

**REGULAR MEETING
DUNSMUIR PLANNING COMMISSION
COUNCIL CHAMBERS
5902 DUNSMUIR AVE
NOVEMBER 11, 2015
REGULAR SESSION: 6:30PM**

As a courtesy, please turn off cell phones and electronic devices while the meeting is in session. Thank you.

- 1. CALL TO ORDER**
- 2. FLAG SALUTE**
- 3. ROLL CALL**
- 4. APPROVAL OF AGENDA**
- 5. APPROVAL OF MINUTES**

A. August 12, 2015 Regular Meeting

6. ANNOUNCEMENTS AND PUBLIC COMMENT

Make your announcements or comments from the podium.

The Planning Commission Chairperson will recognize you and ask for your name and address so that City staff can follow up on any issues requiring City action.

This time is set aside for citizens to address the Planning Commission on matters **not** included on the Regular Agenda. If your comments concern an item noted on the Regular Agenda, please address the Planning Commission when that item is open for public comment. **Each speaker is allocated three (3) minutes to speak. Speakers may not cede their time.** Comments should be limited to matters within the jurisdiction of the City. Speaker forms are available from the City Clerk, 5915 Dunsmuir Ave, Dunsmuir, on the City's website, or at the back of the meeting hall. The Planning Commission can only take action on matters that are on the Agenda, but may place matters brought to their attention at this meeting on a future Agenda for consideration. If you have documents to present to members of the Planning Commission, please provide a minimum of nine (9) copies

7. PUBLIC HEARING

PUBLIC Hearing Protocol:

- a. Chairperson will describe the purpose of the Public Hearing
- b. City Staff will provide the Staff Report
- c. City Staff will respond to questions by the Planning Commission
- d. Chairperson will open the Public Hearing
- e. Citizens wanting to comment will come to the podium, provide the City Clerk with their name and address

A. General Plan Amendment and Change of Zone for APN 059-030-010. The applicant wishes to change the zone from Central Commercial to Multiple Family. The property is adjacent to single family residential to the east and south, freeway to the west, and commercial to the north. The change in zone requires a general plan

amendment from General Commercial to High Density Residential. Environmental Assessment in line with CEQA will accompany the project.

8. OLD BUSINESS

- A) Discussion of how to provide longevity of right to existing residential structures in the Central Commercial(C-2) zone outside the Historic District.
- B) Adoption of PC Resolution No. 2015-19 Amending the Meeting Schedule

9. NEW BUSINESS

- A) Discussion and review of Historic District provisions in Dunsmuir City Code, Chapter 17.28

10. ANNOUNCEMENTS AND REPORTS FROM COMMISSION AND STAFF

- A) Electric Auto Recharging Station approved for YAKS – a ministerial action.
- B) Lot Line Adjustments have been filed for properties on Butterfly and Sacramento. Lot line adjustments are ministerial actions as they must comply with City Ordinances and may not create additional parcels.

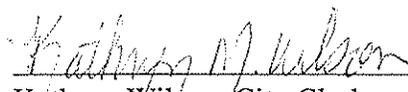
11. ADJOURNMENT:

Copies of this agenda were posted at City Hall, the Dunsmuir Park and Recreation District Office and at the Post Office on or before 6:30 PM November 8, 2015.

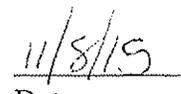
The City of Dunsmuir does not discriminate on the basis of race, color, national origin, religion, age, gender, sexual orientation, disability or any other legally protected classes in employment or provision of services. Persons who need accommodations for a disability at a public meeting may call City Hall at (530) 235-4822 for assistance. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to accommodate participation in the meeting.

CERTIFICATION

This is the official Dunsmuir Planning Commission Agenda created and posted in accordance with the Dunsmuir City Protocols.



Kathryn Wilson, City Clerk



Date

**CITY OF DUNSMUIR
PLANNING COMMISSION MEETING MINUTES
AUGUST 12, 2015**

CALL TO ORDER:

Meeting was called to order at 6:30 pm by Chair Harley.

Flag salute.

ROLL CALL:

Commissioners present: Lamb, Posten, Cross, Powers, Conway, Martin, Harley

City staff present: Johnsen, Dinges

City official present: Wilson

APPROVAL OF AGENDA AND MINUTES:

Motion to approve by Posten, second by Conway. Voice vote: 7-0-0-0, motion carried.

ANNOUNCEMENTS AND PUBLIC COMMENT:

Audience member Peter Arth asked that the Commission address the Historic District Ordinance on the next agenda. He expressed concern about the City's non-enforcement for the past several years, stating that enforcement would not allow owners to let their buildings fall apart.

Commissioner Cross suggested a workshop to go over the Historic District codes and what they mean before the next meeting.

PUBLIC HEARING:

A. Environmental Determination/Exemption for Variance 2015-02, 4309 Oak Street
Planning Consultant Dinges reviewed the staff report, explaining the minor change to an existing building.

Public Hearing Open: 6:50 pm

Public Hearing Closed: 6:50 pm

Brief discussion. Motion to support CEQA exemption by Posten, second by Lamb. Voice vote: 7-0-0-0, motion carried. Motion to approve variance by Lamb, second by Cross. Voice vote: 7-0-0-0, motion carried.

B. Environmental Determination/Draft Declaration for Zoning Test Amendment regarding banners, pennants, and signs

Review of staff report by Planning Consultant Dinges.

Public Hearing Open: 7:04 pm

Audience member Peter Arth stated that business owners need clear guidelines, and that there should be a checklist available to make the process of acquiring a banner simple.

Public Hearing Closed: 7:07 pm

Discussion regarding size and verbiage. Decision to change word 'may' to 'are to', and to adopt size regulations allowing for one square foot per lineal foot of storefront, with a maximum of 20

AUGUST 12, 2015
PLANNING COMMISSION MEETING MINUTES
PAGE 2 of 2

square feet. Motion approve language as amended by Lamb, second by Conway. Voice vote: 7-0-0-0, motion carried.

Motion to recommend to the City Council the adoption of these changes by Cross, second by Powers. Voice vote: 7-0-0-0, motion carried.

OLD BUSINESS:

A. Variance 2015-01, John Kirkwood, Scherrer Avenue

Consultant Dinges stated that the item had been withdrawn at the applicant's request.

NEW BUSINESS:

A. Discussion of workshop for existing residential structures in the Central Commercial (C-2) zone.

Consultant Dinges stated that she is still working on mapping for a workshop and was not quite prepared to present a proposal.

Audience member Ana Mulvaney stated that the item is very important and that she did not see the announcement in the newspaper. She expressed concern about the issues and asked to be considered for the workshop.

Discussion. Commissioners appointed to the Committee: Lamb, Cross, and Martin.

Interim City Manager Johnsen stated that staff will arrange for advertising of the meeting, and that options could be presented directly to the Planning Commission, bypassing the committee process. Discussion. Commission agreed, staff to present directly to the Planning Commission.

ANNOUNCEMENTS AND REPORTS FROM COMMISSION AND STAFF:

ICM Johnsen reviewed recommendation for PC meeting date change, and agreed to provide Resolution making change at next meeting.

Commissioner Cross requested discussion regarding the Historic District Ordinance be added to the next agenda, staff directed to do so by PC.

ADJOURNMENT: 7:36 pm

Chair Harley

ATTEST:

City Clerk Wilson

CITY OF DUNSMUIR NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Dunsmuir Planning Commission will hold a public hearing on November 11, 2015 at 6:30 p.m., to consider the following actions:

- A General Plan Amendment from Service Commercial to High Density Residential and a related change of Zone from C-2 Central Commercial to R-3 Multiple Family in order to allow for future multiple family uses, located at the northerly end of Siskiyou Avenue (APN 059-030-010).

The public is invited to comment on this item as well as on other matters being discussed at the same meeting, as follows:

- Existing houses in the C-2 Central Commercial zone;
- The Historic District ordinance.

The hearing will be held in the City Chambers which are located across the street from City Hall at 5902 Dunsmuir Avenue in the City of Dunsmuir.

If you have any questions or comments, or wish to review the project files, please contact Randy Johnsen, Interim City Manager, Dunsmuir City Hall, 5915 Dunsmuir Avenue, Dunsmuir, CA 96025, or by telephoning (530) 235-4822. Since comments are part of the official record, please be sure that all comments submitted are legible, including the name of the author or signatory.

