

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD IN
THE YREKA CITY COUNCIL CHAMBER IN SAID CITY
ON THE 20th DAY OF AUGUST 2008

On the 20th day of August at 7:30 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 Rolzinski and present were:

Commissioners: Peggy Amaral
 Diane Knitter
 Mark McAllister
 Richard Rolzinski
 Judi Rowland
 Joe Schettino

Absent: None

**NEGATIVE DECLARATION - USE PERMIT – CONCRETE BATCH PLANT
MOUNTAIN READY MIX – 321 & 329 SHARPS RD**

The Commission reviewed the application submitted by Greg Gundlach for Mountain Ready Mix for environmental review for a Negative Declaration for a Use Permit to construct, establish, and operate a commercial concrete batch plant. The Commission also reviewed the application for a Use Permit to construct, establish, and operate a commercial concrete batch plant on the property located at 321 and 329 Sharps Road.

This being the time and date set for a public hearings on an application for environmental review for a Negative Declaration for a Use Permit to construct, establish, and operate a commercial concrete batch plant; and Use Permit to construct, establish, and operate a commercial concrete batch plant. Chair Rolzinski stated that the request for the Negative Declaration and Use Permit would be discussed and considered concurrently. Chair Rolzinski opened the hearings to the public.

Staff reported the Technical Committee recommended approval subject to the conditions presented with the modification to Condition No. 10, at the applicant's request, as follows:

10. The existing building will be utilized for batch plant office and repair of batch plant vehicles only. ~~there shall be no public use of the office (employees only) with this Use Permit.~~ There shall be no vehicle repairs on site other than for vehicles used in this concrete batch plant business.

Staff also reported that activities related to the batch plant include transport of gravel to the site, delivery of cement to the site, batching of concrete in the plant, delivering mixed

concrete, truck maintenance, and sale of material and products such as sand, gravel, and retaining blocks.

The subject property was formerly a portion of a lumber mill, construction business, and a portable concrete batch plant.

The site is surrounded by other light industrial uses including equipment repair and storage, portable sawmill, County public works yard, Siskiyou County Fairgrounds, and juvenile detention facility.

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 the application for an environmental review for a Negative Declaration for a Use Permit to construct, establish, and operate a commercial concrete batch plant; and approval of a Use Permit to construct, establish, and operate a commercial concrete batch plant on the property located at 321 and 329 Sharps Road, Assessor's Parcel No. 62-141-090, M-1 zone, I General Plan designation with the following condition as modified:

10. The existing building will be utilized for batch plant office and repair of batch plant vehicles only. ~~there shall be no public use of the office (employees only) with this Use Permit.~~ There shall be no vehicle repairs on site other than for vehicles used in this concrete batch plant business.

The approvals are based on Staff's and the Technical Committee's recommendations and are subject to full compliance with all applicable city, state, and federal laws and regulations and the following findings and conditions of approval:

NEGATIVE DECLARATION

APPROVED

A) The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

The City is not aware of or in possession of information contrary to the finding.

B) The project does not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals. (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)

The City is not aware of or in possession of information contrary to the finding.

C) The project does not have impacts which are individually limited, but cumulatively considerable. (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)

The City is not aware of or in possession of information contrary to the finding.

D) The project does not have environmental effects which cause substantial adverse effects on human beings, either directly or indirectly.

The City is not aware of or in possession of information contrary to the finding.

E) All environmental issues have been reviewed and considered prior to approval of the project and finds that there are no significant impacts which will not be mitigated.

The City is not aware of or in possession of information contrary to the finding.

F) Initial study has been conducted by the Planning Department and Technical Committee so as to evaluate the potential for an adverse environmental impact. There is no evidence before the Planning Department that the proposed project will have an adverse affect on wildlife resources. A Negative Declaration has been prepared pursuant to Section 21080(c) of the Public Resources Code; therefore, a fee of \$1,876.75 shall be paid pursuant to Section 711.4(d) of the Fish and Game Code.

USE PERMIT

APPROVED

FINDINGS:

1. The construction, establishment, and operation of a commercial concrete batch plant 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 it is a light industrial use and is located in a light industrial zone surrounded by other light industrial uses including equipment repair and storage, portable sawmill, County public works yard, Siskiyou County Fairgrounds, and juvenile detention facility.

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 listed above.

c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because it is estimated that there will be an average of 11 additional truck trips per work day on a street that had 972 vehicle trips per day in a 24 hour period

pursuant to a survey done in 2005.

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 because the project does not propose to change the existing circulation or traffic patterns.

