

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD IN
THE YREKA CITY COUNCIL CHAMBER IN SAID CITY
ON THE 18th DAY OF AUGUST 2010

On the 18th day of August, 2010 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 Knitter and present were:

Commissioners: Deborah Baird
 Diane Knitter
 Steve Leal
 Mark McAllister
 Barry Ohlund
 Matt Osborn
 Richard Rolzinski

Absent: None

USE PERMIT – MOBILE FOOD SALES
KERRY ERICKSON – 1270 S MAIN ST

APPROVED

The Commission reviewed the application submitted by Kerry Erickson for a use permit to establish and operate a mobile food sales business in the parking lot of the business located at 1270 S. Main Street, Assessor’s Parcel No. 061-352-090.

This being the time and date set for a public hearing on an application for a use permit to establish and operate a mobile food sales business in the parking lot of the business located at 1270 S. Main Street, Chair Knitter opened the hearing to the public.

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

1. Permittee shall not operate equipment that exceeds a noise level of 65 decibels (dB).
2. Hours of operation shall be limited to the hours of operation of the adjacent businesses (car wash and auto repair), or from sunrise to sunset whichever is greater.

Staff recommended that the Planning Commission make 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 in that it is not a project which has the potential for causing a significant effect on the environment.

Applicant, Kerry Erickson, expressed appreciation for the way they were treated by City staff. There being no further 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 use permit to establish and operate a mobile food sales business in the parking lot of the business located at 1270 S. Main Street as designated on the site plan and as set forth in the application, Assessor's Parcel No. 061-352-090, CH zone, GC General Plan designation. The mobile unit is self-contained. The restroom facilities of the building located on the site will be available for employees of the mobile food sales business. Approval is subject to the following additional Conditions:

1. Permittee shall not operate equipment that exceeds a noise level of 65 decibels (dB).
2. Hours of operation shall be limited to the hours of operation of the adjacent businesses (car wash and auto repair), or from sunrise to sunset whichever is greater.

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 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 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 establishment and operation of a mobile food sales business in the parking lot of the business located at 1270 S. Main Street, Yreka, California:
 - a. will not 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 use of approximately 2 parking spaces in the parking lot will not create a need for additional parking spaces.
 - b. will not 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 there are existing commercial uses adjacent to the project site.
 - c. will not cause unreasonable vehicular traffic, parking congestion, noise, nuisance, or odors because the customer vehicles will be located in the parking lot not on the street, and there is adequate street access to the existing parking lot.
 - d. will not adversely affect matters regarding police protection, crime prevention, and security.

- e. will not adversely affect circulation or traffic patterns in the neighborhood or constitute a nuisance for the reasons stated in (c) above.
2. The use is compatible with the policies and objectives of the zoning ordinance upon approval of this Permit.
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.

CONDITIONS:

1. Permittee granted a permit to establish, place, and operate a mobile food sales business in the parking lot of the business located at 1270 S. Main Street as designated on the site plan and as set forth in the application. The mobile unit is self-contained and the restroom facilities of the building located on the site will be available for employees of the food sales business. Approval is 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. The site plan submitted with the application and approved by the Planning Commission on August 18, 2010 shall not be deviated from without prior approval of the Planning Commission. No additional portable structures shall be built or placed, no open space, off-street parking facilities, public access areas, or landscaping shall be altered without the 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.
3. Permittee shall comply at all times with the zoning district regulations for a CH zone as set forth in section 16.36 of the Yreka Municipal Code.
4. Permittee shall comply with Yreka Municipal Code (YMC) Title 13, Sign Ordinance. Signage attached to the mobile business facility shall be limited to 12 square feet as provided in YMC Section 13.16.020.A.5. Informational window signs are exempt pursuant to YMC Section 13.16.020.C. **No free standing signs shall be permitted.**
5. Permittee shall provide the city with verification of compliance with Siskiyou County Public Health Department requirements.
6. The mobile unit shall be totally self contained or shall be a permanent structure with permanent connection to all utilities, no hose or electrical connections permitted.
7. Restroom facilities of the building located at 1270 S. Main Street shall be available for use by the food sales business employees at all times the business is located on the project site.

- 8. Permittee shall not operate equipment that exceeds a noise level of 65 decibels (dB).
- 9. Hours of operation shall be limited to the hours of operation of the adjacent businesses (car wash and auto repair), or from sunrise to sunset whichever is greater.
- 10. The mobile unit shall be removed from the site at the end of each day.
- 11. Permittee shall secure an annual City business license to carry on the business of a mobile hot dog sales business.
- 12. 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.
- 13. The use permit shall expire and terminate if not used within one (1) year from the date of approval, or in the event the use permitted is abandoned or not utilized for a period of one year. Approval may be extended upon written application to the Planning Commission before expiration of the first approval.**

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

AYES: Baird, Knitter, Leal, McAllister, Ohlund, Osborn, Rolzinski
 NOES: None

ABATEMENT OF PUBLIC NUISANCE - HEARING
CITY OF YREKA RE: 897 SHASTA AVENUE **CONTINUED**

Chair Knitter presented the agenda item of a public hearing/possible action to determine the existence of a 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.

