

PLANNING COMMISSION

Candis Woods, Chair  
Kerri Warren, Vice Chair  
Amy Alves, Commissioner  
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 September 19, 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.

**a.) Use Permit/Design Review/–File#UP-12-03/DR-12-02**

Applicant/Owner: Jeramy Chapdelaine/John L. Lineweaver, Trustee of the Lineweaver Trust  
110 N. Yolo Street/Assessor's Parcel Number 003-103-013, R-1(Single Family Residential)  
zoning district; Low Density Residential land use designation.

Jeramy Chapdelaine has requested approval of a Use Permit to allow conversion of a non-conforming two-story structure from office space to a four-unit, multi-family dwelling; and requesting Design Review approval for exterior modifications to the subject property.

**b.) Tentative Parcel Map File # TM-12-01**

Applicant/Owner: Paula Carroll/Paula Carroll Trust  
1212 & 1220 W. Wood Street/Assessor's Parcel Number(s) 001-041-009; -010; -011, E  
(Entryway) zoning district, Entryway land use designation.

Paula Carroll has request approval of a Tentative Parcel Map to subdivide one lot into three parcels in order to separate existing commercial facilities from existing residence.

8. **Direction from Commission regarding on-going discussion of zoning and land use issues:**
9. **Commission Commentary:**
10. **Adjournment:**

**CERTIFICATION:**

Pursuant to Government Code § 54954.2 (a), the agenda for this meeting was properly posted on or before September 14, 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](http://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

## Willows Planning Commission Agenda Report: September 19, 2012

Project: Use Permit/Design Review (File #UP-12-03/DR-12-02)  
Applicant/Owner: Jermay Chapdelaine  
Project Location: 110 N. Yolo Street, Willows, CA  
Parcel No: 003-103-013  
General Plan: R-1 (Single Family Residential)  
Zone: Low Density Residential (LDR)

This matter is before the Planning Commission pursuant to Sections 18.110.090(2), and 2.45 of the Municipal Code.

### **Project Description:**

The applicant, Jeramy Chapdelaine, has submitted a Non-conforming Use Permit/Design Review application to allow conversion of an existing non-conforming two-story structure from office space/church to a four-unit multi-family dwelling, and a Design Review application to allow proposed design of the covered parking spaces, trash enclosure and exterior building treatments for the approximately 3,000 square foot existing building. The applicant proposes to cover the exterior of the building with a light colored stucco texture. The metal covered carport will be built to match the look and color of the newly stuccoed building. A four foot high fence is proposed along the north side of the property line to eliminate traffic movements from the site to the alley. Additionally a 6 foot chain link fence with slats is proposed around the trash enclosure.

The applicant proposes to construct a covered parking structure for the required on-site parking, with six stalls, and one separate handicap parking area, all constructed to code. A handicap accessible route will be constructed per code around the north and east sides of the building as well as to the parking and trash enclosure area. An enclosed trash/recycling area will be constructed to the east of the parking structure along the alley, for ease of pickup by the hauler,

Landscaping will be provided around the exterior of the building as shown on the attached landscape plan. Heating and air conditioning units will be placed in several locations to accommodate the four units, as shown on the attached plot plan.

No changes are proposed for the footprint of the building with the exception of a handicap ramp along the east side of the building. The applicant is proposing several interior modifications to the structure to include converting it to four dwelling units, with two units upstairs and two units downstairs. There will be one (1) one bedroom unit, one (1) two bedroom unit, and two (2) three bedroom units. Also electrical, plumbing and handicap accessory upgrades are proposed; however these modifications are not subject to Design Review but will be addressed under the building codes.

### **Background:**

The City records indicate that this structure was constructed in the 1930's and housed the Land and Sales Administration Building for the Sacramento Valley Irrigation District and thereafter as the Glenn Colusa Irrigation District offices in the later years.

In 1969 a Use Permit was applied for and granted to the First Southern Baptist Church for use of the building as an extension of their facility to the north.

In 2004 an Advisory Request was brought before the Planning Commission to discuss whether a rezone from R-1 to and R-3 zoning district and general plan land use amendment from Low Density Residential to Multi-family residential would be favorable for this property, as the structure is in a single family residential zoning district. The Commission said at that time they would look favorably at having a multi-family use for this building but asked the City Manager to contact the City attorney regarding the potential for using a CUP rather than a rezone and General Plan Amendment, as this project might fall within the non-conforming use section.

The City Attorney reviewed the issue and concluded that the structure would be entitled to be used as a residential use of a higher nature, and that a Conditional Use Permit was applicable to the proposal per the Non Conforming code section for change of use. Several months post attorneys' decision, the applicant subsequently made application for a Conditional Use Permit to allow the use of the structure as a four unit multi-family dwelling. The applications were approved subject to Planning Commission Design Review of the parking, paving outdoor lighting and landscaping.

In 2005 the property owner applied for and was granted Design Review and Variance approval for the project. The variance was requested for setback and parking issues. In 2006 the property owner applied for an extension to the Design Review and Variance which the Planning Commission granted. However, the project has not commenced and as a result all approvals died for lack of follow through.

### **Zoning**

The subject property is approximately 10,387 square feet and located within the R-1 zoning district. Surrounding land uses include the First Southern Baptist Church (non-conforming) to the north, a duplex to the east (non-conforming), a vacant lot across Sycamore Street, ( all in the R-1 zone), and an apartment building to the west (R-P zone).

### **General Plan**

The Land Use Designation for this property is Low Density Residential. General Plan goal DPS-9 states the objective is to provide a variety of residential development opportunities in both type and cost. Conversion and re-use of this vacant residential building will help to provide residents with more housing opportunities and works towards meeting the objective.