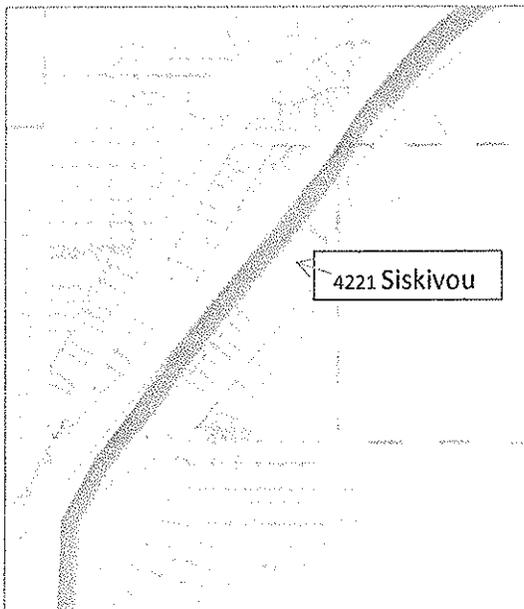
Randy Johnsen
Interim City Manager
City of Dunsmuir

Staff Report

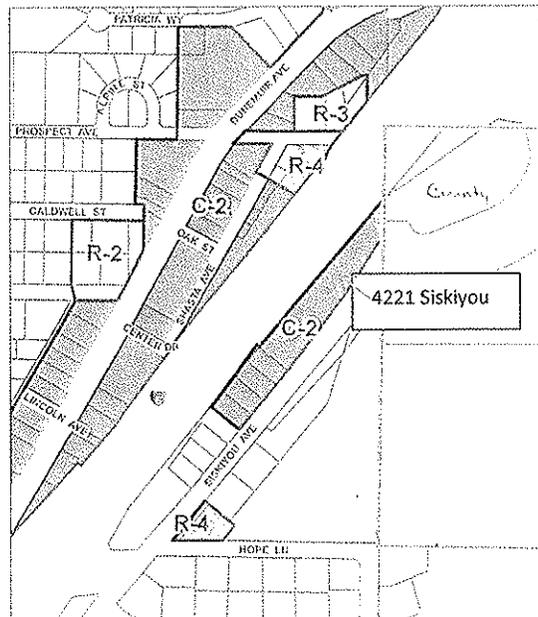
By Arlene Dinges, Planning Consultant

Date of Hearing	November 11, 2015
Project Location	West side Siskiyou Avenue north of Hope Lane
Address:	4221 Siskiyou Avenue
APN	059-030-010
Project Description	Change Zone and underlying General Plan designation to allow multiple family use.
Existing conditions	The parcel is approximately 1.5 acres in area and is the site of the vacant Best Choice Inn. The Existing Zone is C-2 Central Commercial with a Service Commercial General Plan designation. The parcel sits adjacent to residential uses and the I-5 interchange at Siskiyou Ave. According to the Zoning Map There are four lots south of the site that are zoned C-2. The lot immediately adjacent to the south has been developed with a shed. The three lots south of it have been developed with single family homes as have those further south in the R-1 zone. According to Figure 2-1A, the General Plan Designation for those lots is Low Density Residential.

Existing General Plan



Existing Zoning



Environmental Analysis

The site has already been developed with a motel complex and parking area along with related accessory uses such as a pool, restaurant and bowling alley, but is in a state of disrepair. The owner wishes to change the zoning to allow for apartments. The increase in multiple family zoning inventory is within the scope of the proposed Housing Element, which is currently in draft form, and would enable Dunsmuir to meet its obligation to provide adequate land for potential affordable housing.

See attached table for summarization in the change of potential land use. The proposed zoning reduces the potential to impact the site. The environmental analysis of the site under the existing general plan and zoning allows for more density than the proposed zone and general plan designation. No Significant Impacts are anticipated.

Review

The General Plan Land Use Element was fully developed in 1979, and was based on the existing land use as well as certain assumptions among which are presented below. (Page 3-4 & 5-6 of GP Introduction)

- There will be a continuing demand for affordable single-family housing and an increased demand for multifamily housing.

The proposed amendment is consistent with the Housing Element and several General Plan Goals.

The City of Dunsmuir Housing Element is based on strategic goals and policies, including:

- **Policy HE.1.1:** The City will encourage housing suitable to a variety of income levels and household sizes and types,
- **Policy HE.1.3:** Provide adequate sites to meet the City's share of regional housing needs.

Additionally, the following goals are consistent with the application.

- Land Use Goal #2 – a sufficient mix and quantity of land

- uses to serve the needs of the community
- Land Use Goal #4 – existing neighborhoods protected and the sense of community enhanced
 - 4.1 -The City shall ensure that approval of all proposed land uses consider and support compatibility with existing land uses
- Open Space Goal - The project does not diminish open space or interfere with natural resources.
- Circulation Goal #1 - The land is already developed and has access to a public street and utilities.
- Safety – the proposed land use will not impact safety for the region or the neighborhood.
- Noise – the proposed amendment will reduce potential noise impacts to surrounding properties
- Historic preservation – the property is not within the Historic District and does not contain an historic structure.

Recommendation:

Approval of a Negative Declaration, General Plan Land Use Map (Figure 2-1A) Amendment from Service Commercial to High Density Residential and Zoning District Map Amendment from C-2 Central Commercial to R-3 Multiple Family.

Appendix

General Plans are governed by Government Code Section 65300-65303.4 and guided by the Guidelines prepared and adopted by the State which allow for up to 4 changes or amendments to each mandatory element of the plan in any one year. The following is taken from the General Plan Guidelines

GENERAL PLAN GENERAL PLAN AMENDMENTS

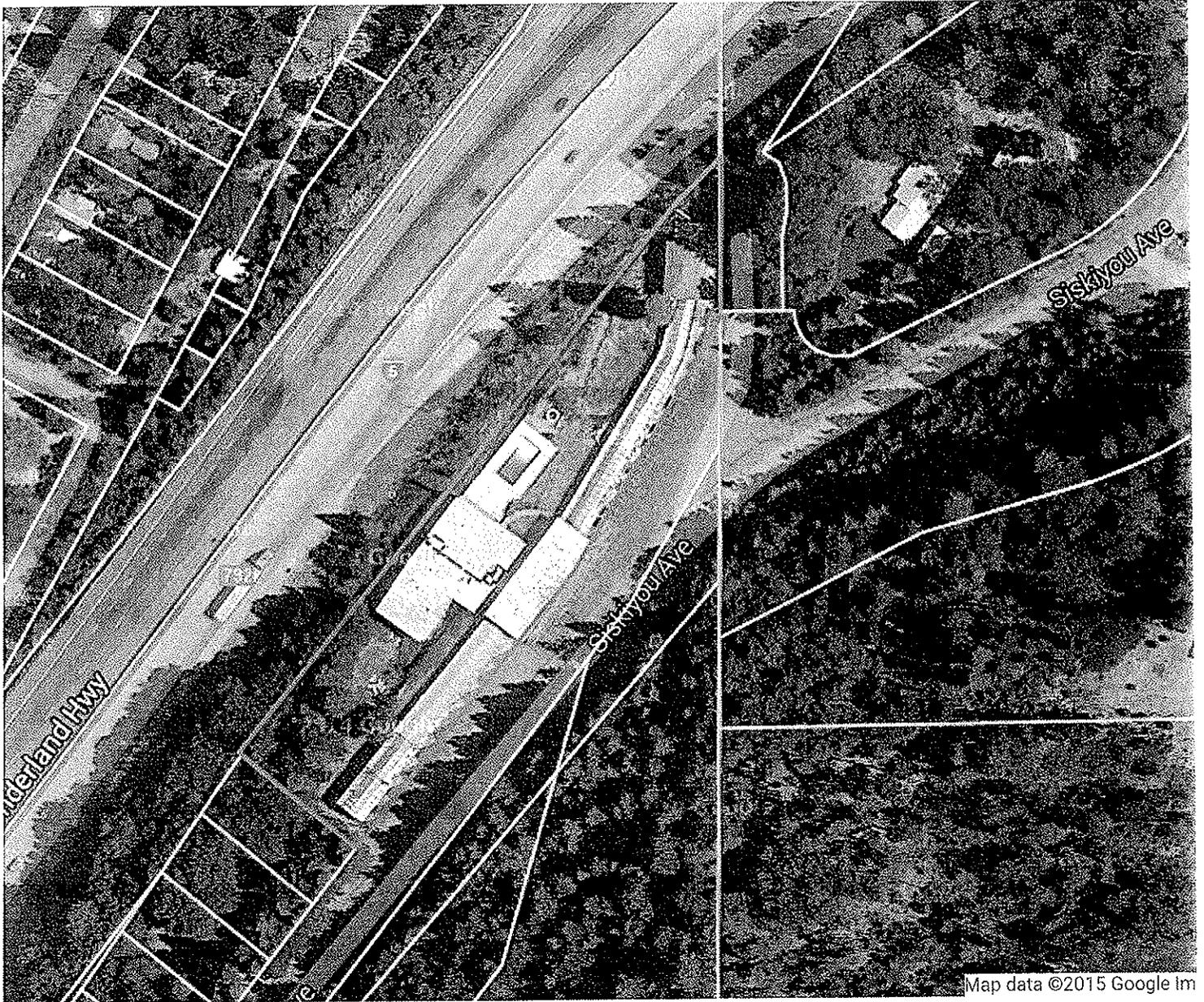
The most common sort of revision to a general plan is an amendment associated with a privately initiated development project.

Generally, local governments may not amend any one of the mandatory elements of the general plan more than four times in one calendar year (§65358(b)). However, this limitation does not apply to: ♦ Optional elements. ♦ Amendments requested and necessary for affordable housing (§65358(c)). ♦ Any amendment necessary to comply with a court decision in a case involving the legal adequacy of the general plan (§65358(d)(1)). ♦ Amendments after January 1, 1984, to bring a general plan into compliance with an airport land use plan (§65302.3). ♦ Amendments needed in connection with the adoption of a comprehensive development plan under the Urban Development Incentive Act (Health and Safety Code §56032(d)). ♦ Any amendments for the purpose of developing a certified Local Coastal Program (Public Resources Code §30500(b)).

