

MINUTES OF THE WILLOWS PLANNING COMMISSION MEETING
HELD DECEMBER 12, 2007

The meeting was called to order at 7:00 p.m. by Chair Person Domenighini.

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

PRESENT: Domenighini, Lohman, Woods, Melquist

ABSENT: Titus

APPROVAL OF MINUTES:

It was **moved** by Commissioner Woods and **seconded** by Commissioner Lohman to approve the minutes of the November 28, 2007 meeting, as presented. Ayes: All Motion Carried.

NEW BUSINESS: PUBLIC HEARING

FA INVESTMENTS (HAMPTON DEVELOPMENT) (MSUB 07-03))

APN: 017-170-013 NE CORNER OF TEHAMA ST. AND CO. RD. 57

(Continued item)

City Planner Karen Mantele addressed the Commission stating that this item was continued from the November 28, 2007 meeting as the Commission wished to have the City Engineer present regarding questions about the lot configuration and roadway. Ms. Mantele presented a power point presentation with an overview of the Tentative Parcel Map proposal to subdivide on agricultural-developed parcel containing 81.372 acres, into one lot (8.608 acres in size) and a remainder parcel (73.122 acres in size). Ms. Mantele further stated that the primary access will be located off of Tehama Street (County Road 99W) and that no new tentative map was prepared. David Swartz, City Engineer addressed the Commissions' questions regarding the existing map configuration and whether or not a roadway needs to be shown on the Tentative Map. Discussion ensued. Commissioner Melquist made a **motion** to adopt the Mitigated Negative Declaration for the proposed Tentative Parcel Map. Commissioner Woods **seconded** this motion. Ayes: All Motion unanimously passed.

Commissioner Melquist made a **motion** to approve Findings A-G. Commissioner Lohman **seconded** this motion. Ayes: All Motion unanimously passed. .

Commissioner Melquist made a **motion** to approve the Tentative Parcel Map date stamped October 17, 2007. Commissioner Woods **seconded** this motion. Ayes: All Motion unanimously passed subject to the following findings and conditions:

Findings:

- A. That the proposed tentative parcel map is consistent with applicable General Plan for the City of Willows.
- B. That the proposed tentative parcel map will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat or that they do

provide reasonable public access to public resources per Article 3.5 of the Subdivision Map Act.

- C. That the proposed tentative parcel map will not cause serious public health problems.
- D. That the proposed tentative parcel map will not conflict with easements acquired by the public at large, or access through or use of, property within the proposed subdivision. The City Council may approve a map if it finds that alternate easements, for access or for use, will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction. The City does not have authority to determine that the public at large has acquired easements for access through or use of property with a proposed subdivision.
- E. That the project is consistent with the State Subdivision Map Act.
- F. That the project is consistent with the City of Willows Zoning Ordinance.
- G. That the project will have no significant environmental impacts and a mitigated negative declaration is appropriate.

Conditions of Approval

1. That the Parcel Map shall conform to the Tentative Parcel Map as submitted date stamped October 17, 2007 and approved by the City of Willows Planning Commission and on file at the City of Willows.
2. Notwithstanding the provisions of any other of these Conditions of Approval, this Tentative Parcel Map shall expire 24 months from the date of approval unless extended pursuant to the Subdivision Map Act.
3. That the application to extend the filing period for this Tentative Parcel Map shall be received by the City of Willows sixty (60) days prior to the expiration date.
4. Any action or condition of the Planning Commission regarding this Tentative Parcel Map may be appealed in writing to the City Council in accordance with Section 66452.5 of the Government Code (filing fee is required). This Map shall not be filed with the Recorder until the expiration of the 15-day appeal period following the date of approval. The expiration date of the appeal period is December 27, 2007.
5. Pursuant to section 66474.9 of the California Government Code the subdivider shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any claim, action, or proceeding against the County, its agents, officers, or employees to attack, set aside, void, or annul, an approval by the Planning Commission or City Council concerning this minor subdivision, which action is brought within the time period provided for in Section 66499.37. The City shall promptly notify the applicant of any such claim, action or proceeding and shall cooperate fully in the defense of the action. If the City fails to so notify the applicant or to cooperate fully in the defense, the applicant shall not be obligated by this condition.
6. That prior to the filing of the Parcel Map for recording, the developer shall file a properly executed Tax Collector's Certificate with the County Recorder. A copy of this executed Certificate shall be included with the Parcel Map at the time the Parcel Map is submitted to the City for recording. In lieu of the above-mentioned requirements the developer may choose to have the County Tax Collector execute a Tax Collector's Certificate placed on

the face of the Parcel Map. The Certificate shall be executed by the Tax Collector prior to submitting the Parcel Map to the City for recording.

