

PLANNING COMMISSION

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Kerri Warren, Vice Chair
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Huston Carlyle, Commissioner
Larry Domenighini, Commissioner

CITY PLANNER
Karen Mantele

MINUTE CLERK



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

PLANNING COMMISSION MEETING AGENDA

Wednesday, May 2, 2012

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 are asked to approach the microphone to address the Commission. Although not required, it is requested that you please state your name for the record.

Use Permit -File #UP-12-01 - Applicant/Owner: Lori & Manual Rodrigues/David & Marilee Doolittle
Assessors Parcel Number 002-311-014; 621 S. Tehama Street: General Commercial zoning district;
General Commercial land use designation

Lori & Manual Rodrigues, have requested approval of a Use Permit to allow establishment of a Towing business to be located on the subject property within an existing enclosed commercial building
8. **Discussion of current Zoning Districts/Land Use Designations- Commissioner request**
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 27, 2012.

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: May 2, 2012

Project: Conditional Use Permit (File# UP-12-01) Establish a Tow Business
Applicant/Owner: Lori & Manual Rodrigues/David & Marilee Doolittle
Project Location: 621 S. Tehama Street, Willows, CA
Parcel No: 002-311-014
Zoning: General Commercial (CG)
General Plan: General Commercial

Project Description

The applicants, Lori & Manual Rodrigues, have submitted a Conditional Use Permit application requesting approval to establish a towing business to be located within an existing 6,000 square foot commercial building, for property located at 621 S. Tehama Street. The proposed project will also create an office space, customer service area, and bathroom facilities within the building. The applicant intends to service their tow vehicles within the building as well. No new exterior construction is being proposed with this application. The building had been previously used for storage of equipment.

Review Process

This matter is before the Planning Commission pursuant to Section(s) 18.60.030(9) and 18.135.040 of the City of Willows Municipal Code.

Zoning

The project site is zoned General Commercial (CG) which purpose is intended for commercial facilities which are necessary for public service and conveniences. The proposed use (towing business) is not a listed use under this zoning district; however under *Uses Permitted with a Conditional Use Permit*, Section 18.60.030(9), "Other commercial uses in the opinion of the planning commission which are of similar nature to those listed above", this project is subject to Commission review and approval for a Use Permit prior to establishment.

Zoning to the north, south, and east are all CG, with a mix of commercial uses surrounding the site and also some residential uses, as to the west (across the alley) the zoning is R-1 (Single Family Residential).

General Plan

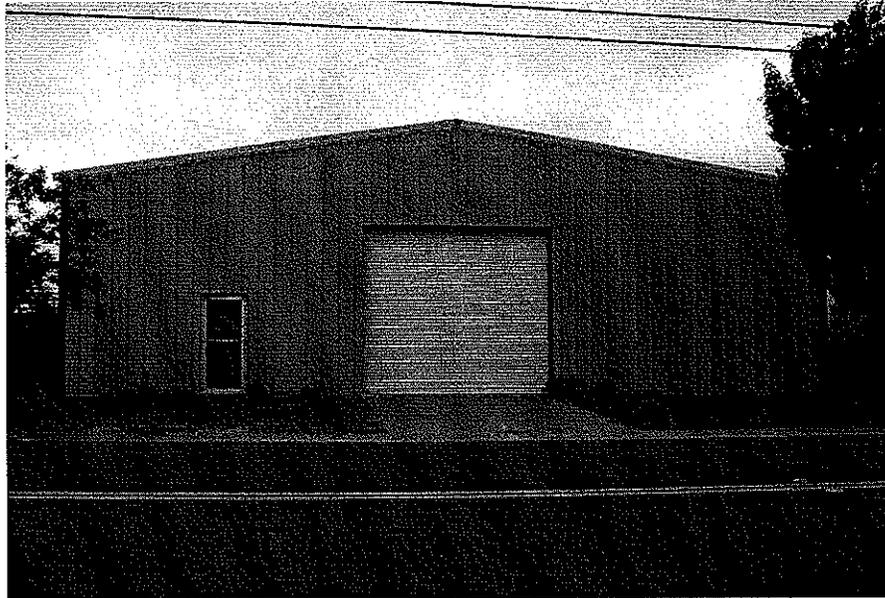
The General Plan land use designation for this property is General Commercial which provides for a variety of general retail and service related businesses. General Plan Development Policy Statement DPS-2 Compatible Land Uses, states "The City should only approve development proposals that would be compatible with existing uses".