2. The use is compatible with the policies and objectives of the zoning ordinance for light industrial uses.

The foregoing findings are based upon the following:

The design of the project will not cause serious public health problems or significant environment damage since the proposed project is located in a light industrial zone area where existing uses include equipment repair and storage, County Fairgrounds, portable sawmill, County public works, juvenile detention facility, baseball park, and a Manufactured Home/RV park that is about 1/3 of a mile away. There is vacant land to the east. Previous uses on the site include a lumber mill operation, equipment repair and storage, and a portable concrete batch plant.

CONDITIONS:

1. Permittee granted a use permit to construct, establish, and operate a commercial concrete batch plant at the location set forth in the application, subject to full compliance with applicable city and state codes. The activities related to the batch plant include transport of gravel to the site, delivery of cement to the site, batching of concrete in the plant, delivering mixed concrete, concrete business truck maintenance, and sale of material and products such as sand, gravel, and retaining blocks. **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. All elements of the project application including site, landscape, and parking plan as approved shall be complied with.

3. Adequate off-street parking facilities shall be provided as follows: one (1) space for each employee of the maximum working shift as set forth in Section 16.54.020.2.g of the Yreka Municipal Code (5 parking spaces required for this use).

4. 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, and employee parking areas, and striped and bumper rails or other barriers shall be provided, as determined by the Building Official and City Engineer and in accordance with Section 16.54.090 of the Yreka Municipal Code. The on-site vehicle roadway shall be graveled with a dust palliative added as may be required by the Director

of Public Works and/or Siskiyou County Air Pollution Control.

5. 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.
6. Use shall be conducted in accordance with the site plan 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.
7. Permittee shall remove, daily, any dirt tracked onto the City Street (Sharps Road) by project vehicles.
8. With any noise complaint the Permittee shall monitor the noise levels and operation will be restricted or project modifications will be required if the noise exceeds the limits of the General Plan Noise Element as determined by the Planning Director.
9. No on-site rock crushing will be permitted.
10. The existing building will be utilized for the batch plant office and repair of batch plant vehicles only. There shall be no vehicle repairs on site other than for vehicles used in this concrete batch plant business.
11. Restrooms shall be permanently installed pursuant to the requirements of the California Plumbing Code prior to operation of the concrete batch plant on the proposed site.
12. All landscaping shall be installed, maintained, and replaced as necessary as depicted on the site plan.
13. Operation must be in compliance with the Siskiyou County Air Pollution Control air quality control standards.
14. Permittee shall prepare a hazardous materials plan and obtain permits as required by the Siskiyou County Health Department.
15. Permittee shall dispose of used oil at an approved oil collection/recycle facility.
16. There shall be no on-site cleaning of mixer barrels unless a containment basin that recaptures the water is installed in accordance with the application submitted.
17. Permittee shall comply at all times with the zoning district regulations for an M-1 zone as set forth in section 16.40 of the Yreka Municipal Code.

18. Should any previously unidentified archaeological and/or paleontological resources be revealed during the excavation and 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.

19. Should any human remains be found during the project, construction in the area shall stop immediately and be reported to the County Coroner. Construction will not proceed until the County Coroner has determined such construction will not impact further human remains.

20. 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.

21. 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.

22. Permittee shall obtain a building permit and shall pay the necessary fees therefor prior to making any building, electrical, mechanical, or plumbing alterations/improvements.

23. Permittee shall submit storm water drainage plan subject to Director of Public Works approval prior to grading permit and/or building permit issuance for potential installation of onsite storm water detention.

24. Permittee shall secure an annual City business license to carry on the business of a concrete batch plant.

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

26. 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.

27. The use permit shall be automatically 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.

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

AYES: Amaral, Knitter, McAllister, Rolzinski, Rowland, Schettino
NOES: None

SIGN USE PERMIT – WALL SIGN

WESTERN SIGN SYSTEMS – 707 MONTAGUE RD

APPROVED

The Commission reviewed the application submitted by David Martisak for Western Sign Systems, for a Sign Use Permit to install one wall sign 63.76 sq. ft., located on the southwest wall at the entrance, copy to read “Holiday Inn Express” on the property located at 707 Montague Road.

This being the time and date set for a public hearing on an application for a Sign Use Permit to install one wall sign 63.76 sq. ft., located on the southwest wall at the entrance, copy to read “Holiday Inn Express” on the property located at 707 Montague Road, Chair Rolzinski opened the hearing to the public.

Staff reported the Technical Committee recommended approval.

Staff 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 15311(a) (On Premises Signs) of the CEQA Guidelines.

