissioner Leal seconded the motion, all voting aye the motion carried. There being no contest, City Attorney McHugh declared the election of Commissioner Rolzinski temporary replacement Chair by acclamation for all matters on the agenda for which Vice Chair Baird is disqualified.

The Commission reviewed the application submitted by Bryan Dussell for a temporary use permit for installation of an 8' x 10' 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 on the property located at 1240 S. Main Street, Assessor's Parcel No. 61-352-030, CH (Commercial Highway) zone, GC (General Commercial) General Plan designation. This being the time and date set for a public hearing for an application for a use permit Commissioner Rolzinski opened the public hearing to the audience.

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

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.

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

Following Commission discussion, Commissioner McAllister made a motion to approve a one year temporary use permit for installation of an 8' x 10' 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 on the property located at 1240 S. Main Street, Assessor's Parcel No. 61-352-030, CH (Commercial Highway) zone, GC (General Commercial) General Plan designation; 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 based on Staff's and the Technical Committee's

recommendations and 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 an 8' x 10' temporary structure, located within the setbacks, to house monitoring equipment for a State-mandated clean-up of petroleum hydrocarbon contamination associated with the former Yreka Texaco 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 structure will be located at the rear of the lot, behind the existing building and site obscured fence, there is a vacant lot to the rear of the proposed location and a site obscured fence between the subject property and the property to the north, the project will therefore not be a visual constraint.

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 reasons stated in (a) above.

c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because the structure will be located at the rear of the lot away from the parking and traffic associated with the existing restaurant.

d. adversely affect matters regarding police protection, crime prevention, and security.

e. adversely affect circulation or traffic patterns in the neighborhood or constitute a nuisance for the reason stated in (c) above.

2. The use of a temporary structure is compatible with the policies and objectives of the zoning ordinance with the exception that the structure will be non-conforming as it pertains to setbacks. Due to the unusual lot configuration that has existing structures and parking required for the existing restaurant use and the fact that the property behind where the structure will be located is vacant land, the proposed location of the temporary structure is the most reasonable location.

3. This project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines in that it is not a project which has the potential for causing a significant effect on the environment.

CONDITIONS:

1. Permittee granted a permit to install an 8' x 10' temporary structure, located within the setbacks, to house monitoring equipment for a State-mandated clean-up of petroleum

hydrocarbon contamination associated with the former Yreka Texaco 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 temporary use permit granted for a period of not to exceed twelve months. The period shall commence with the granting of the use permit as set forth in Section 16.46.010 of the Yreka Municipal Code. Approval may be extended upon written application to the Planning Commission before expiration of the first approval.
3. The temporary structure shall be removed from the property upon termination of this use permit.
4. Use shall be conducted in accordance with the application as submitted and no alterations shall be made of the building location(s) parking and landscaping without prior approval of the Planning Commission; provided, however, upon request of the Permittee and showing of good cause, the City Manager is authorized to permit minor modifications of the site plan without resubmission to the Planning Commission.
5. Permittee shall comply at all times with the zoning district regulations for a CH zone as set forth in section 16.36 of the Yreka Municipal Code.
6. Permittee shall secure a Certificate of Occupancy and approval of the Building Official and Fire Marshal that structure meets building standards and fire regulations of the Uniform Building and Fire Codes prior to use of subject temporary structure.
7. 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.
8. Use permit granted in accordance with the terms of this title may be revoked if any of the conditions or terms of such permit are violated or if any law or ordinance is violated in connection therewith, or if the Planning Commission finds, with the concurrence of the City Council, that the continuance of the use permit will endanger the public health, safety, or welfare.

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

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

Vice Chair Baird returned to the Commissioner's table and her duties of Chair.

PUBLIC COMMENTS

None.

City Attorney McHugh requested that the Planning Commission give authority to add to the October 28, 2009 meeting agenda an item that needs to occur before the Council takes up the matter due to pending applications anticipated for the November and December Planning Commission meetings.