### **Use Permit Analysis:**

#### ***Use:***

WMC Section 18.110.090(2) *Changing to Another Such Use*, states "If no structural alterations are made, a non conforming use of a building may be changed to another non conforming use of the same or more restricted classification". The attorneys' determination in 2004 allows for the use of this structure as a multi-family dwelling. The conversion of an existing, non conforming structure from an office to a less intense multi-family residential use is more consistent with the single family residential zoning district. The size of the building will remain the same (no change to the footprint of the building), as no structural alterations are proposed for this project.

Due to the buildings size and location, at the northeast corner of Sycamore and Yolo Streets, it is unlikely that this structure will ever be utilized as a single-family residence.

#### ***Setbacks:***

The side yard setback (Yolo Street side) shall be 10 feet, and after a couple site plan revisions with the structure, the carport location will meet the requirement. The carport and trash enclosure are located along the northern property line adjacent to the alley. Section 18.110.020(2)(b) allows for

no setback requirement for detached accessory structures which abut an alley. The proposed carport will adhere to this regulation. The required interior side yard 10 foot setback will be met per the plan.

***Lot Coverage:***

The R-1 zoning district regulations allow for a maximum of 40% lot coverage. Including the new covered carport, the lot coverage is only 33%; thereby meeting the requirement.

***Findings***

Per Section 18.135.050, the Planning Commission may grant a Use Permit if only on the basis of the application, investigation, and evidence submitted that the following three findings can be made:

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

***Design Review Analysis:***

***Lighting:***

The applicant proposes to install wall mounted and ceiling mounted down-cast lighting in several locations as shown on the Plot and Landscape Plan. All lighting shall not create a glare or hazard on adjoining streets or be annoying to adjacent properties or residential areas; however shall be located so as to provide sufficient and safe lighting for the occupants of the dwelling.

***Parking:*** As required by the parking ordinance, seven parking spaces are required, including one handicap parking space. Six of the parking spaces will be provided by a flat roofed, metal car port, as shown in the attached example. The carport will match in color to the exterior stucco finish of the building.

***Landscaping:*** As shown on the attached landscape plan, the applicant proposes to install new plantings around the existing building to include azaleas, lantana, and daisies. The existing lawn area will be returned to good condition and maintained.

***Grading/Drainage:***

Proposed conditions of approval will require that the project comply with grading and drainage requirements per the Willows Municipal code.

***Exterior Design:***

The applicant proposes to refinish the exterior of the building with a smooth stucco finish. The carport will match the color of the finish. Four HVAC units will be placed on the ground level to accommodate each dwelling unit.

***Environmental Review***

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA) for significant environmental impacts to the environment and qualifies as a Categorical Exemption, under Section 15301, Class 1, Existing Facilities.

Notice of the proposed use permit/design review application and public hearing was posted in a local newspaper and property owners within 400 feet of the subject site were sent notice per WMC Section 18.135.030. No written or verbal comments have been received from the adjoining property owners.

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

**Staff Recommendation:**

Adopt the attached resolution approving Use Permit/Design Review (file # UP-12-03 and DR-12-02) for Jeramy Chapdelaine to allow the conversion of a non conforming residential structure to be converted to a four unit multi family dwelling, and approve the design concepts as presented by the plans submitted for property located at 110 N. Yolo Street, subject to the attached conditions of approval.

**Planning Commission Options:**

- 1) Approve the Use Permit and Design Review applications with Findings
- 2) Deny the Use Permit and Design Review applications with Findings

**Attachments:**

1. Draft Resolution
2. Conditions of Approval
3. Applicants Plot & Landscaping Plan date stamped July 31, 2012
4. Elevations
5. Applicants' Project Statement
6. APN map

Submitted by:



Karen Mantele  
Principal Planner

**Appeal from any decision of the Planning Commission may be made in writing to the City Council within ten (10) days from the date of the Commission's action.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS APPROVING A NON CONFORMING USE PERMIT (FILE # UP-12-03) TO ALLOW CONVERSION OF AN EXISTING SINGLE FAMILY DWELLING TO A FOUR UNIT MULTI FAMILY DWELLING AND APPROVE DESIGN REVIEW (FILE # DR-12-02) OF THE PARKING STRUCTURE, TRASH ENCLOSURE, LANDSCAPING AND EXTERIOR BUILDING MODIFICATIONS FOR JERAMY CHAPDELAIN FOR PROPERTY LOCATED AT 110 N. YOLO STREET ASSESSORS PARCEL NUMBER 003-103-013**

**WHEREAS**, the applicant, Jeramy Chapdelaine, has submitted a Use Permit/Design Review application to request the conversion of a non conforming existing building from office use to multi-family use and design element changes for the parking structure, trash enclosure, landscaping, and exterior building modifications at property located at 110 N. Yolo Street, and

**WHEREAS**, City of Willows Municipal Code Section 18.110.090(2) states If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or more restricted classification, and

**WHEREAS**, notices of the Planning Commission meeting held on September 19, 2012 were published in a newspaper of general circulation in the City in accordance with law, and mailing to property owners within 400 feet were sent; and

**WHEREAS**, the Planning Commission did, on September 19, 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 finds that the proposal is considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1 Existing Facilities, and

**WHEREAS**, pursuant to Section 18.135.050 of the Municipal Code, the following findings are made:

1) That the use is consistent with the purposes of the district in which the site is located.

*The proposed conversion of the existing structure from office to multi-family is consistent with the uses/purposes of the zoning district in which the project is located, and allowed for under WMC Section 18.110.090(2).*

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.

*The conditions of approval will ensure that the Use (four unit apartment building) will not be detrimental to the public health, safety or welfare or materially injurious to properties.*

3) That the proposed use is in conformance with the General Plan.

