

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD
ON THE 21ST DAY OF JULY 2021

On the 21st day of July 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, Barry Ohlund, and Matt Osborn.

Absent: Catherine Gilbert and Richard Rolzinski.

Conflict of Interest Declaration – None

PUBLIC COMMENTS – None

Discussion/Possible Action – Consideration of proposed categorical exemption and Condition Use Permit to allow for the construction and operation 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 applicant Mark McKechnie submitted an application for approval of Conditional Use Permit #2021-27 to allow for the construction of a drive-thru Arby's Restaurant. The Project site is located at 1813 Fort Jones Road, Yreka, CA 96097 (APN# 062-161-270). The Project site is designated *I – Industrial* by the Yreka General Plan and is in the *M-1 – Light Industrial* zoning district. The Project proposes a 2,364 square foot drive-thru Arby's Fast-Food Restaurant with 40 fixed seats and 30 parking spaces. Operation hours are 10:00 am to 10:00 pm seven days a week.

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

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

Vukosava Backic, property owner of 1922 Fort Jones Road, inquired regarding Conditional Use Permits and reasoning behind the parcel acquired by Arby's owners.

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

Commissioner Osborne made the motion:

I move that the Planning Commission determine the project to be Categorical Exempt pursuant to CEQA Guidelines Section 15332, In-Fill Development Projects, and adopt Planning Commission Resolution PC# 2021-5 approving Conditional Use Permit #2021-27 as presented herein.

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

1. The use shall be conducted in accordance with the site plan as submitted and no alterations shall be made of the building location(s) and parking 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. Note that minor changes to the site plan may be required as part of the building permit process.
2. If signage is desired, the applicant shall submit a separate *Sign Permit Application* for each sign proposed on the site project. The proposed sign(s) must meet the height limitations and design requirements specified in the Sign Permit Application Guidelines and YMC Title 13- Sign Ordinance. No signs shall be placed on the premises without prior approval of the Planning Department.
3. No proposed building shall exceed 45 feet in height, pursuant to YMC §16.40.040.
4. Landscaping shall comply with §16.52.030 - *Landscapes Standards* of the Yreka Municipal Code.
5. All landscaping shall be installed, maintained, and replaced as necessary as depicted on the site plan.
6. Comply with the California Model Water Efficient Landscape Ordinance (MWELo) standards per the planting plan and the irrigation plan provided.
7. ADA parking spaces shall be marked, posted, and maintained in accordance with provisions of the Motor Vehicles Code and any other law or regulation now or hereinafter enacted.
8. Trash disposal area(s) shall be designed to consider the following structural or treatment control BMPs:
 - Design trash container areas so that drainage from adjoining roofs and pavement is diverted around the area(s) to avoid run-on. This might include berming or grading the waste handling area to prevent run-on of stormwater. Wastewater drainage shall be designed to meet the specifications of the Public Works Director.
 - Make sure trash container areas are screened or walled to prevent off-site transport of trash.
 - Use lined bins or dumpsters to reduce leaking of liquid waste.
 - Provide roofs, awnings, or attached lids on all trash containers to minimize direct precipitation and prevent rainfall from entering containers.
 - Pave trash storage areas with an impervious surface to mitigate spills.
 - Do not locate storm drains in immediate vicinity of the trash storage area.
 - Post signs on all dumpsters informing users that hazardous materials are not to be disposed of therein.

