

CITY OF YREKA PLANNING COMMISSION RESOLUTION PC 2024-02

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF YREKA RECOMMENDING
APPROVAL FOR TENTATIVE PARCEL MAP NO. 2023-
12 FOR THE SUBDIVISION OF ONE 1.61-ACRE
PARCEL INTO THREE PARCELS WITH CONDITIONS
AND ADOPTION OF A CLASS 3 AND 15
CATEGORICAL EXEMPTION FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

WHEREAS, Lisa Anderson, Applicant, has filed an application for Tentative Parcel Map No. 2023-12 to subdivide one 1.61-acre parcel into three separate parcels, one 0.40-acre parcel, one 0.38-acre parcel, and one 0.57-acre parcel. Lane Street currently exists on the northern section of the parcel and would be separated and dedicated to the City of Yreka as part of this Tentative Parcel Map. There are no proposed changes to the General Plan Designation of Low Density Residential or the Low Density Residentials (R-1) Zoning designation. The applicant proposes to construct a single-family house on proposed Parcel 3; and,

WHEREAS, the City has processed said application pursuant to the City's subdivision regulations in Title 15, the Subdivision Map Act, and the California Environmental Quality Act of 1970 as amended; and

WHEREAS, on or before October 6, 2024 the City gave public notice as required under Government Code Section 66451.3 by mailing notices to property owners within at least 300 feet of the project; and

WHEREAS, the Planning Commission held a duly noticed public hearing as per Sections 65090 and 65091 of the California Government Code to accept public comments and to review and consider the application on Wednesday, October 16, 2024; and

WHEREAS, the proposed project was evaluated for compliance with the California Environmental Quality Act ("CEQA") and found to be exempt pursuant a Class 3 "Small Structures" and Class 15 "Minor Land Division" Categorical Exemption pursuant to Sections 15303 and 15315, respectively, of the CEQA Guidelines;

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Yreka does hereby determine the following:

Section 1. The factual data submitted by the Planning Department of the City of Yreka in the staff report dated October 16, 2024 are true and correct.

Section 2. For the foregoing reasons the Planning Commission determines that the Project is Exempt per the Class 3 "Small Structures" and Class 15 "Minor Land Division" Categorical Exemptions pursuant to Sections 15303 and 15315 of the California Environmental Quality Act (CEQA) Guidelines.

Section 3. The Planning Commission finds that based upon the entire record, pursuant to Section 15.20.090 of the Yreka Municipal Code, all of the following findings can be made subject to the conditions of approval listed in Section 4:

- a. The tentative parcel map is consistent with Title 15 of the Yreka Municipal Code (“Subdivision”)
- b. The tentative parcel map is consistent with the Subdivision Map Act
- c. The tentative parcel map is consistent with Title 16 of the Yreka Municipal Code (“Zoning”)

Section 4. The Planning Commission recommends the approval of the proposed project subject to the following conditions:

1. The Anderson Tentative Parcel Map shall be in substantial conformance to Exhibit B, dated June 25, 2024, on file with the Planning Department, except as modified by these conditions. Minor changes to the plans may be allowed subject to the approval of the Planning Director and City Engineer.
2. The expiration date for the Tentative Map shall be two years from the date of City Council approval of the Tentative Parcel Map unless an extension has been approved in accordance with Section 15.12.090 of the Yreka Municipal Code. All Conditions of Approval must be completed, and the Final Map must be recorded prior to the expiration date of the Tentative Parcel map.
3. Planning Department approval is required before any changes are implemented in the design, grading, drainage, and all other features of the subdivision map.
4. The Final Parcel Map plan check package will be accepted for submittal only after completion of the 15-day appeal period from the date of the City Council resolution unless approval is overturned on appeal or that the design is significantly changes as a result of the appeal.
5. To the extent permitted by law, the project applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City, its City Council, its officers, boards, commissions, employees, and agents from and against any claim (including claims for attorney fees), action or proceedings brought by a third party against the indemnified parties and the project applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorney fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.
6. Prior to final map recordation, the applicant shall prepare dedication paperwork to be reviewed and accepted by the City Council of the City of Yreka for dedication of the portion of Lane Street indicated in Exhibit B.
7. A final map shall be required to subdivide the property into three parcels and accept the City Street dedication as presented in Exhibit B.
8. The project applicant shall create and record all noted easements in Exhibit B for underground electric, ingress, and egress with the final parcel map.

