

MINUTES OF THE REGULAR MEETING OF THE
YREKA PLANNING COMMISSION HELD
ON THE 20TH DAY OF APRIL, 2016

On the 20th day of April, 2016 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 Osborn and present were:

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

Conflict of Interest Declaration – Commissioner Barry Ohlund declared a conflict of interest on CUP for establishment and operation of a Secondhand/Consignment Clothing Store.

PUBLIC COMMENTS – Nita Still – 1060 Deer Creek Way #24 – spoke regarding Legislature AB-498, Levine. Wildlife conservation: wildlife corridors.

Bill Schmidt – Klamath River – presented the Planning Commissioners with a letter regarding moving houses from the new Court House project site to his property located at 502 Sherman Street, Yreka.

Consent Calendar: Chair Osborn 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 regular meeting held on March 16, 2016.

Following Commission discussion, Commissioner Ohlund moved to approve the minutes of the regular meeting held March 16, 2016 as submitted.

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

Chair Osborn thereupon declared the motion carried.

Discussion/Possible Action – Consideration of proposed Categorical Exemption and Conditional Use Permit for the establishment and operation of a Secondhand/Consignment Clothing Store. Property Location – 115 & 117 S. Main Street, Yreka, California.

Planning Commissioner Ohlund announced his recusal for the above project, stating that he had a conflict of interest by reason of property ownership within 500 foot of the proposed projects, and therefore recused himself and left the Council Chambers.

The Planning Commission reviewed Resolution No. PC 2016-8 Consideration of proposed categorical exemption and Condition Use Permit for the establishment and operation of a Secondhand/Consignment Clothing Store. Property Location – 115 & 117 S. Main Street, Yreka,

California, C2 (Commercial Downtown) Zone & GC (General Commercial) General Plan Designation. Assessor's Parcel Number 054-042-050.

Assistant City Manager Liz Casson presented commissioners with staff report and the following background. The City has received an application for a Conditional Use Permit from Nancy Archuleta to establish and operate a secondhand consignment-clothing store in conjunction with retail sales of collectibles and antiques, to be located in an existing facility. The subject property is located at 115 & 117 S. Main Street and is zoned C-2 Downtown Commercial. Pursuant to Yreka Municipal Code (YMC) Section 16.34.070, a Conditional Use Permit is required to allow the use of a "secondhand" store. The sales of antiques and retail sales of other new items such as "collectibles" are a permitted use by right in the C-2 Downtown Commercial District.

Notification of the public hearing was mailed to property owners/occupants located within 300 feet of the proposed project on April 1, 2016 and a Notice of Public Hearing was published in the Siskiyou Daily News on April 6, 2016.

City staff recommends approval subject to the proposed findings and conditions of approval, which includes a determination that the proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Existing Facilities of the CEQA Guidelines.

Public Hearing – This being the time and date set for the public hearing. Chair Osborn opened the hearing to the audience.

Applicant – Nancy Archuleta was present to answer commissioners questions.

There being no more statements or comments received, Chair Osborn closed the public hearing and discussion was opened to the Commission.

Following Commission discussion, Commissioner Knitter moved to make the finding that the proposed project is categorically exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) pursuant to Section 15301, Existing Facilities of the CEQA Guidelines.

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

Chair Osborn thereupon declared the motion carried.

Commissioner Rolzinski moved to adopt Planning Commission Resolution #PC 2016-08 making the findings and subject to the Conditions of Approval and approve Conditional Use Permit 2016-27, to allow the establishment and operation of a secondhand/clothing consignment store at 115 & 117 S. Main Street (APN 054-042-050).

1. The proposal will not be materially detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use.

The proposal to establish and operate a Secondhand/Consignment Clothing Store would not be materially detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood. Subject to the issuance of a Conditional Use Permit by the Planning Commission and subject to the Conditions of Approval, use of the site would remain consistent with the intent of the General Plan designation and zone district. As such, the project will not be detrimental to the health, safety or general welfare of persons residing or working in the neighborhood.

2. The proposal will not be materially detrimental to property or improvements in the neighborhood.

The proposal will not be materially detrimental to property or improvements in the neighborhood. Conditions of Approval will provide for commercial use compatibility between the proposed commercial use and the existing commercial neighborhood and adjacent streets.

3. The proposal will not be materially detrimental to the general welfare of the city.

The use is compatible with the policies and objectives of the zoning ordinance for a C2, Commercial Downtown zone which allows a Secondhand/Consignment Clothing Store upon approval and validation of a conditional use permit as set forth in Section 16.34.070 (M) of the Yreka Municipal Code. This commercial business keeps with the character of the surrounding area, and is found to be consistent with the General Plan. The proposal will not generate significant noise or lighting. The proposal will not increase traffic beyond the capacity of existing infrastructure in an area which is sufficient to accommodate commercial uses.

4. The Planning Commission has determined that the project is exempt from environmental review pursuant to the provisions of the California Environmental Quality Act (CEQA) Section 15301 Existing Facilities of the CEQA Guidelines.

The following conditions shall be complied with at all times while the use permitted by this permit occupies the premises:

1. Permittee granted a permit to establish and operate a Secondhand/Consignment Clothing Store 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. The business will be located in an existing facility in the C2 (Downtown Commercial) zone and can be served by existing municipal parking facilities.
3. Use shall be conducted in accordance with the application as submitted for the property located at 115-117 S. Main Street, as approved by the Planning Commission on April 20, 2016.
4. Permittee shall comply at all times with the zoning district regulations for a C2, Commercial Downtown zone, as set forth in section 16.34 of the Yreka Municipal Code.

General Commercial (GC) General Plan designation.

5. There shall be no storage or display of merchandise outside the building.
6. This permit shall not be effective unless and until applicant has obtained the necessary permits through the State Department of Justice and Yreka Police Department pursuant to the Business and Professions Code Section 21640 if required.
7. Permittee shall obtain a building permit and shall pay the necessary fees prior to making any building, electrical, mechanical, or plumbing installations and/or improvements to the structure.
8. No signs shall be placed on the premises without first obtaining a sign permit. Signs shall be installed in accordance with Title 13, Signs of Yreka Municipal Code.
9. Permittee shall maintain an annual City business license to carry on the business of a Secondhand/Consignment Clothing Store.
10. The 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.

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

The foregoing Resolution # 2016-8 was adopted by the Planning Commission on the 20th day of April by the following vote: Ayes: 5, Nays: 0.

Commissioner Ohlund returned to his seat at the table.

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



Matt Osborn, Chair

Approved by motion of the Planning
Commission on May 18, 2016