*The proposed conversion of the existing building to a residential use is more consistent with the general plan than the existing commercial use and therefore is in conformance with the General Plan.*

**NOW THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of Willows does hereby find that the request to allow conversion of an existing structure used as office space to a four unit apartment dwelling, and proposed design element changes to the exterior of the building and covered carport are consistent with the General Plan, and the City of Willows Municipal Code; and hereby approve Use Permit (file # UP-12-03) and Design Review (file# DR-12-02), subject to the attached conditions set forth in Attachment 2 (Conditions of Approval); 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 19<sup>th</sup> day of September 2012, by the following vote, to wit:

AYES \_\_\_\_\_  
NOES \_\_\_\_\_  
ABSTAIN \_\_\_\_\_  
ABSENT \_\_\_\_\_

APPROVED: \_\_\_\_\_  
Candis Woods, Chairperson

ATTEST: \_\_\_\_\_  
Recording Secretary

**CONDITIONS OF APPROVAL  
FOR  
110 N Yolo Street/APN: 003-103-013  
Adopted by Planning Commission \_\_\_\_\_, 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. Approval is granted to Jeramy Chapdelaine to convert an existing two story structure into four dwelling units for property located at 110 N. Yolo Street.
3. 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 use permit shall be null and void and such use shall not be made of the property except upon the granting of a new use permit.
4. This Use Permit is void one (1) year after the use permitted by such permit is discontinued.
5. 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 establishment of use.
6. The developer shall adhere to the design and specification of the Architectural Design Review approval. All materials and colors, as approved by the Planning Commission shall be adhered to. Any deviation shall require approval by the City Manager and/or Planning Commission.
7. The Architectural Design Review permit 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. The approval of this project shall be subject to the latest adopted Ordinances, Resolutions, Policies and fees of the City of Willows.
9. 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.
10. The proposed four foot fence along the north side shall be extended as well along the east side of the property and slatted for privacy.

11. No outdoor storage is allowed.
12. All conditions shall be verified by City staff prior to occupancy.

#### **BUILDING DEPARTMENT**

13. The applicant shall submit a completed building permit application.
14. The applicant shall pay a plan check deposit fee at the time of plan submittal (amount to be determined, based on the project valuation).
15. The applicant shall be responsible for the applicable school fees, which must be paid prior to permit issuance.
16. The applicant shall submit 5 complete sets of plans to the Building Department for review and approval prior to construction improvements or commencing operations, including but not limited to the following: structural, accessibility, plumbing, electrical, mechanical, and site grading/drainage, fire sprinkler, notification devices, energy calculations, building conversion analysis (chapter 34).
17. The address shall be incorporated in all submittals and posted in accordance with the City of Willows Municipal Code.
18. Allow 30 days to conduct initial plan review.
19. The applicant shall camera the existing sewer lines and the results (vide0) shall be submitted to the Public Works Department.
20. The applicant shall be responsible for the amount of development fees as determined by the City Manager.
21. Handicap access shall be constructed from the building to the parking/trash enclosure per California Building Code.
22. All the Conditions of approval shall be included on sets of plans.

#### **FIRE DEPARTMENT**

23. Applicant shall submit a full set of building and sprinkler plans for review and approval.
24. Building shall be addressed per City of Willows Municipal Code Section 15.15.100.
25. An approved knox box shall be installed per Fire Department approval.
26. California Water shall be notified regarding water connection.

#### **PUBLIC WORKS/ENGINEERING DEPARTMENT**

27. The Applicant shall design and construct all improvements and facilities shown on the approved site plan in accordance with the Willows Municipal Code (WMC), the City of Willows Design and Construction Standards. Approval of a site plan 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.
28. The developer shall be responsible for all City plan check and inspection costs. The developer shall deposit funds with the City upon the initiation of plan check services. The amount of the initial deposit shall be determined by the City Engineer. Additional funds may be required based upon actual plan check and inspection costs.

#### **Improvement Plan and Construction Conditions**

29. 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 but not limited to grading, storm drain facilities, curbs, gutters, sidewalks, parking areas and streetlights. All design and construction shall conform to the City of Willows Design and Construction Standards, as applicable.
30. The existing 8 ft. driveway off of N. Yolo Street shall be removed and a new driveway shall be installed. The new driveway shall be a minimum of 16 ft. wide and shall conform to City Construction Standard S-4 with modifications on the width as noted herein. Additionally, due to the width of the planter area between the curb and the sidewalk, depression of the sidewalk across the driveway as shown in this standard may not be necessary. Grades will have to be confirmed during design. Where new driveway 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.
31. Any existing damaged, cracked or displaced sidewalk fronting the property and any sidewalk that does not conform to the most recent ADA standards shall be removed and replaced with sidewalk that meets City and ADA standards.
32. Ramps and sidewalks for disabled person access meeting the most recent local, state and federal standards shall be provided from the main access on the east side of the building to the existing sidewalk on N. Yolo Street.
33. Drainage from the parking lot shall be transmitted to the southeast corner of the parking area and transmitted in a grass-lined swale to the south. Sidewalk and curb drains shall be installed in order to outlet any water from the swale to the gutter along Sycamore Street.
34. As part of the submittal of the improvement plans, the applicant shall have an engineer complete hydrology/hydraulic calculations to determine the amount of increased runoff from the site due to the construction of impervious surfaces from the parking lot. Flows off the site will be limited to pre-development flows. If necessary, an inlet shall be sized to restrict flows into the swale such that they do not exceed pre-development rates.