The subject property is a large parcel of approximately 1.78 acres and has a large structure of approximately 43,545 sq. ft. as provided in Section 13.68.020 of the Yreka Municipal Code and will therefore not be contrary to the intent of Chapter 13 or the public interest, safety, health and welfare to allow wall signage in excess of 100 sq. ft. but less than the maximum allowable of 150 sq. ft.

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

Following Commission discussion, Commission Schettino made a motion to approve the application for a Sign Use Permit to install one wall sign 63.76 sq. ft., located on the southwest wall at the entrance, copy to read “Holiday Inn Express” on the property located at 707 Montague Road, Assessor’s Parcel No. 53-642-280, PUD (Planned Unit Development) zone, GC General Plan designation. The approval is based on Staff’s and the Technical Committee’s recommendations with the determination that this project is exempt from the provisions of the California Environmental Quality Act pursuant to Section

15311(a) (On-Premises Signs) of the CEQA Guidelines. The approval 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 a wall sign 63.76 sq. ft. in addition to the previously approved 63.76 sq. ft. wall sign for a total of 127.52 sq. ft. of wall signage, copy to read "Holiday Inn Express" will not:
 - a. be contrary to the public's interest, safety, health, and welfare.
 - b. be detrimental to property or improvements in the neighborhood.
2. The subject property is located at 707 Montague Road within the North Yreka Interchange as provided in Section 13.68.030 of the Yreka Municipal Code and is a lodging business whose primary clientele are the motoring public on Interstate 5.
3. The subject property is a large parcel of approximately 1.78 acres and has a large structure of approximately 43,545 sq. ft. as provided in Section 13.68.020 of the Yreka Municipal Code and will therefore not be contrary to the intent of Chapter 13 or the public interest, safety, health and welfare to allow wall signage in excess of 100 sq. ft. but less than the maximum allowable of 150 sq. ft.
4. The Planning Commission made a determination that this project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15311(a) (On-Premises Signs) of the CEQA Guidelines.

CONDITIONS:

1. The sign installed shall comply with the specifications and plans approved by the Planning Commission on August 20, 2008 and shall serve only to identify the business carried on said premises.
2. The permit does not constitute approval from the Department of Transportation of the State of California; the Permittee shall comply with any and all statutes, rules, and regulations of the State of California if applicable.
3. The sign shall be erected in accordance with the specifications and plans submitted by Western Sign Systems by David Martisak and approved by the Planning Commission on August 20, 2008 and shall not be deviated from without the prior review and approval of the Planning Commission.
4. The signs shall harmonize with the materials, textures, sizes, shapes, heights, locations, and designs of the buildings, properties, or neighborhood of which they are a part, and as approved by the Planning Commission.

5. The signs shall be erected in accordance with Title 13, Signs, of the Yreka Municipal Code.
6. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to installing the signs approved by the Planning Commission at its meeting held on August 20, 2008.
7. The sign shall be removed within thirty days after the business closes and is no longer in operation on the property upon which the sign is located.
8. The sign use permit shall be automatically revoked and terminated if not used within one year from date of approval.

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

AYES: Amaral, Knitter, McAllister, Rolzinski, Rowland, Schettino
 NOES: None

**USE PERMIT – CHANGE OF USE FROM COMMERCIAL TO RESIDENTIAL
 PAULA RODRIGUEZ – 1009 S. MAIN STREET DENIED**

Commissioner Knitter recused herself from participating in this agenda item to prevent a possible conflict of interest because she has a financial interest in a business within 500 feet of the project site. She will exercise her right to comment as a member of the public but will not participate in the Commission discussion or decision.

The Commission reviewed the application submitted by Paula Rodriguez for a use permit to change the commercial use of a restaurant to residential use, allowing the continued use of an existing residence and converting the existing restaurant to a second residence on the property located at 1009 S. Main Street.

This being the time and date set for a public hearing on an application for a Use Permit to change the commercial use of a restaurant to residential use, allowing the continued use of an existing residence and converting the existing restaurant to a second residence on the property located at 1009 S. Main Street, Chair Rolzinski opened the hearing to the public.

Staff reported the Technical Committee recommended denial, based upon material detriment to property or improvements in the neighborhood or to the general welfare of the city due to past residential use(s) in the same zone that conflicted with the permitted zone uses to the detriment of the general welfare of the city and to the material detriment of property or improvements at a location three blocks north of the proposed site. Yreka Municipal Code Section 16.44.040.A.

