

PLANNING COMMISSION

Peggy White, Chair
Robert Griffith, Vice Chair
Shirley Benningfield, Commissioner
Candis Woods, Commissioner
vacant, Commissioner

CITY PLANNER
Karen Mantele

MINUTE CLERK
Maria Ehorn



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

PLANNING COMMISSION MEETING AGENDA
Wednesday April 20, 2016
7:00 p.m.

1. **Call to Order - 7:00 p.m.**
2. **Pledge of Allegiance**
3. **City Clerk to administer the Oath of Office to new Commissioner Walter Michael**
4. **Roll Call**
5. **Agenda Review:** (Requested Changes by Commissioners or Staff?)
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. **Approval of Minutes:** Minutes of Planning Commission meeting held March 16, 2016
8. **Public Hearing(s)/New Business**
 - a. **Use Permit (File #UP-16-03 and Design Review (File #DR-16-03) Applicant/Owner: Sean Amsden/Charles Geyer**
Assessors' Parcel Number(s): 003-032-003 and 003-022-005/East side of Tehama Street at intersection of Willows Street/Central Commercial Zone/General Commercial Land Use Designation/Establish an outside merchandise sales/storage yard on two vacant lots and approve installation of a six foot high chain link fence
9. **Commission Commentary**
10. **Adjournment**

CERTIFICATION: Pursuant to Government Code § 54954.2 (a), the agenda for this meeting was properly posted on or before April 15, 2016.

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

MINUTES OF THE WILLOWS PLANNING COMMISSION MEETING

WEDNESDAY, MARCH 16, 2016

The meeting was called to order at 7:00 pm by Vice Chair Commissioner Griffith.

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

ROLL CALL: Karen Mantele, Planner, Maria Ehorn, Minute Clerk

Present: Benningfield, Woods, Griffith,

Absent: White

AGENDA REVIEW: Vice Chair Griffith asked if there were any changes to the agenda by staff or Commissioners. Staff and Commission had no changes to the agenda.

PUBLIC COMMENT: Vice Chair Griffith introduced the item.

City Councilman, Jeff Williams, spoke on behalf of himself stating he wanted to clear the air. He stated he appreciated the work the Planning Commission does and while things got a little heated at the last City Council meeting, it was not directed at the Planning Commission as any type of insult to the job they do.

Mark Fowler spoke making a suggestion to invite movie companies to come to Willows to make use of several locations to make their movies.

Doug Ross remarked on Mr. Fowlers comment, stating a few years back an item went before the City Council regarding a New York company looking to do just that but did not know if it ever got off the ground.

APPROVAL OF MINUTES: Discussion was held between the Commission and staff regarding the item 7. c #UP-16-02 from the February 17, 2016 meeting. Commissioner Woods spoke and stated she would like the minutes to reflect a more detailed account of the item's discussion including the denial of the request for exemption since there is an appeal going forward. Vice Chair Griffith concurred. Discussion was held between staff and Commission regarding the information to be detailed and a consensus arrived at. Staff then asked the Commission if they wanted the changes to be made administratively or to continue the approval of the minutes until the next scheduled meeting. The Commission concurred that the changes could be made administratively per the Commission's direction to staff. Commissioner Woods moved to approve the Minutes of the Planning Commission Meeting held February 17, 2016 with the changes to be made as discussed with staff. It was seconded by Commissioner Benningfield.

AYES: GRIFFITH, WOODS, BENNINGFIELD

NOES: NONE

ABSTENTION: NONE

PUBLIC HEARING(S)/NEW BUSINESS:

Annual HCD Housing Element Progress Report for period from January 1, 2015 to December 31, 2015
Commission review/comments

Vice Chair Griffith introduced the agenda item. Ms. Mantele presented the agenda report to the Commission. A short discussion was held between the Commission and staff regarding the report and attachments included with the report.

Commissioner Woods moved to forward the Housing Element Progress Report as presented to the City Council. It was seconded by Commissioner Benningfield.

AYES: GRIFFITH, WOODS, BENNINGFIELD

NOES: NONE

ABSTENTION: NONE

COMMISSION COMMENTARY:

1. Commissioner Woods stated she saw new signage on the old Bank of America building and was wondering if they came in to get their permits. Ms. Mantele stated that yes a sign permit was approved for the sign change. Staff was contacted about adding more signage. Staff informed them they could add more signage but it would require a use permit.

