

AGENDA
YREKA PLANNING COMMISSION
Yreka City Council Chamber – 701 Fourth Street, Yreka, Ca.
December 16, 2015 at 6:30 P.M.

Call to Order

Pledge of allegiance

Conflict of Interest Declaration – Planning Commissioners

PUBLIC COMMENTS: This is the time for public comments. Commissioners may ask questions but may take no action during the public comment section of the meeting, except to direct staff to prepare a report or place an item on a future agenda. If you are here to make comments on a specific agenda item, please speak at that time. If not, this is the time. Please limit your remarks to 5 minutes.

SPEAKERS: Please state your name and mailing address so that City Staff can respond to you in regard to your comments, or provide you with information, if appropriate. You are not required to state your name and address if you do not desire to do so.

1. Consent Calendar - Discussion/Possible Action – 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. The City Manager recommends approval of the following consent calendar item:

a. Approval of Minutes of the meeting held November 18, 2015.

2. Discussion/Possible Action – Consideration of proposed categorical exemption and Historic District Permit for the demolition or removal of structures within the Yreka Historic District. Property Location – 209 Third Street, Yreka, California, C-2 (Commercial Downtown) Zone & HD (Historic District) General Plan Designation. Assessor’s Parcel Number 053-282-040.

Project applicant is Anthony Crovelle and Sharon Rizzo.
Project Number: Historic District Permit # 4268

- a. Staff Report
- b. Public Hearing
- c. Decision
 - Categorical Exemption
 - Adopt Resolution No. 2015-10 Approval of Historic District Permit # 4268 at 209 Third Street (053-282-040).

3. City Manager Report

Commissioner's Statements and Comments

Adjournment

Decisions of the Planning Commission may be appealed to the City Council by filing a written notice of appeal within 10 calendar days of the decision. Appeal must be submitted to the City Clerk's office together with the appeal fee of \$150.00 plus publication fee if required.

If you challenge any action taken pursuant to the California Environmental Quality Act, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Department at, or prior to, the public hearing. (Public Resources Code Section 21177)

All documents produced by the City which are related to an open session agenda item and distributed to the Planning Commission are made available for public inspection in the City Clerk's office during normal business hours.

In compliance with the requirements of the Brown Act, notice of this meeting has been posted in a public accessible place, 72 hours in advance of the meeting.

In compliance with the Americans with Disabilities Act, those requiring accommodations for this meeting should notify the City Clerk 48 hours prior to the meeting at (530) 841-2324 or by notifying the Clerk at casson@ci.yreka.ca.us.

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD
ON THE 18th OF NOVEMBER 2015

On the 18th day of November, 2015 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: Duane Kegg, Diane Knitter, Steve Leal, Paul McCoy, Barry Ohlund, Matt Osborn and Richard Rolzinski. Absent – N/A

Conflict of Interest Declaration – Commissioner Paul McCoy declared a conflict of interest on Item 2, Adopt Resolution finding that the proposed partial vacation of water and sewer easements for 915 S. Main Street conforms to the General Plan of the City of Yreka.

PUBLIC COMMENTS:

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 September 16, 2015.

Following Commission discussion, Commissioner Leal moved to approve the minutes of the regular meeting held September 16, 2015 as submitted.

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

Chair Osborn thereupon declared the motion carried.

Discussion/Possible Action – Adopt Resolution finding that the proposed partial vacation of water and sewer easements conforms to the General Plan of the City of Yreka. Location – 915 S. Main Street, Assessor's Parcel Number 061-163-010.

Commissioner McCoy announced his recusal, stating that he has a conflict of interest by reason of being a business owner within 500 foot of 915 S. Main Street and therefore recused himself and left the Council Chambers.

The Planning Commission reviewed Resolution No. PC 2015-09 that the proposed partial vacation of water and sewer easements conforms to the General Plan of the City of Yreka.

