

PLANNING COMMISSION

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Peggy White, Vice Chair  
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Robert Griffith, Commissioner  
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CITY PLANNER  
Karen Mantele

MINUTE CLERK  
Maria Ehorn



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Willows, CA 95988  
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**PLANNING COMMISSION MEETING AGENDA**  
**Wednesday September 2, 2015**  
**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 August 19, 2015
7. **New Business/Public Hearing(s)**
  - a. **Design Review (File #DR-15-04) Applicant/Owner: Turner Construction/Pacific Gas & Electric.**

Assessors' Parcel Number 003-081-001/310 W. Wood Street Street/Light Manufacturing Zone/Light Manufacturing Land Use Designation/ADDITION OF Fire Department Conditions for new 6000 square foot commercial service center building
  - b. **Use Permit (File #UP-14-10) Garcia Mobile Food Unit/One year review**

Assessor's Parcel Number 005-404-005/410 N. Tehama Street/General Commercial Zone/General Commercial Land Use Designation/Commission one year review of mobile food truck business
8. **Commission Commentary**
9. **Adjournment**

**CERTIFICATION:** Pursuant to Government Code § 54954.2 (a), the agenda for this meeting was properly posted on or before August 29, 2015

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**

**Planning Commission Agenda Report:**

September 2, 2015

Project: Design Review (file#DR-15-04) Addition of Fire Department conditions for a new 6,000 square foot metal building and site improvements

Applicant(s)/Owner: Turner Construction/Pacific Gas & Electric.

Project Location: 310 E. Wood Street

Parcel No: 003-081-001

Zoning: Light Manufacturing (ML)

General Plan: Light Industrial

**Background:**

The applicant, Turner Construction on behalf of Pacific Gas & Electric, had submitted a planning application for Design Review approval for a new 6,000 square foot pre-engineered LEED certified metal building (service center) with a standing seam metal roof and site improvements to include new landscaping, parking to meet ADA requirements, new driveway, new lighting, and replacement of an existing 1000 gallon above ground steel fuel tank.

On August 19, 2015 at a regular meeting of the Planning Commission, Staff brought before the Commission the Design Review application, a request to approve the design of the proposed new metal building and site improvements. The Commission approved the project as submitted, including draft conditions that were attached to the staff report. However, the conditions brought before the Commission omitted the Fire Department comments. Therefore Staff is bringing back for the Commissions' review, an amended set of conditions to include the Fire Department conditions.

The applicant has been notified of the omission and has stated they do not see any issues with the list of Fire Department conditions.

**Environmental Review and Analysis**

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 15301, Class 1, Existing Facilities.

**Staff Recommendation:**

Staff recommends adoption of the attached resolution amending the list of conditions for the Design Review project submitted by Pacific Gas & Electric for a new 6,000 SF metal building and site improvements for property located at 310 E. Wood Street, Assessors Parcel Number 003-081-001, subject to the amended conditions of approval as shown in Attachment #2.

**Attachments:**

1. Draft Planning Commission Resolution
2. Proposed AMENDED Conditions of Approval

Submitted by



Karen Mantele  
Principal Planner

PC RESOLUTION NO. \_\_\_\_\_-2015

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS AMENDING PC RESOLUTION NO. 09-2015; SPECIFICALLY TO AMEND THE CONDITIONS OF APPROVAL FOR THE PACIFIC GAS & ELECTRIC DESIGN REVIEW PROJECT WHICH ALLOWED THE CONSTRUCTION OF A NEW 6,000 SQUARE FOOT METAL BUILDING AND SITE IMPROVEMENTS FOR PROPERTY LOCATED AT 310 E. WOOD STREET, ASSESSORS PARCEL NUMBER 003-081-001**

**WHEREAS**, the applicant, Turner Construction on behalf of Pacific Gas & Electric, had filed for Design Review approval to construct a new 6,000 square foot metal building and to make site improvements; and,

**WHEREAS**, the Planning Commission did, on August 19, 2015 hold a public hearing to consider the Design Review application, 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 September 2, 2015 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 September 2, 2015 consider amending the final conditions of approval to include Fire Department conditions; and

**WHEREAS**, the Planning Commission has reviewed all evidence submitted in connection with the application, including public testimony, staff report, supporting documentation, City codes and regulations, and all other relevant documents and evidence which are part of the record of proceedings; and,

**WHEREAS**, the Planning Commission finds that the proposal is considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, Class 3, New Construction.