Analysis of existing and potential uses per current and proposed zoning

APN 059-030-010 Lot Area 61,780 Sq. Ft

	<u>Existing Development</u>	<u>Current Zoning</u>	<u>Proposed Zoning</u>	Comments
Building Footprint	See Exhibit Attached	100%	75%	
Building Area	See Exhibit Attached	54,800 Sq. ft.	37,265 Sq. ft.	After Setbacks
Minimum Setbacks	See Exhibit Attached	Front and North: No Setback Requirement East: 5'setback West: 10'	Front: 20', Side: 5', Rear: 20'	Front = 10620 Rear = 12600 North= 695 South= 600
Height	One and two-story	70' (5 to 6 stories)	35' (3 stories)	
Parking	Open parking (1 per unit)	None Required	1 garage per dwelling	



Notice of Intent to Adopt a Negative Declaration

Project Description: General Plan Land Use Map Amendment from Service Commercial to High Density Residential and Zoning Map Amendment from C-2 Central Commercial to R-3 Multiple Family for 4221 Siskiyou Avenue, also known as Assessor's Parcel Number 059-030-010 in the City of Dunsmuir.

Project Applicant: Timothy Crofton

Lead Agency: City of Dunsmuir, CA

Review Period: July 24, 2015 to August 12, 2015

Scheduled Planning Commission Hearing: November 11, 2015

Anticipated City Council Hearing: December 3, 2015

Copies of the Negative Declaration and associated file can be reviewed at the following locations:

- City Office: 5915 Dunsmuir Avenue, Dunsmuir, CA 96025
- Dunsmuir Library: 5714 Dunsmuir Avenue, Dunsmuir, CA 96025

City of Dunsmuir Initial Study Environmental Checklist Form

NOTE: The following form and may be tailored to satisfy individual project circumstances. It may be used to meet the requirements for an initial study when the criteria set forth in CEQA Guidelines have been met. Substantial evidence of potential impacts that are not listed on this form must also be considered. The sample questions in this form are intended to encourage thoughtful assessment of impacts, and do not necessarily represent thresholds of significance.

1. Project title: Crofton General Plan Amendment and Zone Change

2. Lead Agency:

City of Dunsmuir
5915 Dunsmuir Ave
Dunsmuir, CA 96025

3. Contact person and phone number: Arlene Dinges 530-235-4822

4. Project location: 4221 Siskiyou Ave

5. Project sponsor's name and address: Timothy Crofton
43213 Mission Blvd.
Freemont, CA 94539

6. General plan designation: Existing: Service Commercial. Proposed: High density Residential

7. Zoning: Existing: C-2 Central Commercial. Proposed: R-3 multiple Family residential

8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.) The parcel is approximately 1.5 acres in area and is the site of the vacant Best Choice Inn. The Existing Zone is C-2 Central Commercial with a Service Commercial General Plan designation. The owner wishes to utilize the site for multiple family development.

9. Surrounding land uses and setting: Briefly describe the project's surroundings: The parcel sits adjacent to residential uses and the I-5 interchange at Siskiyou Ave. According to the Zoning Map There are four lots south of the site that are zoned C-2. The lot immediately adjacent to the south has been developed with a shed. The three lots south of it have been developed with single family homes as have those further south in the R-1 zone. According to Figure 2-1A, the General Plan Designation for those lots is Low Density Residential.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utilities / Service Systems |
| <input type="checkbox"/> Geology /Soils | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature _____ Date _____

Signature _____ Date _____

EVALUATION OF ENVIRONMENTAL IMPACTS:

A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D).

This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected. The explanation of each issue should identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ISSUES:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista? Basis: The requirements of the code for R-3 restrict size and placement more strictly than the existing C-2 zone				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? Basis: The site is already developed				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings? Basis: The site is already developed				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? Basis: Residential uses would emit less light than potential commercial uses on the site.				X
II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997)				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?				X
Basis: The site is already developed				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
Basis: The site is already developed				
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
Basis: The site is already developed				
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
Basis: The site is already developed				
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X
Basis: The site is already developed				
III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
The site would generate less traffic under R-3 zoning than potential traffic of a 70 foot high commercial enterprise.				
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X
IV. BIOLOGICAL RESOURCES -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
Basis: The site is already developed				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
Basis: The site is already developed				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
Basis: The site is already developed				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
Basis: The site is already developed				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
Basis: The site is already developed				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X
Basis: The site is already developed				
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?				X
The site is not Historic nor in the Historic district				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?				X
Basis: The site is already developed				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
Basis: The site is already developed				
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
Basis: The site is already developed				
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
Basis: The site is already developed				
ii) Strong seismic ground shaking?				X
Basis: The site is already developed				
iii) Seismic-related ground failure, including liquefaction?				X
Basis: The site is already developed				
iv) Landslides?				X
Basis: The site is already developed				

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in substantial soil erosion or the loss of topsoil?				X
The site is already developed				
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
Basis: The site is already developed				
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
Basis: The site is already developed				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
Basis: The site is already developed				
VII. GREENHOUSE GAS EMISSIONS -- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X
VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
Basis: The site is already developed				
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of preexisting nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
Basis: The site is already developed				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
The existing development has already diverted an ephemeral stream underground				
d) Substantially alter the existing drainage pattern of				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				
Basis: The site is already developed				
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
Any new development would be reviewed by the City Engineer. The existing zoning has the capacity to produce more roof and paving than the proposed zoning.				
f) Otherwise substantially degrade water quality?				X
Basis: The site is already developed				
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
The site is not within a food hazard area				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X
X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
XI. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
residents of the state?				
Basis: The site is already developed				
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
Basis: The site is already developed				
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
The only noise generator is the adjacent freeway, which is also adjacent to the residential land use further south. New construction techniques would provide for double paned windows to mitigate the noise.				
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
The site is not affected by excessive vibration				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
Residential noise potential is less than potential commercial noise production				
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
Basis: The site is already developed				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
XIII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Sufficient utilities and roads already exist to handle the growth.				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
XIV. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?				X
Police protection?				X
Schools?				X
Parks?				X
Other public facilities?				X
XV. RECREATION --				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
XVI. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
The site is already developed				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which Potentially Significant Impact Less Than Significant with Mitigation Incorporated Less Than Significant Impact No Impact				X

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
could cause significant environmental effects?				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

Source: Appendix G 2009



Timothy Crofton <timothy@timothycrofton.com>

Best Choice Inn

16 messages

arlene dinges <arlenedinges@gmail.com>

Wed, Jul 15, 2015 at 3:33 PM

To: Timothy@timothycrofton.com

Cc: City Manager <citymanager@ci.dunsmuir.ca.us>, City Manager <cityadmin@dunsmuir.onmicrosoft.com>

Hello Timothy, I am the planner for the City of Dunsmuir and have been talking to Randy Johnsen about the possible re-zoning of your property. In the interest of time, Randy has asked me to send the attached forms to you directly.

Attached are the general application and environmental form that have been started for you. This will be a General Plan Land Use Amendment (\$600.00) as well as a zone change (\$300.00). I anticipate we will need a Negative Declaration. For now just a \$75.00 fee to do the Environmental Assessment, with the Neg Dec fee at time of approval. So fees for now should total \$975.00.

The application forms talk about what has to be attached or provided along with the signed forms. It would be good to have a topo map. There is an ephemeral stream/drainage course that comes down the hillside opposite this site on Siskiyou Ave. I understand you are not the original owner, but if you have any construction drawings or documents showing that the water has been dealt with, that would be helpful.

If you have any questions as you complete this application, do not hesitate to contact me. My contact information is shown below.

--

Sincerely,

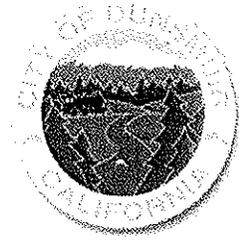
Arlene Dinges

Planning Consultant to the City of Dunsmuir

530-235-9874

arlenedinges@gmail.com

2 attachments Crofton env info form for City of Dunsmuir.docx
153K



City of Dunsmuir

General Planning Department Application

Application # _____

Check all that apply

<input type="checkbox"/>	Use Permit	X	General Plan Amendment
<input type="checkbox"/>	Conditional Use Permit	X	Re Zoning
<input type="checkbox"/>	Variance		Municipal Ordinance Amendment
<input type="checkbox"/>	Subdivision (into 4 or fewer parcels)		Annexation
<input type="checkbox"/>	Subdivision (into 5 or more lots)		
<input type="checkbox"/>	Lot Line Adjustment	X	Environmental Assessment
<input type="checkbox"/>	Initial Plan Consultation		Environmental Impact Report
<input type="checkbox"/>	Sign Permit		Tree Removal
<input type="checkbox"/>	Site Plan		Landscaping Plan
<input type="checkbox"/>	Other _____		

1. Application Date: 5/22/15 Fees: \$3206.25 deposit Receipt # _____

All required information must be submitted and all fees must be paid prior to the application being considered complete.

City fees: Checks are to be made out to City of Dunsmuir.

