

**REGULAR MEETING
DUNSMUIR PLANNING COMMISSION
COUNCIL CHAMBERS
5902 DUNSMUIR AVE**

February 8, 2017

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. November 9, 2016 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 on the podium. 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 - None

8. OLD BUSINESS -

9. NEW BUSINESS

- A. Variance application, to increase the allowable height from 15' to 17' for a detached accessory building in the R-1 zone located at 4008 Forest Lane.**

10. ANNOUNCEMENTS AND REPORTS FROM COMMISSION AND STAFF

A. Issues of interest by Commissioners:

- a. Follow up and completion of the Downtown Inspection Committee from 2016. – Letters were sent to the few owners who have not complied with the inspection efforts.
- b. Park Master Plan - Staff has been authorized to begin looking into issues that would be included in a Park Master Plan. The existing Open Space and Conservation Element of the General Plan is the park plan at this point in time. (See pages 33 – 42 of the General Plan.) Certain portions of it could be updated easily. Expanding it to show more specific development ideas would be more time consuming and costly. Such an idea was not included in the goals recently set by the city.
- c. Local Historic Designation for Ball Park – on February 16, 2017 City Council agenda
- d. Local Historic Designation for Depot – Staff has not moved forward on this.
- e. Children's Park – This is still being considered by City Council.
- f. Travelers Hotel - No change in status
- g. Code enforcement reports
 - i. Bensons outside storage – No change
 - ii. House of Glass – fence has been repaired. No application submitted to date, but applicant still intends to proceed with a project of apartments – target date this spring according to email received by City Manager from property owner.

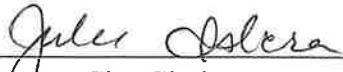
11. ADJOURNMENT:

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 Saturday, February 4, 2017.

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.


Deputy City Clerk

02-03-2017
Date

**REGULAR MEETING
DUNSMUIR PLANNING COMMISSION
November 9, 2016**

1. CALL TO ORDER

Meeting was called to order by Vice Chair Lamb

2. FLAG SALUTE

3. ROLL CALL

Commissioners present: Martin, Newman, Conway, Harley, Lamb

Commissioners absent: Powers, Cross

4. APPROVAL OF AGENDA

Motion to approve the November 9, 2016 agenda by Newman, seconded by Harley.

Voice vote: 5-0-2-0

5. APPROVAL OF MINUTES

A. October 12, 2016 Regular Meeting

Motion to approve the October 12, 2016 minutes with corrections by Newman, seconded by Lamb. Voice vote: 5-0-2-0

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 on the podium. 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

Peter Arth suggested that a combined meeting with the City Council be scheduled to include discussion about: owners of the Historic District properties, enforcement of the Historic District codes, the role of the Planning Commission with the Historic District, the fate of the California Theater and the Travelers Hotel

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. Hear Resolution of Intention (per Section 17.24.030 of the Dunsmuir Municipal Code) to amend parking requirements in Title 17 of the Municipal Code, and recommend action to City Council.

Consultant Dinges explained that the packet included the changes which only applied to new projects outside of the Historic District. If these changes are appropriate then it will be referred to the City Council for two readings.

Public Hearing opened at 6:40 pm.

Peter Arth suggested that parking problems need to be reviewed for the future of the downtown also.

Public Hearing closed at 6:50 pm.

Motion to approve Resolution of Intent 2016-3 by Harley, seconded by Martin.

Voice vote: 5-0-2-0

- B. Hear application for making the City ball field a local historic landmark and recommend action to City Council.

Commissioner Newman recused himself from this item.

Consultant Dinges explained that part of the City Park, specifically the ballfield, is being designated as a local historic landmark. The Park and Recreation District is maintaining the field.

Public Hearing opened at 6:52.

Public Comment:

Peter Arth noted that sometime in 2008-2010 the ballfield had been renamed the Babe Ruth Ballpark.

Helen Cartwright stated that the name change did not go through because some believed that Babe Ruth was not a role model.