7. That development of the site shall comply with the City of Willows standards and requirements.
8. That the location, identification and description of known or found survey monuments on or adjacent to the site, shall be shown and noted on the Parcel Map.
9. 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.
10. The City has submitted a certificate of fee exemption for a de minimus impact finding upon Fish and Game Resources. In the event the Department of Fish and Game disagrees with the City that this project will contribute to cumulative impacts upon fish and wildlife due to the splitting of parcels for future commercial development and that a possible impact to natural habitat exists and therefore does not qualify for a de minimus exemption from the Department of State and Fish and Game fee, the applicant shall be responsible for these fees pursuant to Section 711.4 of the Department of Fish and Game code prior to the filing of the Notice of Determination (NOD).
11. That if in the event that archaeological remains or artifacts are uncovered during construction activities, work shall be stopped and a qualified archaeologist shall survey the site. The archaeologist shall submit a report with recommendations on the disposition of the site. Disposition may include but is not limited to, excavation and documentation, capping the site, or leaving the site in an open space area. The recommendation of the archaeologist shall be incorporated in the project.

AT THE TIME OF DEVELOPMENT:

12. Prior to issuance of any building permit for any commercial or industrial development, the developer shall submit as part of the building permit application, an exterior lighting/photometric plan, along with cut sheets for the individual light fixtures to be reviewed and approved by the City Engineer and the City of Willows Planning Department.
13. Any new structures to be constructed shall be subject to Architectural Design Review approval by the City of Willows Planning Commission.
14. Construction activities shall be conducted with adequate dust suppression methods, including watering during grading and construction activities to limit the generation of fugitive dust or other methods approved by the Glenn County Air Pollution Control District.
15. That all proposed streets that serve the subdivision shall be fully improved with curb, gutter, sidewalk, storm drains, and paved with asphalt concrete to meet the City of Willows street standards.
16. That prior to initiating soil removing activities for construction purposes, the applicant shall pre-wet affected areas with at least 0.5 gallons of water per square yard of ground area to control dust. During construction activities, the applicant shall remove daily accumulation of mud and dirt on paved access lanes which serve the subject site.
17. That the burning of construction debris is prohibited. Any disposal of vegetation removed as a result of lot clearing shall be lawfully disposed of, preferably by chipping and composting, or as authorized by the Glenn County Air Pollution Control District and the Willows Fire Department.
18. That the developer shall secure a grading permit from the Willows Building Department, and shall adhere to all grading permit conditions, including Best Management Practices (BMP's).

19. Prior to construction of any development project, the developer shall submit to the City Engineer for review and approval grading, drainage, and full site improvement plans prepared and stamped by a registered civil engineer to provide orderly and proper development.
20. Any new development shall connect to the City's sewer system. No run-off shall be allowed into the sewer system.
21. That the developer shall provide a wetlands delineation and biological study for the southern drainage ditch for City Engineer review.
22. At the time a development plan is proposed a full detailed geotechnical report with specific recommendations must be prepared to determine construction requirements for design, and construction of the site, and to determine if expansive soils requiring special structural foundation, road design, or chemical modification of the soil are necessary prior to initiation of construction. The report shall be submitted with application for a development plan.
23. The design of all earthwork, cuts, and fills, drainage, pavements, utilities, foundations and structural components shall conform with the specifications and criteria contained in the geotechnical report, as approved by the City Engineer. The geotechnical engineer shall sign the improvement plans and certify the design as conforming to the specifications.
24. Tehama Street shall be widened in accordance with the City of Willows standards and requirements.
25. The developer shall be responsible for all coordination with and requirements of all State and Federal agencies.
26. Prior to issuance of a grading permit, the subdivider/developer shall submit an erosion control plan for review and approval by the City Engineer. Such plan shall clearly identify all applicable Best Management Practices (BMP's).
27. All future development projects are subject to the review of the Glenn County Airport Land Use Commission.
28. During construction activities, equipment shall be maintained and kept in good operating conditions to reduce the likelihood of line breaks and leakage. Equipment fueling and service shall be conducted at a designated location other than the project site, including local gas stations or repair shops. No refueling or servicing shall be done without absorbent materials (i.e. absorbent pads, mats, socks, pillows, and granules) or drip pans underneath to contain spilled materials. Any spills resulting from fueling or hydraulic line breaks will be contained and cleaned up immediately.
29. Future development shall be required to be served by a water purveyor, with a will serve letter from the purveyor to be submitted to the City. The water system shall be approved by the water provider and the City of Willows Fire Department.
30. Development of one acre or more shall be subject to a General Water Permit, a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) that outlines the Best Management Practices (BPM's) to be employed during construction from the Regional Water Quality Control Board. Developer shall pay the appropriate fees to the Water Quality Control Board prior to commencement of activities on site.
31. That all utilities for future development shall be placed underground. Developer shall coordinate with the Northern Pacific Railroad for procurement of easement for boring.
32. At the time a development plan is submitted, applicant shall submit full improvement drawings signed and stamped by a registered civil engineer of all improvements deemed necessary to provide for orderly and proper development.
33. A traffic study may be required with trip generation s for review by the City at the time a development plan is submitted with either of the parcels created, which may require a more detailed traffic analysis if determined by City and/or CalTrans review.

