

PLANNING COMMISSION

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

CITY PLANNER
Karen Mantele

MINUTE CLERK
Maria Ehorn



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

PLANNING COMMISSION MEETING AGENDA
Wednesday November 16, 2016
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:** Minutes of Planning Commission meeting held September 21, 2016 and October 19, 2016
7. **Public Hearing/New Business**
 - a. **Design Review (File# Dr-16-08) Applicant/Owner: Kevin Robertson/Northern Valley Indian Health**
257 N. Butte Street/Assessors Parcel Number 002-152-008 & -009/CC (Central Commercial) zone/
General Commercial Land Use Designation/Revision to Engineering Conditions
 - b. **Variance Application (File# V-16-01) Applicant/Owner: Robert & Virginia Coombs/same**
649 and 653 S. Butte Street/Assessors Parcel Number(s) 002-282-013 & -015/R-1 (Single Family
Residential) zone/ Low Density Residential Land Use Designation/Request to allow 4 foot interior
side yard setbacks between existing structures and request to reduce lot width of one lot to allow
Lot Mergers between lots
8. **Commission Commentary**
9. **Adjournment**

MINUTES OF THE WILLOWS PLANNING COMMISSION MEETING

WEDNESDAY, SEPTEMBER 21, 2016

1. The meeting was called to order at 7:00 pm by Chair White.

2. **PLEDGE OF ALLEGIANCE:**

Chair White led the Pledge of Allegiance.

3. **ROLL CALL:**

Karen Mantele, Planner, Maria Ehorn, Minute Clerk

Present: White, Benningfield, Griffith

Absent: Woods, Michael

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

AYES: White, Benningfield, Griffith

NOES: None

ABSENT: Woods, Michael

ABSTENTION: None

5. **PUBLIC COMMENT:** Chair White introduced the item. No comments were made.

6. **APPROVAL OF MINUTES:** It was moved by Commissioner Griffith and seconded by Commissioner Benningfield to approve the Minutes of the Planning Commission Meeting held August 17, 2016.

AYES: White, Benningfield, Griffith

NOES: None

ABSENT: Woods, Michael

ABSTENTION: None

7. **PUBLIC HEARING(S)/NEW BUSINESS:**

a. Conditional Use Permit (File #UP-16-06) Applicant/Owner: Suresh Patel/B&S Hospitality Inc.

475 N. Humboldt Avenue/Assessors' Parcel Number: 017-330-022/Highway Commercial Zone/Highway Commercial Land Use Designation/Request of additional pole and identity signage.

Ms. Mantele recommended opening the public hearing and then to continue the hearing to the October 19, 2016 meeting. Ms. Mantele noted as per requirements, the legal notice had been published in regards to this application. Subsequently, after the notice was posted, the applicant could not provide certain requested items in a timely manner in order to prepare a staff report. As a result there was no staff report. Chair White then introduced the agenda item. Chair White opened the public hearing. Commissioner Griffith moved to continue the hearing until the October 19, 2016 meeting. The motion was seconded by Commissioner Benningfield.

AYES: White, Benningfield, Griffith

NOES: None

ABSENT: Woods, Michael

ABSTENTION: None

b. Tentative Parcel Map Extension (File #MSUB-07-04) Applicant/Owner: Kyle & Tanya Persky

749 & 759 S. Merrill Avenue/Assessor's Parcel Number: 001-330-017 & 001-330-018/R-1 (Single Family Residential) zone/Low Density Residential Land Use Designation/Request for one year extension to parcel map.

Chair White introduced the agenda item. Ms. Mantele stated the second parcel number listed on the agenda to be corrected to read 001-330-018. She then presented the agenda report to the Commission. Chair White opened the public hearing. No comments were heard. Chair White then closed the public hearing.

Commissioner Benningfield moved to approve the next resolution in line entitled, A Resolution of the Planning Commission of the City of Willows granting approval for a one year time extension to parcel map file number MSUB-07-04 for Kyle & Tanya Persky for property located at 749 & 759 S. Merrill Avenue, assessor's parcel numbers 001-330-017 & 001-330-018. The motion was seconded by Commissioner Griffith.

• AYES: White, Benningfield, Griffith
NOES: None
ABSENT: Woods, Michael
ABSTENTION: None

Staff will notify the applicants of the approved 1 year extension.

8. COMMISSION COMMENTARY:

1. Commissioner Benningfield asked about the Thunderhill food truck and if staff has heard any more about the parking lot being fixed. Staff will contact and follow through with the applicant regarding the conditions of approval.
2. Commissioner Griffith asked about the new Northern Valley Indian Health building. Staff stated that the item is in review right now and will more than likely be on the next Planning Commission meeting agenda for design review.
3. Ms. Mantele reported she had received a Design Review application for construction of a new commercial building for Wunsch's Chiropractic office.
4. Commissioner Griffith inquired about the projects on the south end of town. Ms. Mantele said that the projects were moving along and she is hoping to bring them before the commission by December this year.
5. Ms. Mantele stated she got a request for a possible flea market for outside sales. She is also working on some future text amendment changes to the code.

9. ADJOURNMENT: Meeting adjourned at approximately 7:17 pm.

PEGGY WHITE – Chair

Maria Ehorn – Minute Clerk

MINUTES OF THE WILLOWS PLANNING COMMISSION MEETING

WEDNESDAY, OCTOBER 19, 2016

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

2. **PLEDGE OF ALLEGIANCE:**

Commissioner Woods led the Pledge of Allegiance.

