

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD IN
THE YREKA CITY COUNCIL CHAMBER IN SAID CITY
ON THE 19th DAY OF NOVEMBER 2008

On the 19th day of November 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
 Deborah Baird
 Diane Knitter
 Mark McAllister
 Barry Ohlund
 Richard Rolzinski

Absent: Judi Rowland

AUDIENCE STATEMENTS & COMMENTS

None.

APPROVAL OF THE MINUTES OF THE OCTOBER 15, 2008 MEETING

The Commission, having received a copy of the minutes of the regular meeting held October 15, 2008, approved the minutes on a motion made by Commissioner Amaral and seconded by Commissioner McAllister.

USE PERMIT MODIFICATION

FRANK PAOLINETTI – 1500 FAIRLANE ROAD

APPROVED

The Commission reviewed the application submitted by Frank Paolinetti for a modification to Use Permit #3618 that authorizes operation of an outdoor recreational vehicle, automobile, and boat storage facility subject to conditions. The request was specifically to modify Condition #9 allowing the storage area to be improved with gravel, eliminating the requirement for double chip and seal of the storage area on the property located at 1500 Fairlane Road.

Staff reported the Technical Committee recommended approval of modification to the Conditions of Approval for Use Permit #3618 as follows, with strike outs being deleted and italics being new wording:

7. ~~Permittee shall submit a drainage plan for review and approval by the Director of Public Works and the Building Official prior to occupying the premises. (On-site detention~~

may be required.)

8. Permittee shall submit a ~~grading plan~~ and storm water detention analysis for review and approval of the Director of Public Works and/or Building Official prior to start of construction or any on-site grading *if, at a later date, the site is improved with a double chip and seal or with asphalt concrete pavement. (On-site detention may be required.)*

9. Permittee shall improve the storage area with a *minimum of 2 inches of gravel* ~~double chip and seal~~ prior to commencement of storage business. *Permittee shall implement regular weed control of the storage area to prevent weeds from growing up through the gravel.*

Staff also recommended that the Commission make the determination that the project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15332 of the CEQA Guidelines.

Following Commission discussion, Commissioner Amaral made a motion to approve the application for modification to Use Permit #3618 that authorizes operation of an outdoor recreational vehicle, automobile, and boat storage facility subject to conditions. The request was specifically to modify Condition #9 allowing the storage area to be improved with gravel, eliminating the requirement for double chip and seal of the storage area on the property located at 1500 Fairlane Road, Assessor's Parcel No. 62-051-180, M-1 zone, I General Plan designation subject to the Conditions of Use Permit #3618 with the following modifications:

~~7. Permittee shall submit a drainage plan for review and approval by the Director of Public Works and the Building Official prior to occupying the premises. (On-site detention may be required.)~~

8. Permittee shall submit a ~~grading plan~~ and storm water detention analysis for review and approval of the Director of Public Works and/or Building Official prior to start of construction or any on-site grading *if, at a later date, the site is improved with a double chip and seal or with asphalt concrete pavement. (On-site detention may be required.)*

9. Permittee shall improve the storage area with a *minimum of 2 inches of gravel* ~~double chip and seal~~ prior to commencement of storage business. *Permittee shall implement regular weed control of the storage area to prevent weeds from growing up through the gravel.*

And with the determination that the project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15332 of the CEQA Guidelines.

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

FINDINGS:

1. The establishment and operation of a recreational vehicle, automobile, and boat storage facility in conjunctions with the existing bulk fuel plant and cardlock business 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 proposed project is located in an area with other light industrial uses.
 - 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 because the use is consistent with other uses in the area.
 - c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because the project is located in an area with very little existing traffic.
 - d. adversely affect matters regarding police protection, crime prevention, and security because the project includes fencing the area with security fencing.
 - e. adversely affect circulation or traffic patterns in the neighborhood or constitute a nuisance because the project will not alter the traffic patterns.
2. The use is compatible with the policies and objectives of the zoning ordinance for an M-1 (light industrial) zone which allows storage yards upon approval and validation of a conditional use permit in addition to any other permits or licenses.

CONDITIONS:

1. Permittee granted a permit to establish and operate a recreational vehicle, automobile, and boat storage facility in conjunctions with the existing bulk fuel plant and cardlock business at the location set forth in the application, subject to full compliance with applicable city and state codes. **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 description shall be complied with.
3. Adequate off-street parking facilities shall be as determined by the Planning Commission as set forth in Section 16.54.020.9 of the Yreka Municipal Code for the storage units. No parking spaces beyond that existing for the current uses are required for the storage facility.
4. Use shall be conducted in accordance with the site plan as submitted plus the site plan as approved for the existing bulk fuel plant and cardlock business and no alterations

shall be made of the 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.

5. 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.

6. All landscaping shall be installed, maintained, and replaced as necessary as depicted on the site plan. Water efficient irrigation system shall be installed for the landscaping.

~~7. Permittee shall submit a drainage plan for review and approval by the Director of Public Works and the Building Official prior to occupying the premises. (On-site detention may be required.)~~

8. Permittee shall submit a ~~grading plan~~ and storm water detention analysis for review and approval of the Director of Public Works and/or Building Official prior to start of construction or any on-site grading *if, at a later date, the site is improved with a double chip and seal or with asphalt concrete pavement. (On-site detention may be required.)*

9. Permittee shall improve the storage area with *a minimum of 2 inches of gravel double chip and seal* prior to commencement of storage business. *Permittee shall implement regular weed control of the storage area to prevent weeds from growing up through the gravel.*

10. Permittee shall replace and/or repair the asphalt concrete and double chip and seal for the existing bulk fuel plant and card lock business; it shall be repaired and improved to City standards prior to commencement of storage business.