There are five existing residential uses on S. Main Street between Yreka Street and Bruce Street, two houses, two commercial uses with a residence at the rear, and a mobile home

park that mostly faces Bruce Street. Within the past 10 years, and when the area was zoned Commercial Highway, there were incidents which created conflicts between residential and commercial uses as described in the attached documents.

Diane Knitter expressed opposition to allowing additional residential use of the subject property because most of the property in the area is of commercial use. Allowing residential use of the property would not be the highest and best use of the property in the neighborhood.

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

Following Commission discussion, Commissioner Amaral made a motion to deny the application for a Use Permit to change the commercial use of a restaurant to residential use. The denial was based upon material detriment to property or improvements in the neighborhood or to the general welfare of the city due to past residential use(s) in the same zone that conflicted with the permitted zone uses to the detriment of the general welfare of the city and to the material detriment of property or improvements at a location three blocks north of the proposed site. Yreka Municipal Code Section 16.44.040.A.

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

AYES: Amaral, McAllister, Rolzinski, Rowland, Schettino
NOES: None

Commissioner Knitter returned to the Commissioner's table.

SIGN USE PERMIT – COMMERCIAL CENTER IDENTIFICATION SIGN
SHASTA PACIFIC DEV. LLC – 1515 S. OREGON **APPROVED**

The Commission reviewed the application submitted by Clayton Hayes for Shasta Pacific Development, LLC, for a Sign Use Permit to install a commercial center identification monument sign 5' x 8' (40 sq. ft.), 8 ft. high, copy to read "1515 S. Oregon Street ..." and will include tenant directional signs on the property located at 1515 S. Oregon Street.

This being the time and date set for a public hearing on an application for a Sign Use Permit to install a commercial center identification sign on the property located at 1515 S. Oregon Street, Chair Rolzinski opened the hearing to the public.

Staff reported the Technical Committee recommended approval.

Staff 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 15311(a) (On Premises Signs) of the CEQA Guidelines.

Yreka Municipal Code Section 13.56.030.A.2 allows the Planning Commission to authorize

signs up to one hundred square feet (counting both sides) on parcels with front footage of greater than one hundred feet identifying the center together with the businesses located on the parcel.

The subject property has a front footage of 250 feet and the total square footage of the sign does not exceed 100 square feet and is therefore in compliance with Chapter 13.56.030.A.2 of the Yreka Municipal Code.

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

Following Commission discussion, Commission McAllister made a motion to approve the application for a Sign Use Permit to install a commercial center identification monument sign 5' x 8' (40 sq. ft.), 8 ft. high, copy to read "1515 S. Oregon Street ..." and will include tenant directional signs on the property located at 1515 S. Oregon Street, Assessor's Parcel No. 61-341-050, RPO zone, MDR General Plan designation. The approval is based on Staff's and the Technical Committee's recommendations with the determination that this project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15311(a) (On-Premises Signs) of the CEQA Guidelines. The approval 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 a commercial center identification monument sign which includes tenant directional signs as provided in the application will not:
 - a. be contrary to the public's interest, safety, health, and welfare because it is in compliance with the regulations provided in Chapter 13.56 of the Yreka Municipal Code.
 - b. be detrimental to property or improvements in the neighborhood because the proposed sign is in compliance with the size limits provided in Chapter 13.56 of the Yreka Municipal Code.
2. The subject property has a front footage of 250 feet and the total square footage of the sign does not exceed 100 square feet and is therefore in compliance with Chapter 13.56.030.A.2 of the Yreka Municipal Code.
3. The Planning Commission made a determination that this project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15311(a) (On-Premises Signs) of the CEQA Guidelines.

CONDITIONS:

1. The sign approved shall comply with the specifications and plans approved by the Planning Commission on August 20, 2008, and shall serve only to identify the business

carried on said premises.

2. The sign shall be erected in accordance with the specifications and plans submitted by Clayton Hayes for Shasta Pacific Development and approved by the Planning Commission on August 20, 2008, and shall not be deviated from without the prior review and approval of the Planning Director.
3. The sign shall harmonize with the materials, textures, sizes, shapes, heights, locations, and design of the buildings, properties, or neighborhood of which they are a part, and as approved by the Planning Commission.
4. The sign shall be removed within thirty days after the business closes and is no longer in operation on the property upon which the sign is located.
5. The sign use permit shall be automatically revoked and terminated if not used within one year from date of approval.

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

AYES: Amaral, Knitter, McAllister, Rolzinski, Rowland, Schettino
 NOES: None

USE PERMIT – CONSTRUCT ACCESSORY BUILDING

LAWRENCE CASTLE – 1028 W. MINER ST.