3. **ROLL CALL:**

Karen Mantele, Planner, Maria Ehorn, Minute Clerk

PRESENT: Benningfield, Griffith, Woods, Michael

ABSENT: White

4. **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.

AYES: Benningfield, Griffith, Woods, Michael

NOES: None

PRESENT: Benningfield, Griffith, Woods, Michael

ABSENT: White

5. **PUBLIC COMMENT:** Vice Chair Griffith introduced the item. No comments were made.

6. **APPROVAL OF MINUTES:** It was moved by Commissioner Michael to table the approval of minutes of September 21, 2016 until the next scheduled meeting. Consensus to table by the Commission.

AYES: None

NOES: None

ABSENT: None

ABSTENTION: None

7. **PUBLIC HEARING(S)/NEW BUSINESS:**

a. **PUBLIC HEARING CONTINUED FROM September 21, 2016 MEETING /Use Permit (File # UP-16-06) Applicant/Owner: Suresh Patel/same**

475 N. Humboldt Avenue/Assessors' Parcel Number: 017-330-022/CH (Highway Commercial) Zone/Highway Commercial Land Use Designation/Request to allow additional pole and identity signage for existing motel.

Vice Chair Griffith introduced the agenda item. Ms. Mantele presented the agenda report to the Commission. David Ford, the sign company representative, spoke on behalf of the applicant stating that the replacement is due to a nationwide rebranding. The Commission had questions for the sign company representative regarding standard sign sizes, pole location and the reason for the request for such a large sign. Ms. Mantele presented the Commission with information on the size of other pole signs in the vicinity and what has been approved by the Commission in the past.

Vice Chair Griffith then opened the public hearing. Discussion was had among the Commissioners regarding the City sign code, sign sizes and limitations on sign sizes. Vice Chair Griffith then closed the public hearing.

Commissioner Woods moved to approve the next resolution in line, amended as follows, entitled, A Resolution of the Planning Commission of the City of Willows granting use permit approval (File # UP-16-06) to Suresh Patel of the Best Western Motel to allow 19.1 sf of additional identity signage and a pole sign not to exceed 354 sf double sided for property located at 475 N. Humboldt Avenue Assessors parcel number 017-330-022. The motion was seconded by Commissioner Benningfield.

AYES: Benningfield, Griffith, Woods, Michael

NOES: None

ABSENT: White

ABSTENTION: None

Staff reminded applicants that all use permits have a 10 day appeal period.

b. **Design Review (File# DR-16-08) Applicant/Owner: Kevin Robertson/Northern Valley Indian Health**

257 N. Butte Street/Assessors Parcel Number 002-152-008 & 009/CC (Central Commercial) zone/General Commercial Land Use Designation/Request to approve design and site elements for a new two-story administration building.

Vice Chair Griffith introduced the agenda item. Ms. Mantele presented the agenda report to the Commission. Ms. Mantele noted that Mr. Robertson, representative of NMR Architects & Engineering, and Mr. Sawyer, representative of Northern Valley Indian Health (NVIH), were in attendance.

Kevin Robertson, architect for the project, spoke regarding the Conditions of Approval (COA) and would like to discuss possible modification of several, in particular COA # 41 and COA # 51b (COA's in question). Mr. Sawyer spoke in regards to the additional cost of the project if COA's in question are not modified and or removed. A discussion was had between project representatives, staff & the Commission regarding the COA's, how and if they could be amended, possibly with an memorandum of understanding (MOU), and additional project costs that may incur if COA's are not amended or modified. Staff suggested to amend the conditions in question by adding the verbiage "or as approved by the City Engineer at plan check" to the COA's in question. Ms. Mantele stated that she would be removing COA # 26, as this project is in an area that is exempt from development impact fees.

Vice Chair Griffith opened the public hearing. A short discussion ensued regarding the grass strip area between the walkway and wall and other areas of vegetation around the building. Vice Chair Griffith then closed the public hearing.

Commissioner Michael moved to approve the next resolution in line entitled, A Resolution of the Planning Commission of the City of Willows granting design review approval (File # DR-16-08) to Northern Valley Indian Health to construct a two-story 20,565 SF administration building and site improvements for property located at 257 N Butte Street Assessors Parcel Numbers 002-152-008 & -009 with amendments to conditions in question as proposed by staff. The motion was seconded by Commissioner Benningfield.

AYES: Benningfield, Griffith, Woods, Michael

NOES: None

ABSENT: White

ABSTENTION: None

c. Addendum to adopted Mitigated Negative Declaration for Tentative Map (File# TM-09-01)
Applicant/Owner: Basin Street Properties

Vice Chair Griffith introduced the agenda item. Ms. Mantele presented the agenda report to the Commission. Staff noted that there were some inaccuracies in the addendum that was provided in the agenda. Staff provided the Commission with a revised addendum with the corrections that will be attached to this resolution.

Vice Chair Griffith opened the public hearing. No comments were heard. Vice Chair Griffith then closed the public hearing.

Commissioner Benningfield moved to approve the next resolution in line entitled, A Resolution of the Planning Commission of the City of Willows approving a mitigated negative declaration addendum for the previously approved commercial/industrial tentative map which will correct project description inaccuracies to the project description and which has been determined that the corrections will not require the preparation of a subsequent mitigated negative declaration or supplement to the previously adopted mitigated negative declaration for the Basin Street properties commercial/industrial tentative map file # TM-09-01 for property located east of Interstate 5 and west of Tehama Street. The motion was seconded by Commissioner Woods.