The agenda item is: Discussion/Possible Action – Approval of Use Permit Application form pursuant to Yreka Municipal Code Section 16.44.020.

Commissioner McAllister made a motion that there is a need to take immediate action for adding an agenda item as Item No. 7 - Discussion/Possible Action – Approval of Use Permit Application form pursuant to Yreka Municipal Code Section 16.44.020.

Commissioner Leal second the motion, all voting aye, the motion carried to add the agenda item.

APPROVAL OF THE MINUTES OF THE AUGUST 19, 2009 MEETING

The Commission, having received a copy of the minutes of the regular meeting held September 16, 2009, approved the minutes on a motion made by Commissioner Leal and seconded by Commissioner McAllister.

SITE, LANDSCAPE, AND PARKING PLAN

SOUTH MAIN DEVELOPERS BY KEN BARNES – 1711 S MAIN ST APPROVED

Vice Chair Baird presented the agenda item and then recused herself from participating in this agenda item due to a contractual relationship with the applicant to prevent a possible conflict of interest in this matter and she left the Commissioner's table.

Acting Chair Rolzinski resumed duties of Chair.

The Commission reviewed the application submitted by Ken Barnes of South Main Developers for a site, landscape, and parking plan for construction of a single story 22,485 square foot office building on the property located at 1711 S. Main Street, Assessor's Parcel No. 062-031-110, CH (Commercial Highway) zone, GC (General Commercial) General Plan designation.

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

- Permittee shall obtain approval of all required public improvements through the Department of Public Works and its encroachment permit process because this site plan approval does not include approval of any public improvements.

- Permittee shall obtain an NPDES storm water permit from the North Coast Regional Water Quality Control Board prior to building permit issuance.
- Permittee shall offer for dedication a 5 ft. public utility easement adjacent to the 4-H Way and S. Main Street frontages if one does not already exist. The dedication shall occur by the time of issuance of a Certificate of Occupancy.

Staff also recommended that the Planning Commission make a determination that the project of a site, landscape, and parking plan for construction of approximately 22,485 square feet of office space is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15332 (Infill Development) of the CEQA Guidelines.

- The project is an allowable use pursuant to the City of Yreka General Plan and Zoning Ordinance.
- The project is located on a site of approximately 2.57 acres.
- The project site is vacant land that has been previously farmed, the site has been undeveloped for the last 40 years and shows no indications of threatened or endangered species, there are no wetland areas at or adjacent to the project property.
- The project is located on S. Main Street which is considered an arterial street that carries the heaviest traffic load. It has a continuous left turn lane most of its length, including in front of the proposed project. The project also has frontage on 4-H Way which is a collector street connecting S. Oregon Street with S. Main Street. Access to the 4-H Way frontage, which will be the only vehicular access to the project, can be accessed from multiple directions and intersections. The proposed project is not anticipated to result in significant effects relating to noise, air quality, or water quality. The project proposes parking in excess of the amount required by City codes.
- The site can be adequately served by all required utilities and public services.

Staff also reported that comment was received from Cal-Trans requesting the opportunity to review the drainage plans and encroachment permit requirements for any work in the State right of way. Staff recommended modification to Condition No. 11 to allow for Cal-Trans drainage plan review, Condition No. 4 already contained encroachment permit requirements for Cal-Trans

Following Commission discussion, Commissioner Leal made a motion to approve the application submitted for a site, landscape, and parking plan for construction of a single story 22,485 square foot office building on the property located at 1711 S. Main Street, Assessor's Parcel No. 062-031-110, CH (Commercial Highway) zone, GC (General Commercial) General Plan designation with the following additional conditions:

- Permittee shall obtain approval of all required public improvements through the Department of Public Works and its encroachment permit process because this site plan approval does not include approval of any public improvements.

- Permittee shall obtain an NPDES storm water permit from the North Coast Regional Water Quality Control Board prior to building permit issuance.
- Permittee shall offer for dedication a 5 ft. public utility easement adjacent to the 4-H Way and S. Main Street frontages if one does not already exist. The dedication shall occur by the time of issuance of a Certificate of Occupancy.

