

MINUTES OF THE WILLOWS PLANNING COMMISSION MEETING
HELD MAY 6, 2009.

The meeting was called to order at 7:01 p.m. by Chair Person Domenighini.

PLEDGE OF ALLEGIANCE: Commissioner Alves led the Pledge of Allegiance.

PRESENT: Woods, Warren, Domenighini, Alves

ABSENT: Thur

AGENDA REVIEW: There were no recommended changes by the commission or Staff and the agenda for May 6, 2009 was accepted as presented.

NEW BUSINESS:

Forrest Sprague: Design Review (DR-09-03)

City Manager Steve Holsinger introduced the staff report but before beginning he made the correction that this is not an official public hearing, and it was never advertised as such. However if anyone wishes to speak on the matter they are welcome to do so. This is the second application for Design Review for the 14 remaining lots within Mr. Sprague's subdivision. The original process was reviewed by the Planning Commission and denied; it was appealed to the City Council and the City Council upheld the Planning Commission decision.

During the last phase a subcommittee was put together so that modifications to base plans already approved by the Planning Commission could be approved in a more timely fashion. The subcommittee was reenacted for this phase and they reviewed and approved 8 plans brought forward by Mr. Sprague. These 8 plans are before the Planning Commission tonight for final approval.

Mr. Sprague introduced his elevations and plans for the subdivision including options such as lighting, landscape, garage doors, etc.

Walt McNeill, attorney for Forrest Sprague spoke on behalf of Mr. Sprague saying that this Planning Commission meeting is not needed; he feels that the Planning Commission subcommittee has full authority to approve or disapprove any plans, which is in contrast to the City's attorney who believes that the Planning Commission needs to be the final approval on the matter. Also, Mr. McNeill feels that Mr. Sprague's subdivision would be qualified as low or moderate income housing and as such Design Review would not be applicable.

Rosemarie Thraikill wished to ask a few questions of Mr. Sprague, first she was wondering why the discussion of eave height seems to be absent from this application. Chairperson Domenighini answered this question stating that eave height was discussed within the subcommittee and that the eave height that Mr. Sprague is proposing isn't very much different from what is already there; it will not be very noticeable.

Ms. Thraikill also asked about roof pitch she says that hers is 12-6 and that what is being proposed is 12-5 she is worried about there not being enough room within the attic to house the HVAC unit as she does not want to see these on the roofs within the subdivision where her home is located. Mr. Sprague answered her question stating that the pitch being proposed will allow enough room within the attic to house the HVAC unit and they will either be housed in the attic or in the garage, certainly not on the roofs of the houses.

Ms. Thraikill is concerned about the shingles for the roofing on the houses; she wants to know if they are going to be in a "rake" style because that is the way that most of the homes in the subdivision are now. Ms. Thraikill would also like to know if six foot fences are going around all of these homes. Mr. Sprague stated that the roof material sample is located within the room and that she is welcome to take a look, it is the same material that was used before. Clay Dawley, Building Official answered Ms. Thraikill's question regarding fences stating that traditionally the fences are provided for within the subdivision agreement, he hasn't seen this one specifically but he would tend to think that they are provided.

Ms. Thraikill asked if a custom home can be put on these properties if the buyer has the desire and the funds to do so. Chairperson Domenighini stated that what the Planning Commission may be approving tonight would just be the minimum or base plan that could be expanded upon.

Ms. Thraikill asked if there will be a significant landscaping plan and will there be automatic sprinkler systems within this plan. Clay Dawley said that there is a landscaping plan and sprinkler systems are included.

Commissioner Alves stated that she would like to see some more design elements included in the houses such as dormers. Chairperson Domenighini stated that dormers are add ons and not part of the basic plan.

Commissioner Alves also asked about the garage doors, Mr. Sprague showed her a page of approved garage doors for the plans that the buyer could chose from, she was satisfied with the choices as they all seemed to add architectural style to the exterior of the garages.

Commissioner Woods made a **motion** that DR-09-03 be approved as submitted, Commissioner Warren **seconded**. All ayes; motion carries.

DISCUSSION ITEMS:

Draft Sign Ordinance

Commissioner Woods said the she thought that the Planning Commission had made some recommendations and she doesn't see that they have been changed. City Manager Steve Holsinger stated that there was some language in the Draft Sign Ordinance that has been changed that he was not aware of. City Manager Holsinger said that if it is approved in its current form he will oppose it at the City Council level as there are some major inconsistencies. The Commission decided to table this item pending some discussion with the planning staff.