AYES: Benningfield, Griffith, Woods, Michael

NOES: None

ABSENT: White

ABSTENTION: None

8. COMMISSION COMMENTARY:

1. Commissioner Griffith went to the open house for the Northern Valley Indian Health and stated the building remodel was very nice. He also stated that the Library will be getting a super wi-fi which will reach to the outside of the building.

2. Commissioner Michael stated he has been out of town a lot but did make it to the Rural Counties Representatives of California meeting. There was a lot of good information provided. Commissioner Michael stated that Glenn County Supervisor John Viegas donated around \$70,000 from the proceeds of the auction dinner to several Glenn County charities. One of the topics was how the internet is affecting rural counties.
3. Ms. Mantele said that the annual planning commission conference is coming up but that there is still time to for any commissioners wanting to go to sign up. Discussion was held regarding other conferences, when they would be coming up and registering for. When asked about new projects, Ms. Mantele said she has a design review that should be coming before them possibly at the next meeting on November 16, 2016.
4. Commissioner Benningfield asked about the Thunderhill food truck. There was a short conversation about the truck not being there consistently. Staff stated that they had spoken with Mr. Thompson regarding obtaining the use of a bathroom at an adjacent business and was provided a letter from a business within 200 ft to comply with the state code.

ADJOURNMENT: Meeting adjourned at approximately 8:32 pm.

BOB GRIFFITH – Vice Chair

Maria Ehorn – Minute Clerk

Planning Commission Agenda Report:**November 16, 2016**

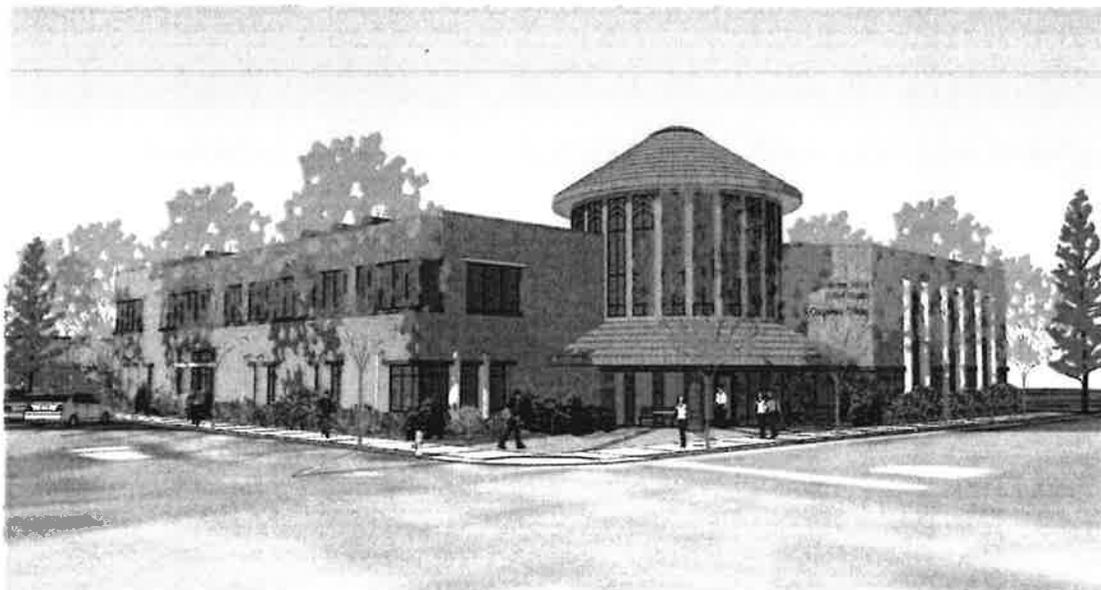
Project: NVIH new administration building/**Revised conditions**
 Applicant(s)/Owner: Kevin Robertson/Northern Valley Indian Health
 Project Location: 257 N. Butte Street
 Parcel No: 002-152-008 & -009
 Zoning: CC (Central Commercial)
 General Plan: General Commercial

Background

On October 19, 2016 the Planning Commission reviewed and approved a Design Review application for a 20,565 SF new commercial administration building for Northern Valley Indian Health. During the hearing process, the applicants' representative asked about two conditions which they felt would place extra cost burdens on the project. It was settled at the meeting that language would be inserted at the end of the two conditions in question which said "*or as approved by the City Engineer during plan check*".

During post-approval discussion between the Building Department, Public Works and the City Engineer about the two conditions (#40 and #50b), it was decided that condition #40 should be struck from the list of conditions and 50(b) should be modified and taken back to the Planning Commission for review and approval.

Attached for the Commissions' review are the REVISED conditions of approval with changes to those two conditions.



Proposed New Building

STAFF RECOMMENDATION:

Staff recommends adoption of the attached resolution recommending Design Review approval for Northern Valley Indian Health, to construct a two-story 20,565 SF administration building with site improvements subject to the conditions of approval as shown in Attachment #2.

PLANNING COMMISSION OPTIONS:

- 1) Approve the Design Review application as presented or approve with modifications subject to Conditions of Approval as described in Attachment 2
- 2) Deny the Design Review application with appropriate findings for denial

Attachments:

1. Draft Planning Commission Resolution
2. Revised Conditions of Approval

Submitted by:



Karen Mantele
Principal Planner

PC RESOLUTION NO. _____-2016

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS GRANTING APPROVAL TO MODIFY THE CONDITIONS OF APPROVAL GRANTED TO NORTHERN VALLEY INDIAN HEALTH FOR CONSTRUCTION OF A TWO-STORY 20,565 SF ADMINISTRATION BUILDING AND SITE IMPROVEMENTS FOR PROPERTY LOCATED AT 257 N BUTTE STREET ASSESSORS PARCEL NUMBERS 002-152-008 & -009

WHEREAS, the applicant, Kevin Robertson on behalf of Northern Valley Indian Health has filed a Design Review planning application to obtain approval for the design of a two-story administration building with site improvements; and,

WHEREAS, the Planning Commission did, on October 19, 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 did, on October 19, 2016, adopt conditions of approval for the project; and

WHEREAS, the Planning Commission did, on November 16, 2016 adopt revised conditions of approval to reflect the Engineering comments for the project.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the revised conditions of approval for the Design Review proposal to construct a two-story administration building is consistent with the City of Willows General Plan, the City of Willows Municipal Code, and hereby approves Design Review File #DR-16-08, subject to the attached conditions of approval set forth in Attachment #2.