City Attorney McHugh reported that the weed abatement is almost complete, with full compliance expected on Friday, August 20th. She recommended the Commission continue this agenda item for one month, with authority given to staff to take the item off calendar if there is complete compliance before that date.

Commissioner Ohlund made a motion to continue this agenda item for one month, with authority given to staff to take the agenda item off calendar if there is complete compliance before the September 15, 2010 Planning Commission meeting.

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

AYES: Baird, Knitter, Leal, McAllister, Ohlund, Osborn, Rolzinski
NOES: None

PUBLIC COMMENTS

None.

APPROVAL OF THE MINUTES OF THE JULY 28, 2010 MEETING

The Commission, having received a copy of the minutes of the special meeting of the Planning Commission held July 28, 2010, approved the minutes unanimously on a motion made by Commissioner Leal and seconded by Commissioner Ohlund.

**SITE, LANDSCAPE & PARKING PLAN MODIFICATION
YREKA NAZARENE CHURCH – 415 EVERGREEN LANE APPROVED**

The Commission reviewed the application submitted by Jeff Whitney for Yreka Nazarene Church to modify Permit #3933 a site, landscape, and parking plan by reducing the on-site parking from 100 spaces to 90 to allow retention of a portion of the existing church for classroom use, and request authorization for joint use of parking with Siskiyou County Office of Education for use of not less than 10 parking spaces. Assessor’s Parcel No. 61-141-360, R-2 (Medium Density Residential) zone, MDR (Medium Density Residential) General Plan designation.

Staff reported the Technical Committee recommended approval subject to the conditions presented.

Staff also reported it was determined that the project approved with Permit No. 3933 was exempt from the provisions of the California Environmental Quality Act pursuant to Section 15332 (Infill Development) of the CEQA Guidelines, the proposed modification to the parking plan does not significantly modify the project originally approved as it relates to CEQA.

Following Commission discussion, Commissioner Rolzinski made a motion to approve the application to modify Permit #3933 a site, landscape, and parking plan by reducing the on-site parking from 100 spaces to 90 to allow retention of a portion of the existing church for classroom use, and request authorization for joint use of parking with Siskiyou County Office of Education for use of not less than 10 parking spaces. Assessor’s Parcel No. 61-141-360, R-2 (Medium Density Residential) zone, MDR (Medium Density Residential) 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 15332 (Infill Development) of the CEQA Guidelines, the proposed modification to the parking plan does not significantly modify the project originally approved as it relates to CEQA. 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:

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

1. The modified project and site, landscape, and parking plan for construction of a 7,813 square foot sanctuary/office building (reduced from the approved 9,800 sq. ft.), retaining 3,060 sq. ft. of the existing church for classroom use that was to be demolished, and the request for joint use of parking facilities are 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 2.29 acres.
- The project site has one residence, a church building, church classroom building, asphalt parking, and gravel parking area. The site has no value as habitat for endangered, rare or threatened species.
- The project is located on Evergreen Lane which is considered a significant local street. 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:

The following conditions shall be complied with at all times that the site, landscape, and parking plan for the construction and use of approximately 7,813 square feet of sanctuary/office building, retaining 3,060 square feet of the existing church for classroom use that was to be demolished, and the request for joint use of parking facilities with the Evergreen School and Siskiyou County Office of Education is permitted by this permit for the property located at 415 Evergreen Lane, Assessor's Parcel No. 061-141-360 (formerly known as AP # 61-141-260, 270, & 280):

1. All conditions hereinafter set forth shall be complied with by the Permittee prior to issuance of a certificate of occupancy except as otherwise specified in the conditions.
2. The project shall be as shown on the site plan submittals received July 30, 2010.
3. All conditions not previously completed for Permit No. 3933 must be complied with by the Permittee prior to issuance of a certificate of occupancy.
4. An encroachment permit shall be obtained prior to any work, including curb, gutter, sidewalk, and driveway approach, in the public right-of-way, or affecting public improvements.
5. The site, landscape and parking plans submitted by Jeff Whitney for Yreka

Nazarene Church received July 30, 2010 as approved by the Planning Commission on August 18, 2010, 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.

6. Adequate off-street parking shall be provided as follows: One (1) space for each ~~for each~~ *(correction per Planning Commission meeting 9/15/10)* three (3) fixed seats or one (1) space for each fifty (50) square feet of area available for public use, whichever is greater, the Planning Commission may determine the number of spaces required taking into consideration the intensity of the proposed use as set forth in Section 16.54.020 (A.5.c) of the Yreka Municipal Code. One hundred fourteen (114) parking spaces are required for the proposed Church expansion using the calculation of one space for each 3 fixed seats – even though the seats will not be fixed.