City Manager Steve Baker presented commissioners with staff report. City staff has analyzed the vacation of a public service easement for utilities at 915 S. Main Street to ensure the conformity of the proposal with the goals, policies, and actions of the City of Yreka's current General Plan and recommends adoption of the Resolution as submitted.

Notification of the public hearing was published in the Siskiyou Daily News on November 3, 2015.

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

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

Following Commission discussion, Commissioner Ohlund moved that the Planning Commission adopt Planning Commission Resolution # PC 2015-09 finding that the proposed partial vacation of water and sewer easements conform to the General Plan of the City of Yreka.

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

Chair Osborn thereupon declared the motion carried.

The foregoing Resolution #2015-09 was adopted by the Planning Commission on the 18th day of November, 2015 by the following vote: Ayes: 6, Nays: 0

Commissioner McCoy returned to his seat at the table.

City Manager's Report – Discussion only – Marijuana Cultivation

City Manager Steve Baker reported that Governor Jerry Brown signed a comprehensive package of bills recently to establish a regulatory structure around the State's multi-billion dollar medical marijuana industry, known as AB 266, AB 243, and SB 643 which comprise the Medical Marijuana Regulation & Safety Act.

California's new medical marijuana laws will take effect on January 1, 2016. Cities and Counties that do not have ordinances regarding cultivation on the books by March 1, 2016 will be subject to state law only. State law appears to allow 100 square feet of medical cannabis for a patient, and allow caregivers to grow 500 square feet for up to five patients. State licensing or commercial-sized medical marijuana farms is allowable under the new law, provided local governments approve.

City Manager Baker presented the commissioners with a copy of Ordinance No. 817 adopted by the Yreka City Council in October 2011 prohibiting marijuana dispensaries in all zoning districts within the City, stating that the Council did not adopt an Ordinance regarding the cultivation at that time.

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

Matt Osborn
Approved by motion of the Planning
Commission on December 16, 2015



CITY OF YREKA
PLANNING COMMISSION AGENDA MEMORANDUM

To: Yreka Planning Commission

Prepared by: Liz Casson, City Clerk

Agenda Title: Discussion/Possible Action – Consideration of proposed categorical exemption and Historic District Demolition Permit/Removal of Structure.
C-2 (Commercial Downtown) zone, General Plan designation HD (Historic District).
Assessor’s Parcel No. 053-282-040. Project applicant is Anthony Crovelle and Sharon Rizzo.

Meeting date: December 16, 2015.

Discussion:

The City has received an application for a Demolition Permit (Attachment A) to remove/demolish an existing structure located at 209 Third Street, within the Historic District. City Staff has reviewed the application and is recommending approval subject to the proposed findings and conditions of approval (Attachment B).

Background:

Yreka Municipal Code (YMC) Section 17.04.060 – Demolition or removal states “No improvement, structure or building situated within a historic district, landmark or improvement, or structure or building located upon a landmark site, shall be torn down, demolished or removed unless such improvement, building or structure is or has become so damaged or dilapidated, whether by damage from fire other elements or from natural deterioration, that it is unusable and cannot reasonably be repaired or restored.”

On November 24, 2014, City Building Inspector David H. Smith inspected the structure and submitted a letter of substandard conditions, recommending the demolition of said structure finding that it could not be reasonably repaired or restored. Said inspection report is attached hereto as part of the proposed Findings and Conditions of Approval (Attachment B).

In an attempt to preserve as much of the structure as possible, applicants met with City Staff and discussed options to possibly restore, repair and rebuild the parts of the existing structure. In July of 2015, applicants hired Evans Building and Excavating Inc. to begin the construction process. Upon close inspection, the contractor found the structure to be unsafe and unable to be repaired or restored, and therefore abandoned the job.

Environmental Determination:

The Planning Department believes that the proposed project meets the requirements for an exemption from further review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (I.1) “Existing Facilities”.

The Planning Commission must consider the proposed CEQA exemption together with any comments received during the public review process. Further, the exemption can only be approved if the Commission finds, based on the whole record before it, that there is not substantial evidence that the project will have a significant effect on the environment.