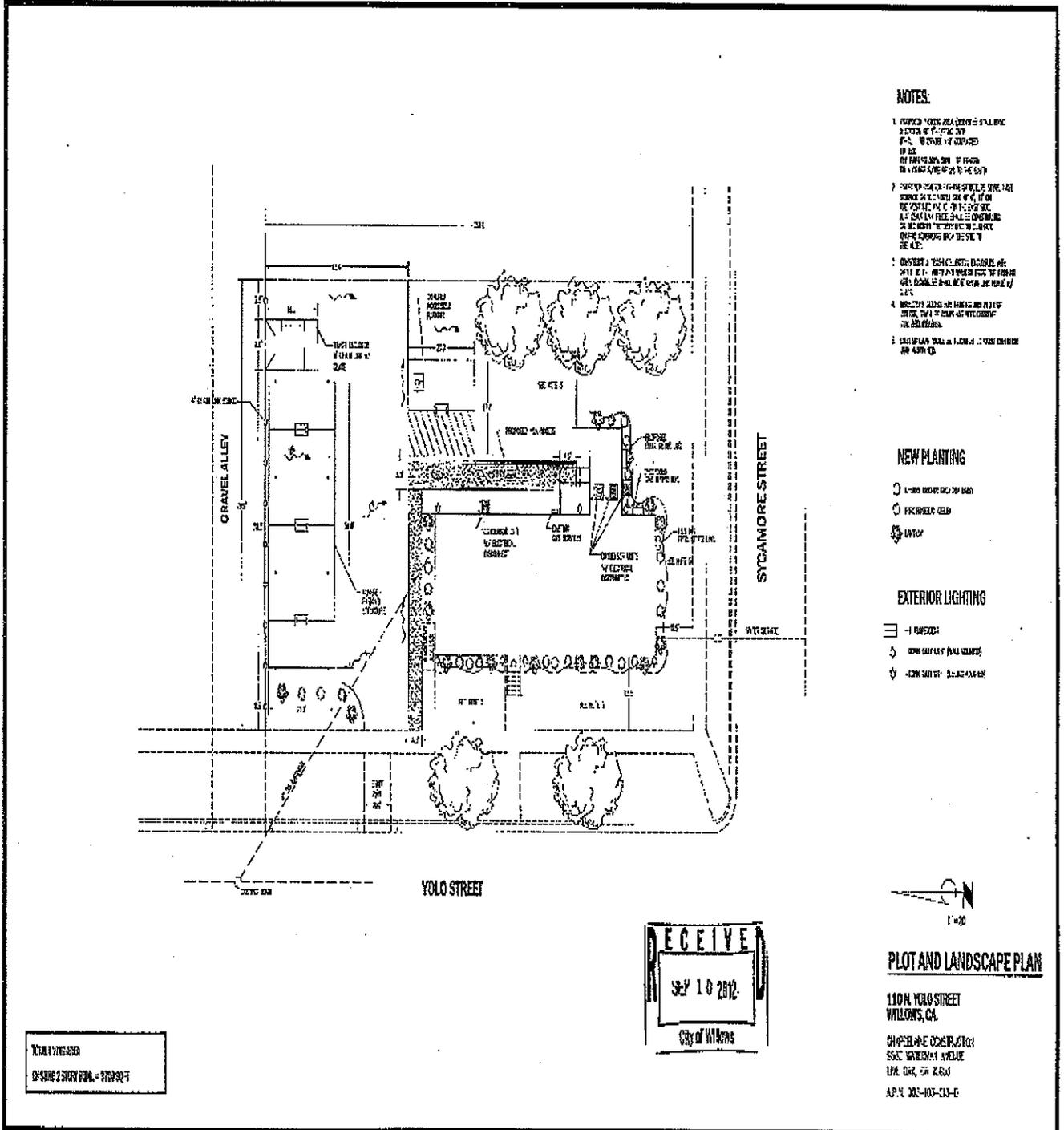
### **Construction Conditions**

35. 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.
36. 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.
37. 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.
38. All streets, 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.
39. Dust control must be maintained to the City's satisfaction.

### **California Water Service**

40. Cal Water can serve the proposed project, however additional information if required to best determine needs and or cost in accordance with California Public Utilities Commission Tariffs. A backflow as needed.

**PLOT/LANDSCAPE PLAN**



**NOTES:**

1. EXISTING LANDSCAPE ELEMENTS SHALL BE MAINTAINED AND PROTECTED TO REMAIN IN PLACE UNLESS OTHERWISE NOTED.
2. EXISTING TREES SHALL BE MAINTAINED AND PROTECTED TO REMAIN IN PLACE UNLESS OTHERWISE NOTED.
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**NEW PLANTING**