9. Pursuant to YMC Section 12.50.230: A grease interceptor shall be required and shall be maintained in efficient operating condition by periodic removal of their full content, including wastewater, fats, oils, grease (FOG), floating materials, sludge and solids. No FOG that has accumulated in a grease interceptor shall be allowed to pass into any sewer lateral, sewer system, storm drain, or public right of way during maintenance activities.
10. All outdoor lighting on the Project site shall be directed away from the adjacent uses and shall be shielded so that, at a minimum, no light is emitted above a horizontal plane (parallel to the ground) from the base of the fixture. All exterior lighting shall be configured to prevent glare and light trespass onto neighboring properties.
11. At no time shall any drive-through speaker system be audible above daytime noise levels beyond the property lines of the site.
12. Permittee shall obtain a building permit and shall pay the necessary fees prior to commencing the construction process.
13. All grading and construction work on the Project site will incorporate the following dust control measures:
 - All active construction areas will be watered at least twice daily or as required by the Building Official.
 - Soil stabilizers will be applied to inactivate construction areas as needed.
 - If visible soil material is carried onto adjacent public streets, such streets will be cleaned of the debris.
 - Dust-producing activities will be suspended when high winds create construction induced visible dust plumes moving beyond the Project site, in spite of dust control measures.
14. Should any previously unidentified archaeological and/or paleontological resources be revealed during the excavation or construction activity, work will cease in the immediate vicinity of the discovery, and all reasonable measures will be taken to avoid or minimize harm to discovered resources until consultation with the State Historic Officer, as required by Section 106 of the NHPA is concluded.
15. Should any human remains be found during the Project construction, construction in the area shall stop immediately and be reported to the County Coroner. Construction shall not proceed until the County Coroner has determined such construction would not impact further human remains.
16. All internal combustion engines used in conjunction with construction activities will be muffled in accordance with equipment manufacturer requirements as required in the Noise Element of the General Plan. The Project will be monitored for noise levels if complaints are received and operation will be restricted if the noise exceeds the limits of the General Plan Noise Element as required by the City Planning Department.

17. 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.
18. The use permit may be revoked and terminated if not used within one year from the date of approval, or in the event the use permitted is abandoned or not utilized for a period of one year.

Agency & Department Conditions:

Public Works Department:

1. Site development and grading shall be designed to provide access to all entrances and exterior ground-floor exits and to normal paths of travel and shall incorporate pedestrian ramps, curb ramps, etc. Access shall be provided within the boundary of the site from public transportation stops, accessible parking spaces, passenger-loading zones if provided, and public streets or sidewalks. When more than 1 building or facility is located on a site, accessible routes of travel shall be provided between buildings and accessible site facilities, accessible element, and accessible spaces that are on the same site. The accessible route of travel shall be the most practical direct route between accessible building entrances, accessible site facilities, and the accessible entrance to the site.
2. Sewer lines, waterlines, electric-service facilities, and other utilities; drainage facilities; necessary electric- and public-service easements; and street dedications are to be provided in accordance with the Yreka Municipal Code and as specified by the Engineering Division.
3. The developer shall extend sewer and water lines and electric substructures and conduits as necessary to serve the property and provide logical extensions of service through the property boundaries to adjacent properties.
4. New utilities within the project, including, but not limited to, electric, cable television, and phone, shall be installed underground.
5. Any and all connections to the public water and wastewater shall be reviewed, approved and inspected by the Public Works Department prior to work activity.
6. All commercial developments shall have backflow prevention devices on domestic and fire services as required by the City of Yreka Construction Standards.
7. Applicant shall note that the California Green Building Code Section 5.304.2 requires a separate water meter and water service for irrigation of landscape areas when a commercial project includes more than 1,000 square feet of irrigated landscape. All utility and landscape plans shall depict the proposed location of the water meter and identify the total area of landscape proposed with the project.
8. On-site and street-side fire hydrants are to be installed in accordance with the California Fire Code in locations approved by the City Fire Marshal. Fire hydrants shall have a fire flow meeting Appendix III-B of the California Fire Code. In no case shall the water mains be less

than 6 inches in diameter. If a hydrant is located on private property, adequate access shall be provided to and around the hydrant as determined by the Fire Marshal.