Staff Recommendation:

City staff has reviewed the application and recommends that the Commission make the determination that the project is exempt from the provisions of CEQA and grant approval of the Historic District Demolition Permit subject to the proposed findings and conditions (Attachment B) through the adoption of Planning Commission Resolution No. 2015-10 (Attachment C).

A public hearing notice was published in the Siskiyou Daily News and mailed to the property owners within a 300-foot radius of the proposed project to give notice of the proposed project and invite public comment. Staff recommends that the Planning Commission utilize the following process for consideration of this matter:

1. Accept a presentation of the project by staff.
2. Open the public hearing and take public testimony.
3. Close the public hearing and initiate consideration of the project by the Planning Commission; and
4. Motion and vote by the Planning Commission.

Recommended Motion:

If the Planning Commission determines that it intends to approve the proposed project as requested in the application for Historic District Demolition Permit No. 4268, staff presents the following motions for consideration

1. Categorical exemption:

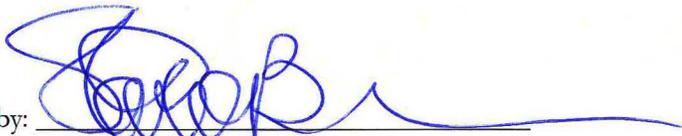
I move that the Planning Commission determine that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (I.1), of the CEQA Guidelines.

2. Historic District Demolition Permit #4268:

I move that the Planning Commission adopt Planning Commission Resolution #PC 2015-10 making the findings and subject to the Conditions of Approval presented as Attachment B, and approve Historic District Demolition Permit No. 4268.

Attachments: Attachment A – Permit Application
Attachment B - Findings and Conditions of Approval for HD Permit # 4268
Attachment C – Planning Commission Resolution # PC 2015-10
Attachment D – Site Map

Approved by: _____


Steven Baker, City Manager

Anthony E Crovelle
221 Third St Yreka, CA 96097
Sharon E Crovelle Rizzo
1034 Greenhorn Rd Yreka CA 96097

November 18, 2015

City of Yreka Planning Department
701 Fourth Street
Yreka, CA 96097

Re: 209 Third Street, Yreka, CA
Assessor's Parcel Number 053-282-040

We wish to demolish the building currently existing on this site and replace it with an office building meeting the requirements of the Yreka Historic District and compatible with the external appearance of other buildings in the adjacent area.

Our family has owned this structure since the early 1960's, before the designation of the Yreka Historic District, and to the best of our knowledge, this structure has never been designated as a Historic Landmark or listed on the National Register of Historic Places.

Over the years, this structure has become increasingly dilapidated. Originally, we had applied to renovate the structure, however, upon close inspection the structure was deemed unusable and unable to be reasonably be repaired or restored.

Once the demolition is approved, we will submit for your approval our final site plan and elevation depicting materials, textures, and colors to be used in accordance with the regulations of the Historic District.

Sincerely,


Anthony E Crovelle

Sharon E Crovelle Rizzo



CITY OF YREKA PLANNING DEPARTMENT
HISTORIC DISTRICT APPLICATION

RECEIVED

NOV 30 2015

CITY OF YREKA

#628
#525-01

Attachment A page 2 of 2

CITY FEES: \$ 225

- Demolition Permit –\$ 75.00 deposit against actual cost
- Public Hearing.....\$ 75.00 (Minimum fee) deposit/cost
- P.H. - Project notice circulation, 1-20 notices.....\$ 25.00
- P.H. - 21 or more notices.....\$25.00 plus 1.00/parcel over 20
- E.R. - Preliminary review.....\$ 50.00
- E.R. - Negative Declaration.....\$ 200.00 deposit/cost
- E.R. - Mitigated Negative Declaration..... Actual cost
- Environmental Impact Report..... Actual cost
- Appeals to City Council\$150.00 plus publication costs

- State Fish and Wildlife Fees* if applicable
- Separate Check payable to the Siskiyou County Clerk to cover processing fee \$50.00 – actual cost.