Public Hearing closed at 7:00 pm

Motion by Lamb to recommend the Dunsmuir City Council approve the application to designate the Dunsmuir ballfield as a local historical landmark, seconded by Harley. Voice vote: 4-0-2-1 (Newman abstained)

8. OLD BUSINESS: None

9. NEW BUSINESS

- A. Review application, and Historic District delegates recommendations regarding such, for restoration of 5724, 5726, & 5728 Dunsmuir Avenue including color change, awning, and window and door placement to consider the appropriateness of the site alteration so to determine if the alteration requires a public hearing if potentially detrimental, or may be approved and referred to staff for permit issuance. The project is in the Historic District. Consultant Dinges introduced the report and explained that the restoration is a visual façade change that requires Planning Commission approval and is not a zoning issue.
- Marc Rowley, owner, explained the plan to renovate the property into a small hotel. The current mural may be saved/changed. The transom windows are under consideration and an exhibit depicting the transom windows was shown.

Public Comment:

Tim Holt recommended the preservation/replacement of the current mural.

Peter Arth thanked the Rowley family and hoped the transom windows would stay

Helen Cartwright agreed the project was a good addition to the downtown and also hoped the mural would be replaced

Lamb read comments from Cross who was unable to attend the meeting

Tom O'Hara, the muralist, was present and would be happy to do another mural at that location or a different location.

Motion by Harley to accept the application and project as a non-detrimental change and refer to staff, seconded by Newman. Voice vote: 5-0-2-0

10. ANNOUNCEMENTS AND REPORTS FROM COMMISSION AND STAFF

- A. Staff: Consultant Dinges reminded the Commissioners that online training for the Brown Act is in their packet

B. Commissioners: None

11. ADJOURNMENT:

Meeting adjourned at 8:50 pm

ATTEST:

Forrest Lamb, Vice Chair

Julie Iskra, Deputy City Clerk

City of Dunsmuir Planning Commission
Staff Report

By Arlene Dinges, Planning Consultant

Date of Hearing	February 8, 2017
Project Location	Southerly side Forest Lane
Address:	4008 Forrest Lane
APN	059-370-130
Project Description	Height variance on accessory building behind existing single family house. Structure proposed is a 40' by 14' (560 square foot) workshop, proposed to be 17' high.
Purpose of Review	The applicant is requesting a variance in height from Section 17.12.020 of the Dunsmuir Municipal Code which restricts accessory buildings to 15' in height.
Existing Conditions	The property is currently developed with a single family house. The lot has recently been enlarged by over 1 acre, due to a lot line adjustment. CC&R's on this subdivision have expired. The lot is surrounded by trees that help shield and soften views. The proposed location is behind the existing house, placing it as far from neighboring homes as possible.
Environmental Assessment	<p>Staff proposes that this application is exempt from CEQA as a Class 3(e) Categorical Exemption per CEQA Guidelines section 15303 and Section 21083, Public Resources Code; Reference: Sections 21084, Public Resources Code. The project is a minor accessory addition to property that is already developed. The proposed use is a normal accessory use, and subordinate to the residential use and which will not produce detrimental environmental impacts.</p> <p>Code Requirements: The city's snow load building requirements dictate a 5:12 roof slope, resulting in a height of 17' instead of 15' on the proposed building.</p> <p>The Dunsmuir Municipal code allows 15' of height for a detached accessory structure in the R-1 Zone. Section 17.20.040 A.1 allows the Planning Commission to grant a variance of any measurable restriction by 20%. Therefore, the Planning Commission may grant</p>

a 3' height variance of the 15' normal height restriction where it finds the variance will not be contrary to its intent or to the public interest, safety, health and welfare, and where due to special conditions or exceptional characteristics of such property, or its location or surroundings, a literal enforcement of this title would result in practical difficulties or unnecessary hardships.

The intent of the code regarding variances (Section 17.20.020):

Where practical difficulties, unnecessary hardships and effects inconsistent with the general purpose of this title [the zoning ordinance] may result from the strict application of certain provisions, variances may be granted.

According to *Dunsmuir Municipal Code* Sections 17.20.020 and 17.20.050.B, the Planning Commission must make the following findings if it is to approve the application:

1. The use is a permitted use;
2. The variance will not be contrary to the intent of the code [height limit];
3. The variance will not be contrary to the public interest, safety, health and welfare; and
4. Due to special conditions or special characteristics, a literal enforcement would result in practical difficulties or unnecessary hardship.

Use: the workshop is a normal and permitted use if incidental to the residential use, and complies with setback requirements in Title 17.

Height: The proposed structure does not contradict the Municipal Code Section 17.16.040.A, in that it will not be used for eating, sleeping or advertising.

