

PLANNING COMMISSION

Candis Woods, Chair
Larry Domenighini, Vice Chair
Amy Alves, Commissioner
Leon Thur, Commissioner
Kerri Warren, Commissioner

CITY PLANNER
Karen Mantele

MINUTE CLERK



201 North Lassen Street
Willows, CA 95988
530) 934-7041

PLANNING COMMISSION MEETING AGENDA

Wednesday, April 6, 2011

7:00 p.m.

1. Call to Order - 7:00 p.m.

2. Pledge of Allegiance

3. Roll Call

4. Agenda Review: (Requested Changes by Commissioners or Staff?)

5. Public Comment: Persons wishing to speak on a matter *not on the agenda* may be heard at this time; however, no action will be taken unless placed on a future agenda. *(Public Comments are generally restricted to three minutes.)*

6. Approval of Minutes: None

7. New Business / Public Hearing

(Persons wishing to speak on a Public Hearing item are asked to approach the microphone to address the Commission and limit comments to three minutes. It is also requested that you please state your name for the record)

UP-11-02 Applicant/Owner - Alan Sinclair/Don Rogers
Assessor's Parcel Number 003-022-001; 346 N. Tehama Street: General Plan: General
Commercial/Downtown Willows; Zoning: Central Commercial (CC)

Alan Sinclair has requested approval of a Use Permit application to allow the establishment of a personal training and fitness business to be located within a portion of an existing commercial building. The applicant would be the sole proprietor of the business.

8. Regular Business

Review and discussion of General Plan Annual Progress Report

9. Commission Commentary:

10. Adjournment:

Planning Commission Agenda Report: April 6, 2011

Project: Conditional Use Permit (File UP-11-02) New Business
Applicant/Owner: Alan Sinclair/Don Rogers
Project Location: 346 N. Tehama Street, Willows, CA
Parcel No: 003-022-001
Zoning: Central Commercial (CC)
General Plan: General Commercial/Downtown Willows

Project Description

The applicant, Alan Sinclair, has submitted a Use Permit application to allow establishment of a Personal Training & Fitness business (to be named Nor Cal Sport & Performance) within an existing commercial building. The business will provide personal one-on-one training sessions for customers as well as a fitness facility for interested customers. The hours of operation are proposed between 5 a.m. and 8 p.m., seven days a week.

Review Process

This matter is before the Planning Commission pursuant to Section 18.135.040 of the City of Willows Municipal Code.

Zoning

The project site is zoned Central Commercial (CC) within the Historic Downtown Willows, which allows for various retail businesses and services. There are several commercial business located within the subject building and commercial uses north, south, east and west of the subject property. The surrounding zoning is Central Commercial to the south, east & west and General Commercial to the north of the project site.

General Plan Consistency

The General Plan Land Use designation for this site is General Commercial/Downtown Willows pursuant to the City's General Plan Land Use Map. The proposed use is consistent with this designation, which allows for a full range of retail businesses and service-related businesses.

Project Analysis:

The project site is located on the corner of Tehama Street and Wood Street (aka State Route 162). There have been previous uses in this location in the past including a paint store, and a door shop. There are several other retail business located within the commercial building. The proposed business would be located on the south side of the building as depicted on the attached site plan. There is existing parking for a couple of vehicles adjacent to the building as well as a vacant lot (owned by the property owner) to the south which can be utilized for parking. However, Willows Code Section 18.55.050(5)(b) states the Commission may waive parking requirements as sufficient on-street parking and/or public off street parking exists within reasonable walking distance. Section 18.55.060 establishes a parking exemption for sites within the downtown area, labeled "downtown parking exemption zone", which does not require additional parking for new businesses within this zone, and applies to this proposed business.

The project was reviewed internally by city departments for comments/conditions which proposed conditions are reflected with those comments.

Environmental Review and Analysis

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA). City staff has determined that the proposal is exempt from further CEQA pursuant to CEQA Section 15301, Class 1, Existing Facilities.