Laura Flannery would like to know who is going line by line on the inconsistencies within the Sign Code. She would also like to know how much the City has spent on the sign revision since it has been over a year in the making. City Manager Holsinger answered her question by stating that the sign revision was something that absolutely needed to be addressed as a service to the businesses within the City. City Manager Holsinger stated that the costs associated with the Sign Ordinance would be the billable hours for the Planning Staff, there is not a total cost figured at this moment but he would venture a guess of about \$3,000 – \$3,500 to date.

Ms. Flannery stated that she does not feel that she can effectively advertise her business without offsite signs. City Manager Holsinger stated that there are a few businesses in the City of Willows who advertise offsite outside of the city limits along the freeway. It is not entirely impossible to find a private property owner who is willing to let businesses advertise on their land. Secondly the City Manager stated that he will strongly suggest including a prohibition against offsite advertising within the city of Willows. If you allow offsite advertising in Willows it will not support the downtown business area it will provide an opportunity for business outside of the City that have the money and the clout to advertise and it will drive local business away. So what is in place, although it may appear restrictive, is actually very protective, it preserves the right of local business to have advertising in their city and their city alone it doesn't provide an opportunity for outside advertising which will discourage local commerce.

Storage Container Ordinance

City Manager Holsinger encourages the Planning Commission to go through the Draft Storage Container Ordinance and see if it really meets the spirit of what they are trying to accomplish. He stated that he wasn't opposed but was a little surprised to see such a significant shift in the preference from the Planning Commission from banning storage containers in residential zones to allowing storage containers in every residential zone. Commissioner Woods stated that her thought was if you could fit the container in your backyard and it met every other criterion like fire, & zoning then it would be fine.

City Manager Holsinger also said that he thinks that the language stating that the storage containers would be allowed by Administrative Use Permit should be changed to "Use Permit". He thinks that everyone who would like a storage container should have to come before the Planning Commission. Commissioner Woods stated that the reason the Planning Commission decided that storage containers could be approved via Administrative Use Permit was that they wanted to make it a smoother process for the public.

City Manager Holsinger stated that storage containers could be approved administratively; if there are any questions then it could be forwarded to the Planning Commission which he feels will be in about 50% of the cases. City Manager Holsinger stated that he thinks temporary use containers should be approved administratively and be allowed in every zone because there could be an occasion that a business would need a temporary storage container such as undergoing a renovation. The Planning Commission agreed; the original language banning containers from the CC & Entryway zones was because the Commission really didn't want to see them in those zones on a permanent basis but if there was a business that needed them on a temporary basis then that would be understandable.

Chairperson Domenighini asked if the Police or Fire Departments have seen the Draft Storage Container Ordinance yet, City Manager Steve Holsinger stated that they have not seen it as of yet, the draft will be cleaned up and circulated to the relevant departments and also the City attorney. The council has stated a preference to have the Storage Container and Sign Ordinances done by the end of the fiscal year.

COMMISSION COMMENTARY

1. Commissioner Warren asked if the Planning Commission and the City Council were going to have a joint meeting this year. City Manager Holsinger said that he doesn't see why they couldn't have one, they just don't have one scheduled yet.

2. Commissioner Woods asked what is going on with Wal Mart. City Manager Holsinger stated that the signs that are coming out of Wal-Mart are promising; they are diligently processing paperwork and they have a serious intent to want to start their construction relatively soon. There is every indication that any of the barriers that have existed between Wal-Mart and Cal Water have been resolved. Cal Water has contacted the City about the Design Review process for the water tank structure.

3. Commissioner Woods asked what the status is on Basin Street. City Manager Holsinger stated that their application was incomplete; they will be cleaning it up and resubmitting shortly. There is some tension between the engineers but they should have everything wrapped up and ready for submittal within the next week or two. The application should be coming to the Planning Commission in late June or early July, the City would like to have everything approved by August.

4. Chairperson Domenighini stated that he has heard rumors that the county will be updating their General Plan next year, he states that it would be nice for the City to piggy back in on that. City Manager Holsinger said that he had some discussions with Dan Obermeyer some time ago but they had put the project on hold due to the fiscal situation at the County. It is a matter that the City should look into but at this time it is cost prohibitive.

5. Chairperson Domenighini asked the City Manager if he would give a little synopsis of what the flood plane is. Clay Dawley, Building Official, answered the Chairperson's question stating that the City received a letter from the Department of Water Resources that the current Flood Plane Ordinance was lacking in detail and had some typographical errors they considered serious. One of the initial things the City had to do was adopt a new Flood Plane Ordinance that had to meet the Department of Water Resources' criteria. This ordinance was presented to the City Council last week and they have approved the first reading. Now the City is awaiting the second reading and all of the noticing that goes along with that.

6. The date and the time of the next meeting will be May 20, 2009 at 7:00pm

ADJOURNMENT: The meeting was adjourned at 8:44 p.m.

LARRY DOMENIGHINI, Chair

Hollie Johnson, Minute Clerk