Public interest: The height is not considered unsafe – many houses are 30' and this is proposed as 17'. It will not be obvious from the street, as it will be behind the existing house and away from neighboring houses, so will not block views or be visually unappealing. The roof is pitched at 5:12 and is oriented the same way the main part of the house.

Special Conditions: Orienting the trusses the opposite direction would lower the height of the building but, would preclude future additions to it.

Process: Consider the proposed exemption from CEQA and the proposed height as shown on the attached exhibits, hear public testimony. Discuss the project. Determine if the CEQA exemption is valid. Act on the Variance request, making the findings required for approval. Action may be by minute order.

Attachments:

Application filled out by applicant

Notice of Exemption prepared by City Planner

Site Plan

Proposed elevations

Photo of site from street view

NOTICE OF EXEMPTION**Form D**

To: ■ Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

■ County Clerk
County of Siskiyou
510 N Main Street
Yreka, CA 96097

From: (Public Agency) City of Dunsmuir
5915 Dunsmuir Avenue
Dunsmuir, CA 96025
(Address)

Project Title: V-17-01

Project Location - Specific:

Project Location – City: Dunsmuir **Project Location – County:** Siskiyou

Description of Project: The project is located at 4008 Forest Lane. The project is an accessory use to a developed residential property and adds no more than 50% of the existing floor space. The structure is a workshop that is 560 square feet in area, but with a roof of 17 height rather than the 15' height limit.

Name of Public Agency Approving Project:

City of Dunsmuir

Name of Person or Agency Carrying Out Project:

City of Dunsmuir

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ Categorical Exemption. State type and section number: 15303 – minor addition on developed property
☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt: Class 3(e) Categorical Exemption per CEQA Guidelines section 15303 and Section 21083, Public Resources Code; Reference: Sections 21084, Public Resources Code. The project is a minor accessory addition to property that is already developed. The proposed use is a normal accessory use, and subordinate to the residential use and which will not produce detrimental environmental impacts.

Lead Agency

Contact Person: Arlene Dinges, City Planner Area Code/Telephone/Extension: (530) 235-4822

Signature: _____ **Date:** 1/30/17 **Title:** City Planner

■ Signed by Lead Agency

☐ Signed by Applicant

Date received for filing at OPR: _____ N/A

Attachment C



City of Dunsmuir

General Planning Department Application

Application # V17-1

Check all that apply

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

Application Date: 1-18-17 Fees: 300 + T & M Receipt # 10596

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): Jacob Gordon

Mailing Address: 4008 Forest Ln Zip Code: 96025

Telephone: Work: _____ Home: _____ Cellular: 859-0721

E-mail Address: _____

APPLICANTS/AGENT'S NAME INFORMATION:

Name(s): Same as above

Mailing Address: _____ Zip Code: _____

Telephone: Work: _____ Home: _____ Cellular: _____

E-mail Address: _____

Attach a copy of your Grant Deed with this application

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

PROPERTY IDENTIFICATION (Attach legal description OR deed):

Property Address: Same as above

Property Location: South side Forest Ln, East of Fawn Ct.

Property Assessor Parcel Number(s): 059-370-130

Property Dimensions (in feet): 102'(N) 325'(E) 330'(W) Is this a corner lot? NO

Property Area: (Gross square footage) _____ Gross Acreage 1.44

Site Land Use (check one): _____ Raw _____ Undeveloped ☒ Developed -

If Developed, list existing improvements driveway, retaining wall, Home

Existing Zoning: R1 Existing General Plan Land Use Designation SF

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) residential

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

North

South

East

West

Residential

Required Attachments:

1. Environmental Information Form.
2. Other applicable forms.
3. Other applicable requirements per Staff.
4. Envelopes and Postage for 300' radius notification as directed by staff.
5. Fees.

APPLICANT'S STATEMENT OF INTENT Describe the proposed project in detail. Attach additional sheets if necessary:

Height variance to 17 ft. My building is 40' wide so the trusses / Roof is tall.

Future plans for existing property are not allowing me to span trusses / roof the opposite way.