9. Storm-drain facilities shall be designed consistent with the requirements of City Construction Standards. Project design shall incorporate Best Management Practices (BMPs) to satisfy Phase II MS4 permit requirements, both during construction and long-term. Should the maintenance costs of the long-term pollution control measures exceed typical storm-drain-system costs, such costs shall be borne by the project by way of a landscape maintenance district, escrow account, or other such financing mechanism
10. Prior to improvement-plan approval, the developer must obtain approval for proper management of stormwater peak flows in accordance with Technical Memorandum Storm Drain System Design & Evaluation Criteria for City of Yreka, dated July 14, 2006 and the specifications of the City Engineer. Such measures shall address impacts from the 10-, 25-, and 100-year-storm events. Projects shall address peak flows to maintain predevelopment levels at all locations downstream of the project. A drainage report shall be prepared to the format outlined by the Engineering Division, stamped and signed by a qualified engineer, and provided to the Engineering Division with submittal of project improvement plans.
11. The developer shall install streetlights on all public-street frontages as required by the Engineering Division in accordance with the City Construction Standards. Streetlights shall be provided in accordance with applicable City Construction Standards.
12. Curb, gutter, and sidewalk shall be constructed at the time of development along the frontage of the new parcel(s) prior to the issuance of a Certificate of Occupancy for the project unless a deferral of the frontage improvements is approved by the City Public Works Director due to issues and/or conflicts related to the timing of the proposed Caltrans South Main Street rehabilitation project.
13. An encroachment permit is required from Caltrans for any work done in the State right-of-way, including connections to storm drain facilities in the State right-of-way.
14. A minimum 5' wide public-utility easement shall be provided adjacent to all public-road right-of-way.
15. The developer shall 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.
16. The developer shall establish a 24' wide easement for ingress, egress, and public utilities along the westerly boundary of the proposed parcel as shown on the site plan and shall improve 20' of the easement (pavement and curb) as directed by the Public Works Director and as consistent with the improvements on the adjacent developed parcel.
17. Monuments shall be referenced or reset in accordance with Business and Profession Code Section 8771.

City Engineer:

18. The applicant shall have a registered engineer prepare and submit construction details, plans and profiles, a grading plan, typical sections and any project specifications prior to commencement of construction.
19. All utilities serving the project shall be installed underground and meet the design standards of the purveyor.
20. Any and all conflicting, existing utilities shall be relocated at the applicant's expense.
21. Should any construction work lie within the City of Yreka's rights-of-way, the applicant or applicant's contractor shall obtain an Encroachment Permit from the Department of Public Works.
22. Applicant shall pay City of Yreka impact fees prior to the issuance of a building permit for the project.
23. Applicant shall pay all actual city attorney and city engineer fees incurred in the review of this project.
24. The project shall comply with Title 24 Accessibility Requirements for all new construction. As depicted on the approved site plan, two (2) van accessible parking spaces shall be provided for the project.

Building Department:

25. The applicant shall submit three (3) sets of plans to the Building Department for review and approval prior to the initiation of any project-related construction work on the site.
26. Contractor shall consult directly with the Siskiyou County Health Department (530)-841-2300 for all plan checking, inspections and approvals for health department related matters.

Yreka Fire Department:

27. A 24' ingress and egress easement is required along the full length of the proposed Arby's off Moonlit Oaks Avenue. Per California Fire Code Sec. 503.1.2, the Fire Code official is authorized to require more than one fire apparatus access road based on impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

Caltrans

28. Permittee shall construct driveway approach and sidewalks to meet current ADA standards. An encroachment permit shall be obtained from **Caltrans** prior to any work, including curb, gutter, sidewalk, driveway approach, and utility connections, in the Fort Jones Road (State Route 3) right-of-way.
29. Project shall submit a Project Drainage Report meeting Caltrans standard accurately analyzing the proposed drainage conditions and shall include detailed drainage calculations for

anticipated rainfall intensities, time of concentration, composite runoff coefficient(s), runoff discharge at any discharge location, the capacity of any retention basin, basin overflow locations etcetera. The analysis should be provided for both the pre- and post- construction site conditions to show the post construction runoff discharges do not exceed pre-construction runoff discharges. Caltrans must review and approve the Project Drainage Report before a building permit for the project is issued.

Siskiyou County Health Department:

30. Prior to initiation of any work, anyone proposing to construct or remodel a retail food facility must first obtain approval from the appropriate building department, planning department, and environmental health. Plans and specifications must meet the requirements of the building department and all applicable health requirements.
31. The proposed facility will be required to complete the plan check process through Siskiyou County Health Department prior to any construction.
32. After construction and finish, the facility owner is required to obtain a pre-opening inspection by Siskiyou County Health Department prior to applying for a food facility operating permit.

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

Chair Ohlund thereupon declared the motion carried.

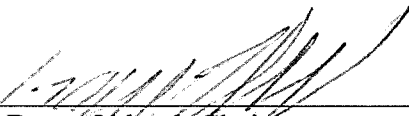
Discussion/Possible Action - Approval of Minutes of the regular meeting held June 16, 2021.

Commissioner Osborne moved to approve the Minutes of the regular meeting held June 16, 2021.

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

Chair Ohlund thereupon declared the motion carried.

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



Barry Ohlund, Chair
Approved by motion of the Planning
Commission on September 15, 2021