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 November 2016, by the following vote, to wit:

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____

APPROVED: _____
Peggy White, Chairperson

ATTEST: _____
Recording Secretary, Maria Ehorn

REVISED
DESIGN REVIEW CONDITIONS OF APPROVAL
FOR
NORTHERN VALLEY INDIAN HEALTH
FOR PROPERTY LOCATED AT 257 N. BUTTE STREET
APNs; 002-152-008 & -009

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. The approval of this project shall be subject to the latest adopted Ordinances, Resolutions, Policies and fees of the City of Willows.
3. The developer shall adhere to the design and specification of the Architectural Design Review approval for the construction of a two story administration building and site improvements as presented in plans on file with the City.
4. 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 to the approved design and any further extension beyond one year shall require Planning Commission approval.
5. An Occupancy Permit shall not be issued in part or whole for any building until 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.
6. The applicant shall first secure sign permit approval from the Planning Department prior to installation of any business signage.
7. On-site parking shall be provided in accordance with the approved site plan showing 43 on-site parking spaces.
8. The parking lot shall be stripped in accordance with the site plan, City standards and in accordance with ADA requirements.
9. All landscaping shall be maintained in good condition and any dead or dying plants, bushes, or trees shall be replaced with new healthy stock of a size compatible with the remainder of the growth at the time of replacement.

10. Any debris as a result of the project shall be disposed of properly to an approved waste disposal site.
11. A revised Landscape Plan shall be submitted for Planning Department review showing trees listed on the City's Master Tree List.
12. All building mounted and site lighting shall be shielded lights, down lights, and or full cut off lights so that the bulb is not visible from off-site and light does not create glare or hazard onto adjoining properties/streets. Cut sheets shall be submitted with building plans. All lighting must meet the City Standards.
13. 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 recommendations of the archaeologist shall be incorporated in the project.
14. All contractors/sub-contractors shall obtain a City business license prior to commencing operation. (Contact Finance Department).

Building Department

15. The applicant shall submit 4 complete sets of plans, calculations and specifications, to the building department for review and approval.
16. The submitted plans shall comply with all applicable Federal, State and Local codes and ordinances.
17. The plan submittal shall include a completed building permit application and a plan review deposit.
18. Buildings in excess of 10,000 SF are required to be commissioned, provide documentation on commissioning process.
19. Walls in close proximity to property lines shall be constructed in accordance with current applicable code.
20. The curb, gutter and sidewalk may need to be repaired or replaced. Public Works to decide.
21. The alley will be subject to significant additional traffic and may need to be surfaced. Public Works, City engineer to decide.

22. The approximate 6000 SF area that is not finished will have to comply with the adopted code at the time of permit application and may require that some already installed features be removed and replaced with code compliant products.
23. The applicant/contractor shall arrange for a meeting with City staff prior to construction to discuss the conditions of approval.
24. The conditions of approval shall be included in and become part of the plan sets.
25. The applicant shall be responsible for Willows Unified School District Development Fees (subject to WUSD approval).

Fire Department

26. All buildings shall have fire sprinkler systems provided. The Fire Department shall review all sprinkler plans prior to installation (WMC 15.15.10).
27. All fire and alarm systems must meet the approval of the Fire Chief (WMC 15.15.120).
28. A knox box shall be installed per Fire Chief approval (WMC 15.15.130).
29. The building address shall meet all WMC 15.15.100 criteria and be reviewed by the Fire Department prior to installing.
30. Provide fire extinguishers in accordance with the 203 CFC.
31. Provide illuminated exist signs over all exist doors in accordance with the 2013 CBC and CFC.
32. All exist doors shall have no knowledge door locks, be posted "This door to remain unlocked when building is occupied" and swing in the direction of exit travel.
33. An FDC connection shall be within 50 feet of hydrant.
34. On-site road surface will meet CFC Chapter and Section 15.15.090 Fire Apparatus Access Roads.
35. Red curbs maybe required and will be evaluated at time of construction.

Engineering Department

General Conditions:

36. Developer shall design and construct all improvements and facilities shown on any approved site plan, or other documents submitted for permit approval, in accordance with the Willows Municipal Code (WMC), the City of Willows Design and Construction Standards. Approval of a site plans depicting improvements that do not conform to the WMC or City standards does not constitute approval of an exception to the WMC or City standards unless explicitly stated herein or in another City resolution.
37. Developer shall design and construct all improvements and facilities shown on any approved site plan, or other documents submitted for permit approval, in accordance with the Willows Municipal Code (WMC), the City of Willows Design and Construction Standards. Approval of a site plans depicting improvements that do not conform to the WMC or City standards does not constitute approval of an exception to the WMC or City standards unless explicitly stated herein or in another City resolution.
38. All existing overhead utilities (of 26,000 volts or less) and proposed utilities, both on-site and along project frontages (including alleyways), shall be placed underground. This does not include surface mounted transformers, pedestal mounted terminal boxes and meter cabinets. Utilities in the alley shall be placed underground and the riser from underground to overhead shall be on the existing pole in the alley on the north side of W. Willow Street.
39. Unless otherwise explicitly permitted, all existing wells, septic tanks and/or underground fuel storage tanks shall be abandoned under permit and inspection of Glenn County Department of Health Services or other designated agency. If there are none, the project engineer shall provide a letter describing the scope of the search done to make this determination.
- ~~40. The proposed trash collection area shall be designed such that it includes a drain connected to the sewer system to capture any liquid that may leak out of any dumpsters in the enclosure. The grading of the enclosure shall be such that it captures all liquid from the trash enclosure area. The trash enclosure shall be covered so as not to allow any rainwater from entering the enclosure or as approved by the City Engineer during Plan Check review.~~
41. The applicant shall be responsible for maintaining all landscaping in the public right-of-way fronting this facility. All street trees shall be installed with root barriers and shall be of a species approved by the City.
42. All parking lots, including stall dimensions, lighting, etc. for all parking lots shall meet dimensions as specified in the City's Municipal Code §18.120.
43. Prior to approval of the improvement plans, the applicant shall submit a reciprocating maintenance agreement between the parcel where the new building is proposed and the existing parcel to the south for maintaining the parking lots, as these facilities will be shared between the two buildings. Additionally, reciprocating access and parking easements shall be provided for

review and approval under a separate deed between the two parcels allowing common access and parking between the two parcels. Both the reciprocating maintenance agreement and the reciprocating access/parking easement shall be recorded prior to approval of the improvement plans.

44. The proposed new building is being constructed on two separate lots (shown as APN's 002-152-008 and 002-152-009.) Prior to approval of the improvement plans or any building permit, the applicant shall process a lot merger of the two lots and gain City approval. Said lot merger shall be recorded prior to issuance of any permit or approval of the improvement plans. Additionally, the existing parking lot adjacent to the existing building to the south is shown to be on its own parcel (APN 002-152-010.) This parking lot parcel shall be merged with the parcel directly to the south. This lot merger shall take place simultaneously as the lot merger for the two northerly parcels associated with this application.

Improvement Plan and Construction Conditions:

45. Improvement plans shall be prepared and submitted by a California Registered Civil Engineer for the construction of all necessary and required on-site and off-site improvements including grading, water, sanitary sewer, storm drain facilities, roadway improvements, curbs, gutters, sidewalks, parkway strips and streetlights. All design and construction shall conform to the City of Willows Design and Construction Standards, as applicable.
46. A detailed Soils Investigation/Geotechnical Report shall be prepared and submitted for review. The report shall address, at a minimum, potential for liquefaction, expansive soils and seismic risk. The improvement plans shall incorporate all design and construction criteria recommended in the Geotechnical Report.
47. All private water mains, sewer mains and storm drains shall be clearly labeled "Private" on the improvement plans.
48. Improvements plans shall include a storm water pollution prevention plan.
49. Roadway Improvements:
 - a. Where new roadway improvements abut existing paving, the existing pavement section shall be saw-cut and reconstructed to provide adequate conforms. The limits of such reconstruction shall be as determined by the City Engineer.
 - b. A new street light shall be installed at the entrance to the alley along W. Willow Street. Street lighting shall be designed to provide to meet safety requirements and minimize glare. Street light standard and luminaries of the design and locations shall be approved by the City Engineer. All lighting must have shields as specified in the City Standards.

- c. Ramps for disable persons meeting the most recent standards shall be provided at all intersections and at the limits of the improvements where they do not adjoin existing sidewalk improvements. Sidewalk warps shall be provided as necessary to allow a clear four-foot wide walkway at all locations, including areas where mailboxes, streetlights, and fire hydrants obstruct sidewalks.
- d. Due to primary access of employee parking being off the existing alleyway on the west side of the property, the applicant shall be responsible for improving the existing alley to provide for 3-inches of paving over 12-inches of aggregate base from the intersection of the alley and W. Willow Street to the southerly end of the existing parking lot. The alley shall be paved to a width of 20 ft. The existing driveway at the intersection of the alley and W. Willow Street shall be removed and a new driveway constructed per City Standard S-4
- e. The existing curb and gutter (including the driveway cut) abutting the property along W. Willow Street shall be removed and replaced with standard curb and gutter per City Standards. The limits of the removal and replacement shall be from the westerly end of the new improvements recently installed by the City at the intersection of W. Willow Street and N. Butte Street to the westerly side of the driveway into the alley. All new curb and gutter shall be installed per City Standards.
- f. All sidewalk fronting the property along W. Willow Street shall be removed and replaced. This includes sidewalk crossing the existing alleyway. Additionally, all damaged sidewalk along the property frontage on N. Butte Street shall be removed and replaced with sidewalk per City Standards.

50. Water and Sanitary Sewer Improvements:

- a. All public water and sewer mains must be located in public right-of-way wherever possible. Where public water and sewer mains must be located on private property, all necessary easement dedications must be made prior to final acceptance of the project by the City.