2. Ms. Mantele stated there is no project scheduled at the moment for the next meeting. The next meeting is scheduled for April 20, 2016.
3. Commission Woods asked if the other Commissioners went to a conference. They replied no as it was full and no spaces were available.
4. Vice Chair Griffith stated he will be attending a 2 day sustainability conference in Chico next week.
5. Ms. Mantele said that an email went out to all the Commissioners regarding the Planners Academy that had links to some good information. Also, Ms. Mantele stated she would like to update the Commissions handbooks to more current information.

ADJOURNMENT: Meeting adjourned at approximately 7:35 pm.

Robert Griffith Vice- Chair

Maria Ehorn – Minute Clerk

Planning Commission Agenda Report:

April 20, 2016

Project: Conditional Use Permit (File UP-16-03) and Design Review (File DR-16-03)/Establish an outdoor merchandise sales/storage yard & install six foot high fence

Applicant(s)/Owner: Sean Amsden/Charles Geyer

Project Location: Vacant lots on east side of Tehama Street at Willow Street

Parcel No: 003-032-003 & 003-022-005

Zoning: Central Commercial (CC)

General Plan: General Commercial

Project Description

The applicant, Sean Amsden on behalf of Charles Geyer of AlSCO-Geyer has submitted a Planning application for a Use Permit to allow establishment of an outdoor merchandise sales/storage yard on two vacant parcels and a Design Review application to construct a six-foot high chain link fence around the two parcels. The parcels are located on the east side of Tehama Street at the intersection of Willow Street. The proposal includes installing a driveway and a gate for ingress and egress. No new lighting is proposed with this project.

Review Process

This matter is before the Planning Commission pursuant to Section(s) 18.55.030(9), 18.135.040 and Chapter 2.45 of the City of Willows Municipal Code.

Zoning/General Plan Consistency

The two parcels are zoned Central Commercial (CC). Section 18.55.030(9) (*Uses permitted with a conditional use permit*) allows outside sales business operations with a Conditional Use Permit. Therefore the proposed use is allowed with an approved conditional use permit. Zoning to the north, south and west are the same as the project parcels. The Southern Pacific Railroad is to the east. All of the surrounding uses are commercial in nature.

The General Plan Land Use designation for this site is General Commercial pursuant to the City's General Plan Land Use Map. The proposed use is consistent with this designation, which designation provides for commercial uses and services.

Background

In April of 2015 a Temporary Use Permit application was submitted to the City by Mr. Geyer which was a request for a temporary fence around one parcel. The application was heard via an Administrative Use Permit, to allow a temporary six-foot high chain link fence around one of the two subject parcels in order to enclose an area for irrigation supplies to be stored. AlSCO Geyer had opened up a business directly across Tehama Street from the two parcels in the old Sunshine Market building and Mr. Geyer purchased the two lots for the use of storing irrigation supplies. This Administrative Use permit was granted for a period of six months, and subsequently the property owner requested an extension of time, which was granted by the City Manager until April 30, 2016.

The two parcels appear on the assessors map to have a street (Willow) that separates the two parcels. This was the reason for only temporarily fencing one parcel at the time. Since then, Mr. Geyer has started the process to vacate the ROW, however through the research to do so, it was discovered that there was

no ROW between the two parcels and that Willow Street did not extend through the property to the rail road tracks as previously thought. When Mr. Geyer purchased the two lots from the Southern Pacific Railroad, that portion of the so-called ROW (Willow Street) was part of the purchased land owned by the Railroad. After finding this information out, Mr. Geyer wanted to proceed forward with enclosing both parcels for irrigation supply storage/sales. There is City sewer that runs through the two parcels, however there is a recorded utility easement that allows the City to maintain and access the sewer line.

The current project is part of a phased construction project for AlSCO Geyer, as the future intention is to place one or two buildings on the site and bring electrical and all utilities to them.