11. Permittee shall comply at all times with the zoning district regulations for an M-1 zone as set forth in section 16.34 of the Yreka Municipal Code.

12. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to making any building, electrical, mechanical, or plumbing installations and/or improvements. Public infrastructure improvements such as curb, gutter, sidewalk, wheel chair ramps, driveway approaches, street lights and asphalt concrete street pavement may be required upon issuance of a building permit in accordance with Yreka Municipal Code Section 11.24.030.

13. Permittee shall pave all driveway accesses off E. Greenhorn Road and Mill Road for a distance of not less than 20 feet from the public street.

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

15. Permittee shall secure an annual City business license to carry on the business of a recreational vehicle, automobile, and boat storage facility.

16. 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.

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

AYES: Amaral, Baird, Knitter, Ohlund, McAllister, Rolzinski,
NOES: None

**RESOLUTION – SALE OF CITY PROPERTY
CITY OF YREKA – 350 N. FOOTHILL DRIVE**

APPROVED

The Commission reviewed the resolution finding that the proposed disposition by sale of certain real property conforms to the General Plan of the City of Yreka. The property is located at 350 N. Foothill Drive, Assessor's Parcel No. 053-651-160. This project is consistent with 4.10 Parks & Recreation of Article 4. Conservation, Open Space, Parks, and Recreation of the General Plan of the City of Yreka dated December 18, 2003 (attached).

That provision specifically recognizes the contribution of the YMCA to development and provision of recreational activities in the community. This transaction requires the YMCA to retain the property for this purpose.

It is not uncommon for a city to grant to a not for profit organization specific lands to hold and use for public recreational purposes with a reversionary clause that the property would revert to the City if the organization ceased to use the property for the purposes specified in the deed. As long as the conveyance serves a public purpose of the City the City can grant real property, this can be done by donation from the City to the organization. This transaction is structured to accomplish these purposes.

Staff recommends a determination that the sale of real property as described is consistent with the General Plan.

This project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines in that it is not a Project which has the potential for causing a significant effect on the environment.

Following Commission discussion, Commissioner Knitter made a motion to adopt Resolution No. PC 29 finding that the proposed disposition by sale of certain real property conforms to the General Plan of the City of Yreka based on Staff's recommendation as follows:

RESOLUTION NO. PC-29

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF YREKA FINDING THAT THE PROPOSED DISPOSITION BY SALE OF CERTAIN REAL PROPERTY CONFORMS TO THE GENERAL PLAN OF THE CITY OF YREKA

WHEREAS, the City, a municipal corporation, is the owner of that certain real property located at 350 N. Foothill Drive, Yreka, California, Assessor's Parcel No. 053-651-160; and,

WHEREAS, SISKIYOU FAMILY YMCA, INC., desires to acquire said real property on the terms and conditions set forth in an Agreement which has been filed with the City, and the members of the Planning Commission, with the assistance of its staff, have reviewed said document; and

WHEREAS, the Planning Commission has determined the disposition of this real property by the proposed sale is in conformity with the General Plan of the City of Yreka and it would be in the best interests of the City to approve and authorize the sale of said real property, and it is in the public interest and convenience for the City to require the sale of this property; and,

Whereas, pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) that this action is exempt from the requirements of the California Environmental Quality Act (CEQA) in that it is not a Project which has the potential for causing a significant effect on the environment; and

NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The Commission hereby finds and determines that the foregoing recitals are true and correct.

Section 2. This resolution shall take effect immediately upon its passage.

Passed and adopted this 19th day of November, 2008, by the following vote:

AYES: Amaral, Baird, Knitter, McAllister, Ohlund, Rolzinski
 NAYS: None
 ABSENT: Rowland

 Richard Rolzinski,
 Commission Chairperson

APPROVED AS TO FORM:

Mary Frances McHugh,
City Attorney

Attest: _____
Pam Hayden,
Deputy City Clerk

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

AYES: Amaral, Baird, Knitter, McAllister, Ohlund, Rolzinski
NOES: None

**SIGN ORDINANCE MODIFICATION
CITY WIDE**

The Commissioners reviewed the memorandum and accompanying documents presented by City Attorney, McHugh updating the Commission on potential modifications to the Sign Ordinance as it relates to non-commercial signs and hanging of banners in the City of Yreka.

The Commissioners will continue to review the draft revision of the Yreka sign code, Title 13, Chapter 12 for further comment and possible action at a future meeting.

No action was taken.

COMMISSIONER'S STATEMENTS & COMMENTS

City Attorney, Mary Frances McHugh, gave a presentation regarding the Political Reform Act, Brown Act, and other pertinent training information for the new Commissioners and a good refresher for the other Commissioners.

Commissioners were reminded that the 2009 League of California Cities Planner's Institute would be held in Anaheim, March 25 – 27, 2009.

Commissioner Amaral asked if the Commissioners would be interested in changing the regular meeting time. The City Council is in the process of changing their meeting time to 6:00 p.m. It was suggested that 7:00 p.m. would work; 6:30 p.m. would be too early for a business that closes at 6:00 p.m. because of lagging customers.

There being no further business before the Commission, the meeting was adjourned at 8:50 p.m.

Pamela J. Hayden, Planning Director