**NOW THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of Willows does hereby find that the it is necessary to amend the final conditions of approval to include Fire Department comments, for property located at 310 E. Wood Street, which is consistent with the City of Willows General Plan, the City of Willows Municipal Code, and hereby approves the amendment of the final conditions of approval for Design Review file# DR-15-04, subject to the attached amended 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 2nd day of September 2015, by the following vote, to wit:

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

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

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

**DESIGN REVIEW AMENDED CONDITIONS OF APPROVAL FOR  
PACIFIC GAS & ELECTRIC NEW BUILDING  
FOR PROPERTY LOCATED AT 310 E. Wood Street  
APN; 003-081-001**

PC approval date: \_\_\_\_\_,2015

**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. An occupancy permit shall not be issued in part or whole for any building or group of buildings subject to design review unless and until the work specified in the design review approval has been completed, including landscaping. If for any valid reason full compliance cannot be made; a cash bond shall be posted for the work to be completed within a reasonable period of time as determined by the City Manager or his authorized representative.
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 and any further extension beyond one year shall require Planning Commission approval.
5. Any and all signage for the business shall be approved by the Planning Department prior to installation.
6. 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.
7. The approval of this project shall be subject to the latest adopted Ordinances, Resolutions, Policies and fees of the City of Willows.
8. All conditions required by the Planning Commission shall be completed and installed prior to use of the site/building.
9. The parking lot shall be stripped in accordance with the site plan, city standards and in accordance with ADA requirements.

10. 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.
11. A lot merger is required to merge all parcels prior to issuance of a building permit.

### **Building Department**

12. The applicant shall submit 4 complete sets of plans, calculations, and specifications along with a completed building permit application for review by the City. (30 day initial review time.
13. The project shall comply with the most current editions of all federal, state and local codes and ordinances.
14. Incorporate all of the conditions of approval into the details contained in the plan sets.
15. A soils report shall be submitted for review and the findings shall be incorporated into the applicable design calculations.
16. Storm water from the site cannot travel over public sidewalks/areas.
17. The applicant/contractor shall meet with the city planning department to discuss all of the conditions, prior to construction.
18. The west side roof overhang cannot extend past the property line and is limited to the CBC chp.6 and 7.
19. Exterior walls in close proximity to property lines shall comply with the current CBC with respect to fire resistance.
20. Dust prevention must be emphasized to avoid unnecessary annoyance to persons living or working in the area. Working hours shall be restricted to the hours of 7:00 a.m. to 6 p.m., Monday through Friday unless approved by the City Manager.
21. All contractors/sub-contractors shall obtain a City business license prior to commencing operation. (Contact Finance Department).

### **County Air Pollution Control District**

22. A completed Authorization to Construct application shall be submitted to the District prior to the stand-by generator being operated.

### **Engineering Department**

23. Applicant 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 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.

24. The applicant shall be responsible for all City plan check and inspection costs. The applicant 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.
25. Pursuant to the Covenant Agreement recorded as Instrument 2007-2730 in the Official Records of Glenn County, soil characterization shall be undertaken for demolished areas. Potential exposure to and impacts from contaminated soil must be mitigated as follows:
  - a) No activities that will disturb the soil at or below ground surface shall be allowed on the property without a Soil Management Plan approved by the California Department of Toxic Substances Control (DTSC). The applicant shall provide a copy of the approved Soil Management Plan with project improvement plans.
  - b) Any soils brought to the surface by grading, excavation, trenching or backfilling shall be managed in accordance with all applicable provisions of state and federal law. Appropriate notes shall be added to the project improvement plans.
  - c) The applicant shall comply with all notification requirements noted in the Covenant Agreement and provide evidence of DTSC's plan approval prior to commencement of construction activities.
  - d) Locations of all monitoring wells shall be noted on the improvement plans. Notes that require the protection and preservation of monitoring wells shall be added to the plans unless otherwise approved by DTSC.
  - e) The public shall be prevented from coming into contact with contaminated soil at all times.
  - f) Surface water shall not be allowed to infiltrate contaminated soil.
26. All existing overhead utilities (of 26,000 volts or less) and proposed utilities, both on-site and along project frontages, shall be placed underground. This does not include surface mounted transformers, pedestal mounted terminal boxes and meter cabinets.
27. All existing and proposed hazardous material containment areas must be clearly designated on the improvement plans by location and type of material contained. All hazardous material storage areas must be approved by the City Fire Department.
28. Proposed landscaping at the corner of East Wood Street and North Colusa Street shall be less than 3 feet in ultimate height and not interfere with traffic sight distance.
29. Property lines shall be located.

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

30. 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, roadway improvements, curbs, gutters, sidewalks, and pole-mounted lights. All

design and construction shall conform to the City of Willows Design and Construction Standards, as applicable.

31. 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.
32. Improvements plans shall include a storm water pollution prevention plan. Permanent erosion control measures shall be installed within 60 days of completion of grading.
33. Roadway Improvements:
  - a. The existing asphalt concrete driveway on East Wood Street shall be removed and the sidewalk continued through the removed area. Portions of the sidewalk, curb and gutter that are in disrepair shall be removed and replaced to the satisfaction of the City Engineer. A Caltrans Encroachment Permit will be required for work on East Wood Street.
  - b. Where new improvements abut existing paving and concrete, the existing pavement and concrete sections shall be saw-cut and reconstructed to provide adequate conforms. The limits of such reconstruction shall be as determined by the City Engineer.
  - c. The proposed driveway and associated curb, gutter, and sidewalk shall be constructed to City Standards and meet ADA requirements.
  - d. Post-development off-site flows shall not exceed pre-development flows.