Project Analysis for Design Review (pursuant to Section 2.45.060)

Relationship between Structures within the Development and between Structures and Site: There are no buildings on the subject parcels, however there is a chain link fence around the southern parcel and irrigation supplies within that fenced area. The proposal is to extend the chain link fence around both of the subject parcels in order to provide additional storage area for the irrigation supplies that are sold in the store across the street.

Relationship between Development and Neighborhood: The proposed project, to enclose an area for irrigation supplies, would not be out of character for the neighborhood as there are other outdoor storage yards within the vicinity.

Wall, Fences or Screening: An existing six foot high chain link fence is located on the southern parcel and the request is to allow installation of a six-foot high fence around both the north parcel so that both parcels are fully enclosed.

Surface Water Drainage: The proposal is to place 4-6 inches of road base onto the parcel that is not enclosed, which will match what is currently on the southern parcel. This permeable surface will allow for driving onto and water to drain.

Drives, Parking and Circulation: The adjoining features to the project site include existing pavement with curbs, and gutters. A 40 foot wide driveway is proposed, to be located along Tehama Street and lined up with Willow Street. The driveway will have a sliding gate that opens and will be kept open during business hours.

Truck delivery volume is expected once a week to once a month depending on the season, which peak season is February through July. As shown on the circulation travel plan attached, trucks will be able to pull into the site for delivery and exit without having to use Tehama Street for maneuvering.



Looking east



Looking east

The project was reviewed internally by city departments for comments/conditions which attached proposed conditions of approval reflect those comments.

Environmental Review and Analysis

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA). Staff has determined that the proposal is exempt from further CEQA pursuant to CEQA Code Section 15303, New Construction or Conversion of Small Structures, Class 3.

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.

In accordance with Section 18.135.030 notice of this public hearing was published in the local newspaper ten (10) days prior to the public hearing and all property owners as indicated on the latest secured Assessor's records within 400 feet of the subject property were sent notice of the hearing

STAFF RECOMMENDATION:

Staff recommends adoption of the attached resolution recommending Use Permit/Design Review approval for Charles Geyer of Alsco Geyer for the establishment of an outside merchandise sales/storage yard on two vacant lots and construction of a six-foot high chain link fence around the two lots, subject to the conditions of approval as shown in Attachment #2 and site plan Attachment#3.

PLANNING COMMISSION OPTIONS:

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

Attachments:

1. Draft Planning Commission Resolution
2. Proposed Conditions of Approval
3. Site Plan
4. Easement Location Plat

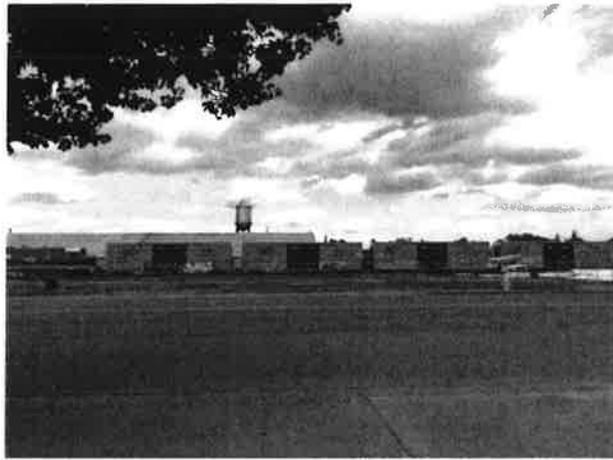
Submitted by:



Karen Mantele
Principal Planner



Looking South onto both parcels



Looking East onto both parcels

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

PC RESOLUTION NO. _____-2013

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS GRANTING USE PERMIT AND DESIGN REVIEW APPROVAL (FILE # UP-16-03 AND DR-16-03) TO CHARLES GEYER OF ALSCO GEYER TO ESTABLISH AN OUTSIDE MERCHANDISE SALES/STORAGE YARD AND CONSTRUCTION OF A SIX FOOT HIGH CHAIN LINK FENCE AROUND TWO PARCELS FOR PROPERTY LOCATED AT ASSESSORS PARCEL NUMBER(S) 003-032-003 & 003-022-005

WHEREAS, the applicant, Sean Amsden on behalf of Charles Geyer owner of AlSCO Geyer Irrigation has filed a Conditional Use Permit/Design Review planning application to establish an outside merchandise sales/storage yard and construction of a six foot high fence around two vacant parcels; and,