Fish and Game fees: Checks are to be made out to the County Clerk, Siskiyou County

PROPERTY OWNER'S INFORMATION:

Name(s): Timothy Crofton Crofton Real Estate

Mailing Address: 43213 Mission Blvd. Fremont, CA Zip Code: 94539

Telephone: Work: 510-657-6000 Home: _____ Cellular: 510-673-0038

E-mail Address: alam@timothycrofton.com

APPLICANTS/AGENT'S NAME INFORMATION:

Name(s): Timothy Crofton Crofton Real Estate

Mailing Address: 43213 Mission Blvd. Fremont, CA Zip Code: 94539

Telephone: Work: 510-657-6000 Home: _____ Cellular: 510-673-0038

E-mail Address: alam@timothycrofton.com

Attach a copy of your Grant Deed with this application

City of Dunsmuir
5915 Dunsmuir Avenue
Dunsmuir, CA 96025
Phone: 530-235-4822 Page 1

PROPERTY IDENTIFICATION (Attach legal description OR deed):

Property Address: __Siskiyou Ave
Property Location: West side of Siskiyou Avenue, northerly end of the street at the site of the best Choice motel
Property Assessor Parcel Number(s): 059-030-010
Property Dimensions (in feet): _____ Is this a corner lot? NO
Property Area: (Gross square footage) _____ Gross Acreage 1.5
Site Land Use (check one): Raw Undeveloped Developed -

If Developed, list existing improvements Vacant Motel
Existing Zoning: C-2 Existing General Plan Land Use Designation: Service Commemrcial

Is this site in the Historic District? NO Is the site in the Buffer Zone? NO

Existing Land Use (i.e., residential, commercial, industrial, office) Vacant Commercial

DESCRIBE ADJACENT ZONING AND LAND USE WITHIN 300 FEET OF PROJECT SITE:

North Residential
South Residential
East Residential
West Freeway

Required Attachments:

2. Environmental Information Form.
3. Other applicable forms: Grant Deed
4. Other applicable requirements per Staff.
5. Envelopes and Postage for 300' radius notification as directed by staff.
6. Fees: \$3206.25 deposit for GPA (\$600) Zone Change (\$300) Environmental Assessment (\$75) and Negative declaration (\$2931.25)

APPLICANT'S STATEMENT OF INTENT Describe the proposed project in detail. Attach additional sheets if necessary: The site lies adjacent to residential structures and the applicant proposes to utilize the site for multiple family housing, which is a better transition or buffer zone for the existing houses.

Person(s) or firm(s) responsible for Maps and Plans: N/A

Firm Name: _____

Contact Person: _____

Address: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

List Plans and Attachments:

None at this time

If this project may result in physical alteration to the property or a change in the designation of the property, you must complete the next page and an Environmental Assessment, as well as all information on the checklist provided by staff.

Property Owner Signature Requirements:

(If this application involves subdivision, rezoning, general plan amendment, lot line adjustment or any permanent alteration to the property, the signature must be notarized.)

I hereby certify that the facts, statements and information presented within this application form and attachments are true and correct to the best of my knowledge and belief. I hereby understand and certify that any misrepresentation or omissions of any information required in this application may result in my application being delayed or denied by the City. I hereby certify that I have read and fully understand all the information required in this application form.

Signature of Applicant

Signature of Owner

For Office Use Only

Date Application Accepted as Complete: _____

Date Application Noticed and Advertised: _____

Date Application Heard: PC: _____ CC: _____

Attach Notices, Staff Reports, Resolutions, Ordinances

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

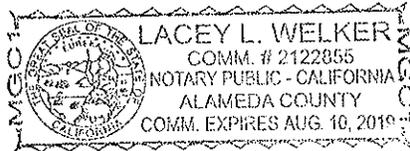
State of California
County of Alameda)

On October 12, 2015 before me, Lacey Welker, Notary Public
(insert name and title of the officer)

personally appeared Timothy Crofton,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Lacey L. Welker (Seal)

Re: City of Dunsmuir
Environmental Information Form
(9 pages total) - (10) w/ Acknowledgment



City of Dunsmuir

Environmental Information Form

This document will assist the City in complying with the California Environmental Quality Act (CEQA) by disclosing information about the proposed project and its potential environmental impacts. Complete and accurate information will minimize future requests for additional information.

PROPERTY OWNER'S INFORMATION:

Name(s): Timothy Crofton Crofton Real Estate
Mailing Address: 43213 Mission Blvd. Fremont, CA Zip Code: 94539 -
Telephone: Work: 510-657-6000 Home: _____ Cellular: 510-673-0038
E-mail Address: alam@timothycrofton.com

APPLICANTS/AGENT'S NAME INFORMATION:

Name(s): Timothy Crofton
Mailing Address: 43213 Mission Blvd. Fremont, CA Zip Code: 94539-
Telephone: Work: 510-657-6000 Home: _____ Cellular: 510-673-0038
E-mail Address: alam@timothycrofton.com

PROPERTY IDENTIFICATION (Attach legal description OR deed):

Property Address: 4221 Siskiyou Ave
Property Location: West side of Siskiyou Avenue, northerly end of the street at the site of the best Choice motel
Property Assessor Parcel Number(s): 059-030-010
Property Dimensions (in feet): Approx. 600 feet by 120 feet Is this a corner lot? No
Property Area: (Gross square footage) Approx. 61,780 Sq. Ft. Gross Acreage 1.5
Site Land Use (check one): Raw Undeveloped Developed -

Site Access: Public Private
Street Name: Siskiyou Avenue
Easement Via: _____

975

If Developed, list existing improvements Motel complex with pool and restaurant
Existing Zoning: C-2 Existing General Plan Land Use Designation: Service Commercial
Is the site within the Flood Zone? No . Explain: _____

Are there any natural or man-made water sources on the property? Yes NO

*If yes, show a high water mark on the site map

Is the property subject to Saturation due to:

Condition	Yes (Explain)	No
Springs		X
Seeps		X
Irrigation Ditches		X
Surface Water		X
Blue Line Stream		X
Ephemeral Stream		X
Other (explain) _____		X

Natural Water Course has been channelized underground

Approximate Percentage Slope on the Property (Include Topographical map) See Contour Map

Is this site in the Historic District? No. Is the site in the Buffer Zone? NO

Existing Land Use (i.e., residential, commercial, industrial, office) Vacant Commercial

DESCRIBE ADJACENT ZONING AND LAND USE WITHIN 300 FEET OF PROJECT SITE:

North Residential

South Residential

East Residential

West Freeway

APPLICANT'S STATEMENT OF INTENT (Describe the proposed project):

To Rezone to Multiple Family Residential in order to allow for more opportunity and to be a more compatible with the surrounding single family neighborhood.

IF THE PROJECT INVOLVES CONSTRUCTION, PROVIDE THE FOLLOWING INFORMATION:

No New Construction at this time

1. PROPOSED BUILDING(S) CHARACTERISTICS

Size of footprint of structure(s): _____ Gross Sq. Ft.
Size of New Structure(s) or Building Addition(s): _____ Gross Sq. Ft.
Height of new Structure(s) (Measured from average base of elevation to the highest point of structure – per 17.04.050): _____ ft.
No. of Floors: _____
Height of Other Appurtenances (Excluding Buildings) Measured from Ground to Highest Point (e.g., Antennas, Microwave Equipment, Solar Energy Equipment, Light Pole Standards, etc.): _____

2. Project Site Coverage:

Building Coverage: _____ sq. ft. _____ % Paved Surfaced Area: _____ sq. ft. _____ %
Landscaped Area: _____ sq. ft. _____ % Natural Area: _____ sq. ft. _____ %

3. Materials

Exterior Building Materials: _____
Exterior Building Colors: _____

4. Parking:

Total No. of Off-Street Parking Spaces: On-Site Required: __ On-Site Proposed: __ Proposed Off-Site
Parking: Include a Permanent Maintenance Management Plan. Total No. of Bicycle Spaces: Proposed:
Required: Covered _____; Uncovered _____:

5. If applicable, describe the Type of Exterior Lighting Proposed for the Project (height, intensity):

Building Lighting: _____
Parking Lighting: _____

IF THE PROPOSAL IS A COMPONENT OF AN OVERALL LARGER PROJECT, DESCRIBE THE PHASES AND SHOW THEM ON THE SITE PLAN:

Does this project include signage? _____
 If Yes, Include Sign Permit Application

Will the project require grading or soil disturbance? _____
 If Yes, explain and attach grading plan.

Are there any trees or shrubs on the project site? _____
 If yes, plot on site plan by size and type and indicate which are proposed for removal.

Are any structures to be demolished?-----
 If yes, describe age, condition, size and architectural style. (Attach photos):

Do Utilities exist to the property line in sufficient Capacity to serve the proposed project?