And with the determination that the project of a site, landscape, and parking plan for construction of approximately 22,485 square feet of office space is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15332 (Infill Development) of the CEQA Guidelines.

- The project is an allowable use pursuant to the City of Yreka General Plan and Zoning Ordinance.
- The project is located on a site of approximately 2.57 acres.
- The project site is vacant land that has been previously farmed, the site has been undeveloped for the last 40 years and shows no indications of threatened or endangered species, there are no wetland areas at or adjacent to the project property.
- The project is located on S. Main Street which is considered an arterial street that carries the heaviest traffic load. It has a continuous left turn lane most of its length, including in front of the proposed project. The project also has frontage on 4-H Way which is a collector street connecting S. Oregon Street with S. Main Street. Access to the 4-H Way frontage, which will be the only vehicular access to the project, can be accessed from multiple directions and intersections. The proposed project is not anticipated to result in significant effects relating to noise, air quality, or water quality. The project proposes parking in excess of the amount required by City codes.
- The site can be adequately served by all required utilities and public services.

Approval is also subject to the additional modification to Condition No. 11 to allow for Cal-Trans drainage plan review.

The approval is based on Staff's and the Technical Committee's recommendations and 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 project of a site, landscape, and parking plan for construction of approximately 22,485 square feet of office space is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15332 (Infill Development) of the CEQA Guidelines.

- The project is an allowable use pursuant to the City of Yreka General Plan and Zoning Ordinance.

- The project is located on a site of approximately 2.57 acres.
- The project site is vacant land that has been previously farmed, the site has been undeveloped for the last 40 years and shows no indications of threatened or endangered species, there are no wetland areas at or adjacent to the project property.
- The project is located on S. Main Street which is considered an arterial street that carries the heaviest traffic load. It has a continuous left turn lane most of its length, including in front of the proposed project. The project also has frontage on 4-H Way which is a collector street connecting S. Oregon Street with S. Main Street. Access to the 4-H Way frontage, which will be the only vehicular access to the project, can be accessed from multiple directions and intersections. The proposed project is not anticipated to result in significant effects relating to noise, air quality, or water quality. The project proposes parking in excess of the amount required by City codes.
- The site can be adequately served by all required utilities and public services.

CONDITIONS:

1. All conditions hereinafter set forth shall be complied with by the Permittee prior to issuance of a certificate of occupancy.
2. Permittee shall obtain approval of all required public improvements through the Department of Public Works and its encroachment permit process because this site plan approval does not include approval of any public improvements.
3. Permittee shall obtain an NPDES storm water permit from the North Coast Regional Water Quality Control Board prior to building permit issuance.
4. An encroachment permit shall be obtained prior to any work, including curb, gutter, sidewalk, driveway approach, and utility connections, in the S. Main Street right-of-way from Cal Trans and 4-H Way right-of-way from the City of Yreka.
5. The site, landscape and parking plans submitted by Ken Barnes dated May 26, 2009, received on October 2, 2009, and as approved by the Planning Commission on October 28, 2009 shall not be changed or deviated from without approval of the Planning Commission. After construction of improvements, no changes in use of the existing structures and no additional structures shall be built, and no open space, off-street parking facilities and public access areas, or landscaping shall be altered 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. Adequate off-street parking shall be provided as follows: One space for each 200 square feet of floor area for office use as set forth in Section 16.54.020 (A.2.a) of the Yreka Municipal Code. One hundred thirteen (113) parking spaces are required for the proposed office use; the project proposes 150 parking spaces.