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

Firm Name: Jacob Cole

Contact Person: _____

Address: _____

Telephone: 530-859-0721

Fax: _____

E-Mail Address: _____

List Plans and Attachments:

Site plan

Elevations

Root Plan

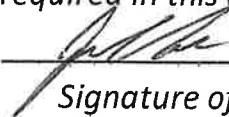
Floor Plan

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

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

Page 3

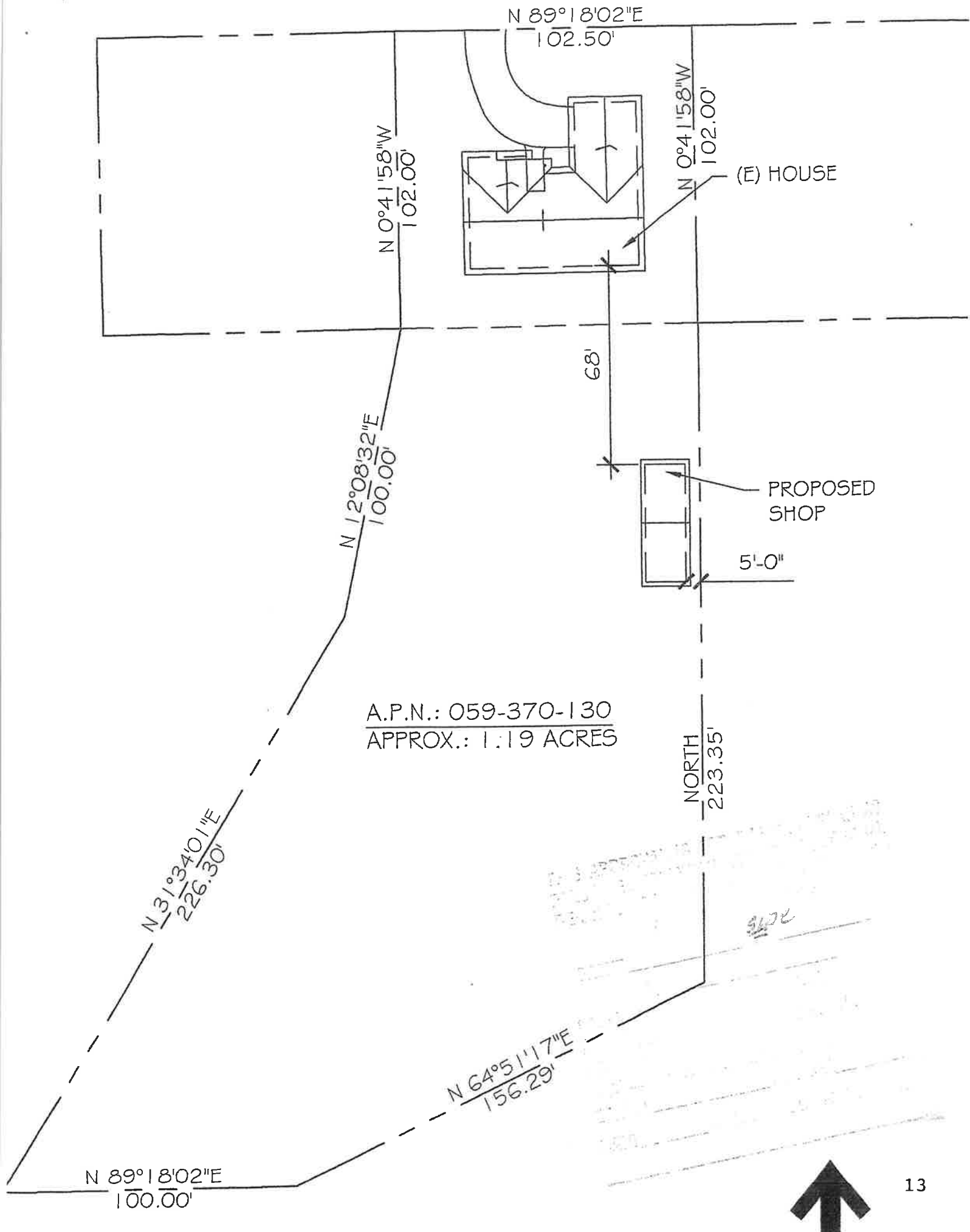
To Whom It May Concern,

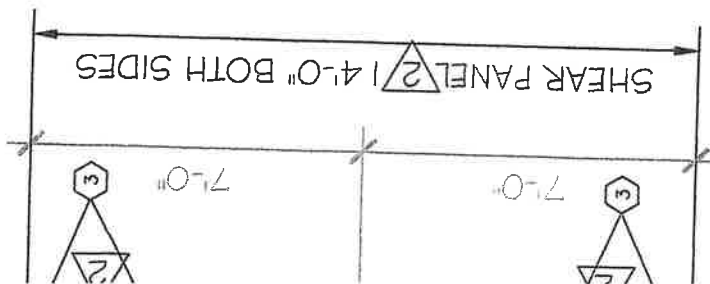
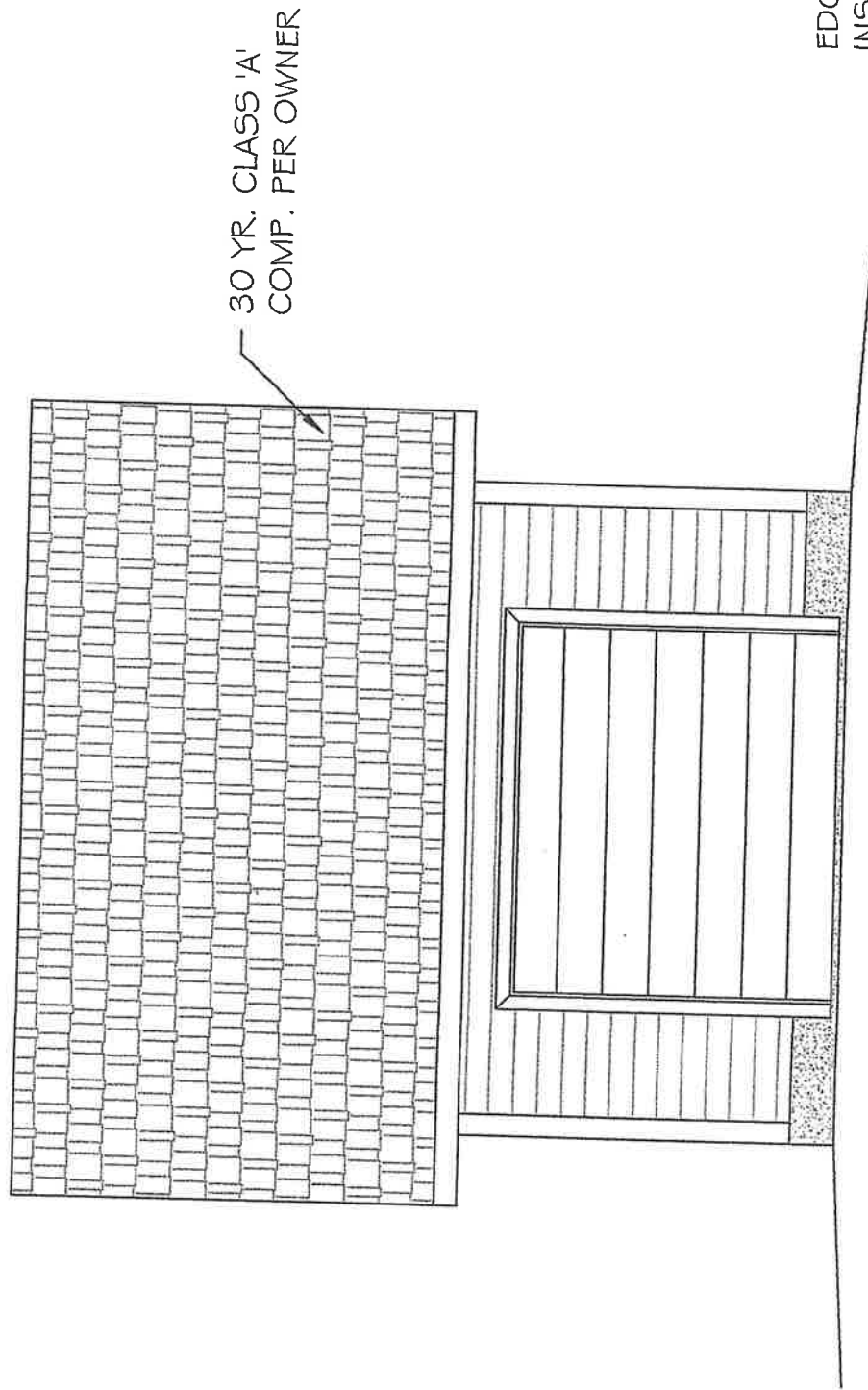
I spoke with George Bourke within the last week and was informed that the CC&R's are no longer enforced in our subdivision. George was the only member of the committee when they were still in place.

