

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD IN
THE YREKA CITY COUNCIL CHAMBER IN SAID CITY
ON THE 16th DAY OF NOVEMBER, 2011

On the 16TH day of November, 2011 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 Baird and present were:

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

Absent: None

CONSENT CALENDAR

Chair Baird 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:

- a. Approval of Minutes of the meeting held October 19, 2011.

Commissioner Leal made a motion to approve the minutes from the October 19, 2011 meeting and seconded by Commissioner Ohlund. The motion carried by the following vote:

AYES: Baird, Rolzinski, Osborn, Leal, Knitter, Ohlund, McCoy

NOES: None

**NEGATIVE DECLARATION – PARCEL MAP – 2 PARCELS
SHASTA FARM LLC BY MARK KLEVER – 329 PHILLIPE LANE HEARING ONLY**

This being the time and date set for a public hearing on an application for an Environmental Review/Initial Study for a Negative Declaration for a tentative parcel map & hearing for a minor subdivision creating two (2) parcels; one of 1.48 +/- acres and one of 8.0 +/- acres. The project is located at 329 Phillippe Lane, Assessor's Parcel Nos. 053-681-170 & 190. The site is zoned M-2 (Heavy Industrial) and the land use designation is I (Industrial). Chair Baird opened the hearing to the public.

Staff reported that a public hearing notice was mailed to property owners within a 300 foot radius of the project and published in the newspaper for the Negative Declaration and Parcel Map for hearing public comment for both on November 16, 2011. A Notice of Intent to Adopt a Negative Declaration was filed for posting with the County Clerk on November 8, 2011 inviting public comment, with the required 20 day review period ending November 30, 2011.

This agenda item is for public & Commission comment, Commission action on the agenda items will be considered at the December meeting.

Gary Truttman of Color Blender Auto Body – 1391 Montague Road - asked questions about city abandoning the old portion of N. Foothill Drive.

There being no additional comments from the public and no comments from the Planning Commission, the public hearing was closed.

SIGN USE PERMIT – POLE SIGN

KNF BY KEN STAGG – 1711 S. MAIN STREET

APPROVED

The Commission reviewed the application submitted by Ken Stagg for a sign use permit to install a double sided pole sign 76 sq. ft. per side (152 sq. ft. total), sign will be 8 ft. high, copy to read “Klamath National Forest...”. Assessor’s Parcel No. 062-031-110, CH (Commercial Highway) zone, GC (General Commercial) General Plan designation.

This being the time and date set for a public hearing on an application for a sign use permit to install a double sided pole sign 76 sq. ft. per side (152 sq. ft. total), sign will be 8 ft. high, on the property located at 1711 S. Main Street, Chair Baird opened the hearing to the public.

Staff recommended approval subject to the conditions presented.

Staff also 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 15311 (a) (on-premise signs) 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, Commissioner Ohlund made a motion to approve the sign use permit to install a double pole sign 76 sq. ft. per side (152 sq. ft. total), sign will be 8 ft. high copy to read “Klamath National Forest...”. Assessor’s Parcel No. 062-031-110, CH (Commercial Highway) zone, GC (General Commercial) General Plan designation.

Project approval is with the determination that the project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Section 15311 (a) (on-premise signs) of the CEQA Guidelines.

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 installation of double sided pole sign 76 sq. ft. per side (152 sq. ft. total), 8 feet high, copy to read "Klamath National Forest..." will not:
 - a. be contrary to the public's interest, safety, health, and welfare because the proposed sign is in compliance with the City's sign regulations..
 - b. be detrimental to property or improvements in the neighborhood for the reason stated in a) above.
2. The subject property is located on Main Street between Oberlin Road and 4-H Way as provided in Section 13.68.030(A)(4) 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.
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.

The following conditions shall be complied with at all times that the sign use permit is in effect:

1. The installation of a double sided pole sign 76 sq. ft. per side (152 sq. ft. total), 8 feet high, copy to read "Klamath National Forest..." shall comply with the specifications and plans approved by the Planning Commission on November 16, 2011, and shall serve only to identify the business carried on said premises as stated in Yreka Municipal Code Section 13.12.050.
2. The sign shall be erected in accordance with the specifications and plans submitted for USDA, Forest Service, Klamath National Forest, approved by the Planning Commission on November 16, 2011, and shall not be deviated from without prior review and approval of the Planning Commission.
3. The sign shall be erected in accordance with Title 13, Signs, of the Yreka Municipal Code. Including Section 13.080.050(4) that provides sign illumination, where

allowed by provisions of Title 13 shall be at the lowest level consistent with adequate identification and readability.

4. The sign shall harmonize with the materials, textures, sizes, shape, heights, locations, and designs of the buildings, properties, or neighborhood of which they are a part, and as approved by the Planning Commission.

5. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to installing an electrical sign.

6. The signs 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.

7. The sign use permit shall expire and terminate if not used within one (1) year from the date of approval. 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: Baird, Rolzinski, Osborn, Leal, Knitter, Ohlund, McCoy

NOES: None

PUBLIC COMMENTS

None.

**SITE, LANDSCAPE, & PARKING PLAN EXTENSION
GLENN RIZZO – 608 & 610 S. MAIN STREET**

APPROVED

Commissioner Baird recused herself from participating in this agenda item due to a financial relationship with the applicant to prevent a possible conflict of interest in this matter and she left the room.