### **Construction Conditions**

34. 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.
35. The applicant 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.
36. 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.
37. All streets, curbs, gutters, sidewalks or other public facilities damaged in the course of construction associated with this development shall be the responsibility of the applicant and shall be repaired to the satisfaction of the City at the applicant's expense.

38. Dust control must be maintained to the City's satisfaction.
39. Working hours shall be restricted to the hours of 7:00 a.m. to 6 p.m., Monday through Friday.

#### **Final and/or Release of Securities Conditions**

40. All punch-list work shall be completed and any outstanding inspection fees or other charges shall be paid.
41. Applicant shall provide sufficient surety with the encroachment permit guaranteeing the public improvements for a period of one year.
42. Prior to acceptance of the work, the applicant 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.
43. Prior to acceptance of the work, the applicant 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.

#### **FIRE DEPARTMENT**

44. **All impact fees shall be paid prior to the issuance of a building permit.**
45. **All buildings will have fire sprinkler systems provided. The Fire Department shall review all sprinkler plans prior to installation. WMC 15.15.10.**
46. **All fire and alarm systems must meet the approval of the Fire Chief. WMC 15.15.120.**
47. **A knox box shall be installed per Fire Chief approval. WMC 15.15.130.**
48. **The building address signing shall meet all WMC 15.15.100 criteria and be reviewed by the Fire Department prior to approval.**
49. **Provide fire extinguishers in accordance with the 2013 CFC.**
50. **Provide illuminated exit signs over all exit doors in accordance with the 2013 CBC and CFC.**
51. **All exit 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.**
52. **Water flow calculations shall be provided after the installation of new hydrant to indicate that they meet water flow requirement minimums for this development.**
53. **FDC connection will be within 50' of hydrant.**

**54. On site road surface will meet CFC Chapter and Sec 15.15.090 Fire Apparatus Access Roads**

**55. Red cubs may be required and will be looked at, at the time of construction.**

**Planning Commission Agenda Report:****September 2, 2015**

Project: Conditional Use Permit (File # 14-04) One year review of mobile food service business (aka La Mexicana)

Applicant(s)/Owner: Maria Garcia/ Jaco Hill Company

Project Location: 410 N. Tehama

Parcel No: 005-404-005

Zoning: CG (General Commercial)

General Plan: General Commercial

**Background:**

On September 24, 2014, the Planning Commission heard a Use Permit request by the applicant, Maria Garcia, to allow the establishment of a mobile food service business (*aka La Mexicana*) on a commercial lot located in the CG zoning district. The CG zoning district code section does not list a mobile food unit as a permitted use or a conditionally permitted use; however a section under the code allows for the Commission to determine whether this use is similar to those listed within the code. The Commission determined that the use was allowable within this zoning district and approved the Use Permit at the September 24, 2014 meeting, subject to the final conditions of approval, including #7 which states that the *“term of the use permit shall be for one year from the date of approval, with a review thereafter by the Commission”*.

The City has not received any complaints from the public since the business has been in operation. The final conditions of approval that were adopted with the Use Permit have been met to the satisfaction of the city departments.

**STAFF RECOMMENDATION:**

Staff recommends by motion that the Commission approve this continued use of the mobile food service unit. The Commission can discuss and decide whether any further reviews will be necessary by the Commission for the business hereafter.

Submitted by:



Karen Mantele  
Principal Planner

**List of conditions placed upon the business:**

**Use Permit Conditions for  
GARCIA MOBILE FOOD UNIT(AKA LA MEXICANA)**

**GENERAL**

1. That the applicant/developer shall enter into a Pass Through Agreement with the City of Willows to pay the cost of all planning review, plan checking and field inspection of this development.
2. If the use (establishment of a mobile food service unit) is not made on the project subject to the permit within one (1) year after the date of granting the permit, then without further action, the permit shall be null and void and such use shall not be made of the property except upon the granting of a new permit.
3. All plans for additional uses, and or changes to approved use which are not covered by this review shall be submitted to the City Manager/Planning Commission for review and approval prior to use.
4. The approval of this project shall be subject to the latest adopted Ordinances, Resolutions, Policies and fees of the City of Willows.
5. The applicant shall remove daily any trash associated with the use of the lot for a mobile food unit.
6. The applicant shall provide one handicap parking space.
7. Term of Use Permit shall be for one year from date of approval, with a review thereafter by the Commission.

**BUILDING DEPARTMENT**

8. If electrical is needed for the mobile food unit, a permit to install a properly protected circuit shall be required.
9. Restroom facilities shall be available on site at all times the mobile food unit is in operation.
10. Indicate where and how waste products from use of the mobile food unit as well as the public will be collected and disposed of.
11. Applicant shall provide a copy of the Glenn County Environmental Health Department permit to operate.
12. The applicant shall at all times operate the mobile food unit in accordance with the California Uniform Facilities Law.