Project Analysis for Use Permit:

As stated earlier, the proposed project is not a permitted use listed under Section 18.60.20, nor is it listed as a Use allowed with a Conditional Use Permit. However Section 18.060.030(9), allows the Commission to entertain a proposal for a commercial use that in their opinion, is similar in nature to the other uses listed in Section 18.060.030. In Staff's opinion, Section 18.60.030 has a number of uses that are similar, such as major automobile and equipment repair services, and wholesale distribution uses and warehouses which are allowed in the district. The proposal is to utilize an existing 6,000 square foot commercial building, which had been previously used for storage of equipment by the property owner, to be used as an indoor towing business.

The applicants intend to advertise their business; therefore any signage for the new business will require City approval through application of a sign permit. A condition of approval has been included to comply with this requirement.

Private off-street parking shall be provided in an amount in accordance with the regulations of Section 18.120 of the WMC. Four parking spaces are required for the proposed use, one of those spaces being handicap accessible. The attached site plan indicates the location of four on-site parking spaces.



621 S. Tehama Street

The project was reviewed by city and county departments for comments/conditions. The Police Department expressed concerns that the site plan did not indicate any lighting, fences, or alarm systems. Lighting was discussed with the applicant; however location of any new lighting was not included on the site plan. A condition of approval has been included that requires security lighting to be installed in compliance with the City codes. Regarding an alarm system, since this topic was not brought up by the applicant or property owner during pre-application discussions, the Commission may want to discuss this during their review. Other department/agency concerns and/or conditions have been included in the attached proposed conditions of approval.

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 500 feet of the subject property were sent notice of the hearing. No written comments from adjacent property owners have been received at the time of preparation of this report.

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-12-01 to allow establishment of a towing business to be located 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, subject to Conditions of Approval as described in Attachment #2
- 2) Deny the applications with appropriate findings for denial

Attachments:

1. Draft Planning Commission Resolution
2. Proposed Conditions of Approval
3. Site Plan
4. Applicants Business Statement
5. 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. _____-2012

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WILLOWS APPROVING USE PERMIT (FILE #UP-12-01) ALLOWING
ESTABLISHMENT OF A TOWING BUSINESS WITHIN AN EXISTING
COMMERCIAL BUILDING FOR PROPERTY LOCATED AT 621 S. TEHAMA
STREET, ASSESSORS PARCEL NUMBER 002-311-014**

WHEREAS, the applicants, Lori & Manual Rodrigues, have filed a Conditional Use Permit application to allow establishment of a towing business within an existing commercial building; and

WHEREAS, notices of the Planning Commission meeting held on May 2, 2012, were published in a newspaper of general circulation in the City in accordance with law, and mailing to property owners within 500 feet were sent; and,

WHEREAS, the Planning Commission did, on May 2, 2012, 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 WMC Section 18.60.030(9) allows for uses which in the opinion of the Planning Commission are similar to the list of other conditionally approved uses, 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 the use (towing 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 land use designation of General Commercial provides for a variety of general 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 towing business within an existing commercial building, is consistent with the City of Willows General Plan, the City of Willows Municipal Code, and hereby approves Use Permit file #UP-12-01, 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 2nd day of May, 2012 by the following vote, to wit:

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____

APPROVED: _____
Candis Woods, Chairperson

ATTEST: _____
Recording Secretary

**USE PERMIT CONDITIONS OF APPROVAL
FOR LORI & MANUAL RODRIGUES ALLOWING A TOWING BUSINESS
FOR PROPERTY LOCATED AT 621 S. TEHAMA STREET
ASSESSORS PARCEL NUMBER 002-311-014**