- 1" - 2" REDWOOD
- 1" - 2" REDWOOD
- 1" - 2" REDWOOD

**EXTERIOR LIGHTING**

- 1" - 2" REDWOOD
- 1" - 2" REDWOOD
- 1" - 2" REDWOOD



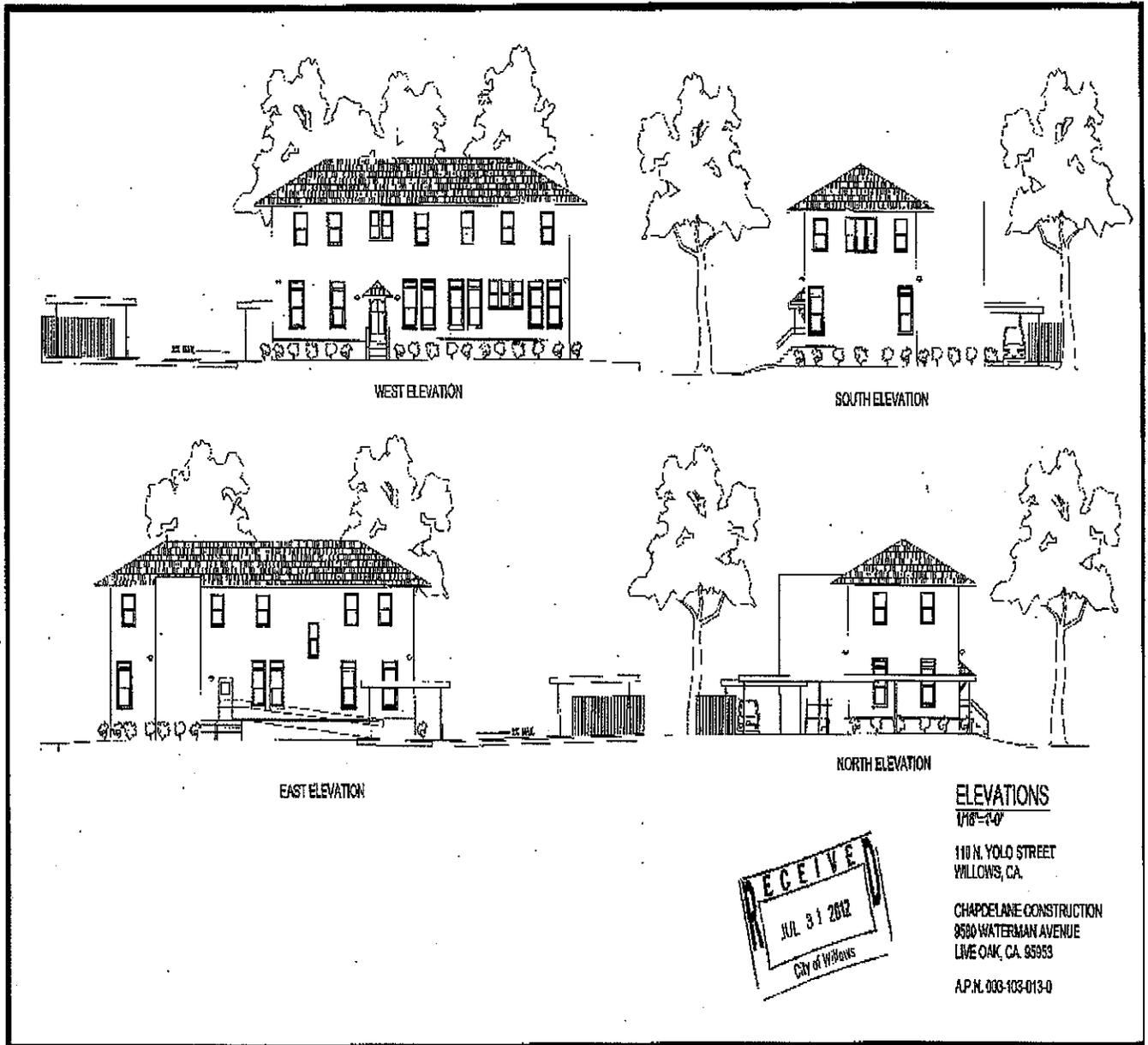
**PLOT AND LANDSCAPE PLAN**

110 N. YOLO STREET  
WILLOWS, CA  
CHAPDELAINE DESIGN ARCHITECTS  
5500 WILLOW AVENUE  
WILLOWS, CA 95694  
A.P.N. 002-003-014-0



NOT TO SCALE  
EXHIBIT 2 SHEET PWA - 07/09/12

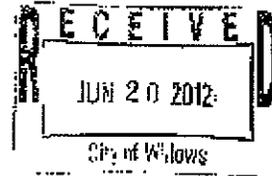
ELEVATIONS



APPLICANTS PROJECT STATEMENT

6/20/2012

Project Statement  
Re: Existing building at 110 N. Yolo St.



Dear City of Willows Planning Commission,

This project statement is to give you an overview of our proposed renovation of the existing building at 110 N. Yolo St. Our proposed project will divide the existing non-conforming building into an R-3 multi-family dwelling (4-plex).

The scope of this project will include updating every component of the existing building including new mechanical, electrical, plumbing insulation, drywall, paint windows, interior non-bearing framing, and exterior stucco. We will also be revitalizing/reestablishing the existing landscaping.

In order to meet the requirements to convert the existing building to an R-3 multi-family dwelling (4-plex). The new additions to the property would include a covered 7-car parking structure as well as a trash enclosure and misc. site flatwork improvements.