9. Prior to approval of the final parcel map, the applicant shall comply with all applicable conditions of outside agencies having jurisdiction.
10. Prior to the first plan check, the applicant's engineer/surveyor shall submit a preliminary copy of the Final Map along with a preliminary copy of the title report and a copy of the adjoining deeds and/or recorded maps to the City. The City will forward these documents to its consultant who will estimate the cost for examining the map and certifying that the map is technically correct and in accordance with Section 66442 of the California Subdivision Map Act, Yreka Municipal Code, and all other applicable city, state, and federal codes. After the consultant has provided a cost estimate, the applicant's engineer/surveyor may submit the first plan check along with a deposit for these costs along with all other standard plan check fees. Any unused portion of the estimate will be returned to the applicant after the map is recorded. Similarly, if the applicant withdraws their application in writing prior to the consultant having performed the work, any unused portion of the deposit will be returned to the applicant. Conversely, should consultant's estimate be insufficient to cover all of the consultant's time, the applicant will be required to pay the City the difference between the estimate and the actual cost prior to submittal of the map for the City Engineer's approval.
11. At the time applicant submits the final map for review, the applicant shall also submit the following information to the City Engineer and City Surveyor for review and approval:
 - a. Two prints of the final tract map
 - b. One copy of the preliminary title report completed within the last six months
 - c. One set of the computer closures
 - d. One legible copy of the latest recorded deed for the property being subdivided
 - e. One legible copy of the recorded deeds for each of the adjacent properties unless those properties are part of a recorded map which has been recorded within the last seven years; and
 - f. One legible copy of the Recorded Final Map, Parcel Map, or Record of Survey used to prepare this Final Map.
12. The applicant's title company shall record the final map, any grant deeds or easements, and any other required documents concurrently with the Siskiyou County Recorder's Office. After the recording of these documents the City shall be provided with a legible recorded copy.
13. The project applicant shall provide the City with an electronic copy of the recorded map with all recording data shown.
14. When the map is submitted for the City Engineer's and Surveyor's signatures, the applicant shall provide the City with an electronic copy of the Final Map in AutoCAD format. In addition to the information shown on the final map, the electronic information submitted should include:
 - a. Street address(es) centered on the lot(s)
 - b. Building outlines for existing structures
15. Any dedications, open offers of dedication, or grants of easements may be dedicated and accepted on the face of the map. Agreement or other required items shall be recorded as separate documents concurrently with the recordation of the final map.

16. *Lighting*: CDFW recognizes the adverse effects that artificial lighting has on birds and other nocturnal species. The effects are numerous and include impacts to singing and foraging behavior, reproductive behavior, navigation, and altered migration patterns. To minimize adverse effects of artificial light on wildlife, CDFW requires that lighting fixtures associated with the Project be downward facing, fully shielded, and designed and installed to minimize photo-pollution and spillover of light onto adjacent wildlife habitat.
17. *Trenching*: If trenching will occur as a result of Project activities, it should be covered securely prior to stopping work each day, or a ramp should be provided in the trench to prevent wildlife entrapment. If pipes are left out onsite, they should be inspected for animals prior to burying, capping, moving, or filling.
18. The applicant shall obtain a Tax Certificate from the Siskiyou County Assessor's Office to be filed with the Siskiyou County Tax Collector's Office prior to final recording.

Section 5. The City Clerk shall certify to the adoption of this Resolution.

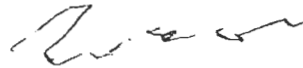
The foregoing Resolution was adopted by the Planning Commission on the 16th day of October 2024 by the following vote:

AYES: Commissioners Autry, Ohlund & O'Brien

NOES: -0-

ABSENT: Commissioner Devlin

ABSTAIN:



Peter O'Brien, Planning Commission Chair

ATTEST:



Cindy Prohaska, City Clerk