

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD
ON THE 16th DAY OF JUNE 2021

On the 16TH day of June 2021 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 Ohlund.

Commissioners: Peter O'Brien, Catherine Gilbert, Barry Ohlund, Matt Osborn, and Richard Rolzinski.

Absent: None

Conflict of Interest Declaration – None

PUBLIC COMMENTS – None

Discussion/Possible Action – Consideration of proposed categorical exemption and Tentative Parcel Map to allow for the construction of a proposed Arby's (fast food drive-thru) on 1.05 acres of a 44.22-acre parcel. Property location 1899 Fort Jones Road, Yreka, California, M1 (Light Industrial) Zone and I (Industrial) General Plan designation. Assessor's Parcel No. 062-161-270.

Deputy Planning Director Liz Casson presented the commissioners with the following background. The project site is located at 1899 Fort Jones Road in the southwest portion of the city on land designated Industrial by the Yreka General Plan and designated with the M-1 Light Industrial zoning district designation. In April of 2021, project applicant Mark McKechnie submitted a Tentative Parcel Map (TPM) application to the city to divide an existing vacant 44.22-acre parcel into 2 parcels. Proposed Parcel 1 is approximately 1.05 acres, and the proposed remainder parcel is approximately 43.17 acres. All future uses would require compliance with the development standards of the M-1 Light Industrial zoning district, including improvements which would be required to comply with City standards at the time of development.

The proposed TPM is subject to City subdivision regulations. Title 15 – *Subdivisions* of the City of Yreka Municipal Code (YMC) addresses the requirements to subdivide land and create new parcels in the city. The division of a single parcel into a total of two parcels is considered a parcel map as defined by YMC Section 15.08.230:

"Parcel map" means a map showing a division of land of four or less parcels as required by this title, prepared in accordance with the provisions of this title and the Map Act."

Municipal Code Subdivision Regulations:

Title 15 has a number of considerations, procedures, regulations, and Planning Commission guidance provisions relating to the division of land.

Staff recommends that the Planning Commission determine that the project is Categorically Exempt from further CEQA review and move to adopt Resolution PC #2021-4 approving Tentative Parcel Map #2021-26 subject to the Findings and Conditions presented in the staff report and direct staff to record TPM #2021-26 after confirming Conditions of Approval are met.

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

Michael Quinn, 521 Outsen Road, had concerns of where the new Arby's Restaurant would be placed on this parcel. Arby's Restaurant will be next to the existing Auto Zone parcel.

Mark McKechnie of Oregon Architecture, applicant was present to answer commissioner's questions.

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

Commissioner Osborn moved that the Planning Commission determine the project to be Categorical Exempt pursuant to CEQA Section 15061(b)(3) and Section 15315 (Minor Land Division, Class 15), and adopt Planning Commission Resolution PC #2021-4 approving TPM #2021-26 as presented herein.

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

1. The proposed map complies with the requirements of Title 15, Subdivisions, of the Yreka Municipal Code, the Subdivisions Map Act, and zoning laws of the City, and all applicable state laws.
2. The tentative parcel map is consistent with the applicable general and specific plans of the City of Yreka.
3. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans;
4. The site is physically suitable for the proposed density of development;
5. The site is physically suitable for the type of development;
6. The design of the subdivision or the proposed improvements would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat;
7. The design of the subdivision or the type of improvements would not cause public health problems;
8. The design of the subdivision or type of improvements would not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

The following conditions shall be met prior to the recordation of the final subdivision map except as otherwise specified in the conditions:

1. Parcels to conform to the minimum lot sizes and improvements required in an M-1 zone as set forth in Section Chapter 16.40 Light Industrial M-1 of the Yreka Municipal Code.
2. Extension of water mains, sewer mains, and storm drains along the frontage of each parcel created as determined by the Director of Public Works.
3. Construction of sewer laterals and water services to each parcel created.
4. The following statement shall be placed on the Parcel Map. "At such time as a permit or other grant of approval for the development of the parcel is issued the following improvements are required: installation of curb, gutter, sidewalk, and street repair between existing pavement and gutter lip along all adjacent streets."
5. Prior to any construction, the developer shall submit a drainage plan.
6. Full compliance with the Subdivision Map Act and Title 15, Subdivisions, of the Yreka Municipal Code, and all other applicable city, state, and federal codes.
7. Filing of final subdivision map within twenty-four months from date of Planning Commission approval, with a copy to the Planning Department.
8. No new development or structures may be constructed on the lots without an approved Site Plan Review application.
9. Provide a 24' easement for ingress, egress, and public utilities along the full length of the rear (westerly boundary) of Parcel 1 and Parcel 2 off Moonlit Oaks Avenue.
10. Provide 20' sewer easement along frontage of parcel and extend City of Yreka sewer main through this easement to the southern boundary of the proposed parcel for orderly extension to future developments.
11. A minimum 5-foot-wide public-utility easement is to be provided adjacent to all public-road right-of-way.
12. Applicant shall pay City of Yreka impact fees prior to the issuance of a building permit for the project.
13. Applicant shall pay all actual city attorney, consultant, and city engineer fees incurred in the review of this project.
14. As part of this application for a Tentative Parcel Map, applicant agrees to defend, indemnify, release and hold harmless the City of Yreka, its agents, officers, attorneys, employees, boards and commissions, including the Planning Commission ("City") from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application, application for any

development permit, or the adoption of the environmental document which accompanies it. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in conjunction with the approval of this application, whether or not there is concurrent passive or active negligence on the part of the City. If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

Commissioner Gilbert seconded the motion, and upon roll call, the following voted.
YEA: Gilbert, O'Brien, Ohlund, Osborn and Rolzinski.