APPROVED

The Commission reviewed the application submitted by Lawrence Castle for a Use Permit to construct a 24' x 32' (768 sq. ft.) accessory building for use as a hobby shop/storage on the property located at 1028 W. Miner Street.

This being the time and date set for a public hearing on an application for a Use Permit to construct an accessory building on the property located at 1028 W. Miner Street, Chair Rolzinski opened the hearing to the public.

Staff reported the Technical Committee recommended approval.

Staff 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 15303(e) (Small New Structures) of the CEQA Guidelines.

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

Following Commission discussion, Commission Rowland made a motion to approve the application for a Use Permit to construct a 24' x 32' (768 sq. ft.) accessory building for use as a hobby shop/storage on the property located at 1028 W. Miner Street, Assessor's Parcel No. 53-491-290, R-1 zone, LDR General Plan designation. The approval is based on

Staff's and the Technical Committee's recommendations with the determination that this project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15303(e) (Small New Structures) of the CEQA Guidelines. The approval 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 construction of a 768 square foot hobby shop/storage building 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 project is located in a residential zoned area and it complies with the City setback requirements.
 - b. be detrimental to property or improvements in the neighborhood and the residential use will not impair the desirability of investment or occupation in the vicinity because the project site is surrounded by residential uses.
 - c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because the use a 768 sq. ft. hobby shop will not significantly increase the traffic beyond what is existing.
 - 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 because the construction of a 768 sq. ft. hobby shop will allow parking of vehicles off the street and on the project site.
2. The use is compatible with the policies and objectives of the zoning ordinance.
3. The project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Categorical Exemption Section 15303(e) (Construction of Small Structures – accessory structures including garages) of the CEQA Guidelines.

CONDITIONS:

1. Permittee granted a permit to construct a 768 square foot hobby shop/storage structure on the location set forth in the application, subject to full compliance with applicable city and state codes. **The premises shall not be occupied until all conditions hereinafter set forth have been complied with by the Permittee.**
2. The structure shall be for personal residential use only. The structure shall not be

utilized for any commercial activity.

3. Use shall be conducted in accordance with the site plan as submitted and no alterations shall be made 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.

4. Permittee shall comply at all times with the zoning district regulations for an R-1 zone as set forth in section 16.18 of the Yreka Municipal Code.

5. Permittee shall secure 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 accessory structure for use as a garage/storage.

6. Permittee shall obtain a building permit and shall pay the necessary fees therefore 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.

7. 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.

8. The use permit shall be automatically 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.

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

AYES: Amaral, Knitter, McAllister, Rolzinski, Rowland, Schettino

NOES: None

ABATEMENT OF PUBLIC NUISANCE – HEARING **897 SHASTA AVENUE**

This being the time and date for a public hearing to determine existence of public nuisance and abatement in whole or in part, relating to the property located at 897 Shasta Avenue, Yreka, CA, Assessor's Parcel No. 061-141-030 and 054-271-330, Mary Frances McHugh, Yreka City Attorney reported that the nuisance had been abated and the agenda item can go off calendar.

No action was taken on this agenda item by the Planning Commission.

AUDIENCE STATEMENTS & COMMENTS

None.

APPROVAL OF THE MINUTES OF THE JULY 16, 2008 MEETING

The Commission, having received a copy of the minutes of the regular meeting held July 16, 2008, approved the minutes on a motion made by Commissioner Amaral and seconded by Commissioner Knitter.

**SITE, LANDSCAPE, PARKING PLAN – OFFICE
TROY ADAY – 1645 S. MAIN STREET****APPROVED**

The Commission reviewed the application submitted by Troy Aday for a permit for a site, landscape, and parking plan for construction of approximately 5,715 sq. ft. of office space on the property located at 1645 S. Main Street

Staff reported the Technical Committee recommended approval.

Staff recommends the Planning Commission make the determination that the project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15332 (Infill Development) of the CEQA Guidelines.

Following Commission discussion, Commissioner Schettino made a motion to approve the application for a site, landscape, and parking plan for construction of approximately 5,715 sq. ft. of office space on the property located at 1645 S. Main Street, Assessor's Parcel Nos. 62-031-060 and 62-031-070, CH zone, GC General Plan designation with the determination that the project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15332 (Infill Development) of the CEQA Guidelines. The project approval is based on Staff's and Technical Committee's recommendations and 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 5,715 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 1.6 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 (*Phase I Environmental Site Assessment* - Lawrence & Associates dated February 7, 2008).