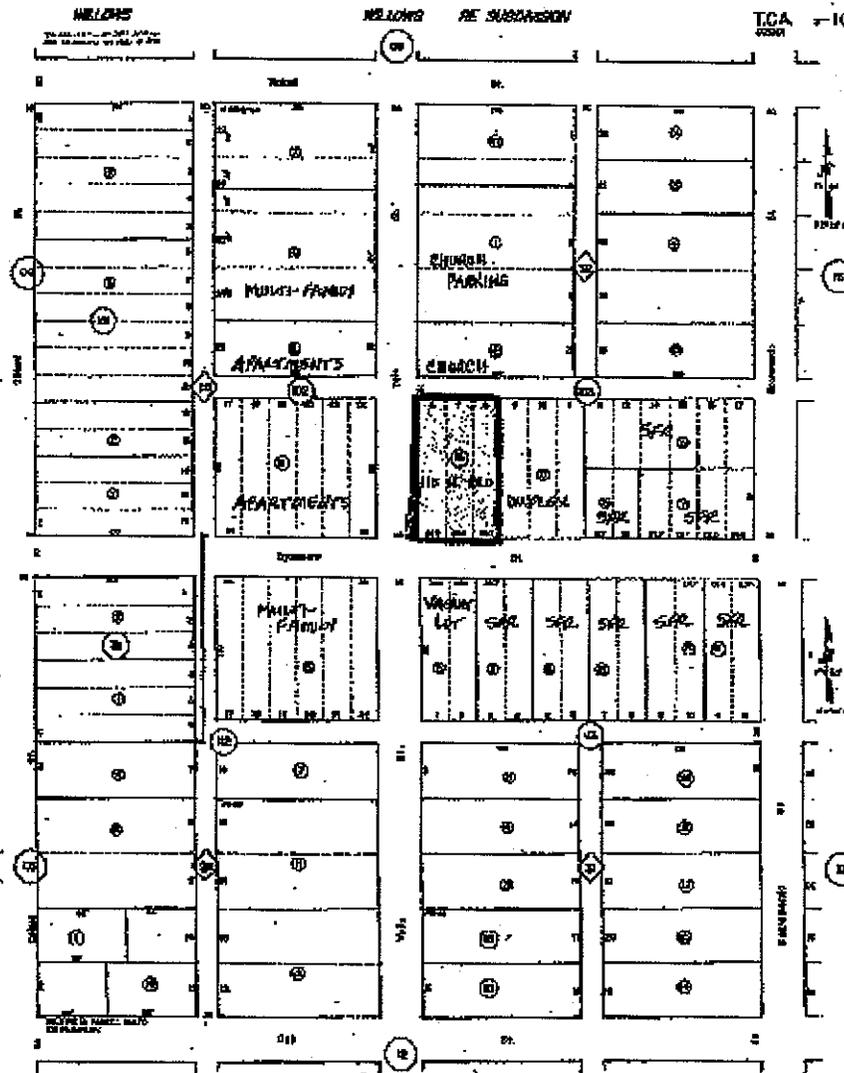
In restoring this building although the finishes will be new, we will be working to preserve as much as the historical value/look as possible. So the colors etc. will not vary much from existing/original. We have also taken into consideration the previous comments/findings of the previous applicants and are agreeable to comply with them.

We appreciate your time and consideration of this application and look forward to working with you to make this project possible.

Best regards,

Jeremy Chapdelaine

APN MAP



## **Willows Planning Commission Agenda Report: September 19, 2012**

Project: Tentative Parcel Map File #TM-12-01  
Applicant/Owner: Paula Carroll/Paula Carroll Trust  
Project Location: 1212 & 1220 W. Wood Street and 345 N. Villa Avenue,  
Willows, CA  
Parcel No(s): 001-041-009; -010; -011  
General Plan: Entryway  
Zone: E (Entryway)

### **Review Process**

Willows Municipal Code Title 17, Section 17.55.200 stipulates that the City Council has approval authority over parcel maps. As such, the Planning Commission will review the subject application and make a recommendation to the City Council related to project approval, denial, revisions, conditions of approval, etc.

### **Project Description:**

The applicant, Paula Carroll, has submitted a Tentative Parcel Map application to subdivide one lot (87,303 +/- square feet) into three parcels to separate existing commercial facilities from existing residence. Parcel 1 would be 28,070 square feet (where the Rifle club building and car wash is located), Parcel 2 would be 15,252 square feet (where the convenience store is located) and Parcel 3 would be 43,981, (where the single family residence/garage is located). The existing barn and storage building will be removed prior to the filing of the final parcel map.

### **Zoning**

The subject property is located along Wood Street (State Highway 162) and zoned Entryway, which allows for a number of permitted and conditionally permitted uses. The applicant does not propose any construction as the property has existing commercial businesses and one residence located on it. The intent is to separate the commercial facilities from the residence. As proposed, and with conditions of approval as described in this report, the subdivision is consistent with the zoning standards found in Title 18, Chapter 18.50 (Entryway District) of the City's Municipal Code, as well as Title 17 (Subdivisions).

### **General Plan**

The Land Use Designation for this property is Entryway pursuant to the City's General Plan Land Use Map. The proposed subdivision is consistent with this designation.

### **Environmental Review**

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA). City staff has determined that the proposal is exempt from further CEQA pursuant to CEQA Section 15315, Class 15 which reads as follows:

Class 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

## Findings

In accordance with City Code, notice of this public hearing for a proposed subdivision was legally noticed in the local newspaper ten (10) days prior to the public hearing and direct notices were sent to property owners as indicated on the latest secured Assessor's records within 400 feet of the subject property. No written or verbal comments have been received from the adjoining property owners.

City Municipal Code 17.15.070 states that the approval of a tentative or final map shall be denied if any of the following findings can be made:

- (1) That the proposed map or the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- (2) That the site is not physically suitable for the type of development or for the density of development proposed.
- (3) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat or that they do not provide reasonable public access to public resources per Article 3.5 of the Subdivision Map Act.
- (4) That the design of the subdivision or the type of improvements is likely to cause serious public health problems.
- (5) That the design of the subdivision or the type of improvements will conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision. The city council may approve a map if it finds that alternate easements, for access or for use, will be provided and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction. The city does not have authority to determine that the public at large has acquired easements for access through or use of property within a proposed subdivision.
- (6) That the discharge of waste from the proposed subdivision into the city sewer system would result in violation or add to a violation of existing requirements prescribed by a California Regional Water Quality Control Board. [Ord. 550-79, 5-8-79. Prior code § 14-402].

Staff has determined that none of the above findings have been made with respect to this the proposed project.

The Planning Commission may recommend approval of the subject Tentative Parcel Map with the following findings:

- A. That the project is consistent with the City of Willows General Plan and Zoning Ordinance.
- B. That the parcel is physically suitable for the type of use proposed.
- C. That the proposed use of the parcel will not cause substantial environmental damage or substantially injure wildlife or their habitat.
- D. That the approval of the proposed tentative map will not cause serious public health problems.
- E. That the project is consistent with the State Subdivision Map Act.