7. Joint use of not less than 14 parking spaces, with Evergreen Elementary School and joint use of not less than 10 parking spaces with Siskiyou County Office of Education to meet the parking requirement for the proposed church facility. Total parking requirement is 114, 90 spaces are proposed with the revised project. Completion and recordation of Joint Parking Agreements, approved as to form by the City Attorney, is required prior to building permit issuance.

8. The design and location of the off-street parking facilities as shown on the site plan received July 30, 2010, as approved by the Planning Commission on August 18, 2010, 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, 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 Building Official and in accordance with Section 16.54.090 of the Yreka Municipal Code.

9. 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.

10. All landscaping shall be installed, maintained, and replaced as necessary as depicted on the landscape plan approved with Permit No. 3933, 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. Minor modification to the landscape plan to accommodate the revised parking plan shall be approved by the Planning Director.

11. 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.

12. 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. The detention basin shall be connected to the existing storm drain in Evergreen Lane

13. Permittee shall install Fire hydrants if required pursuant to the California Fire Code.

14. 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.

15. Permittee shall comply at all times with the zoning district regulations for a MR-2 (Medium Density Residential) zone as set forth in Section 16.20 of the Yreka Municipal Code.

16. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to starting demolition and construction of the buildings. Public infrastructure improvements such as curb, gutter, sidewalk, street lights, wheel chair ramps, driveway approaches, driveways and asphalt concrete street pavement may be required upon issuance of a building permit in accordance with Yreka Municipal Code Section 11.24.030.

17. At the time of demolition of the duplex and/or church structure, any existing water and sewer services not to be used shall be abandoned in accordance with the Public Works Director.

18. Any unused water service shall be abandoned by exposing the service line at the water main, closing the corporation stop, and disconnecting the service line at the main.

19. Any unused sewer lateral shall be abandoned by exposing the lateral at the sewer main and placing a cap on the lateral or placing a rubber compression plug in the lateral and backfilling around the plug with concrete.

20. Repair or replace damaged sidewalk and curb and gutter in accordance with the Public Works Director.

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

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

23. 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 Leal seconded the motion. The motion carried by the following vote:

AYES: Baird, Knitter, Leal, McAllister, Ohlund, Osborn, Rolzinski
NOES: None

USE PERMIT EXTENSION

SISKIYOU PETROLEUM CO. INC – 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 ft. x 10 ft. 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 a one year extension.

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 a one year extension of Temporary Use Permit #3226 for the temporary installation of an 8 ft. x 10 ft. 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 Baird seconded the motion. The motion carried by the following vote:

AYES: Baird, Knitter, Leal, McAllister, Ohlund, Osborn, Rolzinski
NOES: None

CROSSWALK DISCUSSION

Chair Knitter presented the agenda item for discussion/possible action regarding safety concerns at the crosswalk on S. Main Street between 818 and 829 S. Main Street (Sears – Shop Smart area and Siskiyou County Human Services offices.)

Police Chief Bowles presented information on enforcement of California Crosswalk laws and how it relates to case law. He also gave a background on what the Yreka Police Department has done since 2002 to study the crosswalk situation at the Broadway/Main Street intersection, the crosswalk at the Sears/County Offices, and the crosswalk at Bruce/Main Street intersection. Last week a decoy was used at two of those intersections

with no citations being issued. Additional awareness will be made through the media for both pedestrians and drivers to be alert at the crosswalks.

Staff provided the Commissioners copies of five letters of concern received from employees working in the building located at 829 S. Main Street (old Siskiyou General Hospital building) expressing concern for safety of pedestrians in the crosswalks and the need for additional safety measures including crosswalk signals.

Commissioners made suggestions, including paint stripes prior to the crosswalk to warn of one coming as is done in Monterey, put rumble strip prior to crosswalks, and install warning lights.

Commissioner Ohlund made a motion to direct Chair Knitter to have prepared and sign a letter to Caltrans addressing the concerns regarding safety at the crosswalks on Main Street (St. Rt. 3) at Main and Broadway, Main Street at 829 S. Main, and Main Street and Bruce Street.

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

AYES: Baird, Knitter, Leal, McAllister, Ohlund, Osborn, Rolzinski
NOES: None

COMMISSIONER'S STATEMENTS & COMMENTS

Concern was expressed regarding the unsightly weeds at the old Boston Shaft building. Staff reported that a letter requesting removal of the weeds was sent out the week of August 17th.

There being no further business before the Commission, the meeting was adjourned at 7:25 p.m.

Pamela J. Hayden, Planning Director