

PLANNING COMMISSION

Kerri Warren, Chair
Candis Woods, Vice Chair
Shirley Benningfield, Commissioner
Huston Carlyle, Commissioner
Peggy White, Commissioner

CITY PLANNER
Karen Mantele

MINUTE CLERK
Tammara McIntyre



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

PLANNING COMMISSION MEETING AGENDA
Wednesday April 16, 2014
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. **Approval of Minutes:** None
6. **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.***)
7. **New Business/ Public Hearing**
 - a. **Use Permit Application (File# UP-14-03) Applicant/Owner: Matt Amaro/Fred Lutz**

Assessors Parcel Number: 002-311-008/ 130 Cedar St/611 S. Tehama St/General Commercial Zoning District/General Commercial Land Use Designation/Request to enlarge a non conforming building
8. **Commission Commentary**
9. **Adjournment**

CERTIFICATION: Pursuant to Government Code § 54954.2 (a), the agenda for this meeting was properly posted on or before April 11, 2014.

A complete agenda packet, including staff reports and back-up information, is available for public inspection during normal work hours at City Hall or the Willows Public Library at 201 North Lassen Street in Willows, or on the City's website at www.cityofwillows.org. In compliance with the Americans with Disabilities Act, the City of Willows will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's office 934-7041 to make such a request. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

The City of Willows is an Equal Opportunity Provider

Planning Commission Agenda Report:

April 16, 2014

Project: Conditional Use Permit (UP-14-03) Request to enlarge a non conforming structure/use
Applicant(s)/Owner: Matt Amaro/Fred Lutz
Project Location: 130 Cedar St/611 S. Tehama
Parcel No: 002-311-008
Zoning: General Commercial (GC)
General Plan General Commercial

Project Description:

The applicant, Matt Amaro on behalf of Fred Lutz, property owner, has submitted a Conditional Use Permit application to request approval to enlarge an existing non conforming structure/use by the addition of a 20' x 24' room for a corner lot property located at 130 Cedar Street/611 S. Tehama Street. There is an existing commercial shop and restroom building located on the same parcel. The shop is not in operation and is used mainly for storage.

Review Process

These matters are before the Planning Commission pursuant to Section(s) 18.110.090(7) and 18.135.040.

Zoning

The project site is zoned General Commercial (GC) which allows for a number of commercial uses and uses permitted in residential zones (with a conditional use permit). The subject property is commercial; however both the commercial and residential structures were built in the 1940's according to the Assessor's Records.

Zoning to the north, south, east and west are all GC, with a mix of commercial uses surrounding the site.

Analysis for Use Permit

The property originally was used as a gas station in the 1920's's and then converted into a commercial shop (unknown approximate time frame). The gas tanks and pumps were removed from the property in 1988 according to the county records. The property owner indicated that the commercial shop which was used as their business as a lowbed trailer service, is no longer in operation. The property owner now desires to enlarge the small structure by 480 SF, to afford his family additional living space.



Parking

Parking for the residence will be located to the east of the structure, indicated on the site plan as "Existing Paved". The additional trailers/pickups that are now located in that area shall be stored inside the commercial building in order to provide sufficient parking for the residence. Section 8.10(5) of the Municipal Code states it is declared a public nuisance to store vehicles, including trailers in any yard area in such a manner or in such condition as to be detrimental to the public health, safety or welfare.

Environmental Review

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA). City staff has determined that the proposed project is exempt from further CEQA review and qualifies as a Categorical Exemption pursuant to Section 15301, Class 1, Existing Facilities.

Findings of Fact for Conditional Use Permit

Based upon the facts and conclusions contained within this staff report the following findings must be made in order to approve the applicant's Use Permit 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 approval for Use Permit file # UP-14-03 to allow a 20' x 24 foot addition to a non conforming structure, subject to the conditions of approval as shown in Attachment #2.

PLANNING COMMISSION OPTIONS:

- 1) Recommend approval of the Use Permit, 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. Project site plan (*Commissioners full set of plan*)
4. APN map

Submitted by:

Karen Mantele
Principal Planner

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

PC RESOLUTION NO. _____-2014

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS APPROVING USE PERMIT (FILE #UP-14-03) ALLOWING FOR A 20' X 24' ADDITION TO AN EXISTING NON CONFORMING STRUCTURE FOR PROPERTY LOCATED AT 130 CEDAR STREET/611 S TEHAMA STREET, ASSESSORS PARCEL 002-311-008

WHEREAS, the applicant, has filed a Conditional Use Permit application to allow an enlargement to a non conforming structure/use; and

WHEREAS, Municipal Code Section 18.110.090(7) allows for enlargement of a non conforming use/building with use permit approval; and