Findings of Fact

Based upon the facts and conclusions contained within this staff report the following findings must be made in order to approve the applicant's request:

1. That the use is consistent with the purposes of the district in which the site is located.
2. That the proposed location of the use and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
3. That the proposed use is in conformance with the General Plan.

STAFF RECOMMENDATION:

Staff recommends adoption of the attached resolution recommending Use Permit approval for establishment of a personal training and fitness business within an existing commercial building, subject to the conditions of approval as shown in Attachment #2.

PLANNING COMMISSION OPTIONS:

- 1) Recommend approval of the Use Permit proposal and subject to Conditions of Approval as described in Attachment 2
- 2) Deny the application with appropriate findings for denial

Attachments:

1. Draft Planning Commission Resolution
2. Proposed Conditions of Approval
3. Site Plan
4. Plot/Site Plan

Submitted by:



Karen Mantele
Principal Planner

THE APPLICANT IS REMINDED THAT THERE IS A 10 (TEN) DAY APPEAL PERIOD FOLLOWING THE PLANNING COMMISSION DECISION

PC RESOLUTION NO. _____-2011

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS APPROVING A USE PERMIT APPLICATION (UP-11-02) FOR ALAN SINCLAIR TO ESTABLISH A PERSONAL TRAINING & FITNESS FACILITY WITHIN AN EXISTING COMMERCIAL BUILDING FOR PROPERTY LOCATED AT 346 N. TEHAMA STREET, ASSESSORS PARCEL NUMBER 003-022-001

WHEREAS, the applicant Alan Sinclair, has filed a Conditional Use Permit application to establish a Personal Training & Fitness Facility business within an existing commercial building, and,

WHEREAS, notices of the Planning Commission meeting held on April 6, 2011, were published in a newspaper of general circulation in the City in accordance with law, and mailing to property owners within 400 feet were sent; and,

WHEREAS, the Planning Commission did, on April 6, 2011, hold a public hearing to consider all public oral and written comments, letters and documents, staff reports, and all other documents and evidence which are a part of the Record; and,

WHEREAS, the Planning Commission has reviewed all evidence submitted in connection with the application, including public testimony, staff report, supporting documentation, City codes and regulations, and all other relevant documents and evidence which are part of the record of proceedings; and,

WHEREAS, the Planning Commission finds that the proposal is considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1, Existing Facilities, and

WHEREAS, the Planning Commission does find that the proposed use is consistent with the purposes of the district in which the site is located, as retail business and services are allowed within the Central Commercial District with a Conditional Use Permit per WMC section 18.55.030(7); and

WHEREAS, the Planning Commission does find that the proposed location of the use and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity, as the conditions of approval to allow the personal training & fitness business have been included in the approval of this project to ensure the safety and welfare of the public are met; and

WHEREAS, the Planning Commission does find that the proposed use is in conformance with the General Plan, as the property is located within the General Commercial/Downtown Willows designation, which allows for retail businesses and service related businesses.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the Use Permit proposal to establish a personal training & fitness business is consistent with the City of Willows General Plan, the City of Willows Municipal Code, and hereby approves Use Permit UP-11-02, subject to the attached conditions of approval set forth in Attachment #2; and,

IT IS HEREBY CERTIFIED that the foregoing Resolution was duly adopted at a regular meeting of the Planning Commission of the City of Willows on Wednesday, the 6th day of April, 2011, by the following vote, to wit:

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____

APPROVED: _____
Candis Woods, Chairperson

ATTEST: _____
Recording Secretary

USE PERMIT CONDITIONS OF APPROVAL
FOR
NORCAL PERFORMANCE PERSONAL TRAINING & FITNESS FACILITY
FOR PROPERTY LOCATED AT 346 N TEHAMA STREET
ASSESSORS PARCEL NUMBER 003-022-001

PC approval date: _____

General

1. That the applicant/developer shall enter into a Pass Through Agreement with the City of Willows to pay the cost of all planning review, plan checking and field inspection of this development.
2. If the use is not made on the project subject to the permit within one (1) year after the date of granting the permit, then without further action, the permit shall be null and void and such use shall not be made of the property except upon the granting of a new permit.
3. This use permit is void one (1) year after the use permitted by such permit is discontinued.
4. The applicant shall first secure sign permit approval from the Planning Department prior to installation.
5. All plans for additional uses, which are not covered by this review, shall be submitted to the City Manager/Planning Commission for review and approval prior to use.