Chair Ohlund thereupon declared the motion carried.

Chair Ohlund announced - The public hearing scheduled for Wednesday, June 16, 2021, at 6:30 p.m. in the Council Chambers, 701 Fourth Street, Yreka, to consider the Conditional Use Permit detailed below has been continued to Wednesday July 21, 2021 @ 6:30 p.m.

- 1) **Use Permit: CUP #2021-27** – A request to allow the approval of a Conditional Use Permit to construct an Arby's (fast food drive-thru) in an area zoned M-1. A use permit is required pursuant to Yreka Municipal Code section 16.40.070 as the project involves the construction of a drive-in food or beverage establishment. The project site (APN 062-161-270) is designated *Industrial* on the City of Yreka's General Plan Land Use Diagram and is zoned with the *M-1 Light Industrial* zoning district. The proposed action has been determined to meet the guidelines for a Type 32 Categorical Exemption pursuant to Section 15332, *In-Fill Development* Projects, of the State California Environmental Quality Act (CEQA) Guidelines.

Discussion – Status Report: CA-HCD SB2 Grant and Local Early Action Planning (LEAP) Grant

A Power Point presentation was given by Megan Rupard of ECORP updating the Planning Commission regarding the status of each activity taking place under the State of California's Housing and Community Developments (HCD) SB2 and Local Early Action Planning (LEAP) Grants.

SB 2 Summary:

SB 2 (2017) is part of a 15-bill housing package aimed at addressing the state's housing shortage and high housing costs. Specifically, SB2 established a permanent source of revenue intended to increase the affordable housing stock in California. SB2 provides financial and technical assistance to local governments to update planning documents in order to:

- Accelerate housing production;
- Streamline the approval of housing development affordable to owner and renter households at all income levels;
- Facilitate housing affordability, particularly for all income groups;
- Promote development consistent with the State Planning Priorities; and
- Ensure geographic equity in the distribution and expenditure of allocated funds
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The City was awarded \$160,000 in SB2 grant awards. SB2 award funds must be spent by June 30, 2022.

SB 2 Projects

Vacant/Developable Land Survey: The primary goal of this activity is to streamline the information gathering process and to simplify the site identification process for city staff and potential builders. The vacant/developable land inventory activity will allow the City to develop a map of developable land with corresponding key development information. This information will include acreage, zoning, General Plan designation, suit abilities for use, landowner information, and potential impediments to development.

Current Status of Vacant/Developable Land Survey and Study

- Using Yreka's GIS data and parcel information from the County Assessor's office, staff created a list of potentially vacant and developable parcels to be investigated.
- Yreka's GIS expert created a map and database of all potentially vacant/developable parcels within the Yreka city limits.
- Following the production of the preliminary vacant parcel list, staff used aerial photography to conduct an initial check of the vacant/developable parcels to identify potential site development constraints.
- Staff will be conducting field verification of the final parcel list sometime in the summer of 2021.
- Following the field verification process, a finalized list of vacant/developable parcels will be developed and presented on a map. The finalized vacant land map and survey findings will be placed in an associated report.
- Additionally, the finalized vacant land map will be integrated into the City's public GIS viewer (discussed below).

Creation of Public GIS-based Map: The primary goal of this activity is to develop a GIS-based information resource to be hosted on the City's website to streamline the information gathering and site identification processes. The map would be available to members of the public and internal staff. The map will contain the following information: APNs, Acreage, Property Owner Information, FEMA Flood Zones, General Plan Designations, Zoning Designations, City Limits, and the City's Sphere of Influence Boundary.

Current Status of the Public GIS Map

- Collected data and created the layers needed for public viewing (APNs, Acreage, Property Owner Information, FEMA Flood Zones, General Plan Designations, Zoning Designations, City Limits, and Sphere of Influence Boundary)
- In the process of vetting these layers for spatial accuracy and attribute value accuracy.
- The final step will be symbology design of the layers within the map application and layout design of web map application itself will be the final step in completing this web map application
- Created an Alpha level Web Map Application and intend to have a Beta application for internal view available in the coming weeks.
- A finished product is anticipated to be a part of the City's website in summer of 2021.

Housing Element Update: Government Code (GC) Section 65588 requires local governments to review and update their Housing Elements either every five years or every eight years. Yreka update cycle requires the Housing Element to be updated every 8 years. The next due date for a Housing Element Update is September 15, 2022.