- The project is located on S. Oregon Street which is considered a collector street that carries moderately heavy traffic volume. The proposed project is not anticipated to create significant additional traffic or result in significant effects relating to noise, air quality, or water quality.
- 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. An encroachment permit shall be obtained prior to any work, including curb, gutter, sidewalk, and driveway approach, in the Oregon Street right-of-way.
3. The site, landscape and parking plans submitted by Troy Aday of Aday Architects dated July 25, 2008 as approved by the Planning Commission on August 20, 2008 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.
4. 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. Twenty-nine (29) parking spaces are required for the proposed office use.
5. The design and location of the off-street parking facilities as shown on the site plan dated July 4, 2008, and received by the City of Yreka on July 28, 2008 as approved by the Planning Commission on August 20, 2008 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.
6. 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.
7. 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.

8. 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.
9. Permittee shall submit storm water drainage plan for Building Official/Director of Public Works approval prior to grading and/or building permit issuance. Onsite storm water detention is required.
10. Permittee shall install street lights consistent with City standards.
11. Permittee shall install Fire hydrants if required pursuant to the California Fire Code.
12. 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.
13. 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.
14. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to starting construction of the 5,715 square foot building.
15. No signs shall be placed on the premises without prior approval of the Planning Department.
16. Fences shall comply with the Yreka Municipal Code Section 16.46.050.
17. Permittee shall secure, or inform occupants of the requirement to obtain, an annual City business license to carry on business at the project site.
- 18. 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 Knitter seconded the motion. The motion carried by the following vote:

AYES: Amaral, Knitter, McAllister, Rolzinski, Rowland, Schettino
NOES: None

**SITE, LANDSCAPE, PARKING PLAN – PARKING LOT
SISKIYOU HOSPITAL INC. BY JAMES BRAY – 444 BRUCE ST. APPROVED**

Commissioner's Peggy Amaral and Judi Rowland recused themselves from participating in this agenda item to prevent a possible conflict of interest because they have a financial interest in the business located at 444 Bruce Street and left the room.

The Commission reviewed the application submitted by James Bray for Siskiyou Hospital Inc. for a permit for a site, landscape, and parking plan for construction of a new paved parking lot; 41 parking spaces including 2 accessible spaces on the property located at 444 Bruce Street.

Staff reported the Technical Committee recommended approval subject to the following additional condition:

Permittee shall provide a deed of easement for pedestrian purposes for the portion of the curb ramps outside the existing right-of-way.

Staff recommends the Planning Commission make the determination that the project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15304 (Minor Alterations to Land) of the CEQA Guidelines.

Following Commission discussion, Commissioner McAllister made a motion to approve the application for a site, landscape, and parking plan for construction of a new paved parking lot; 41 parking spaces including 2 accessible spaces on the property located at 444 Bruce Street, Assessor's Parcel No. 61-221-160, RPO zone, MDR General Plan designation, with the following additional condition:

Permittee shall provide a deed of easement for pedestrian purposes for the portion of the curb ramps outside the existing right-of-way;

and, with the determination that the project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15304 (Minor Alterations to Land) of the CEQA Guidelines. The project approval is based on Staff's and Technical Committee's recommendations and 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 a new paved parking lot of 41 parking spaces including 2 accessible spaces was determined, by the Planning Commission, to be exempt from the provisions of the California Environmental Quality Act pursuant to Section 15304 (Minor Alterations to Land) of the CEQA Guidelines.

- The project is the addition of a parking lot for the existing hospital use, a small percentage of existing grass landscaping will be removed and replaced with parking

area and additional landscaping, one tree recently planted will be removed (it was a tree planted in a staff outdoor garden area, it is not a scenic tree) and will be replaced with lower profile shrubs.

CONDITIONS:

1. All conditions hereinafter set forth shall be complied with by the Permittee prior to use of subject parking lot unless otherwise stated.
2. An encroachment permit shall be obtained prior to any work in the Wendy Drive right-of-way.
3. Permittee shall provide a deed of easement for pedestrian purposes for the portion of the curb ramps outside the existing right-of-way.
4. The parking spaces shall be 9' x 20' plus compact spaces as allowed.
5. The site, landscape, and parking plans submitted by James Bray received on July 17, 2008 and approved, subject to conditions, by the Planning Commission on August 20, 2008 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 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. The design and location of the off-street parking facilities as shown on the site plan received July 17, 2008 and approved, subject to conditions, by the Planning Commission on August 20, 2008, shall not be deviated from unless prior approval of the Planning Commission (with the exception as stated in Condition #4) is secured, and all loading, employee, and customer parking areas 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 Building Official and in accordance with Section 16.54.090 of the Yreka Municipal Code.
7. 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.
8. All landscaping shall be installed, maintained, and replaced as necessary as depicted on the approved landscape plan, and shall be completed prior to use of the new parking lot or until security is posted in the amount of one hundred fifty percent to cover the costs of the unfinished work.
9. Permittee shall submit an irrigation design plan meeting the requirements of Section 11.38.050 of the Yreka Municipal Code prior to parking lot construction, for approval by the

City Manager or Building Official.