Building Department

6. The applicant must obtain the necessary permits from the affected agencies for any future additions, remodels or repairs to the building.
7. Any and all necessary or proposed electrical, plumbing, mechanical, building or accessibility upgrades will require permits and compliance with currently adopted codes.
8. The building has multiple suites and proper suite identification shall be included in all correspondence and ultimately posted per the City of Willows municipal code enforced by the Willows Fire Department.

Fire Department

9. The applicant shall comply with all building and fire codes
10. The building will need to be addressed per City Municipal Code.
11. A 2A10BC extinguisher shall be placed per Fire Chief approval.

FLOOR PLAN

Alan Sinclair aka. NorCal Sport & Performance
 546 N. Tehama Street Willows Phone: 530-5713
 1/8" scale.

Floor Plan

LEGEND

(⊕) Ceiling Fan

□ 4" Window

▬ 8' Fluorescent Light

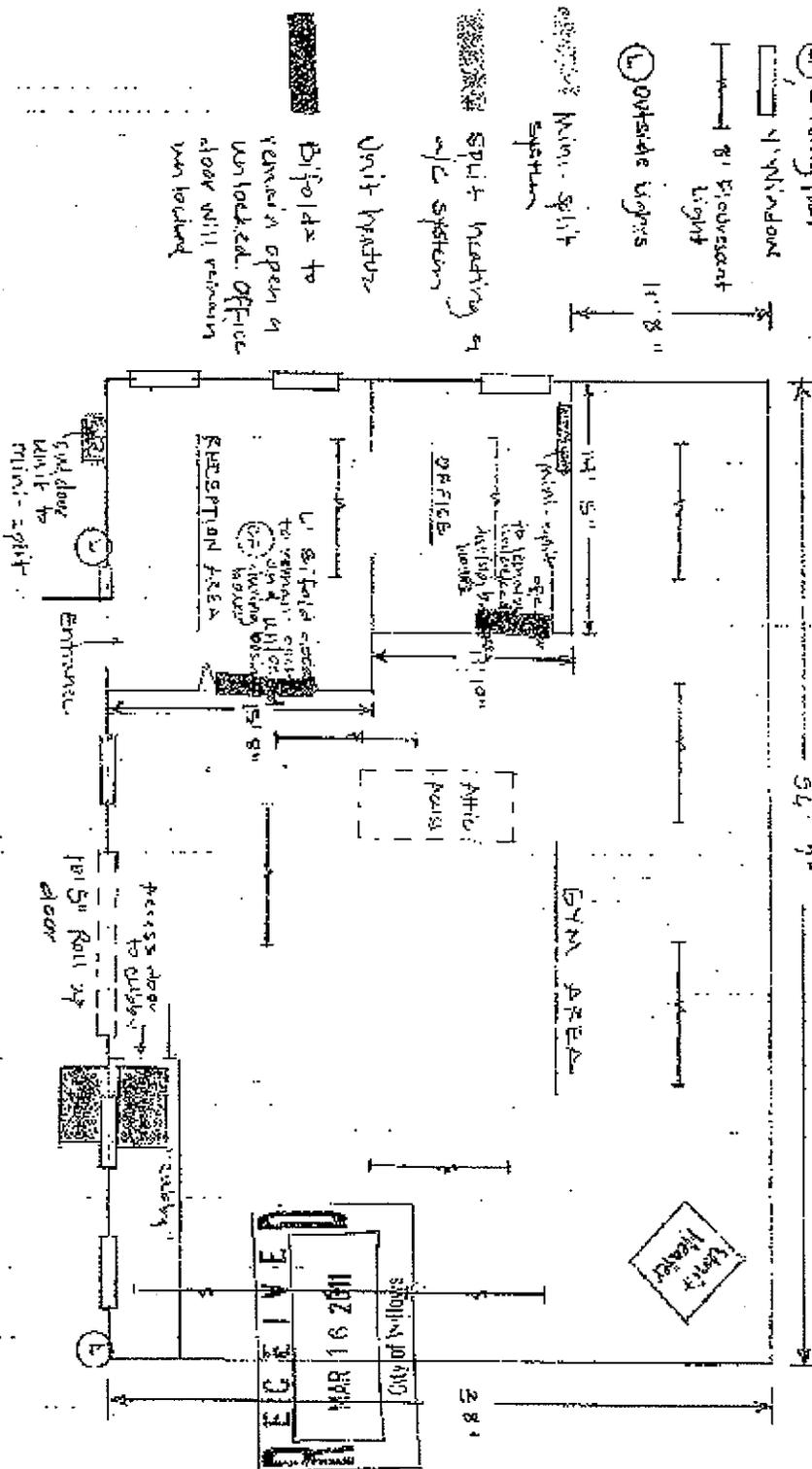
⊙ Outside Lights

⊖ Mini-split system

⊖ Split Heating & A/C system

Unit Heater

▬ Bifold to remain open & unlocked. Office door will remain unlocked.



Alan Sinclair aka; NorCal Sport & Performance
 344 N. Tehama Street, Willows Phone: 530-5713

1/8" scale

LEGEND

⊙ ceiling fan

▭ 4' Window

— 8' Fluorescent light

⊕ outside lights

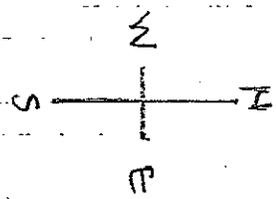
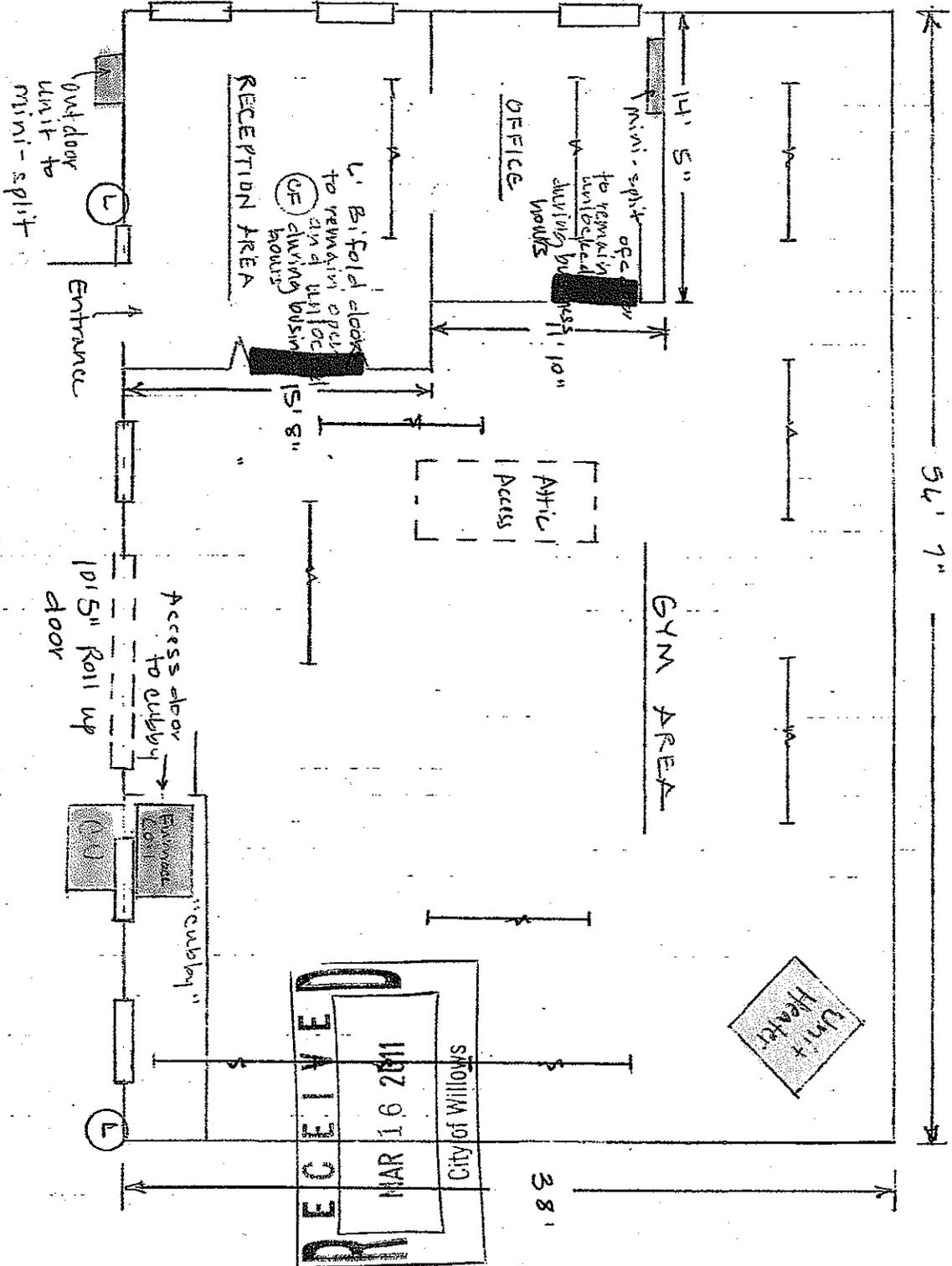
Mini-split system