Utility	Yes	No (Provide information as to required extension or improvement)
Water	Yes	_____
Sewer	Yes	_____
Telephone	Yes	_____
Electricity	Yes	_____
Other _____		_____

ALL APPLICANTS

1. NEW RESIDENTIAL PROJECTS ONLY

Total Lots: _____ Total Dwelling Units: _____ Total Acreage: _____ Net Density/Acre: _____
 For Sale or Rent: _____ Type of Unit: Studio: 1 Bedroom: 2-Bedroom: 3-Bedroom: 4-Bedroom:
 Usable Open Space/Unit: Private: _____ Common: _____

2. RETAIL, COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, OR OTHER PROJECT

No New Project at this time

Type(s) of Use(s): _____

Application ID GPA 15-01 & ZC 15-01

Hours of Operation: Closed at this time Total Occupancy/Capacity of Building(s): -

Total Number of Fixed Seats: N/A Square Footage of: Warehouse Area:

Office Area: Loading Area: Sales Area:

Storage Area: Kitchen Area Production Area

Total Number of Employees: Anticipated Number of Employees on largest Shift:

Total Number of Visitors/Customers On Site at any One Time: Other Occupants (specify):

List equipment that will be in use and noise decibels

If the work will produce emissions of light, odor, vibrations or noise, explain below:

3. PREVIOUS ENVIRONMENTAL DOCUMENTS If this project is part of any other project for which a Negative Declaration or Environmental Impact Report has been prepared, reference the document (include date and case number, if applicable).

4. OTHER PERMITS OR APPROVALS List any and all other public approvals required for this project. Specify type of permits or approval, agency/department, address, person to contact, and her/his telephone number. Permit or Approval Agency Address Contact Person Phone No.

CERTIFICATION:

As the applicant for this proposal, I hereby state that, to the best of my knowledge, the above answers and statements are true and complete.

Signature of Applicant [Signature] Agent Date 10-13-15
Print Name and Signee Timothy Crofton Phone No. 510-673-0038

RESOLUTION NO. PC-2015-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUNSMUIR RECOMMENDING APPROVAL OF A GENERAL PLAN LAND USE AMENDMENT FROM SERVICE COMMERCIAL TO HIGH DENSITY RESIDENTIAL AND A CHANGE OF ZONE FROM CENTRAL COMMERCIAL C-2 TO MULTIPLE FAMILY RESIDENTIAL R-3 ALONG WITH THE ASSOCIATED NEGATIVE DECLARATION FOR 4221 SISKIYOU AVENUE, ALSO KNOWN AS ASSESSORS PARCEL NUMBER 059-030-010.

WHEREAS Title 17 Chapter 24 authorizes the Planning Commission to recommend to City Council Zoning Map amendments, and

WHEREAS State legislation and the State General Plan Guidelines allow for amendment to the General Plan Land Use Element up to 4 times a year, and

WHEREAS the Planning Commission held a public hearing to consider an amendment of the General Plan Land Use Map (Figure 2-1A) from Service Commercial to High Density Residential along with a Change of Zoning District from C-2 Central Commercial to R-3 High Density Residential, and

WHEREAS all exhibits, maps, reports and application forms for the General Plan Amendment and Change of Zone were considered in the process, as well as public testimony, and

WHEREAS the General Plan Land Use designation Amendment was found to be consistent with the goals and objectives of the General Plan, and

WHEREAS this amendment and zone change were found to be consistent with each other and compatible with the residential development in the surrounding neighborhood, and

WHEREAS an Initial Study was prepared for the project and a Negative Declaration is proposed because it has been found that the project will have no negative environmental impacts due to the fact that the land was approved for more dense development under the existing General Plan and Zoning designations than will be allowed under the proposed General Plan and Zoning designations.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Planning Commission of the City of Dunsmuir adopts this resolution recommending approval of the Negative Declaration, General Plan Amendment and Zoning District Amendment.

IT IS HEREBY CERTIFIED that the foregoing PC resolution 2015-_____ was duly presented and adopted this 11th day of November , 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED:

ATTEST:

City Clerk

Planning Commission Chair

On the Issue of Single Family houses in the C-2 Zone

The way the revised code reads, no residential uses would be allowed in the C-2 zone unless above commercial. They become legal, non-conforming uses. However residential uses need to be legal in the C-2 zone, at least in existing houses. The lending institutions are looking for letters from the City that make these uses legal to continue in case of a disaster like a fire burning more than half of the structure, so they can be rebuilt and will not be considered non-conforming.

	Option to Consider	PROS	CONS	Effect
1	Add the CUP ability back in for residences in houses	Restores to property owners the same right they had before.	They Still need a CUP for a 1 st floor residence or a single family house	Leaves everyone else neutral
2	Allow residences in houses without a CUP	Slightly more permissive	PC does not have the ability to study on a case by case basis	A new business could be wary of locating adjacent to residential due to noise etc.
3	Rezone some blocks to C-1	Already allows single family homes, so that problem goes away	Affects neighbors by allowing different uses adjacent to them than they may have had before Also may jeopardize other existing commercial in the block.	At least 7 existing businesses would need CUP's if new or sold. At least 2 existing business would not be allowed if new or sold.
4	Rezone some blocks to R-4	Already allows single family homes, so that problem goes away, and other uses are generally quieter -less commercial, more professional	Affects neighbors by allowing different uses adjacent to them than they may have had before. Also may jeopardize other existing commercial in the block	At least 5 existing businesses would need CUP's if new or sold. At least 6 existing businesses would not be allowed if new or sold.
5	Rezone some lots to C-1 or R-4	Very case specific but requires more work and more time.	Be careful with spot zoning – it needs to make sense – logical progression of uses with buffers. And if you don't think it should be re-zoned, then they have been given no relief.	Requires additional study
6	Issue CUP's for all of the non-conforming parcels such that they become conforming as they currently as constructed.	Restores to property owners the same right they had before.	Time Consuming and financially burdensome in that a public hearing would be required for each.	Same effect as #1 after the CUP's are heard and granted.

PC RESOLUTION 2015-19
A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF DUNSMUIR AMENDING THE MEETING SCHEDULE

WHEREAS, the Planning Commission of the City of Dunsmuir has met on the first Wednesday of each month at 7:00 p.m.; and

WHEREAS, the Planning Commission of the City of Dunsmuir wishes to set its meeting schedule for the remainder of fiscal year 2015-16.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the City of Dunsmuir, the Commission shall meet at 6:30 p.m. on the second Wednesday of each month as follows:

October 7, 2015 (First Wednesday but falls between Council Meetings)
November 11, 2015
December 9, 2015
January 13, 2016
February 10, 2016
March 9, 2016
April 13, 2016
May 11, 2016
June 8, 2016

IT IS HEREBY CERTIFIED that the foregoing PC Resolution was introduced and duly adopted by the Planning Commission at a regularly scheduled meeting held on the 7th of October, 2015, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Chair

City Clerk

Chapter 17.28 - HISTORIC PRESERVATION - (Ord. 517 § 1 (part), 2004)

- Sections:
- 17.28.010 - Purpose.
- 17.28.020 - Definitions.
- 17.28.030 - Historical district—Planning commission—Authority and delegates responsibilities.
- 17.28.040 - Historic district staff support.
- 17.28.050 - Landmarks—Designation.
- 17.28.060 - Landmarks—Designation—Review criteria.
- 17.28.070 - Landmarks—Designation—Procedure.
- 17.28.080 - Historic districts—Designation—Procedure.
- 17.28.090 - Buffer zone defined.
- 17.28.100 - Procedure to authorize construction, demolition, relocation or material change on a designated landmark or in a historic district.
- 17.28.110 - Historic easements.
- 17.28.120 - Conformance requirement.
- 17.28.130 - Property owned by public agencies.
- 17.28.140 - Historic district sign regulations.
- 17.28.150 - Preservation of historic district.
- 17.28.160 - Reasonable maintenance of historic structures.
- 17.28.170 - Unsafe or dangerous conditions.
- 17.28.180 - Violations—Penalties.
- 17.28.190 - Filing fees—Historic district.
- 17.28.210 - Historic combining district.

◦ **17.28.010 - Purpose.**

It is found that the

protection, enhancement, perpetual care and use of structures, districts and neighborhoods

of historic, architectural and engineering significance, located within the city,

are of cultural and aesthetic and economic benefit to the community. It is further found that the economic, cultural and aesthetic standing of this city will be enhanced by respecting the heritage of the city. The purpose of this chapter is to:

- A. **Designate, preserve, protect, enhance and perpetuate those historic structures, districts, and neighborhoods which contribute to the cultural and aesthetic benefit of Dunsmuir;**
- B. **Foster civic pride** in the beauty and accomplishments of the past;
- C. **Stabilize and improve the economic value** of certain historic structures, districts and neighborhoods;
- D. **Protect and enhance the city's cultural and aesthetic heritage and vitality;**
- E. **Promote and encourage continued private ownership and utilization of such buildings and other structures now so owned and used, to the extent that the objectives listed above can be attained under such policy;**
- F. **Assure that every owner of an historical structure has the responsibility to assure the perpetual use/occupancy of historical structures within the Dunsmuir historical district;**
- G. **Establish minimum standards for assurance of care for all aspects of structures and landmarks within the Dunsmuir historical district or of historical significance, as determined by this chapter.**

• **17.28.020 - Definitions.**

"**Historic structure**" means buildings, structures, landmarks or sites located within the city of historic district, and as previously adopted and or defined in this chapter.