7. The design and location of the off-street parking facilities as shown on the site plan dated May 26, 2009, and received by the City of Yreka on October 2, 2009 as approved by the Planning Commission on October 28, 2009 shall not be deviated from unless prior approval of the Planning Commission (with the exception as stated in Condition #3) is secured, and all loading, employee, and customer parking areas, access drives and aisles shall be paved and striped. Bumper rails or other barriers shall be provided where needed for safety or to protect property, as determined by the Director of Public Works and in accordance with Section 16.54.090 of the Yreka Municipal Code.
8. 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.
9. All landscaping shall be installed, maintained, and replaced as necessary as depicted on the approved landscape plan, and shall be completed prior to issuance of a certificate of occupancy or until security is posted in the amount of one hundred fifty percent to cover the costs of the unfinished work.
10. Permittee shall submit an in ground automated irrigation system design with specifications; the plan shall meet the requirements of Section 11.38.050 of the Yreka Municipal Code prior to building permit issuance, for approval by the City Manager or Building Official.
11. Permittee shall submit storm water drainage plan for Building Official/Director of Public Works and Cal Trans approval prior to grading and/or building permit issuance. Onsite storm water detention is required.
12. Permittee shall install street lights consistent with City standards.
13. Permittee shall install Fire hydrants if required pursuant to the California Fire Code.
14. If any archaeological discoveries (human skeletal remains, culturally modified lithic materials, structural features, or historic artifacts) are encountered during ground disturbing activities, all such activities should halt within a 100-foot radius of the discovery, and a qualified archaeologist should be contacted to determine the nature of the find, evaluate its significance, and, if necessary, suggest preservation or mitigation measures.
15. Permittee shall comply at all times with the zoning district regulations for a CH (Commercial Highway) zone as set forth in Section 16.36 of the Yreka Municipal Code.
16. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to starting construction of the 22,485 square foot building. 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. If such improvements already exist, damaged public improvements shall be repaired and/or

replaced to restore the improvements to a condition satisfactory to the Director of Public Works in accordance with Yreka Municipal Code Section 11.24.030.

17. Permittee shall submit a legal description prepared by a licensed land surveyor or appropriately registered civil engineer in the State of California for, and shall offer for dedication, a five foot pedestrian easement adjacent to the existing property line for the sole purpose of Americans with Disabilities Act (ADA) compliant sidewalk facilities for driveway approaches and curb ramps. The dedication shall occur by the time of issuance of a Certificate of Occupancy.

18. Permittee shall offer for dedication a 5 ft. public utility easement adjacent to the 4-H Way and S. Main Street frontages if one does not already exist. The dedication shall occur by the time of issuance of a Certificate of Occupancy.

19. Lighting will be directed inward toward the development and as low as possible. Appropriately designed light fixtures will be installed to prevent glare to adjoining properties.

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

21. Fences shall comply with the Yreka Municipal Code Section 16.46.050.

22. Permittee shall secure, or inform occupants of the requirement to obtain, an annual City business license to carry on business at the project site.

23. The site plan approval shall be automatically revoked and terminated if not used within one year from the date of approval unless, prior to the expiration of one year, a building permit is issued and construction is commenced. Approval may be extended upon written application to the Planning Commission before expiration of the first approval.

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

AYES: Leal, McAllister, Osborn, Rolzinski

NOES: None

Vice Chair Baird returned to the Commissioner's table and resumed duties of Chair.

APPLICATION FORM MODIFICATION CITY OF YREKA

APPROVAL

City Attorney McHugh reported that the addition of the property owner acknowledgement will serve the interests of permit applicants and property owners. Applicants for use permits are not necessarily the owners of the property where the use occurs. Acknowledgement of the application by the property owner is important and necessary given the fact that use permits are not personal to the property owner, but run with the land. Given that conditional

use permits run with the land, actions of prior property owners can bind future property owners, it is only fair to assure that the property owner is aware of the proposed activity on the property. Standards for use permits, including the content of the application for a use permit, are entirely within the discretion of the local body.

Following Commission discussion, Vice Chair Baird made a motion to approve the Use Permit Application form pursuant to Yreka Municipal Code Section 16.44.020 adding acknowledgement of the application by the property owner to the Use Permit Application form.

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

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

COMMISSIONER'S STATEMENTS & COMMENTS

Miscellaneous questions of the Commission were addressed.

There being no further business before the Commission, the meeting was adjourned at 7:40 p.m.

Pamela J. Hayden, Planning Director