

MINUTES OF THE REGULAR MEETING OF THE  
YREKA PLANNING COMMISSION HELD  
ON THE 16<sup>TH</sup> DAY OF APRIL, 2014

On the 16<sup>th</sup> day of April, 2014 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 Osborn and present were:

Commissioners: Deborah Baird, Diane Knitter, Paul McCoy, Barry Ohlund, Matt Osborn and Richard Rolzinski. Absent: Steve Leal.

**PUBLIC COMMENTS** – None

Consent Calendar: Chair Osborn announced that all matters listed under the consent calendar are considered routine and will be enacted by one motion unless any member of the Planning Commission wishes to remove an item for discussion or a member of the audience wishes to comment on an item:

- a. Approval of Minutes of the regular meeting held on March 19<sup>th</sup>, 2014.
- b. Approval of an application for a permit to discharge firearms under Section 9.06.040 of the Yreka Municipal Code.  
Applicant, Joseph Allison, Event Coordinator, Re-enactors of the American Civil War, Inc., Date May 30 – June 1, 2014. Location – South of Westside Road.

Following Commission discussion, Commissioner Baird noted a correction to page 5 of the minutes and moved to approve the items on the consent calendar with the noted correction to the minutes.

Commissioner Ohlund seconded the motion, and upon roll call, the following voted YEA: Baird, Knitter, McCoy, Ohlund, Osborn and Rolzinski.

Chair Osborn thereupon declared the motion carried.

Discussion/Possible Action – Proposed categorical exemption and Conditional Use Permit application submitted by Hines Racing and Fabrication Inc. to operate a retail business for the sale of new and/or used motorcycle and ATV's.

The Commission reviewed the Conditional Use Permit application submitted for Hines Racing and Fabrication Inc., to operate a retail business for the sale of new and/or used motorcycle and ATV's. Applicant: Hines Racing and Fabrication Inc. by Warren Hines, Location: 1301 S. Main Street, CH (Commercial Highway) Zone, GC (General Commercial) General Plan designation. Assessor's Parcel No. 062-011-040.

Assistant City Manager Liz Casson presented the Commission with the staff report and the following background - The subject property is zoned CH, Commercial Highway. Per Yreka Municipal Code Chapter 16.36, retail establishments are a permitted use in the *CH, Commercial*

*Highway* zoning district. However, large equipment sales and service such as motorcycle and ATV sales require a Conditional Use Permit.

Yreka Municipal Code (YMC) Section 16.36.070(D) provides that “*large equipment sales and service*” is permitted in the CH Zone District upon approval and validation of a conditional use permit. In addition, YMC Section 16.36.070 (f) provides that the use of retail sales of “*Outdoor automobile, boat, trailer, RV, ATV, and other motor vehicles sales and services (new and used)*” is permitted in the CH Zone District upon approval and validation of a conditional use permit.

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities. Class 1 exemptions consist of the operation, maintenance, permitting, or licensing of existing public or private structures or facilities involving negligible or no expansion of the use beyond what existed at the time of the lead agency’s determination.

Notification of the public hearing was mailed to property owners/occupants located within 300 feet of the proposed project on April 2, 2014 and a Notice of Public Hearing was published in the Siskiyou Daily News on April 4, 2014.

Public Hearing - This being the time and date set for the public hearing, Chair Osborn opened the hearing to the audience.

Applicant Warren Hines was present to answer questions.

There being no statements or comments from the audience, Chair Osborn closed the public hearing and discussion was opened to the Commission.

Following Commission discussion, Commissioner McCoy moved to make the finding that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Existing Facilities of the CEQA Guidelines, and approve Conditional Use Permit No. 4204 subject to the following findings and conditions:

#### FINDINGS:

1. The proposal will not be materially detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use.

*The proposal to establish and operate a business for the sale and service of new and used motorcycles and ATV’s in conjunction with their existing business would not be materially detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood. Subject to the issuance of a Conditional Use Permit by the Planning Commission and subject to the Conditions of Approval, use of the site would remain consistent with the intent of the General Plan designation and zone district. As such, the project will not be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood.*

2. The proposal will not be materially detrimental to property or improvements in the neighborhood.

*The proposal will not be materially detrimental to property or improvements in the neighborhood. Conditions of Approval will provide for commercial use compatibility between the proposed commercial use and the existing commercial neighborhood and adjacent streets.*

3. The proposal will not be materially detrimental to the general welfare of the city.

*The use is compatible with the policies and objectives of the zoning ordinance for a CH, Commercial Highway zone which allows a commercial retail business with large equipment sales and service upon approval and validation of a conditional use permit as set forth in Section 16.36.070 (D) of the Yreka Municipal Code. In addition, YMC Section 16.36.070 (f) provides that the use of retail sales of outdoor automobile, boat, trailer, RV, ATV, and other motor vehicles sales and services (new and used) is permitted upon approval and validation of a condition use permit. This commercial business keeps with the character of the surrounding area, and is found to be consistent with the General Plan. The proposal will not generate significant noise or lighting. The proposal will not increase traffic beyond the capacity of existing infrastructure in an area which is sufficient to accommodate commercial uses.*

4. The Planning Commission has determined that the project is exempt from environmental review pursuant to the provisions of the California Environmental Quality Act (CEQA) Section 15301 Existing Facilities of the CEQA Guidelines.