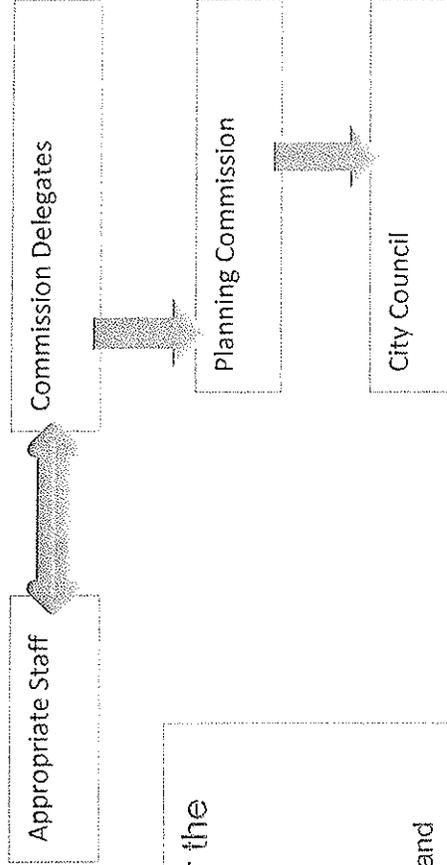
"**Material change**" means any alteration for which a building permit is required and which will cause a change in the appearance of a structure. In addition, "material change" shall include painting, awnings and utilities (plumbing, electrical, etc.). Ordinary maintenance which does not require a building permit is not covered.

"**Detrimental change**" means any "material change" which would remove, deface, destroy or significantly modify any architectural feature of a structure that contributes to the character of the historic district or landmark, or add any architectural feature to the structure that causes a deterioration in the character of the historic district or landmark.

"**Historic district delegates**" means planning commission chairperson and one additional member of the planning commission assigned to preliminary guidance and review of activities related to the Dunsmuir historic district. Such delegates shall work with appropriate staff in recommendation to the full planning commission.

◦ **17.28.030 - Historical district—Planning commission—Authority and delegates responsibilities.**

- A. Review and recommendations to the city council on all aspects of this section shall be directed to the planning commission.
- B. The chair of the planning commission, along with one member selected by the planning commission, shall be responsible to work as commission delegates to review, with staff, all sections of this chapter/code.
- C. Delegates shall submit their findings as Dunsmuir historical district activities at a regular planning commission meeting.
- D. The full commission may accept, deny or revise the delegate's recommendations in accordance with this section.
- E. Recommendations of the planning commission shall be forwarded to the city council for final approval.



What is Appropriate Staff? – Whomever the City manager directs.

17.28.040 - Historic district staff support.

The city administrator shall supervise the clerical and technical requirements of the planning commission and historic district delegates in support of this chapter. The administrator shall be the custodian of records and provide further support of this chapter, including official correspondence requirements as appropriate.

How do we Acquire Historic Structures?

17.28.050 - Landmarks—Designation.

- A. The planning commission, pursuant to the procedures set forth in this chapter, may recommend to the city council the designation of a "landmark" for an individual structure or other feature, or group of structures on a single lot or site, or a site having special aesthetic, cultural, architectural or engineering interest or value of a historical nature.

17.28.060 - Landmarks—Designation—Review criteria.

When designating a landmark or historic district, the historic district delegates, planning commission and the city council shall consider the following criteria as a guide in making its determination:

- Historical and Cultural Significance
- Historical Architectural and Engineering Significance
- Neighborhood and Geographic Setting

B. Historical and Cultural Significance.

1. The proposed landmark is particularly representative of a distinct historical Dunsmuir period, type, style, region or way of life.
2. The proposed landmark is an example of a type of building which was once common but is now rare.
3. The proposed landmark is of a greater age than most of its kind.
4. The proposed landmark was connected with someone renowned, important or a local personality.
5. The proposed landmark is connected with a business or use which was once common but is now rare.
6. The architect or builder was important.
7. The site is the location of an important historical event.

C. Historical Architectural and Engineering Significance.

1. The construction materials or engineering methods used in the proposed landmark are unusual or significant or uniquely effective.
2. The overall effect of the design of the proposed landmark is beautiful, or its details and materials are beautiful or unusual.

D. Neighborhood and Geographic Setting.

1. The proposed landmark materially benefits the historic character of the neighborhood.
2. The proposed landmark is in its location represents an established and familiar visual feature of the neighborhood, community or city.
3. The proposed historic district is a geographically definable area, urban or rural, possessing a significant concentration or continuity of site, buildings, structures or objects unified by past events, or aesthetically by plan or physical development.
4. The collective value of the historic district taken together may be greater than the value of each individual structure.

17.28.070 - Landmarks—Designation—Procedure.

- E. Designation of landmarks may be proposed by the planning commission, city council, and by application of the owners or their authorized agents, of the property for which designation is requested.
- F. Any such proposal shall be filed with the planning commission upon the prescribed form and shall include the following data:
 - 1. Assessor's parcel number of the site;
 - 2. Description detailing the landmark's special aesthetic, cultural, architectural or engineering interest or value of a historical nature;
 - 3. Sketches, drawings, photographs or other descriptive material;
 - 4. Statement of condition of structure;
 - 5. Other information requested by the planning commission.
- C. The historic district delegates shall recommend to the planning commission and the city council, approval, disapproval or modification of an application for designation.
- D. Prior to recommending approval or modified approval, the historic district delegates shall find: *(Make Findings)*
 - 1. That the proposed landmark, or group of structures or features thereof has significant aesthetic, cultural, architectural, or engineering interest or value of an historic nature;
 - 2. That the proposed landmark may be designated without imposing hardship on the property owner;
 - 3. That approval or modified approval of the application is consistent with the purposes and criteria of this chapter.
- E. After receiving a recommendation from the historic district delegates, the planning commission shall hold a public hearing at the earliest next regular meeting, consistent with the agenda preparation procedure and schedules for such meetings. The city clerk shall give notice of the time and place of the hearing by one publication in a newspaper of general circulation in the city at least ten (10) calendar days prior to the hearing.
- F. The planning commission may approve, disapprove or modify a recommendation of the historic district delegates on a designation.
- G. Prior to the approval or modified approval of a designation, the planning commission shall make those findings specified in these procedures for designating a landmark and submit to the city council for final action.
- H. After approval of the designation and the regulations which result from such designation, the administrator may also forward a copy of the letter to any other department or agency requesting it or that the administrator considers affected by the designation.

17.28.030 - Historic districts—Designation—Procedure. ~~Single (by Different than for Examination)~~

- A. Designation of a historic district may be initiated by the city council, planning commission, or an application of persons, or their authorized agents, who own sixty (60) percent of the recorded lots to be included in the proposed district.
 - B. Any such application by the owners, or their authorized agents, shall be filed with the city administrator upon the prescribed forms and shall include the following data:
 - 1. Statement of the district's special aesthetic, cultural, architectural or engineering interest or value of an historic nature;
 - 2. Drawings, photographs, or descriptive material;
 - 3. Other information requested by the planning commission and historic district delegates.
- [No Assessor's Numbers and no Statement of Condition]
- C. The application to designate an historic district shall be referred to the planning commission as to conformance with the purposes and criteria of this chapter. The delegates shall recommend approval, disapproval or modification of the designation to the planning commission.
 - D. After receiving a recommendation from the delegates, the planning commission shall hold a public hearing at the earliest next regular meeting, consistent with agenda preparation procedure and schedules for such meetings. The planning commission shall consider the conformance or lack of conformance of the proposed designation with the purposes and criteria as specified in the purpose and review sections of this chapter. The hearing shall be held in accordance with Sections 17.24.020 and 17.24.040, and the planning commission shall recommend approval, disapproval or modified approval of the proposal as provided therein. A record of pertinent information presented at the hearing shall be made and maintained as a permanent record.
 - E. ~~The planning commission shall transmit the application and its recommendations to the city council.~~
 - F. ~~The city council may approve, modify and approve, or deny the proposed designation as set forth pursuant to Section 17.24.050.~~ Approval, or modification and approval, of the designation shall be accomplished by adoption of an ordinance.
 - G. ~~The property included in any such designation shall be subject to the regulations set forth in this chapter and any further controls specified in the designating ordinance.~~
 - H. The city administrator shall cause a copy of the designating ordinance to be forwarded to any department or agency requesting it or to any individual department or agency to whom the administrator considers it appropriate to have it sent.

What else can we look at?

17.28.090 - Buffer zone defined.

The "buffer zone" shall be defined as properties extending three hundred (300) feet beyond the boundaries of the historic district. Any changes to structures within this buffer zone which would require the planning commission's review as if it were within the district, shall be referred by staff to the planning commission for review. In addition, any "historic structure" within the entire city undergoing change, which in the opinion of staff would be of interest to the planning commission, will be presented for review.

Procedures

17.28.100 - Procedure to authorize construction, demolition, relocation or material change on a designated landmark or in a historic district.

- G. No permit shall be issued for any material change without review by the planning commission. Property owners are encouraged to seek the advice of staff, historic district delegates.
- H. Planning and building departments shall maintain current records of historically designated structures, landmarks and districts; including a list of historically significant interior features.
- Refer such application to the historic district delegates and planning commission for review, including determination of whether the change is a detrimental change.
- determine whether the proposed new color(s) will maintain the intent of this chapter, and enhance both the appearance of the structure and the overall aesthetic value of Dunsmuir.
- When the application is for demolition or removal the necessity shall be justified to the planning commission. - it has become a threat to public health and safety, is not usable, and cannot be repaired or restored.