10. Permittee shall submit storm water drainage plan for Director of Public Works approval prior to grading and/or building permit issuance for potential installation of onsite storm water detention.

11. Permittee shall comply at all times with the zoning district regulations for an RPO - Restricted (Residential Professional Office – Restricted per Ord. #705) zone as set forth in Section 16.26 of the Yreka Municipal Code.

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

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. All graded slopes will be seeded with native grasses and covered with mulch upon completion of the grading. During construction, in those areas where storm water may run off exposed earth surfaces, straw bales will be used where necessary as a means to control silt run off in drainage areas.

15. 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 Schettino seconded the motion. The motion carried by the following vote:

AYES: Knitter, McAllister, Rolzinski, Schettino
NOES: None

Commissioner's Amaral and Rowland returned to the Commissioner's table.

**USE PERMIT EXTENSION – RV STORAGE
FRANK PAOLINETTI - 1500 FAIRLANE ROAD**

APPROVED

The Commission reviewed the application submitted by Frank Paolinetti for an extension of Permit #3618 to establish and operate a recreational vehicle, automobile, and boat storage facility in conjunction with the existing bulk fuel plant and cardlock business on the property located at 1500 Fairlane Road.

Staff reported the Technical Committee recommended approval of a one year extension.

Staff also reported to the Commission that Condition No. 5 requires that a landscape plan adding trees just outside the interior north/south fence to help screen stored vehicle parking shall be submitted to the City Manager for approval, installation shall be completed prior to commencement of business. That landscape plan has not been submitted for approval.

Following Commission discussion, Commissioner Knitter made a motion to approve the application for a one year extension of Use Permit #3618 to establish and operate a recreational vehicle, automobile, and boat storage facility in conjunction with the existing bulk fuel plant and cardlock business on the property located at 1500 Fairlane Road, Assessor's Parcel No. 62-051-180, M-1 zone, I General Plan designation. Approval is subject to the Findings and Conditions of Approval previously approved on July 19, 2006, including but not limited to, Condition No. 5 requiring submittal of a landscape plan and installation of the trees.

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

AYES: Amaral, Knitter, McAllister, Rolzinski, Rowland, Schettino
NOES: None

USE PERMIT EXTENSION – TEMPORARY STRUCTURE
SISKIYOU PETROLEUM by RALPH RAMEY – 431 N. FOOTHILL DR APPROVED

The Commission reviewed the application submitted by Ralph Ramey for Siskiyou Petroleum Co. Inc. for extension of Use Permit #3226 for the temporary installation of an 8' x 10' temporary structure to house monitoring equipment for ground water clean-up on the property located at 431 N. Foothill Drive.

Staff reported the Technical Committee recommended approval of an additional extension from 7-19-07 to 7-19-09.

This project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines.

Following Commission discussion, Commissioner McAllister made a motion to approve the application for an extension from July 19, 2007 to July 19, 2009 of Temporary Use Permit #3226 for the temporary installation of an 8' x 10' temporary structure to house monitoring equipment for ground water clean-up on the property located at 431 N. Foothill Drive, Assessor's Parcel No. 53-601-040, M-1 zone, I general Plan designation. Approval based on the Technical Committee's recommendations and subject to full compliance with all

applicable city, state, and federal laws and regulations and the findings and conditions as approved on June 19, 2002.

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

AYES: Amaral, Knitter, McAllister, Rolzinski, Rowland, Schettino
NOES: None

SITE, LANDSCAPE, AND PARKING PLAN MODIFICATION
ROGER AKKERMAN, JASON & KARI WILLIAMS – 777 MONTAGUE RD APPROVED

The Commission reviewed the application submitted by Roger Akkerman, Jason and Kari Williams for modification of Permit #3906 approving the site, landscape, and parking plan for construction of a convenience/liquor store and service station; reducing the building square footage to 5,475, reducing the number of parking spaces to 34, relocating the gas fuel tanks, modifying the landscape plan, and temporarily reduce the paved area at the south end of the property until a fourth diesel fuel pump is installed on the property located at 777 Montague Road.