WHEREAS, City of Willows Municipal Code Section 18.55.030(9) allows for outside sales business operations upon first securing Use Permit approval from the Planning Commission, and

WHEREAS, notice of the Planning Commission meeting held on April 20, 2016, was 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 20, 2016, 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 15303 New Construction or Conversion of Small Structures, Class 3; and

WHEREAS, the Planning Commission does finds that the proposed use is consistent with the purposes of the district in which the site is located, as outside sales uses are allowed with a Conditional Use Permit within the Central Commercial District per WMC section 18.55.030(9); 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 conditions of approval incorporate provisions which project will not be detrimental to the public health, safety or welfare; 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 designation, which allows for commercial uses and services.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the Use Permit and Design Review proposal to establish an outside sales business and construction of a chain link fence is consistent with the City of Willows General Plan, the City of Willows Municipal Code, and hereby approves Use Permit UP-16-03 and Design Review DR-16-03, subject to the attached conditions of approval set forth in Attachment #2; and site plan Attachment #3.

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 20th day of April, 2016, by the following vote, to wit:

AYES _____

NOES _____

ABSTAIN _____

ABSENT _____

APPROVED: _____
Peggy White, Chairperson

ATTEST: _____
Recording Secretary, Maria Ehorn

**USE PERMIT/DESIGN REVIEW CONDITIONS OF APPROVAL
FOR
ALSCO-GEYER OUTSIDE MERCHANDISE STORAGE/SALES LOT
FOR PROPERTY LOCATED AT
APN; 003-032-003 & 003-022-005**

PC approval date: _____, 2016

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 (establishing an outside sales/storage business) 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 approval of this project shall be subject to the latest adopted Ordinances, Resolutions, Policies and fees of the City of Willows.
6. The developer shall adhere to the design and specification of the Architectural Design Review approval. An occupancy permit shall not be issued in part or whole for any building or group of buildings subject to design review unless and until the work specified in the design review approval has been completed, including landscaping. If for any valid reason full compliance cannot be made; a cash bond shall be posted for the work to be completed within a reasonable period of time as determined by the City Manager or his authorized representative.
7. The Architectural Design Review approval shall expire in one year unless otherwise stipulated by the Planning Commission. The applicant may apply to the Building Official for an extension of not more than one year from the original date of expiration, if he finds that there has been no substantial change in the factual circumstances surrounding the originally approved design. Substantial changes and any further extension beyond one year shall require Planning Commission approval.
8. Any debris located on the subject property shall be disposed of properly to an approved waste disposal site.
9. Dust prevention must be emphasized to avoid unnecessary annoyance to persons living or working in the area. Working hours shall be restricted to the hours of 7:00 a.m. to 6 p.m., Monday through Friday unless approved by the City Manager.

10. All contractors/sub-contractors shall obtain a City business license prior to commencing operation. (Contact Finance Department).
11. A final dimensioned fence plan shall be submitted for planning approval prior to installing the complete fencing.

Fire Department

12. A knock box shall be installed on the gate per Fire Chief approval (WMC Section 15.15.130). An application is available at the Fire Department. Contact the Fire Chief for details prior to installing.

Public Works Department:

13. The owner shall maintain a clear path so the City of Willows Public Works Department shall have access for City equipment to City's sanitary sewer manhole at all times.
14. No permanent construction shall be allowed over the City's sewer main.
15. If the grade around the City's sanitary sewer manholes is raised the manhole ring shall, at owners expense, be raised to 2 inches above surrounding grade to prevent ground water intrusion into the sanitary sewer system.
16. As stated in the Preliminary Title report for this property "The terms, provisions and easement for sewer line as contained in the document entitled "Deed" by and between Southern Pacific Transportation Company, a Delaware corporation and City of Willows municipal corporation of the State of California, recorded February 23, 21984 in Book 741 of Official Records, at page 192" shall apply.
17. Driveway shall meet the City's Standard and shall be approved by the Public Works Director prior to installing.
18. Driveway shall extend back 20 feet from edge of property along Tehama Street.
19. No barbed wire shall be allowed on the upper portion of fencing.

Site Plan