- C. An application for an historic site alteration permit shall be filed with the planning commission upon the prescribed form and shall contain the following data:
1. A clear statement of the proposed work;
 2. Detailed scale plans describing the size, height and appearance of the proposed work with all materials, textures and colors to be used, identified and shown;
 3. A site plan showing all existing buildings and structures and the proposed work in relation to adjacent structures;
 4. Other information deemed necessary by the planning commission; including site photographs and historic records pertaining to the site or structure under consideration.

D. consider, the purposes of this chapter and the historic architectural value, texture and material, its appurtenant fixtures, including signs, utilities, fences, parking, site plan, landscaping and the relationship to other buildings.

E. When the planning delegates have determined that a proposed material change does not represent a detrimental change and is compatible with the structure, they shall forward that determination to the planning and building department and a permit may be issued.

When the planning delegates have determined that a proposed change represents a detrimental change, they shall forward that determination along with any recommendations to the planning commission for further review.

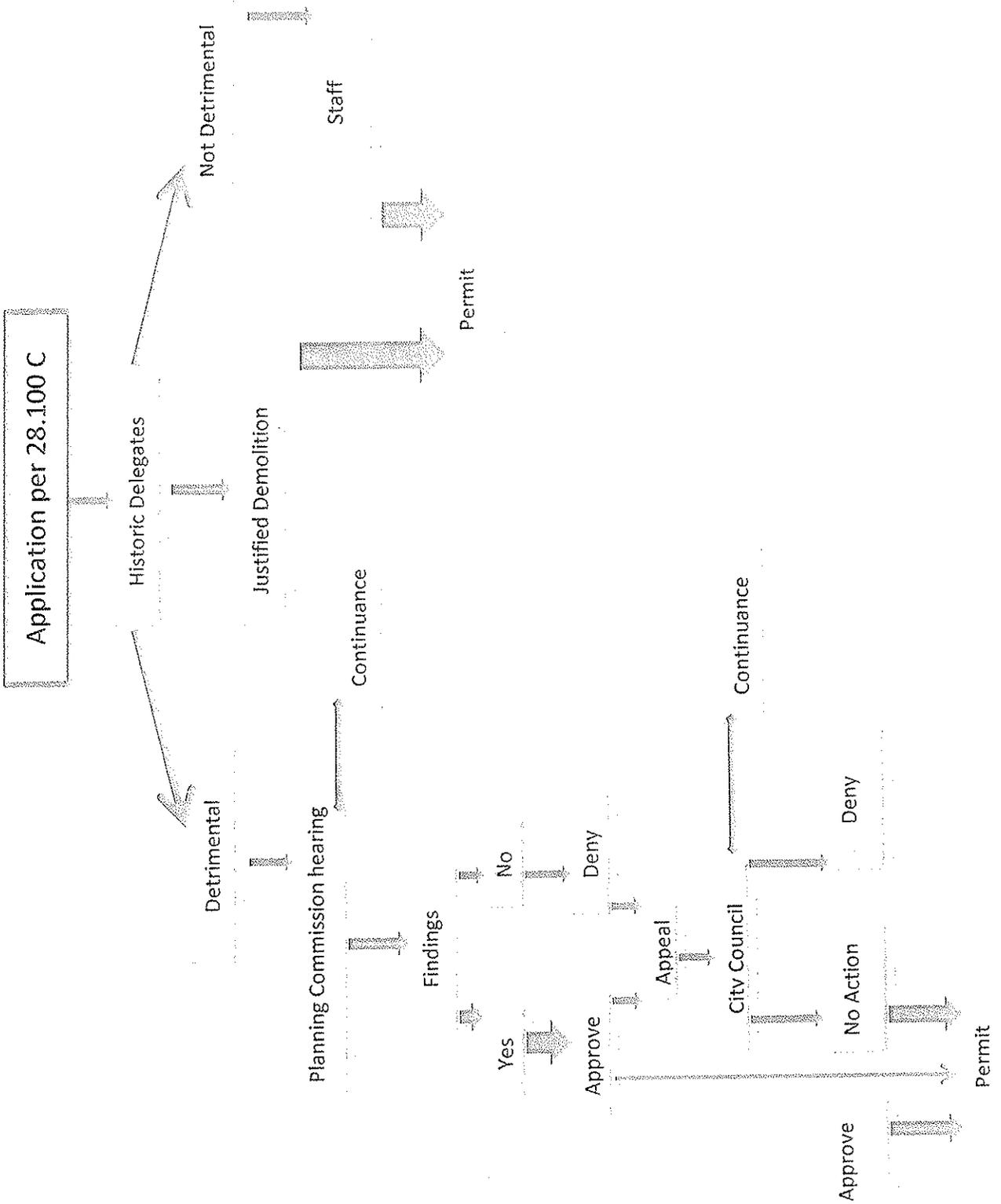
F. When any material change is forwarded to the planning commission for review as representing a detrimental change, the planning commission shall hold a public hearing as prescribed in Section 17.24.060(A).

Notice ... shall be given notice at least ten (10) days prior to the hearing by at least one publication in a newspaper of general circulation within the city, and not less than five days prior to such hearing by mail or delivery to all persons, including businesses, corporations, or other public or private entities, as shown on the last equalized assessment roll as owning property within three hundred (300) feet

G. Prior to approval or modified approval, the planning commission shall find that (These are your required findings)

1. The action proposed is consistent with the purposes of this chapter as reflected in Section 17.28.010; and
2. The action proposed will not be detrimental to a structure or feature of significant aesthetic, cultural architectural or engineering interest or value of a historic nature; or
3. The applicant has demonstrated that the action proposed is necessary to correct an unsafe or dangerous condition on the property; or
4. The applicant has demonstrated that denial of the application will result immediate or substantial hardship pursuant to Section 17.20.020(B).

- H. The planning commission may continue action on historic site alteration permits for two meetings, not to exceed fifty-five (55) days from the date of the public hearing for the purpose of reaching a mutually acceptable solution in keeping with the criteria of this chapter. If at the end of that time an acceptable solution has not been achieved, the application shall be finally granted or denied.
- I. Upon approval of an application an historic district site permit shall be issued, one copy of which shall be forwarded to the applicant, one copy of which shall be retained in the files of the planning commission and one copy of which shall be forwarded to the building inspector. In addition, a copy shall be forwarded to any other department or agency requesting it or which the planning commission believes will be affected by the permit.
- J. The applicant or any other interested party shall have the right of appeal to the city council pursuant to Section 17.20.060.
- K. The city council may continue action on an appeal for a period of up to one hundred eighty (180) days from the date of its public hearing. If the city council fails to act in this period the application shall be deemed to have been approved.
- L. During this period, the city council, with the advice and assistance of the planning commission, may consult with civic groups, public agencies and interested citizens, obtain recommendations for acquisition of property by public or private bodies or agencies, explore the possibility of moving one or more structures or other features, or any other steps deemed necessary.
- M. The planning commission may approve a permit if the applicant presents facts clearly demonstrating to the satisfaction of the planning commission at the public hearing that failure to receive such approval will cause an immediate and substantial hardship.



17.28.110 - Historic easements.

Historic easements on buildings designated as landmarks or structures of merit may be acquired by the city through purchase, donation or condemnation. An historic easement would include any easement, restriction, covenant or condition running with the land designed to preserve or maintain the significant features of such landmarks or structures.

17.28.120 - Conformance requirement.

Issuance of a permit in conformance with this chapter shall not alter conformance requirements with the other standards and requirements of the State Historical Building Code.

17.28.130 - Property owned by public agencies.

The administrator shall assure that all public agencies which own or may acquire property falling under the provisions of this chapter are informed of the responsibilities involved in such ownership and that all government officials, boards, commissions, and departments shall cooperate in carrying out the spirit and intent of this chapter.

17.28.140 - Historic district sign regulations.

A. Purpose. It is found that the protection, enhancement, perpetuation and use of businesses within the Dunsmuir historic commercial district will be assured in part through exterior signs which utilize proper materials, colors and artistic style to reflect the architecture of the building to which they pertain.

B. Definitions:

"Dunsmuir historic commercial district" means a composite of roughly four blocks comprising the downtown core business district on Sacramento Avenue and Dunsmuir Avenue, Pine and Cedar Streets (see Figure 17.28).

"Sign" means any medium (including permanent advertising on or behind glass windows or door panels), including structure, component parts, sandwich board which is used or intended to be used to attract outside attention to the subject matter for advertising purposes.

I. The city council does adopt the 1979 edition of the Uniform Sign Code, with exclusion of Chapter 10, and all amendments thereto, for the control of permanent and temporary signs.

J. No provisions of these historic district sign regulations shall be any less restrictive than the existing sign ordinance (Chapter 15). All applications and variance procedures will be the same.

K. Temporary cloth signs may be permitted to be placed over city streets or public property for events sponsored by nonprofit organizations or public agencies. The terms and conditions permitting such placement shall be subject to the prior approval of the city council. [Event signs – all treated the same. Do we have that city council approval?]