Other _____

Date: 11-30-15

APPLICANT: **Anthony E. Crovelle & Sharon E. Rizzo**

TELEPHONE NUMBER: 530-842-3864
E-MAIL ADDRESS: _____
7304 Bus

APPLICANT ADDRESS: Crovelle – 221 Third St., Yreka, CA Rizzo – 1034 Greenhorn Road, Yreka, CA

NAME OF PROPERTY OWNER: same - Anthony E. Crovelle and Sharon E. Rizzo

PROJECT LOCATION: **209 Third Street, Yreka, California.** AP # 053-282-040

DESCRIPTION OF PROPOSED PROJECT: **Demolish existing structure and construct an office building.**

I agree to abide by all of the **RULES AND REGULATIONS OF THE HISTORIC DISTRICT** and all ordinances of the City of Yreka, state law, and federal law; and I authorize city representatives to enter upon the above mentioned property for inspection purposes, and to record any notice of code violation pursuant to Y.M.C. Ch. 11.40 and/or Ch. 16.08 with the office of the Siskiyou County Recorder.

I certify that I have read this application and state that the above information is correct. I agree to comply with any terms or conditions of any entitlement issued or permitted by the City pursuant to this application.

*In the event the project's effect on natural resources or wildlife is other than negligible, State Fish and Wildlife requires an additional fee of \$3,069.75 if an Environmental Impact Report is prepared or \$2,210.00 for a Negative Declaration. These fees are subject to change and the applicant is responsible for payment of the fees in full. If required, the permit cannot be issued until such time as the fee is paid. A project that is Statutorily or Categorically exempt requires no further fees.

APPLICANT/PROPERTY OWNER'S SIGNATURE: Anthony E. Crovelle

APPLICANT/PROPERTY OWNER'S SIGNATURE: Sharon E. Rizzo

Property Owner's Acknowledgment of application submittal

TO BE COMPLETED BY CITY STAFF:

Date application received as complete: 12/1/15

ONE: C-2 GENERAL PLAN DESIGNATION: HD – Historic District

PERMIT NUMBER: 4268

**CITY OF YREKA
HISTORIC DISTRICT DEMOLITION PERMIT NO. 4268
FINDINGS AND CONDITIONS OF APPROVAL**

In accordance with the Yreka Municipal Code (YMC) Section 17.04.060, “No improvement, structure or building situated within a historic district, landmark, or improvement, or structure or building located upon a landmark site, shall be torn down, demolished or removed unless such improvement, building or structure is or has become so damaged or dilapidated, whether by damage from fire or other elements or from natural deterioration, that it is unusable and cannot reasonably be repaired or restored”.

The following findings of fact have been determined by the Planning Department for the demolition or removal of structures within the Yreka Historic District located at 209 Third Street, Yreka California (APN 053-282-040):

FINDINGS:

1. The property is located within the City of Yreka Historic District. The Yreka Historic District was accepted into the National Register as Landmark Number 901 in 1976.
2. The structure existing on the project site has no known designation as a designated landmark.
 - An online search conducted June 5, 2013 through National Register of Historic Places Digital Library reflected that the structure located at 209 Third Street is not listed on the National Register of Historic Places.
 - An online search conducted November 21, 2015 through the State of California Office of Historic Preservation reflected that the structure located at 209 Third Street is not listed as a Historic Resource.
3. The demolition of existing structure will not adversely affect other existing buildings and structures on or adjacent to said site.
4. The Building Inspector has inspected the premises located at 209 Third Street and has submitted his report dated December 11, 2014, recommending the demolition of the structure, said report is attached hereto (Attachment A) and incorporated herein by reference.
5. The proposed demolition meets with the policies and objectives of the Historic District.
6. The project meets the requirements for an Exemption from further review under the provisions of the California Environmental Quality Act pursuant to Section 15301 (I.1) Existing Facilities of the CEQA Guidelines.