Commissioner Ohlund recused himself from participating in this agenda item due to a financial relationship with the applicant to prevent a possible conflict of interest in this matter and he left the room.

The Commission reviewed the application submitted by Glenn Rizzo of Rizzo Real Estate, Inc. for extension of Permit No. 3818 for a site, landscape, and parking plan for construction of a 6,160 sq. ft. office building on the property located at 608 and 610 S. Main Street, Assessor’s Parcel No. 54-231-300.

Staff recommended approval of a one year extension with the following additional condition.

- Before issuance of a certificate of occupancy by the Building Official, developer shall have removed any driveway approach, including dropped curbs that will not be used in the new development and replace with standard curb, gutter, and sidewalk.

Staff also reported the project was previously processed as exempt from the provisions of the California Environmental Quality Act pursuant to Section 15332 (Infill Development) of the CEQA Guidelines.

Following Commission discussion, Commissioner Rolzinski made a motion to approve the application for a one year extension of Permit No. 3818 for a site, landscape, and parking plan for construction of a 6,160 sq. ft. office building on the property located at 608 and 610 S. Main Street, Assessor's Parcel No. 54-231-300, CH zone, GC General Plan designation subject to the conditions previously approved, with the following additional condition:

Before issuance of a certificate of occupancy by the Building Official, developer shall have removed any driveway approach, including dropped curbs that will not be used in the new development and replace with standard curb, gutter, and sidewalk

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 & Conditions of approval:

FINDINGS:

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 from *Cal Trans* prior to any work in the Main Street right-of-way. *An encroachment permit shall be obtained from the City of Yreka prior to any work on City facilities.*
3. Permittee shall offer to the City of Yreka for dedication a 15 foot utility easement for storm water drainage through the parking lot, the exact location to be determined by the Permittee and Director of Public Works.
4. The site, landscape and parking plans application as re-submitted by Robert Glenn Rizzo for Rizzo Real Estate Inc. dated May 29, 2007 as modified and approved by the Planning Commission on June 20, 2007 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.

5. 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 Sections 16.54.020 (A.2.b) of the Yreka Municipal Code.

6. The design and location of the off-street parking facilities as shown on the site plan dated January 13, 2006, and approved by the Planning Commission on June 20, 2007 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 Director of Public Works 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 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.

9. Permittee shall submit an irrigation design plan meeting 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.

10. A detention basin for storm water runoff is not required if adequate on-site facilities are installed to carry the flow from a 100 year storm to Yreka Creek as approved by the Director of Public Works. Permittee shall install the private storm drain and maintain it in perpetuity.

11. Permittee shall show compliance with FEMA (Federal Emergency Management Agency) Flood Insurance Rate Map Flood Insurance Rate Map, dated November 18, 1981, prepared by the Federal Insurance Administration for the City of Yreka. Construction of buildings and structures at or above one foot above the base flood elevation may affect flood insurance rates.

12. Permittee shall submit application for boundary line adjustment (BLA) to combine Assessor's Parcel Nos. 54-231-160, 54-231-270, and portion of 54-231-080 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 Director, 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 of construction of the office building and parking lot. *BLA RECORDED 11/29/07 FOR A.P. # 54-231-160 & 54-231-270. AP# 54-231-080 WAS NOT INCLUDED IN THE BLA, SUBJECT TO THE CONDITION THAT PRIOR TO OCCUPANCY OF THE STRUCTURE A PARKING AGREEMENT MUST BE RECORDED PROVIDING COMMON PARKING WITH THE BUSINESSES LOCATED ON THE ADJACENT PARCELS.*

13. Permittee shall provide documentation as to the location of Yreka Creek in relation to the east property boundary lines and compliance with Yreka Municipal Code Section 16.56.030 that provides that no person shall alter, fill, excavate, divert, remove vegetation from, or place any obstruction in or upon any water channel (forty-five feet centered on the thread of Yreka Creek) within the city, or permit liquid waste to enter a water channel without prior approval.

14. 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.

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

16. *Permittee shall remove and replace damaged sidewalk along the subject property Main Street frontage.*

17. Before issuance of a certificate of occupancy by the Building Official, developer shall have removed any driveway approach, including dropped curbs, that will not be used in the new development and replace with standard curb, gutter, and sidewalk. (modification 11-11)

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 McCoy seconded the motion. The motion carried by the following vote:

AYES: Rolzinski, Osborn, Leal, Knitter, McCoy
NOES: None

Chair Baird and Commissioner Ohlund returned to the Commissioner's table.

DECEMBER PLANNING COMMISSION MEETING

Due to the regular December meeting being so close to the holiday and busy schedules, staff asked if the Commission wanted to move the meeting date to December 14, 2011.

Following discussion Commissioner Knitter made a motion to change the December Planning Commission meeting from December 21, 2011 to December 14, 2011.

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

AYES: Baird, Rolzinski, Osborn, Leal, Knitter, Ohlund, McCoy

NOES: None

COMMISSIONER'S STATEMENTS & COMMENTS

Planner's Institute Conference dates and place was discussed with Commissioners. Planner's Institute Conference will be held in San Jose, dates are March 20 - 23, 2012.

There being no further business before the Commission, the meeting was adjourned at 7:00 p.m.

Pamela J. Hayden, Planning Director