Currently we collect a \$5.00 fee and have the fire department hang it over the street in front of City Hall. What about other private or public areas?

- L. The owner of any sign shall maintain all signs and sign supports in a safe and aesthetic condition. In order that signs do not become unsightly, they may be inspected for safety and appearance at any time.

- M. The planning commission may, for signs found improperly maintained, upon notice and hearing, revoke the permit if corrections are not made. The planning commission, at their discretion, may allow time extensions made necessary for material delivery delays, or inclement weather condition.

- N. Unless exempted by city council all signs advertising a terminated business or the discontinuance of a particular line of business or service shall be removed within thirty (30) days of such termination or discontinuance by the owner of the sign. In case of failure of the person terminating the business or the owner of the sign to remove said sign, the city may cause such sign to be dismantled and removed at the cost of removal shall be borne jointly and severally by the owner of the business, property owner, and owner of the sign. All signs in existence at the time that the ordinance codified in this chapter becomes effective which advertise businesses that no longer exist, will be subject to this chapter and such signs will be removed no later than thirty (30) days after the effective date of the ordinance codified in this chapter.

- O. The maximum area for advertising signs for any permitted use within the Dunsmuir historic commercial district shall be one square foot per each lineal foot of frontage facing a street for perpendicular projecting signs, and three square feet per each lineal foot of building frontage facing a street for flush-mounted signs. The combining of front footage and side footage shall not be allowed for sizing of signs on one facade. Signs projecting perpendicular to a street may not project greater than thirty-six (36) inches from the point of attachment. The combination of signs may not exceed three square feet per each lineal foot of building frontage.

Signs on the front are sized by the front building length. Signs on the side are sized by the side building length.

3 square feet per lineal foot maximum.

You get the most square footage with flush mounted signs. (3 sq. ft. per lineal ft.) Because signs that hang out over the sidewalk or landscaping area may only be 1 sq. ft. per lineal foot. You can't max out both types.

- P. All signs must be professionally executed with careful consideration given to artistic style, form, balance, and use of materials and colors in a manner which is aesthetically pleasing. All signs must be compatible with the architecture and engineering of the building itself and the historic preservation of the district as a whole.
- Q. No sign shall rise above the eave or parapet line of the building. – [so no roof mounted signs]
- R. No sign shall have any flashing, blinking or moving letter, character or other elements. No exterior sign shall have any outline of lighted tubing. [but an interior sign may?] Exterior signs shall not move or rotate. Exterior signs may be externally lighted, consistent with other requirements of this chapter, but may not be internally lighted. The use of neon signs is permitted subject to the other requirements of this chapter.
- S. [Grandfathered in:] Any lawful sign existing at the time of the adoption of the ordinance codified in this chapter may be continued in use subject to the following conditions and requirements:
1. No sign shall be enlarged in area or changed to any other nonconforming sign.
 2. If a sign is removed or destroyed, it may not be replaced except in compliance with all the requirements of this chapter.
 3. If the sign wording or logo is changed in any way, the changed sign must be brought into compliance with all the requirements of this chapter.
 4. Whenever a business is purchased or a change in ownership of a business occurs, any nonconforming sign on the business premises must be brought into compliance with all requirements of this chapter within thirty (30) days unless exempted by the city council. The terms "purchase" and "change in ownership," for purpose of this section, shall be defined as the same terms are defined in the Revenue and Taxation Code regarding real property transfers.
 5. All nonconforming signs shall be brought into compliance with the provisions of this chapter within one year after its revision.

N. All signs require a permit based upon an accurate scale drawing with the following exceptions.:

1. Permanent lettering on store windows or glass door panels, which are limited to phone number, office number or legal-type signs. [Does this mean they don't need a permit or they don't need an accurate scaled drawing?]
2. **Small signs for public convenience.** [What is "Small"?] [Is this more lenient than 15.40.070A?]

15.40.070 – Exempt signs.

The following signs are exempt from this chapter:

- A. Signs indicating the location of public telephones;
- B. Signs that indicate a danger or hazard;
- C. Signs within the public parks, erected in compliance with regulations of the administrative entity of the park;
- D. Signs within any school property, erected in compliance of the regulations of the applicable school district;
- E. Signs erected by any agency of the county, state, or federal government.

17.28.150 - Preservation of historic district.

Historic structures shall be preserved against decay, deterioration and prolonged neglect. They shall be kept free from structural defects by the owner or persons having legal custody or control of the structure, in order to retain the values of the district.

17.28.160 - Reasonable maintenance of historic structures.

It is found that the owner(s) of an historic structure has the responsibility to protect, preserve, and enhance, in perpetuity, the structural and visual components of said structures within the historic district.

- A. The exterior of the structure, including deterioration of molding, filigree, cornices, entablatures, wall facing, glass, doors, window coverings, displays, and similar decorative features shall be maintained to the extent that it does not create a hazardous or dangerous condition and jeopardize the building's exterior architecture or visible appearance.
- B. Deterioration of exterior walls, vertical supports, horizontal support members, roofs, chimneys, exterior wall elements, such as brick, plaster, siding, wooden walls or mortar shall be corrected.
- C. Repairs of decay and reasonable painting maintenance shall occur.
- D. Sign maintenance, shall be in accordance with Section 17.28.140
- E. Vacant or abandoned historical structures shall be maintained in the same manner as occupied structures.
- F. Vacancy of historic structure is defined as having no tenant, no valid business license, no posted business hours, or hours posted are not adhered to.
- G. Reasonable maintenance shall be required within sixty (60) days of notification.

17.28.170 - Unsafe or dangerous conditions.

None of the provisions of this chapter shall be construed to prevent any measures of construction, alteration, removal, demolition or relocation necessary to correct the unsafe or dangerous conditions of any structure, other feature, or part thereof, which such condition has been declared unsafe or dangerous by the building inspector or the fire marshal. The planning commission shall be informed when the structure is a landmark or in a historic district. [Do we have a file for that?] The proposed measures must be declared necessary by such official to correct the condition; provided, however, that only such work as is necessary to correct the unsafe or dangerous condition

may be performed pursuant to this section. In the event any structure or other feature shall be damaged by fire or other calamity, the building inspector may authorize, prior to the commission's review, that amount of repair necessary to correct an unsafe condition.

17.28.180 - Violations—Penalties.

Violations of these sections, upon proper notification to the property owner or custodian, and subsequent failure to perform required abatement or reasonable maintenance shall be guilty of an infraction or misdemeanor, as determined by the code enforcement officer, and punishable by fines and possible imprisonment, in accordance with Section 17.24.090 of this code with fifty (50) percent of the fine to go to a designated enforcement fund.

17.28.190 - Filing fees—Historic district.

The city council shall direct the costs of filing fees for sections of this chapter and the city clerk shall post and maintain a fee schedule for historic district repairs and renovation permits. [Do we have such a schedule?] Such costs shall reflect the actual costs of the preparation of projects within the historical district.

17.28.210 - Historic combining district.

- A. Purpose. The purpose and intent of the historic combining district is to provide a means to preserve and enhance areas of historic, architectural and engineering significance located within the city. The combining district shall be used in general accord with the policies and principles of the general plan, as specified in the historic preservation ordinance.
- B. Designation. This combining district may be combined with any zoning district in accordance with the amendment procedures of the city. When established, the combining district shall be shown on the zoning map following the zone designation with which it is combined, such as R-1-H, C-1-H, etc. When so designated, all development within said districts shall be subject to the provisions of this chapter. [Essentially a Zone Change Procedure]
- C. Permitted Uses. The principal, accessory and conditional uses in the H district shall be the same as those of the zoning district with which it is combined.
- D. General Provisions. When the H district is applied, the regulations of this chapter as well as those of the zone with which the H district is combined, shall apply. Where a conflict occurs, the regulations set forth in this chapter shall apply.

So what are those uses?

Without a CUP

The following stores and services, but not limited to:
apparel, appliance, bakery, bank, beauty, billiards,
blueprinter, book, bowling alley, caterer, clinic,
confectionery, creamery, department, drug, florist, food, food
locker, furniture, gift, hardware, hospital, hotel, jewelry,
liquor, millinery, mortuary, motel, new auto sales and
service, news stands, nursery, office building, parking lot,
pet, print shop, radio and television, rest home, restaurant,
shoe, sign, tailor, taxi stand, upholstery, variety;
Accessory building or structures, if constructed concurrently
with or subsequent to the main building or use;

With a CUP

Animal hospital, amusement or recreational enterprises,
auto laundry, billiards, book, bowling alley, cleaning and
dyeing establishment, clinic, cocktail lounges, creamery,
cycle shop, drive-in establishments, when of a type
permitted in the C-2 district, feed and farm implements, food
locker, hospital, hotel, laundry, laundrettes, liquor,
mortuary, motel, new auto sales and service, news stands,
outdoor sales establishments, parking lot, pet, print shop,
public garages, rest home, restaurant, secondhand sales,
sign, tattoo parlor, taxi stand, theater, upholstery, used car
sales, variety and other uses of similar nature;
Service stations

Also Allowed, but look at R-1 for regulations:

Churches, schools, parks, playgrounds, public buildings