Jake Gordon

01/17/2017

A handwritten signature in black ink, appearing to read 'J. Gordon', written over the date.





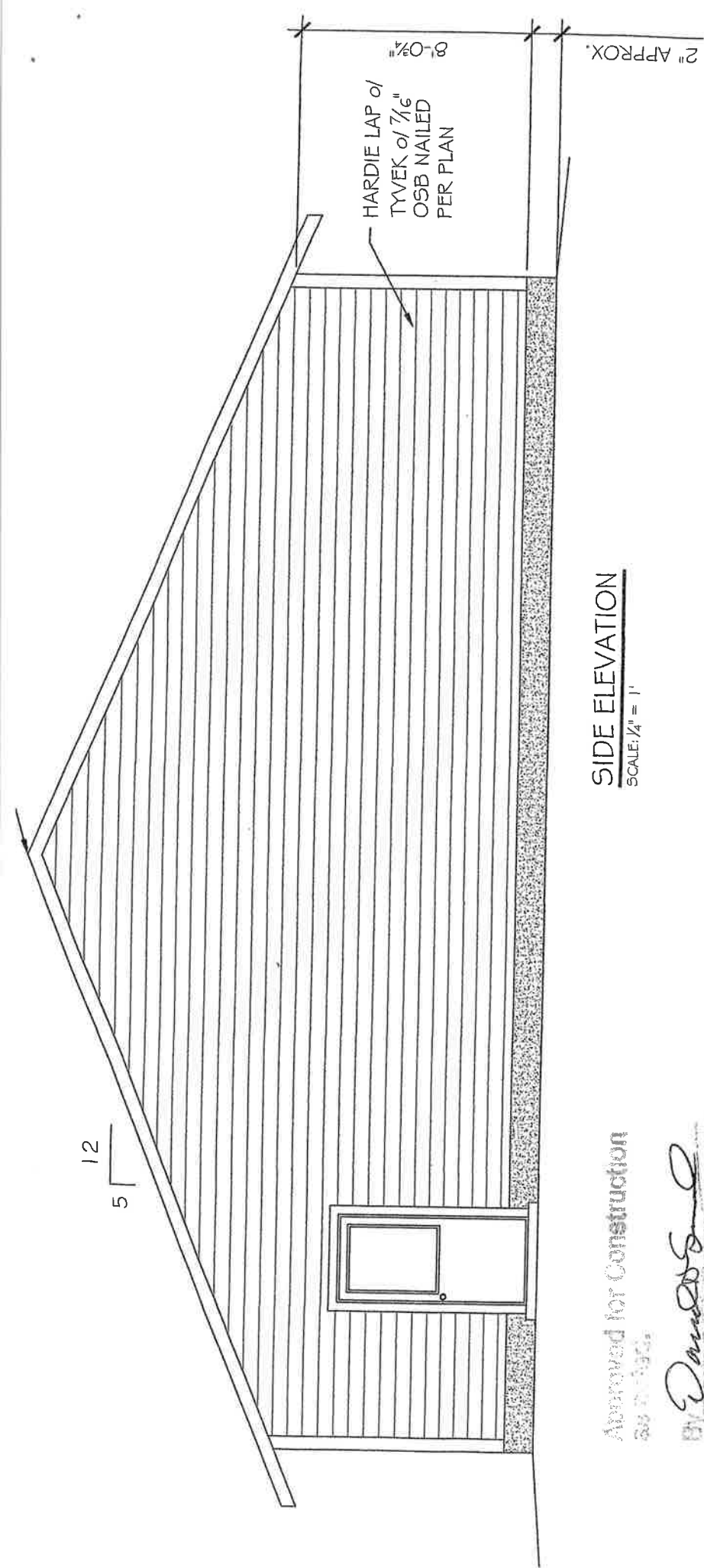
5/8" 40/20 ROOF
8d NAILS @ 6"
12" o.c. IN FIELD
EDGE NAIL @ BLK'G
INSTALL SCREENED
(3) 2-1/2" Ø U.N.O.

H1 TYP.

2X FASCIA

SIDING

HEADER F



SIDE ELEVATION
 SCALE: 1/4" = 1'

Approved for Construction
 by [Signature]

By [Signature]