CONDITIONS OF APPROVAL:

Permittee is granted permission for the demolition/removal of the failing structures located at 209 Third Street, subject to the following conditions:

1. Permittee shall obtain all required permits and shall pay the necessary fees prior to any demolition of structures, including but not limited to an Asbestos Survey/Report, a building/demolition permit from the City of Yreka Building Department, an Encroachment Permit from the City of Yreka Department of Public Works, and any and all documents/permits as may be required by the State of California, and/or the County of Siskiyou.
2. Asbestos must be removed prior to any activity that may disturb it and prior to all demolitions. Asbestos surveys/reports are required prior to all renovation and demolitions from a qualified license asbestos contractor before issuance of a building permit.
3. Permittee shall obtain an encroachment permit from the Public Works Department prior to demolition for any and all requirements as determined by the Maintenance Manager including but not limited to:
 - a. Expose existing sewer and water connections to the city's main.
 - b. Cap the sewer lateral fitting or place a rubber compression plug and backfill with concrete.
 - c. Abandon existing water service by exposing service line at the water main and closing the corporation stop.
 - d. Water meter box shall be protected from demolition construction.
4. Prior to new construction on this site, permittee shall submit an application and obtain approval from the City of Yreka Planning Department in accordance with the permit procedure for the Yreka Historic District.

Date: December 16, 2015.



City of Yreka
701 Fourth Street • Yreka, CA 96097
(530) 841-2386 • FAX (530) 842-4836



December 11, 2014

City of Yreka
Attn: Steve Baker

RE: 209 Third Street
AP# 053-282-040

As Building Inspector for the City of Yreka, it is my responsibility to conduct reviews of existing city housing stock for health, public safety, City of Yreka Municipal Codes and California Building Code violations.

In conjunction with that responsibility, I have recently reviewed the condition of all structures on the above property on November 24, 2014 and subsequently determined them to be in substandard condition.

The following is a list of substandard conditions I observed at the time of my inspection.

- Structure is failing and could collapse. Thereby injuring persons or damage property.
- Foundation, framing, roofing are decaying.
- Fire Hazard due to obsolescence, dilapidated conditions, deterioration, dry rot, faulty electric wiring.
- Dilapidated plumbing conditions.
- Detached garage doesn't meet current rear setback requirement of 10 feet.

My recommendation for the above structure would be demolition due to being unusable and cannot reasonably be repaired or restored per Yreka Municipal Code Historic District 17.04.060.

City of Yreka Building Department


David H. Smith
Building Inspector

**PLANNING COMMISSION RESOLUTION PC 2015-10
APPROVING HISTORIC DISTRICT DEMOLITION PERMIT # 4268
AT 209 THIRD STREET – ASSESSOR’S PARCEL #053-282-040
APPLICANT: ANTHONY CROVELLE AND SHARON RIZZO**

WHEREAS, Anthony Crovelle and Sharon Rizzo (applicants) have requested a Historic District demolition permit for the existing structure located at 209 Third Street, Yreka California, APN 053-282-040; and

WHEREAS, the Planning Commission held a duly noticed public hearing to accept public comments and to review and consider the application on December 16, 2015; and

WHEREAS, the Planning Commission has determined that, subject to approval of the project Conditions of Approval, the request is consistent with the Yreka General Plan, the standards of Yreka Municipal Code, and the rules and regulations of the Historic District; and

WHEREAS, the Planning Commission finds that the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (I.1), Existing Facilities; and

WHEREAS, the Planning Commission has made the following findings with respect to the requested Historic District Demolition Permit:

1. The property is located within the City of Yreka Historic District. The Yreka Historic District was accepted into the National Register as Landmark Number 901 in 1976.
2. The structure existing on the project site has no known designation as a designated landmark.
 - An online search conducted June 5, 2013 through National Register of Historic Places Digital Library reflected that the structure located at 209 Third Street is not listed on the National Register of Historic Places.
 - An online search conducted November 21, 2015 through the State of California Office of Historic Preservation reflected that the structure located at 209 Third Street is not listed as a Historic Resource.
3. The demolition of existing structure will not adversely affect other existing buildings and structures on or adjacent to said site.
4. The Building Inspector has inspected the premises located at 209 Third Street and has submitted his report dated December 11, 2014, recommending the demolition of the structure.

