

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD
ON THE 19TH DAY OF DECEMBER, 2012

On the 19th day of December, 2012 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 Leal and present were:

Commissioners: Deborah Baird, Diane Knitter, Steve Leal, Barry Ohlund, and Richard Rolzinski.
Absent: Paul McCoy and Matt Osborn.

PUBLIC COMMENTS - None.

Consent Calendar: Chair Leal announced that all matters listed under the consent calendar are considered routine and will be enacted by one motion unless any member of the Planning Commission wishes to remove an item for discussion or a member of the audience wishes to comment on an item:

Approval of Minutes of the special meeting held on November 28, 2012.

Following Commission discussion, Commissioner Ohlund moved to approve the items on the consent calendar as submitted.

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

Chair Leal thereupon declared the motion carried.

PUBLIC HEARING: COMMENT ONLY, USE PERMIT TO REBUILD THE EXISTING DUPLEX AND THREE SINGLE FAMILY DWELLINGS TO THE CURRENT FOOTPRINT

Planning Commissioners Baird and Leal announced their recusal. Leal stating that he has a conflict of interest by reason of property ownership within 500 feet of the proposed project, and therefore recused himself. Baird stating that she has a conflict of interest by reason of her business relationship and financial interest with the applicant, and therefore recused herself.

City Manager Baker stated that with the absence of Planning Commissioners McCoy and Osborn, and the recusal of both Commissioners Baird and Leal, the commission no longer has a quorum, and therefore initiated a random selection process using cards to determine which Commissioner would be selected as a voting member to attain a quorum.

Planning Commissioner Baird was selected, and with the absence of Vice-Chair McCoy, she assumed the position of acting Chair.

Commissioner Leal recused himself and left the Council Chambers.

City Manager Baker reported to the Commission that the action before the Commission tonight is just to hold the public hearing and to receive comments on the proposed application. The action on the Conditional Use Permit has been tabled and deferred to a future meeting.

City Manager Baker further reported that notification of the public hearing was mailed to property owners/occupants located within 300 feet of the project on December 5, 2012 and a Notice of Public Hearing was published in the Siskiyou Daily News on December 7, 2012.

PUBLIC HEARING – To receive public comments regarding a proposed Conditional Use Permit to rebuild the existing duplex and three single family dwellings to the current foot print in the event of fire or other casualty.

This being the time and date scheduled for the public hearing, acting Chair Baird opened the public hearing to the audience. There being no statements or comments received, acting Chair Baird closed the public hearing.

Commissioner Leal returned to his seat at the table.

USE PERMIT- STORAGE YARD FOR RV, BOATS, CARS & TRAILERS APPROVED

City Manager Steve Baker presented the Commission with the staff report which included a recommendation to approve the application subject to the findings and conditions presented, and a determination that the project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Section 15061(b)(3) of the CEQA Guidelines. City Manager Baker reported that as part of the conditions of approval, Permittee shall submit an application for a boundary line adjustment to combine the two parcels to incorporate the project into one parcel, and that the lot line adjustment shall be reflected in a deed or record of survey shall be record with the County Recorder prior to commencement to construction.

City Manager Baker further reported that notification of the public hearing was mailed to property owners/occupants located within 300 feet of the project on December 5, 2012 and a Notice of Public Hearing was published in the Siskiyou Daily News on December 7, 2012.

PUBLIC HEARING – To receive public comments regarding a proposed Condition Use Permit to construct, establish and operate a security fenced, lighted (with security cameras) storage yard for recreational vehicles, boats, cars and trailers.

This being the time and date scheduled for the public hearing, Chair Leal opened the public hearing to the audience. There being no comments from the public, the public hearing was closed and discussion was opened to the Commission. David Silva and Morgan Eastlick of Bray and Associates was present to answer any questions on behalf of the applicant David Chambers.

Motion: Following discussion, it was moved by Commissioner Baird and seconded by Commissioner Ohlund, to make the findings that the proposed project is categorically exempt

from the provisions of the California Environmental Quality Act, and to grant approval for Conditional Use Permit No. 4165, to construct, establish and operate a storage yard for Recreational Vehicles, Boats, Cars and Trailers subject to the Findings and Conditions of Approval, as amended.

Upon roll call, the following voted YEA: Baird, Knitter, Leal, Ohlund, and Rolzinski.

Chair Leal thereupon declared the motion carried.