34. All street improvements shall require an encroachment permit from the City of Willows Public Works Department prior to encroaching on the City's right-of-way.
35. The discharge of waste from an proposed development into the City Sewer system shall not result in violation or add to violation of existing requirements prescribed by the California Regional Water Quality Control Board.
36. At the time of development and pursuant to subdivision agreement, enhancements to the water system may be required.
37. The developer shall conform to requirements of the City of Willows Public Works Department in regards to the roadside irrigation canal along Tehama Street.

RAY'S WOOD PRODUCTS (DESIGN REVIEW DR06-02)
APN: 003-121-013 280 S. COLUSA STREET

City Planner Karen Mantele presented this item to the Commission stating that this matter came before the Planning Commission at the November 1, 2006 meeting for consideration with the Commission unanimously approving the applicant's Design Review application to allow temporary placement of three cargo containers located at 280 S. Colusa Street. Ms. Mantele continued to state that the Planning Commission stipulated that the three containers are allowed for a period of one-year as they are, with the Planning Commission review at the end of one year. Ms. Mantele further informed the Commission that the applicant does not currently have a building permit associated with the property to allow the temporary use of the metal storage containers. The applicant, Mr. Ray Kaluzer was present and answered questions of the commission. After discussion ensued on this topic, Commissioner Woods made a **motion** to deny the use of the metal storage containers to remain on the current lot. Commissioner Melquist **seconded** this motion. Ayes All Motion unanimously passed subject to the following findings:

1. That there is not building permit associated with this property to allow the temporary use of the metal storage containers.
2. That in amending the code to define and allow the use of storage container units on a temporary basis in conjunction with a permitted project will substantially improve the current use, as the units will not be allowed to remain on lots indefinitely so as not to degrade or damage the scenic resources, state highway, visual character or quality of the site and its surroundings.

COMMISSION COMMENTARY

Chairperson Domenighini announced that Commissioner Titus and Commission Lohman's terms are up and they would not be joining the Planning Commission for another term.

City Manager Steve Holsinger indicated to the Planning Commission that there is a League of Planning Commissioners Meeting March 26-28 and he encourages all to attend. Mr. Holsinger also indicated that starting February 8, 2008 UC Davis extension will be holding a "Role of the Planning Commissioner" conference.

Mr. Holsinger mentioned that since business is low at this time, he suggested to having one meeting a month. Chairperson Domenighini stated he would like to continue with two meetings a month.

Commissioner Melquist made mention of the priorities list and wished to readdress these items.

Commissioner Lohman thanked the Planning Commission for letting her be a part.

City Planner Karen Mantele, made mention that at the first meeting of the year, City Clerk Natalie Butler will be swearing in the new Commissioners, and the Planning Commission will also be electing the chair and vice chair positions.

The next scheduled meeting will be January 16, 2008.

ADJOURNMENT: The meeting was adjourned at 8:05 p.m.

LARRY DOMENIGHINI, Chair

Mallorie Vasquez, Minute Clerk