~~b. Sewer grades must be designed such that ultimate finished floors are a minimum of 12" above upstream manhole or clean-out rim elevations. Inadequate elevation differentials or grade on private laterals, as determined by the City, must be mitigated by either raising finished floor elevation(s) or installing privately owned and operated sewer lift station(s) with grinder/ejector pump(s) on site or as approved by the City Engineer during plan check.~~ **Change the condition to read:**

Sewer grades shall be designed such that the ultimate finished floor of the building is above the upstream sewer manhole or clean-out rim elevation to ensure that if there is a sewer restriction in the main sewer line, backflow will be relieved in the street as opposed to inside the building. If it is not possible to design the finished floor to an elevation above the upstream manhole or cleanout, other means to restrict sewer

backflow into the building (e.g. backflow prevention devices) may be considered and are subject to review and approval by the City Engineer and the Building Official. For alternative devices, all fixtures shall be accessible for servicing and maintenance and must be installed per the product listing.

- c. All utility cuts in the existing pavement of N. Butte Street or W. Willow Street shall be repaired per City Standards.

51. Drainage Improvements

- a. All project related drainage impacts shall be mitigated by the project developer. Drainage improvements shall be designed in accordance with the Design Criteria utilizing the rationale method and any applicable adopted City drainage plans. The design storm for the proposed drainage facilities shall be capable of carrying flows from a 10-year storm.

The applicant shall submit for review and approval, drainage plans and hydraulic calculations prepared by a Registered Civil Engineer. The drainage plans and calculations shall indicate the following conditions before and after development:

Quantities of water, water flow rates, major water courses, drainage areas and patterns, diversions, collection systems, flood hazard areas, sumps and drainage courses.

- b. Post-development off-site flows shall not exceed pre-development flows. The hydrology and hydraulic information submitted for this development shall include inflow and outflow hydrographs for the proposed detention facilities and shall clearly indicate that flows out of the detention facilities shall not exceed pre-development flows and that the public storm drain system that is being connected to will not be overwhelmed. If it is found that the existing drainage facilities downstream of the development are not capable of handling the additional flows from this project, off-site drainage improvements shall be constructed as necessary to mitigate any issues.
- c. The proposed new storm drain inlet on N. Butte Street shall be per City Standard S-7.

Construction Conditions

52. No grading or other construction shall be performed until the improvement plans have been approved and signed by the City Engineer. Encroachment Permits and Building Permits will not be issued prior to the approval of the improvement plans. An Encroachment Permit is required for any work within the City's rights of way.
53. The developer shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period, as is found necessary by the City Engineer.
54. Before or any construction activity that would result in a land disturbance of one acre or larger, the developer shall provide evidence that a Notice of Intent has been submitted and received by the Regional Water Quality Control Board for a General Construction Activity Storm Water Permit. A copy of the project Storm Water Pollution Protection Plan shall be submitted to the City.

55. If any hazardous waste is encountered during the construction of this project, all work shall be immediately stopped and the Glenn County Environmental Health Department, the Fire Department, the Police Department, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies.
56. Where soil or geologic conditions encountered in grading operations are different from that anticipated in the soil and/or geologic investigation report, or where such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted for approval by the City Engineer. It shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, erosion, settlement, and seismic activity. Additionally, if field conditions warrant installation of any subdrains, the location, size and construction details must be provided to the City for review and approval prior to construction.
57. All streets, alleys, curbs, gutters, sidewalks or other public facilities damage in the course of construction associated with this development shall be the responsibility of the Developer and shall be repaired to the satisfaction of the City at the Developer's expense.
58. The applicant shall submit a proposed haul route for all trucking associated with this project to the City Engineer for review and approval prior to commencement of construction.
59. Dust control must be maintained to the City's satisfaction.
60. 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.

Release of Securities Conditions

61. All improvements within the public right-of-way shown on the Improvement Plans shall be completed and accepted by the City.
62. All improvements within the public right-of-way shown on the Improvement Plans shall be completed and accepted by the City.
63. All punch-list work shall be completed and any outstanding inspection fees or other charges shall be paid.
64. Developer shall provide for sufficient surety guaranteeing the public improvements for a period of one year.

65. A complete set of *As-Built* or Record improvement plans showing all substantial changes from the original plans shall be certified by the Civil Engineer of record and submitted to the City Engineer prior to acceptance of the public improvements.

66. Prior to acceptance of the work, the developer shall provide a written statement signed by his or her engineer certifying that they observed the work during construction and that site grading and all private site improvements have been completed in accordance with the improvement plans approved by the City Engineer.

67. Prior to acceptance of the work, the developer shall provide a written statement signed by his or her geotechnical engineer certifying that they observed the work and reviewed testing results, and that all of work was performed in accordance with the recommendations included in the Soils Investigation/Geotechnical Report or other recommendations necessitated by field conditions.

Planning Commission Agenda Report:**November 16, 2016**

Project: Variance application (File #V-16-01) /Request to allow 4 foot side yard setbacks and allow reduction in lot width

Applicant(s)/Owner: Robert & Virginia Coombs/same

Project Location: 649 & 653 S. Butte Street

Parcel Nos: 002-282-013 & -015

Zoning: R-1 (Single Family Residential)

General Plan Low Density Residential

Project Description

The applicants, Robert and Virginia Coombs, have submitted a Variance application, a request to allow four (4) foot interior side yard setbacks between existing buildings and allow a reduction in the width of a lot. The applicants' desire to have a Lot Merger/Lot Line Adjustment done between the two lots which they own. During the application review for the Lot Merger, it was discovered there is an issue with the side yard setbacks and the lot width.

Review Process

This matter is before the Planning Commission pursuant to Section 18.140; 18.30.040(2) and 18.30.040(4)(b) of the City of Willows Municipal Code.

Zoning/ General Plan Consistency

The project site is zoned R-1 (Single Family), which allows for single family uses as a permitted use. Zoning to the north, south and east are the same as the project site. The General Plan Land Use designation for this site is Low Density Residential pursuant to the City's General Plan Land Use Map. The designation provides for residential uses.