SPLIT heating & a/c system

Unit heaters

Bifolds to remain open & unlocked. Office door will remain unlocked

Floor Plan



Project: **General Plan Annual Progress Report**
A review and discussion regarding the City of Willows General Plan Year End Review for January November 1, 2010 to March 31, 2011

Project Location: **City Wide**

Environmental: **This General Plan Report is not a project but a reporting document, and does not create or alter policy and therefore is not subject to the California Environmental Quality Act (CEQA) per Section 15306**

Project Description:

The preparation of a General Plan Annual Progress Report (APR) per Government Code Section 65400, which reports the efforts within the Housing Element that remove governmental constraints to the maintenance, improvement, and development of housing, and the status of implementation of these programs. Additionally the APR includes the RHNA numbers and where the City stands with meeting these numbers. (RHNA planning period covers from January 1, 2007 to June 30, 2014).

Analysis:

The 2009-2014 Housing Element was adopted by the City Council on June 8, 2010. The Element was certified as adequate by the State Department of Housing and Community Development (HCD) on September 9, 2010. The City now has an adopted and certified updated Housing Element which outlines the City's plan to meet the Regional Housing Needs Allocation for the anticipated future housing needs for all income groups.

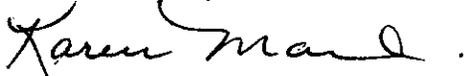
Affordability levels for the City of Willows is based upon Glenn County income limit information (adjusted for household size) provided by HCD each year. In Glenn County, the 2010 income limits are based upon a median income of \$33,780 for a family of four. Willows' fair share housing allocation represents 37 percent of Glenn County's total housing allocation needs. This median income figure has not changed for 2011.

The attached housing unit report includes the unit count of new housing produced during the calendar years from 2007 to 2011 and provides a ten year over view of building permit issuance.

STAFF RECOMMENDATION:

That the Planning Commission review the General Plan Annual Report, and by motion forward the report with any amendments to the City Council, Governor's Office of Planning and Research, and the State Department of Housing and Community Development, as required by Government Code Section 65400(b).