PC approval date: _____, 2012

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. Removal of existing trailer on south side is required prior to use of business.
5. No outdoor storage of vehicles is allowed.
6. The applicant shall first secure signage approval from the Planning Department prior to installation of any signage.
7. All lighting installed shall be designed and installed to meet safety requirements and minimize glare onto adjacent property. All lighting must meet the City Standards.
8. All four parking spaces shall be installed prior to operation of business.
9. 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

10. The applicant shall submit three (3) complete sets of detailed, dimensioned construction drawings for review and approval.
11. The applicant shall provide a completed building permit application for review.
12. The proposed construction of any office, restroom, waiting area, parking space and path of travel shall comply with the latest edition of the California Building Codes. Applicant shall include all details, dimensions, etc. to determine code compliance.
13. The size of the tree wells and concrete placement in the City of Willows right-of-way is subject to Public Works approval.
14. The applicant or owner must comply with all the requirements of all other affected agencies.

15. The applicant must connect to available commercial utilities prior to commencing business.
16. The address shall be incorporated in all submittals and posted in accordance with the City of Willows Municipal Code.

Fire Department

17. The building will need to be properly addressed per WMC Section 15.15.100.
18. A complete fire wall shall be installed on the north side of the commercial building.
19. Fire entry shall be 1 per 3,000 square feet per Fire Department approval.
20. An approved knock box shall be installed per Fire Department approval.
21. No parking shall be allowed on the south side of the building.
22. The rear parking area (alley side) shall have a surface capable of withstanding fire department equipment (20,000 pounds).

Police Department

23. On-site security lighting shall be installed per city code requirements.

County Environmental Health

24. If the facility will store or transport used and/or waste tires, the owner of the business must notify Cal Recycle and obtain appropriate authorization.

California Water Company

25. Water service shall be established by the new owner.

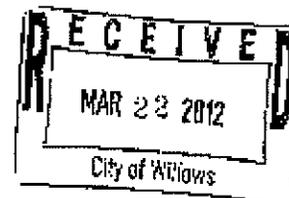
APPLICANTS' BUSINESS STATEMENT

Lori and Manual Rodrigues intend on starting A+ Towing and Transport, a towing company, in the shop located at 621 S. Tehama St. Manual will be the primary driver to begin with. He will run one of two tow trucks out of this location whenever there is a call. He will be on call 24 hours a day, 7 days a week. Lori will be in the office, with operating hours of Monday through Friday, 8 am - 5 pm, excluding holidays. These hours are set by the California Highway Patrol, in their Tow Service Agreement. Lori and Manual will be applying for a position on the rotation tow list with the CHP, Willows Police and the Glenn County Sheriff's Department. As part of that process, Lori and Manual will follow the Tow Service Agreement regarding their hourly rate, storage rate, yard requirements, etc.

The nature of the towing business is to assist people who have disabled vehicles. Most towing takes place away from the office and shop. There will be vehicles that need to be stored, because they were involved in an accident or impounded by law enforcement. Any vehicles that A+ Towing has to store will be stored inside the shop. There will be no vehicles stored outside. When customers want their vehicle released, they will come to the office, and then remove their vehicle from the tow yard. If a vehicle has been involved in an accident, the insurance company may have the vehicle towed to their facility.

A+ Towing will have an EPA number, registered with the state, for the handling of hazardous material from vehicles. Manual will perform oil changes on the tow trucks in the shop, and that will be kept in approved containers until he can have it properly disposed of. There will also be absorbent and a haz-mat clean-up kit on hand in case of haz-mat leakage from towed vehicles.

Customers will be able to park on Tehama Street, in front of the shop, as well as in designated parking spaces to either side of the driveway, off of Tehama St. Manual and Lori will park their vehicles either inside the shop or behind the shop, off the alley. Future employees will be expected to do the same.



APN MAP