Project discussion:

The applicant's made application to the City for a Lot Merger/Lot Line Adjustment. The goal was to adjust the property lines in order to create a lot for sale. During the review of this application it was discovered that in adjusting the lot lines as proposed, it would create an issue with the side yard setback between two existing structures, as well as create an issue with the width of the one lot to be adjusted.

Section 18.30.040(2) *Other Regulations* of the City's Zoning Ordinance requires a minimum side yard setback of six (6) feet. The applicant's request is to vary from that regulation and allow a four (4) foot setback from the property line between existing structures. Parcel number 002-282-015 has a 1,500 SF structure that was permitted in 1977 by the City Building Department and called out as an accessory building. The City files indicate that prior to constructing this building a variance was granted by the Willows Planning Commission to allow a reduction to the southern property side-yard setback, as the zoning at the time required a 15 foot setback. No mention was made to the setback on the northern side of the building; hence now an issue has arisen regarding the northern setback.

The adjacent parcel to the north (002-282-013) has an existing structure located on it which sits approximately eight (8) feet from the structure that was built in 1977. In order for the property owners to sell the larger northern lot it must be a legal lot, hence the need for a Lot Merger/Lot Line Adjustment. Approval cannot be granted for a Lot Merger/Lot Line Adjustment until a variance is granted regarding the issues of side yard setbacks and lot width.

Additionally as proposed with the Lot Merger/Lot Line Adjustment, the width of the southern lot (-015) would not comply with the zoning regulations which require lot widths to be a minimum of 60 feet wide. As proposed the width of the -015 lot would be 47 feet on the west side and 43.65 feet on the east side.

Section 18.140 Variances, states that where practical difficulties, unnecessary hardships, or results inconsistent with the purposes and intent of this title may result from the strict application of certain area, height, yard, and space requirements thereof, variances in such requirements may be granted by the Planning Commission as provided in this chapter. The applicants purchased both of these parcels as they are, with buildings eight feet apart from each other. Unless one of the buildings is torn down, there is no practical remedy to meet the zoning regulations regarding the set back and lot width other than to grant a variance.

In order to meet the Building Code regarding buildings sitting closer than five feet from the property line, the applicants have pulled a building permit to install fire separation walls on each structure that is closer than five feet from the property lines. These fire separation walls have now been installed, meet code and have been finalized by the City of Willows Building Department.

Findings of Fact

Section 18.140.050 of the Zoning Ordinance states in order to grant a Variance, the Planning Commission must make affirmative findings of fact in each of the following, that:

1. There are either exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to the vicinity.
2. Strict or literal interpretation and enforcement of the specified regulation would result in either practical difficulty or unnecessary physical hardship and would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.
3. Granting the Variance will not constitute a grant of special privileges inconsistent with the limitations on other properties classified in the same zoning district.
4. Granting the Variance or its modification will not be materially detrimental to the public health, safety, or welfare.

Consistent with the City's development guidelines, legal notice of this Variance application request and hearing was provided to the local newspaper, and direct notices were sent to property owners within 400 feet of the proposed project.

Environmental Review

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA) for environmental impacts and qualifies as a Categorical Exemption, Class 5, under Section 15305(a) Minor Alterations in Land Use Limitations, which allows for set-back variances not resulting in the creation of any new parcel. There are two parcels currently and after shifting lines, there still will be two parcels.

STAFF RECOMMENDATION:

Staff recommends the Commission adopt the attached resolution recommending Variance approval for Robert and Virginia Coombs to deviate from the zoning regulations to allow a four foot side yard setback between existing buildings and allow a deviation from the zoning regulations to allow reduced lot widths subject to the conditions of approval as shown in Attachment #2.

PLANNING COMMISSION OPTIONS:

- 1) Approve the Variance application proposal as submitted, approve with modifications subject to Conditions of Approval as described in Attachment 2
- 2) Deny the Variance application with appropriate findings for denial

Attachments:

1. Draft Planning Commission Resolution
2. Proposed Conditions of Approval
3. Lot Merger/Lot Line Map
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**

DRAFT

PC RESOLUTION NO. _____-2016

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS GRANTING VARIANCE APPROVAL (FILE #V-16-01) TO ROBERT AND VIRGINIA COOMBS TO ALLOW FOUR FOOT SIDE YARD SETBACKS BETWEEN TWO EXISTING BUILDINGS AND ALLOW TO VARY FROM THE LOT WIDTH REGULATION FOR PROPERTY LOCATED AT 649 and 653 SOUTH BUTTE STREET ASSESSORS PARCEL NUMBERS 002-282-015 AND 002-282-013

WHEREAS, the applicant, Robert and Virginia Coombs has filed a Planning application for a Variance to request varying from the side yard setback and lot width requirements, and,

WHEREAS, City of Willows Municipal Code Section 18.140 allows varying from the zoning regulations where practical difficulties exist upon first securing a Variance approval from the Planning Commission, and

WHEREAS, notice of the Planning Commission meeting held on November 16, 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 November 16, 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, on November 16, 2016 the Planning Commission reviewed all evidence submitted in connection with the Variance 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 15305, Class5, Minor Alterations in Land Use Limitations; and

WHEREAS, the Planning Commission does finds that there are either exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to the vicinity, as the existing structure on APN: 002-282-015 was built with a city issued building permit prior to current owners purchase of it; and

WHEREAS, the Planning Commission does finds that strict or literal interpretation and enforcement of the specified regulation would result in either practical difficulty or unnecessary physical hardship and would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district, as the practical difficulty of selling a lot that does not comply with the zoning regulations would not be enjoyed by the applicants without a variance approval; and