Submitted by:



Karen Mantele
Contract Planner

Attachments:

1. General Plan Annual Element Progress report



City of Willows General Plan Year End Report, including Housing Need Production as required by Government Code Section 65400(b)

General Plan Year End Report

Government Code Section 65400 requires each governing body to prepare an annual report on the status and progress in implementing the jurisdiction's housing element using forms and definitions adopted by the Department of Housing and Community Development (Department). The annual report is an important tool to facilitate implementation of a community's housing element and in tracking and monitoring progress in addressing housing needs and goals. The report includes information on the jurisdiction's progress in addressing the regional housing need allocation, including the number of housing units permitted by income level, the status of programs in the housing element and efforts to remove governmental constraints.

The 2009-2014 Housing Element was adopted by the City Council on June 8, 2010 and certified as adequate by the State Department of Housing and Community Development (HCD) on September 9, 2010.

The attached Annual General Plan Year End Report has been completed on the HCD reporting forms and is additionally spelled out separately to identify the specific programs and status of implementation.

Housing Needs Production Form

Organization: City of Willows, California
Address: 201 North Lassen Street, Willows, CA 95988
Contact: Karen Mantele, Project Planner
Phone: 530-934-7041

Progress Towards Achieving Housing Needs Allocation:

Accounting for residential activity since the start of the current planning period (2007) is an important step in determining the remaining balance of fair share housing units to be accommodated through the remainder of the planning period. In 2007, the City issued 7 building permits for the construction of new single family dwelling units, which are assumed to be available to above moderate-income households. The City issued 3 building permits for new residential construction in 2008 and 2009 and 1 building permit in 2010. There have been no new single family units constructed in 2011 as of March 31, 2011. There have not been any applications for second-units (a.k.a. granny units) within the City during the current planning period either.

The following table provides the prescribed number of housing units that must be planned for at varying levels of affordability between 2007 and 2014, and the unit count of housing produced within the 2007-2014 Regional Housing Needs Allocation (RHNA) cycle.

**Unit Count of Housing Produced for the 2007-2014 Regional Housing Needs
Allocation (RHNA) Cycle
Report Time Period: Calendar Years 2007 - 2011**

Identified Affordability Categories Percent of Glenn County median income (AMI)	2007-2014 RHNA (New Construction Needed)	Units Added 2007	Units Added 2008	Units Added 2009	Units Added 2010	Units added 2011	Deed Restrictd (Y/N)	Total Units added 2007-2011	Housing Units Needed
Very Low (Up to 50% AMI)	104	0	0	3	0	0	NO	3	49
Low (51% to 80 AMI)	82	0	0	3	0	0	NO	3	49
Moderate (81% to 120%AMI)	103	0	0	0	0	0	NO	0	82
Above Moderate (over 120% of AMI)	198	12	3	0	1	0	NO	16	87
Total	487	12	3	6	1	0		22 (4.5% of RHNA needs)	465

Building Permit Issuance Tracking History:

The City of Willows like many other jurisdictions across California have experienced a decline in building in the past couple of years as the economic recession has slowed housing construction. Below is an over view of the past ten years of new single family building permits issued by the City of Willows and based upon final certificate of occupancy.

2000	0 permits
2001	4 permits for SFD
2002	1 permit for SFD
2003	2 permits for SFD
2004	6 permits for SFD
2005	19 permits for SFD
2006	11 permits for SFD
2007	12 permits for SFD
2008	3 permits for SFD
2009	6 permits for MFD
2010	1 permit for SFD
2011	No permits issued for new SFD as of 3/31/2011

Government Code Section 65400 mandates that cities include in their annual report the local efforts to remove governmental constraints to the development of housing, as defined in Government code Section 65583(c)(3) and 66584. The following policies, summarized below, are described within the newly certified Housing Element as the strategies the City's will implement in order to promote development of sufficient housing and remove governmental constraints to development of housing, especially housing affordable to extremely low-, very-low-, and low-income households.