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

1. Permittee shall barricade the unpaved area to the south property line (as shown on the site plan received 8/11/08) sufficiently to prevent vehicle use for parking, storage, or travel. Vehicular access from the street to the unpaved area is prohibited and shall be barricaded.
2. All areas on the project site subject to vehicular traffic shall be paved.

Staff also reported that the applicants requested that the Planning Commission grant permission to install two additional auto fuel dispensers in the future as the need and funding allows.

A Mitigated Negative Declaration was filed for this project May 29, 1998. The project is part of a previously approved Planned Unit Development and Tentative Parcel Map. The approved Planned Unit Development uses of auto/truck refueling, R.V. Park, restaurant, hotel and or motel for the project site will remain the same. The allowed use of the parcels does not change. Therefore, substantial changes will not occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous Negative Declaration due to the involvement of new significant environmental effects.

Following Commission discussion, Commissioner Amaral made a motion to approve the application for modification of Permit #3906 approving the site, landscape, and parking plan for construction of a convenience/liquor store and service station; reducing the building square footage to 5,475, reducing the number of parking spaces to 34, relocating the gas

fuel tanks, modifying the landscape plan, and temporarily reduce the paved area at the south end of the property until a fourth diesel fuel pump is installed on the property located at 777 Montague Road, Assessor's Parcel No. 53-642-390, PUD (Planned Unit Development) zone, GC General Plan designation with the following additional conditions:

1. Permittee shall barricade the unpaved area to the south property line (as shown on the site plan received 8/11/08) sufficiently to prevent vehicle use for parking, storage, or travel. Vehicular access from the street to the unpaved area is prohibited and shall be barricaded.
2. All areas on the project site subject to vehicular traffic shall be paved.
3. Permittee authorized to install two additional auto fuel dispensers in the future as the need and funding allows for a total of six auto fuel dispensers.

The approval is based on the Technical Committee's recommendations and subject to full compliance with all applicable city, state, and federal laws and regulations and the findings and conditions as follows:

CONDITIONS:

1. All conditions hereinafter set forth shall be complied with by the Permittee prior to issuance of a certificate of occupancy unless otherwise stated.
2. Permittee shall construct a physical barrier, such as a fence (not barbed wire), to prevent pedestrian access to the adjacent railroad property.
3. Permittee shall barricade the unpaved area to the south property line (as shown on the site plan received August 11, 2008) sufficiently to prevent vehicle use for parking, storage, or travel. Vehicular access from the street to the unpaved area is prohibited and shall be barricaded.
4. All areas on the project site subject to vehicular traffic shall be paved.
5. Permittee authorized to install two additional auto fuel dispensers in the future as the need and funding allows for a total of six auto fuel dispensers.
6. The site landscape and parking plans submitted by Roger Akkerman and Jason & Kari Williams received August 11, 2008 and approved, as modified, by the Planning Commission on August 20, 2008 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 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.

7. The design and location of the off-street parking facilities as shown on the site plan received August 11, 2008 and approved, as modified, by the Planning Commission on August 20, 2008 shall not be deviated from unless prior approval of the Planning Commission (with the exception as stated in Condition #5) is secured, and all loading, employee, and customer parking areas 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 Building Official 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 received on August 11, 2008, 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 install the irrigation system as approved by the Building Official in compliance with the requirements of Section 11.38.050 of the Yreka Municipal Code prior to issuance of a certificate of occupancy.
11. Permittee shall comply at all times with the zoning district regulations for the P.U.D. (Planned Unit Development [Commercial Highway & Light Industrial]) zone as set forth in Sections 16.60, 16.36, and 16.40 of the Yreka Municipal Code.
12. 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.
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. All graded slopes will be seeded with native grasses and covered with mulch upon completion of the grading. During construction, in those areas where storm water may run off exposed earth surfaces, straw bales will be used where necessary as a means to control silt run off in drainage areas.

15. No pole signs shall be allowed on the project site pursuant to Sign Use Permit No. 3628.

16. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to starting construction of the project.

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

AYES: Amaral, Knitter, McAllister, Rolzinski, Rowland, Schettino

NOES: None

COMMISSIONER'S STATEMENTS & COMMENTS

Commissioner's asked if staff knew what the County's plans are for relocation of offices in to the Forest Service building. Staff gave the Commission an update on the information the City was aware of.

There being no further business before the Commission, the meeting was adjourned at 8:30 p.m.

Pamela J. Hayden, Planning Director