The updated Housing Element will comply with new housing laws in the state that are aimed at increasing housing affordability and availability. The goals, policies, programs, and quantified objectives will be updated to address identified housing needs and constraints based upon the effectiveness and continued appropriateness of existing programs. The primary goal of the Housing Element is to ensure that the City is planning for an adequate supply of housing that can be accommodating for various income levels.

Current Status of Housing Element Update

- Will send out a request for proposal (RFP) in July.
- Following the closing date of the RFP, staff will engage the selected consultant to prepare the Housing Element update

Objective Design Standards for Multifamily Projects: California State Senate Bill 35 (Government Code Section 65913.4), which went into effect on January 1, 2018, was part of a comprehensive bill package aimed at addressing the State's housing shortage and high costs. SB 35 requires the availability of a streamlined ministerial approval process for qualified multifamily residential developments. Included in the streamlining process, cities are required to establish objective design standards for multifamily residential development. An "objective" standard is one that involves no personal or subjective judgement by a public official and is verifiable by reference to criteria available and known to both an applicant and the City. The City has committed to developing Objective Design Requirements for Housing through its SB2 grant application.

Current Status of the City's Objective Design Standards

Preliminary research for creating an Objective Design Standard Ordinance has been completed including:

- Investigated background of SB 35 and identified what multifamily projects are eligible.
- Examined various existing objective design standards in California.
- Researched standardization of apartment complex features such as open space and play areas, wall lengths, exterior architecture, interior and exterior connections - both vehicle and pedestrian, landscaping, fencing/masonry walls, parking, etc.
- Identified useful publications to be made available to the public when the Standards are completed.

All of this information will be incorporated into the Objective Design Standards when completed. These Standards will specifically define the requirements for a multifamily complex applying for a streamlined ministerial approval. Anticipated completion of the project is expected to occur in fall of 2021.

LEAP Grant Summary:

The purpose of the LEAP Grant is to encourage local governments to implement programs that increase availability of affordable housing. Like SB 2, LEAP provides funding to jurisdictions for the preparation and adoption of planning documents, process improvements that accelerate housing production, and facilitate compliance in implementing the sixth cycle of the regional housing need assessment (RHNA).

The City was awarded \$65,000 in LEAP award funds. LEAP funds must be spent by December 31, 2023; however, to ensure the City's expenditures are reimbursed on or before December 31, 2023, the City shall deliver HCD all final invoices for reimbursement and Close-out reports on or before September 30, 2023.

LEAP Projects

General Plan Update: Recently, and over the course of the past few years, several bills have been signed into law which require updates to the Safety Element and Circulation Element of the General Plan. Some of the new Safety Element requirements include adding information and policies regarding wildfire hazards (SB 1241), flood hazards and climate adaptation (SB 379). New Circulation Element requirements include planning for a balanced, multimodal transportation network that meets the needs of all users of streets (AB 1358) and transitioning away from Level of Service (LOS) analysis to vehicle miles traveled (VMT) analysis for the purposes of environmental review under the California Environmental Quality Act (CEQA) (SB 743).

Current Status of the General Plan Update

- Completed research and review of new laws and requirements to be included in the General Plan Safety Element, Circulation Element, and Environmental Justice section.
- Reviewed current General Plan Safety Element, Circulation Element and Land Use Element and identified where newly required information would be inserted
- Completed draft updates for Circulation Element, Safety Element, and inclusion of Environmental Justice section.
- City staff is in the process of reviewing draft updates.

Rezoning and redesignating county property: The goal of this project is to rezone and redesignate county owned property located in Yreka from Industrial to High Density Residential for affordable housing development.

Current Status of Rezoning/Redesignating Property Project

- The City has decided to reallocate funds to potentially rezoning and redesignating a different property than what was originally planned for, however no property has been selected at this time. Staff will need to seek approval from HCD once a new site is identified. If no site can be identified, staff will need to seek approval from HCD to allocate funds to another project.

Discussion/Possible Action - Approval of Minutes of the regular meeting held May 19, 2021.

Commissioner Rolzinski moved to approve the Minutes of the regular meeting held May 19, 2021.

Commissioner Gilbert seconded the motion, and upon roll call, the following voted.

YEA: Gilbert, O'Brien, Ohlund, Osborn and Rolzinski.

Chair Ohlund thereupon declared the motion carried.

City Manager Report – Steve Baker gave brief reports on the following items:

- Location of Alternate Sites for Homeless Encampment(s).
- Fire Safe Council – Fire Preparedness Level Up due to drought & heat wave
- State Highway 3 sewer & water line project
- Lennox Street sewer line project
- Statewide Park Development & Community Revitalization Program (Yreka Aquatic Center) Skate Park, Tennis Courts, etc.
- Rain Rock Casino Expansion project.

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



Barry Ohlund, Chair

Approved by motion of the Planning
Commission on July 21, 2021