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

**Staff Recommendation:**

Adopt the attached resolution approving Tentative Parcel Map (file #TM-12-01)-for property located at 1212 &1220 W. Wood Street, and 345 N. Villa Avenue subject to the attached conditions of approval.

**Planning Commission Options:**

- 1) Approve the Paula Carroll Trust Parcel Map (#TM-12-01) with findings as described in the resolution and subject to Conditions of Approval as described in Attachment #2
- 2) Deny the application with appropriate findings for denial

**Attachments:**

1. Draft Resolution
2. Conditions of Approval
3. Tentative Parcel Map (full size for Commissioners)
4. APN map

Submitted by:



Karen Mantele  
Principal Planner

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE PAULA CARROLL TRUST TENTATIVE PARCEL MAP (#TM-12-01) FOR THE SUBDIVISION OF ONE PARCEL INTO THREE SEPARATE PARCELS FOR PROPERTY LOCATED AT 1212 & 1220 W. WOOD STREET, AND 345 N. VILLA AVENUE, ASSESSORS PARCEL NUMBERS 001-041-009, -010,-011.**

**WHEREAS**, the applicant, Paula Carroll, has submitted a Tentative Parcel Map application to subdivide one 87,303 square foot parcel into three separate parcels for property located at 1212 & 1220 W. Wood Street and 345 N. Villa Avenue, and

**WHEREAS**, notices of the Planning Commission meeting held on September 19, 2012 were published in a newspaper of general circulation in the City in accordance with law, and mailing to property owners within 400 feet were sent; and

**WHEREAS**, the Planning Commission did, on September 19, 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 finds that the proposal is considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15315, Class 15 which states that Class 15 exemptions which consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.; and

**WHEREAS**, the following findings are made:

- A. That the project is consistent with the City of Willows General Plan and Zoning Ordinance.
- B. That the parcel is physically suitable for the type of use proposed.
- C. That the proposed use of the parcel will not cause substantial environmental damage or substantially injure wildlife or their habitat.
- D. That the approval of the proposed tentative map will not cause serious public health problems.
- E. That the project is consistent with the State Subdivision Map Act

**NOW THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of Willows does hereby find that the subdivision request (#TM-12-01) to allow one parcel to be split into three separate parcels is consistent with the City of Willows General Plan, the City of Willows Municipal Code, the City of Willows Zoning Ordinance; and the Subdivision Map Act, and hereby

recommends approval of #TM-12-01 to the City Council subject to the findings contained in this resolution and 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 19<sup>th</sup> day of September 2012, by the following vote, to wit:

AYES \_\_\_\_\_

NOES \_\_\_\_\_

ABSTAIN \_\_\_\_\_

ABSENT \_\_\_\_\_

APPROVED: \_\_\_\_\_  
Candis Woods, Chairperson

ATTEST: \_\_\_\_\_  
Recording Secretary

**CONDITIONS OF APPROVAL FOR  
Tentative Parcel Map (#TM-12-01)  
1212 & 1220 W. Wood Street, and 345 N. Villa/APN(s) 001-041-009, -010, -011  
Adopted by Planning Commission \_\_\_\_\_, 2012**

**GENERAL**

1. The applicant shall transmit by certified mail a copy of the conditionally approved Tentative Map together with a copy of Section 66436 of the State Subdivision Map Act to each public entity or public utility that is an easement holder of record. Written compliance shall be submitted to the City of Willows.
2. 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 of this project.
3. The approval of this project shall be subject to the latest adopted Ordinances, Resolutions, Policies and fees of the City of Willows.
4. Notwithstanding the provisions of any other of these Conditions of Approval, this tentative map shall expire 24 months from the date of approval unless extended pursuant to the Subdivision Map Act.
5. That the application to extend the filing period for this map shall be received by the City of Willows sixty (60) days prior to the expiration date.
6. Any action or condition of the Planning Commission regarding this Map may be appealed in writing to the City Council in accordance with Section 66452.5 of the Government Code (filing fee is required). This Map shall not be filed with the Recorder until the expiration of the 15-day appeal period following the date of approval. The expiration date of the appeal period is \_\_\_\_\_, 2012.
7. Pursuant to section 66474.9 of the California Government Code the subdivider shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any claim, action, or proceeding against the County, its agents, officers, or employees to attack, set aside, void, or annul, an approval by the Planning Commission or City Council concerning this subdivision, which action is brought within the time period provided for in Section 66499.37. The City shall promptly notify the applicant of any such claim, action or proceeding and shall cooperate fully in the defense of the action. If the City fails to so notify the applicant or to cooperate fully in the defense, the applicant shall not be obligated by this condition.
8. That prior to the filing of the Parcel Map for recording, the developer shall file a properly executed Tax Collector's Certificate with the County Recorder. A copy of this executed Certificate shall be included with the Parcel Map at the time the Map is submitted to the City for recording. In lieu of the above-mentioned requirements the developer may choose to have the County Tax Collector execute a Tax Collector's

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

### **BUILDING DEPARTMENT**

9. The final map shall show a minimum fire separation distance of 12 feet from the new property lines to the walls of the convenience store.
10. The current building eave cannot exceed 1/3 the distance to the new property lines. (current eave overhang is 4 feet)