5. The proposed demolition meets with the policies and objectives of the Historic District.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Yreka does hereby approve Historic District Demolition Permit #4268, subject to the following conditions:

1. Permittee shall obtain all required permits and shall pay the necessary fees prior to any demolition of structures, including but not limited to an Asbestos Survey/Report, a building/demolition permit from the City of Yreka Building Department, an Encroachment Permit from the City of Yreka Department of Public Works, and any and all documents/permits as may be required by the State of California, and/or the County of Siskiyou.
2. Asbestos must be removed prior to any activity that may disturb it and prior to all demolitions. Asbestos surveys/reports are required prior to all renovation and demolitions from a qualified license asbestos contractor before issuance of a building permit.
3. Permittee shall obtain an encroachment permit from the Public Works Department prior to demolition for any and all requirements as determined by the Maintenance Manager including but not limited to:
 - a. Expose existing sewer and water connections to the city's main.
 - b. Cap the sewer lateral fitting or place a rubber compression plug and backfill with concrete.
 - c. Abandon existing water service by exposing service line at the water main and closing the corporation stop.
 - d. Water meter box shall be protected from demolition construction.
4. Prior to new construction on this site, permittee shall submit an application and obtain approval from the City of Yreka Planning Department in accordance with the permit procedure for the Yreka Historic District.

The foregoing Resolution was adopted by the Planning Commission on the 16th day of December, 2015 by the following vote:

Ayes:
Nays:
Absent:

Matt Osborn, Chair

Attest:

Elizabeth Casson, City Clerk

Attachment D - Site Map
209 Third Street





City of Yreka
701 Fourth Street • Yreka, CA 96097
(530) 841-2386 • FAX (530) 842-4836



December 2, 2015

Dear Property Owner/Property Occupant:

This is to notify you that property located within 300 feet of your parcel is being considered for a Historic District Demolition Permit as described below. State and City Code requires that you be notified of the time and place of the hearing on the application so you may attend the meeting and be heard on the matter should you so desire. The meeting date and time are listed in the public hearing notice as it appears below:

NOTICE OF PUBLIC HEARING

The Yreka City Planning Commission will hold a public hearing at 6:30 p.m., Wednesday, December 16, 2015 in the Council Chambers, 701 Fourth Street, Yreka, California, on the following proposed project:

CATEGORICAL EXEMPTION / HISTORIC DISTRICT PERMIT FOR DEMOLITION/REMOVAL OF STRUCTURES

An application for a proposed Categorical Exemption and Historic District Permit for the demolition or removal of structures within the Yreka Historic District on the property located at 209 Third Street. Yreka Municipal Code Section 17.04.060 states that no improvement, structure or building situated within a historic district, landmark, or improvement, or structure or building located upon a landmark site, shall be torn down, demolished or removed unless such improvement, building or structure is or has become so damaged or dilapidated, whether by damage from fire or other elements or from natural deterioration, that it is unusable and cannot reasonably be repaired or restored. Assessor Parcel Number 053-282-040, C-2 (Commercial Downtown) Zone & HD (Historic District) General Plan designation. Application submitted by Anthony Crovelle and Sharon Rizzo.

It is anticipated that the proposed Historic District Permit will be determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301.I.1, Existing Facilities of the CEQA Guidelines.

The application is on file in City Hall for public review. All interested persons are invited to attend the meeting and to participate in the public hearing or deliver written comments regarding the proposed projects on or before **4 p.m. on Wednesday December 16, 2015**, to the following address:

YREKA PLANNING DEPARTMENT, 701 Fourth Street, Yreka, CA 96097.

Liz Casson,
City Clerk