The following conditions shall be complied with at all times while the use permitted by this permit occupies the premises:

1. Permittee granted a permit to establish and operate a business for the sale and service of new and used motorcycles and ATV's in conjunction with their existing business located at 1301 S. Main Street, APN: 062-011-040.
2. Adequate off-street parking facilities shall be provided as follows: one (1) space for each two hundred (200) square feet of floor area as set forth in Chapter 16.54 (b) of the Yreka Municipal Code. The existing business utilizes 4,117 sq. ft. of floor area, which requires twenty one (21) spaces. The added conditional use for sales of motorcycles and ATV's to the existing business will not increase the number of required parking spaces. As submitted the project requires twenty one (21) parking spaces. Site plan has 36 parking stalls which exceeds the requirement of the YMC # 16.54.
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, access drives and aisles shall be paved and striped and bumper rails or other barriers shall be provided, as determined by the City Building Official, 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, California Building Code and any other law or regulation now or hereinafter enacted relating to parking for disabled persons. A minimum of two (2) accessible parking spaces are required for a parking lot with 26 to 50 parking spaces.
5. Use shall be conducted in accordance with the application as submitted for the property located at 1305 S. Main Street, as approved by the Planning Commission on April 16, 2014.
6. Per YMC Section 16.38.080, the outdoor sales areas shall be paved with a minimum six-inch (6") base and double chip sealed.
7. 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.
8. Permittee shall obtain a building permit and shall pay the necessary fees prior to making any building, electrical, mechanical, or plumbing installations and/or improvements to the structure. Public infrastructure improvements such as curb, gutter, sidewalk, curb ramps, driveway approaches, street lights and asphalt concrete street pavement may be required upon issuance of a building permit in accordance with Yreka Municipal Code Section 11.24.030. 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.
9. No signs shall be placed on the premises without first obtaining a sign permit.
10. Permittee shall maintain an annual City business license to carry on the business of a commercial retail business.
11. The 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 Ohlund seconded the motion, and upon roll call, the following voted YEA: Baird, Knitter, McCoy, Ohlund, Osborn and Rolzinski.

Discussion/Possible Action – 2014-2019 Housing Element Update – Adopt Resolution PC 2014-2 recommending the City Council determine that the proposed project would not have a significant effect on the environment and adopt a Negative Declaration for the project; and recommend approval of the General Plan Amendment adopting the 2014-2019 Housing Element

Update.

City Manager Steve Baker presented the Commission with the following summary – The Housing Element is one of the seven State-mandated elements of the City’s General Plan. All cities in California are required to update General Plan Housing Elements on a regular basis and to submit the updated Element to the California Department of Housing and Community Development (HCD) for review and certification. Because the Housing Element plays a key role in planning for the housing needs of all economic segments of the community, it is required by State law to be updated every five to eight years (depending on location). Staff and the City’s consultant, PMC, began work in 2013 to update the Housing Element to comply with State requirements.

The Final Draft 2014-2019 Housing Element meets the requirements of State housing law. However, to complete the update process the documents needs to be adopted by the City and certified by HCD. In order for the document to be certified by HCD, the Planning Commission needs to review and recommend the document to the City Council and the City Council needs to review and adopt the document. If the City Council adopts the documents, the Housing Element will be sent to HCD for certification. Once the Housing Element is certified, staff will initiate work on implementing the goals, policies, and programs of the updated document.

The Negative Declaration was prepared pursuant to Section 15070-15075 of the CEQA Guidelines and Title 19 Environmental Impact Procedure of the Yreka Municipal Code. The public comment period for the Negative Declaration was February 28, 2014 to March 31, 2014. The initial study indicates that there is no substantial evidence that the project will have a significant effect on the environment. One comment letter was received from the State of California Department of Fish and Wildlife. The letter stated that the Department did not have any comments on the Negative Declaration.

City staff recommends that the Planning Commission recommend to the City Council approval of the 2014-2019 Housing Element Update and approval of the Negative Declaration prepared for the project.

Correspondence received from John Krueger, D. Min., Chairman for Beacon of Hope – Gospel Rescue Mission regarding amending the City’s zoning ordinance to facilitate the development of additional shelters.

Public Hearing - This being the time and date set for the public hearing, Chair Osborn opened the hearing to the audience.

Terry Gabriel, Executive Director Area Agency on Aging Services - 208 W. Center Street, Yreka stated that with the aging of the baby boomer generation, we need to keep in mind the need for senior housing.

There being no statements or comments from the audience, Chair Osborn closed the public hearing and discussion was opened to the Commission.

04/16/2014

-6- PC

Following Commission discussion, Commissioner Ohlund moved to adopted Resolution No. 2014-2 recommending the City Council determine that the proposed project would not have a significant effect on the environment and adopt a Negative Declaration for the project; and recommend approval GPA # 2014-01 adopting the 2014-2019 Housing Element Update.

Commissioner Knitter seconded the motion, and upon roll call, the following voted YEA: Baird, Knitter, McCoy, Ohlund, Osborn and Rolzinski.

There being no further business before the Commission, the meeting was adjourned.



Matt Osborn, Chair

Approved by motion of the Planning  
Commission on May 21, 2014