WHEREAS, notices of the Planning Commission meeting held on April 16, 2014, 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 16, 2014, 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 an enlargement to a non conforming structure is allowed with an approved Use Permit from the Planning Commission, 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 an addition to a non conforming structure 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 enlargements to non conforming buildings is allowed with use permit approval within this designation.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the Use Permit proposal to add a 20' x 24' addition to an existing non

conforming structure is consistent with the City of Willows General Plan, the City of Willows Municipal Code, and hereby approves Use Permit file #UP-14-03,, subject to the attached conditions of approval set forth in Attachment #2 & site plan Attachment #3, 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 16th day of April, 2014 by the following vote, to wit:

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____

APPROVED: _____
Kerri Warren Chairperson

ATTEST: _____
Recording Secretary

USE PERMIT CONDITIONS OF APPROVAL
for Fred Lutz
For property located at 130 Cedar Street/611 S. Tehama Street
ASSESSORS PARCEL NUMBER 002-311-008

PC approval date: _____, 2014

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. 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.
5. The small travel trailer adjacent to the restroom shall be removed prior to sign off of building permit.
6. Extra vehicles/travel trailers shall be removed from corner of lot and placed inside the building in order to create parking space for two vehicles for residence.

Building Department

7. Based on the current Flood Insurance Rate Map (FIRM) as published by the National Flood Insurance Program (NFIP) the parcel lies within a flood zone and will have to comply with all of the elevation /construction requirements set forth in all federal, state and local codes and ordinances. The plans shall reflect the flood elevation and the construction requirements for construction in a flood zone
8. If approved, the applicant shall submit for review three (3) complete sets of plans and specification, a completed building permit application and a plan review fee (deposit based on project evaluation).
9. The initial plan review time is 30 working days. Revisions should be processed quickly if all plan review comments are addressed completely and properly.
10. All submitted plans shall comply with the current editions of the adopted codes, regulations and ordinances.

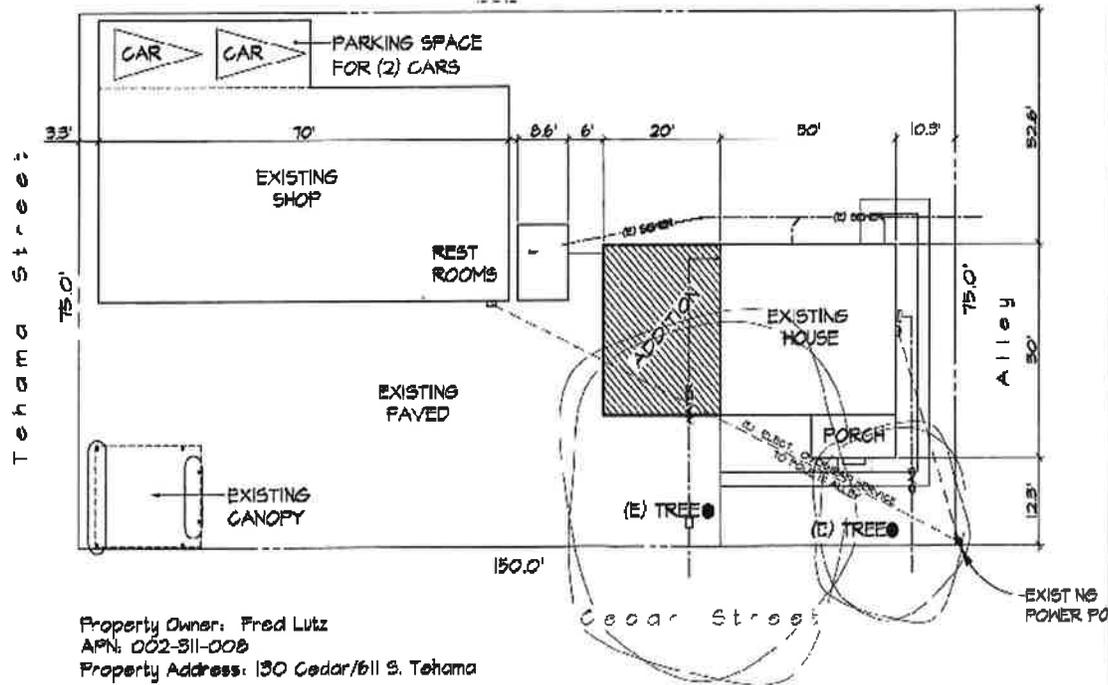
Fire Department

11. The building will need to be properly addressed per WMC Section 15.15.100 Premises Identification. Approved numbers for premises identification shall be placed on all new and

existing buildings near doorway or in such a position s to be plainly visible and legible from the street or access fronting the property during both day and night hours

12. Single family dwelling shall have a minimum size of 4 inches in heights with 1 inch stroke width or larger. Number shall be contrasting in color to their background.

Site Plan



Property Owner: Fred Lutz
APN: 002-311-008
Property Address: 130 Cedar/111 S. Tehama

SITE PLAN

1" = 20'



Site Plan

scale 1" = 20'

Apn map