WHEREAS, the Planning Commission does find that granting the Variance will not constitute a grant of special privileges inconsistent with the limitations on other properties classified in the same zoning district, as other properties in the vicinity of the subject lots do not have the same issues; and

WHEREAS, the Planning Commission does find that Granting the Variance or its modification will not be materially detrimental to the public health, safety, or welfare, as fire separation walls have been constructed on both buildings per the building code.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the Variance proposal to deviate from the side yard setback and lot width requirements are consistent with the City of Willows General Plan, the City of Willows Municipal Code, and hereby approves Variance (File#V-16-01), subject to the attached conditions of approval set forth in Attachment #2, and Lot Merger/Lot Line Adjustment map as shown on 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 16th day of November, 2016, by the following vote, to wit:

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____

APPROVED: _____
Peggy White, Chairperson

ATTEST: _____
Maria Ehorn, Recording Secretary

USE PERMIT CONDITIONS OF APPROVAL
for
Robert and Virginia Coombs
For property located at
649 and 653 S. Butte Street/APN's: 002-282-013 and 002-282-015

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. The approval of this project shall be subject to the latest adopted Ordinances, Resolutions, Policies and fees of the City of Willows.

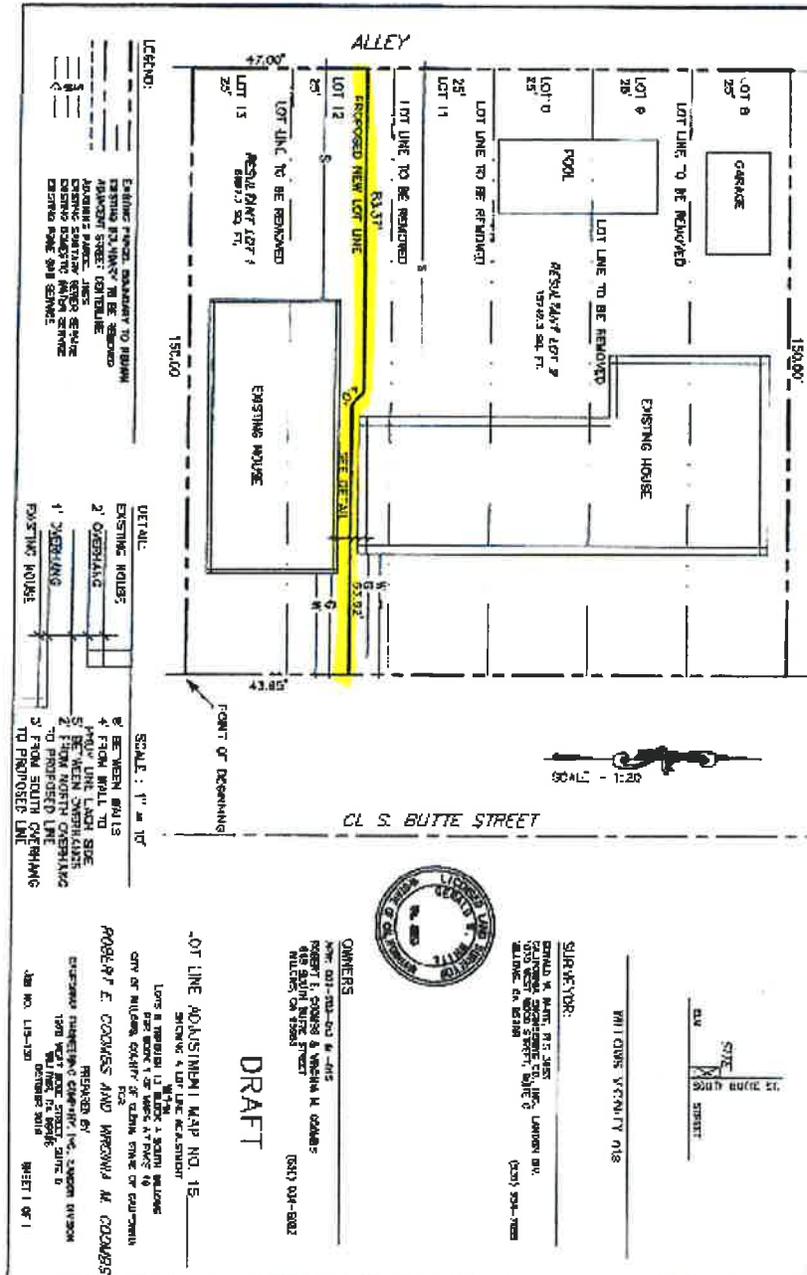
Building Department.

3. The applicant has secured permits to create one-hour property line fire separation walls on each of the structures in question and has also obtained permits to separate the utilities so that each proposed parcel has its own utilities.
4. Additional permits are required for any additional remodeling work.

Engineering Department

5. Based on the plot map reviewed there are 6 existing lots encompassed with this project and it is the intent of the applicants to end up with 2 lots with one house on each lot. In order to accomplish this, the applicant shall be required to submit a Lot Merger for existing lots 8-11 and a separate Lot Merger for lots 12 and 13.
6. Once the lot merger required in #5 is completed, the applicant shall submit to the City for review and approval, a Lot Line Adjustment between the two newly created lots from the lot merger.
7. Once the lot merger is completed, if the applicant desires a certificate of occupancy, a certificate of compliance can be given once the Lot Line Adjustment is recorded.

Lot Merger/Lot Line Adjustment Map



APN MAP