Program#	Program Action	Timeframe	Status
HD-1.1.1	<p>Amendments to the Zoning Ordinance and Land Use Element to include:</p> <ul style="list-style-type: none"> *Increase densities in the High Density Residential (R-3) zone from a max of 14 units per acre to 16-30 units per acre *Increase densities in the Multiple Residence-Office Professional (R-P) zone to allow up to 30 units per acre *Increase the density in the Two-Family Residential (R-2) zone to allow up to 15 units per acre *Allow for residential uses on all floors except the ground level as a permitted use in both the Central Commercial (CC) and General Commercial (CG) zones without a conditional use permit *Amend the Land Use Element to be in compliance with the Housing Element by incorporating a Medium Density Residential (MDR) designation which will allow 7-15 units per acre and increase the Multifamily Residential designation (MFR) to allow for 16-30 units per acre. *Rezone APN 001-330-017-to the R-3 zone, allowing exclusively residential uses and a minimum of 16 units per acre 	Within one year of Certification of the Housing Element	Working on implementation of programs
HD-1.1.4	*Implement a second dwelling unit ordinance that follows the requirements of state law Government Code Section 65852.1	Within one year of certification of the Housing Element	Working on implementation of program
HD-1.1.5	*Amend the Zoning Ordinance to allow for the development of manufactured housing in single family residential zones	Within one year of certification of the Housing Element	Working on implementation of program
HD-1.4.1	*Amend the Zoning Ordinance to allow for residential development above commercial and mixed used by right without any discretionary review	Within one year of certification of the Housing Element	Working on implementation of program

HD-1.5.1	*Annually apply for grant funds to include HOME and CDBG General Allocation funds	Apply for funds as NOFA's are released	When NOFA is released
HD-1.5.3	*Expand homeownership opportunities for very low and low income and first time homebuyers	Apply for funds as NOFA's are released	When NOFA is released
HD-1.5.4	*Conduct a senior needs assessment to identify the existing and future housing needs of senior citizens to determine need for housing & care facilities for senior citizens	Utilize County survey results by December 2014; Offer incentives on an on-going basis as developers show interest in developing senior housing	City will look at conducting own survey by Dec. 2014 as county is not preparing a survey
RC-1.3.1	*Adopt provisions to approve residential care facilities by right in accordance with Health and Safety Code Section 1267.8, 1566.3, and 1568.08	Within one year of certification of the Housing Element	Working on implementation of program
RC-1.3.2	*Develop and formalize a general process that will streamline the permit review process for a person with disabilities to make a reasonable accommodation request. *Amend the Zoning Ordinance definition of family to reflect occupancy standards for up to six unrelated persons	Within one year of certification of the Housing Element	Working on implementation of program
RC-1.3.3	*Amend the Zoning Ordinance to allow emergency shelters as a permitted use in the General Commercial (CG) District *City will evaluate adopting development and managerial standards that will be consistent with Government Code Section 65583(a)(4)	Within one year of certification of the Housing Element	Working on implementation of program
RD-1.3.4	*Update the Zoning Ordinance to include separate definitions of transitional and supportive housing as defined in Health and Safety Code Sections 50675.2 and 50675.14 , with both uses allowed as a permitted use in all residential zones subject to only the same restrictions on residential uses contained in the same type of structure	Within one year of certification of the Housing Element	Working on implementation of program
RC-1.3.5	*Update the Zoning Ordinance to allow for the development of single-room occupancy units (a type of residential hotel offering one-room units for long-term occupancy	Within one year of certification of the Housing Element	Working on implementation of program
RC-1.3.6	*Amend the Zoning Ordinance to include employee housing in the Agriculture General District as defined by Health and Safety Code Section 17021.6	Within one year of certification of the Housing Element	Working on implementation of program

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Willows
Reporting Period 11/1/2010 - 3/31/2011

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHINA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low Income	Very Low Income	Low Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

No. of Units Permitted for Moderate	No. of Units Permitted for Above Moderate	1.	2.	3.	4.	5.	6.	7.
		Single Family	2 - 4 Units	5+ Units	Second Unit	Mobile Homes	Total	Number of infill units*
							0	
	16						16	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of Willows
Reporting Period	11/1/2010 - 3/31/2011

General Comments:

Attached is the full list of programs and the objectives and time frames and status as all of them would not fit in the spaces given above.