### **PUBLIC WORKS/ENGINEERING DEPARTMENT**

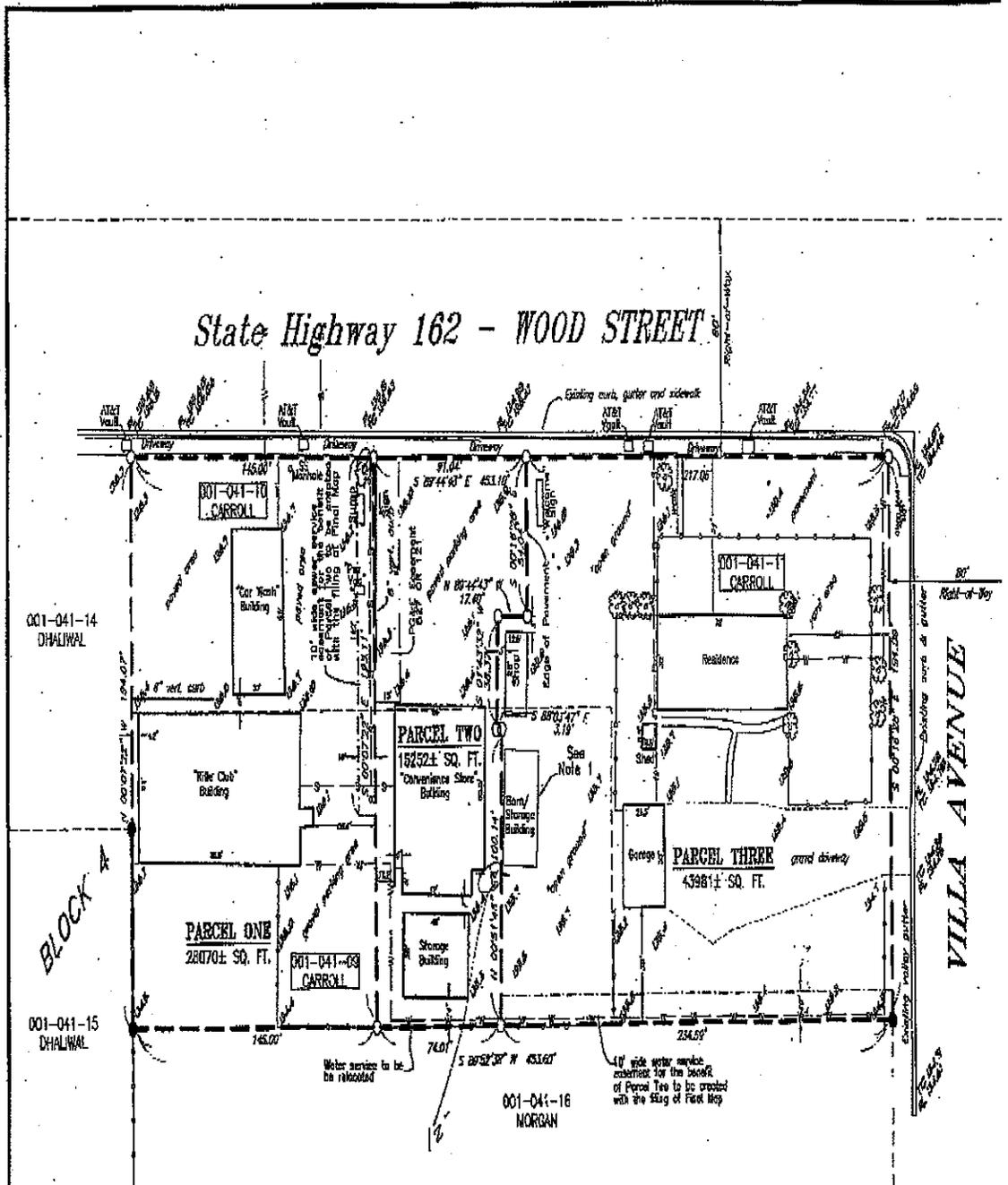
11. Prior to recordation of the parcel map, the applicant shall construct separate sewer service laterals for parcels 1 and 2. The sewer line for parcel 2 shall be constructed in the proposed easement as shown on the most recent version of the Tentative Parcel Map. Prior to sewer lateral construction, the applicant shall obtain a plumbing permit from the City's Building Department and shall be responsible to pay all fees associated with the permit, as well as any other City fees that may be associated with separating the sewer services for the existing buildings.
12. The Barn/Storage building on Parcel 1 shall be removed prior to recordation of the Parcel Map. If necessary, a demolition permit shall be obtained from the City's Building Department prior to removal of this structure.
13. The Parcel Map shall show a defined area for the Lease Easement held by the City of Willows for the welcome sign at the northwest corner of Parcel 3. The dimensions of the easement shall be worked out with the City Engineer's office prior to approval of the map.
14. The Parcel Map shall contain a note that states that modifications or additions to the existing public improvements fronting each of the lots will be required upon development or change in use of any of the parcels. Improvements shall include, but not be limited to, (1) modification of driveways for all parcels to conform to ADA requirements (and any needed dedications of public access easements needed to accommodate said improvements); and (2) construction of sidewalk along the entire frontage of Parcel 3 along its Villa Avenue frontage. Encroachment permits will be needed for any improvements within the public right-of-way.
15. The Parcel Map shall include an easement for the City's sanitary sewer main that runs along the northerly portions of lots 1-3. Said easement shall be a minimum of 15 feet wide.
16. Water easements shall be shown on the map in favor of the appropriate lots. Separate water services shall be provided to each lot. Separate water services shall be constructed prior to the recordation of the Parcel Map. The applicant shall work with Cal Water for the requirements, fees and details associated with the water service. The applicant shall

also obtain a plumbing permit from the City's Building Department prior to commencement of work associated with any water service.

**California Water Service**

17. California Water Service can serve the proposed project. Additional information is needed to determine cost in accordance with the California Public Utilities Commission Tariffs. Also a backflow may be needed. Applicant shall confirm with Cal Water.

Tentative Parcel Map



APN MAP