The project approval is based on Staff's recommendation 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 construction, establishment and operation of a proposed security fenced, lighted (with security cameras) storage yard for recreational vehicles, boats, cars, and trailers on a +/- 1.02 acre lot 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 will be located in an area where there are other commercial uses and adjacent to a trucking company.
 - 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 reason stated in (a).
 - c. cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because there is adequate parking available for the proposed uses on the site.
 - d. adversely affect matters regarding police protection, crime prevention, and security because there are existing businesses adjacent to the site.
 - e. adversely affect circulation or traffic patterns in the neighborhood or constitute a nuisance because the proposed use will not change the existing traffic patterns or circulation.
2. The use is compatible with the policies and objectives of the zoning ordinance for a CH (Commercial Highway) zone which allows storage buildings and yards upon approval and validation of a conditional use permit as set forth in Section 16.36.070 (k) of the Yreka Municipal Code in addition to any other permits or licenses.
3. The project is categorically 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.

The foregoing findings are based upon the following:

The design of the project and its proposed improvements will not cause serious public health problems or significant environment damage since the proposed project is for a commercial use within an existing commercial neighborhood.

Conditions of approval will provide maximum land use compatibility between the proposed commercial development and the existing commercial neighborhood. None of the findings necessary for denial of this proposal can be found in the affirmative.

CONDITIONS:

1. Permittee granted a permit to construct, establish and operate a storage yard business for recreational vehicles, boats, cars and trailers 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 application including site, landscape, and parking plan as approved shall be complied with.
3. Off-street parking facilities are not required for this Use Permit, however, parking facilities would be required if an office was built on site. At such time, Permittee will be required to comply with Yreka Municipal Code Section 16.54.090 (Standards for off-street parking facilities), including but not limited to: The parking area, aisles and access drives shall be constructed with a minimum six-inch base and double chip seal so as to provide a durable, dustless surface and shall be so graded and drained to dispose of surface water, with the design and specifications of such work subject to the approval of the City Engineer and Building Official.
4. Aesthetics
 - a. Storage area to be improved with compacted $\frac{3}{4}$ " – (4" deep) porous base rock over prepared subgrade with filter fabric in accordance with approved site plan. Permittee shall implement regular weed control of the storage area to prevent weeds from growing up through the gravel.
 - b. Only manufactured vehicle covers with snaps or fitted non-degradable covers are allowed on stored vehicles. No tarps that require tarp bungee cords to tie down a tarp are allowed.
 - c. Landscaping shall be installed to screen the property.
5. Permittee shall obtain approval of all required public improvements through the Department of Public Works and its encroachment permit process.
6. Use shall be conducted in accordance with the site plan for the property located at 1734 & 1742 S. Oregon Street, as approved by the Planning Commission on December 19, 2012, and the site plan shall not be changed or deviated from without 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 comply at all times with the zoning district regulations for a CH zone as set forth in Section 16.38 of the Yreka Municipal Code.
8. Permittee shall submit application for boundary line adjustment (BLA) to combine Assessor's Parcel Nos. 062-011-210 and 062-011-230 to incorporate the project area into one Parcel. Application shall be submitted to the Yreka Planning Department for approval, upon approval of the boundary line adjustment and any conditions imposed by the Planning Department, the lot line adjustment shall be reflected in a deed or record of survey which shall be recorded with the County Recorder prior to commencement to construct, establish and operate a storage yard as set forth in Section 15.11 of the Yreka Municipal Code.
9. A landscape plan shall be submitted to the City Manager for approval. Installation shall be completed prior to commencement of business with accordance to Yreka Municipal Code 16.52.030.
10. All landscaping shall be installed, maintained, and replaced as necessary as depicted on the approved landscape plan. Water efficient irrigation system shall be installed for the landscaping per Yreka Municipal Code Section 16.52.030 (E).
11. Permittee shall submit a grading plan for review and approval by the Building Official prior to construction or any on-site grading.
12. Permittee shall submit a 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. On-site detention or storm drain extension may be required.
13. Permittee shall obtain a building permit and shall pay the necessary fees therefor prior to making any building, electrical, mechanical, or plumbing installations and/or improvements to the structure. Public infrastructure improvements such as curb, gutter, sidewalk, curb 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. If such improvements already exist, damaged public improvements shall be repaired and/or replaced to restore the improvements to a condition satisfactory to the Director of Public Works in accordance with Yreka Municipal Code Section 11.24.030.
14. Permittee shall secure a Certificate of Occupancy and 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 business of a storage business for recreational vehicles, boats, cars and trailers.
15. Permittee shall secure and maintain an annual City business license to operate a storage yard business for recreational vehicles, boats, cars and trailers.
16. Permittee shall pave all driveway accesses from the project site onto South Oregon a minimum of 20 feet back from the back of the sidewalk.
17. No signs shall be placed on the premises without first obtaining a sign permit.

18. Fences shall comply with the Yreka Municipal Code Section 16.46.050.

19. 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.

20. The site plan approval shall expire and terminate if not used within one (1) 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'S STATEMENTS & COMMENTS

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

Steve Leal, Chair
Approved by motion of the Planning
Commission on January 16, 2013