



Willows Planning Commission Regular Meeting

October 21, 2020
Willows City Hall
7:00 p.m.

Agenda

PLANNING COMMISSION
Robert Griffith, Chair
Jose Hansen, Vice Chair
Candis Woods, Commissioner
Hilgard Muller, Commissioner
Pedro Bobadilla, Commissioner

CITY PLANNER
Karen Mantele

MINUTE CLERK
Maria Ehorn

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

NOTICE:

Pursuant to N-25-20 issued by Governor Gavin Newsom suspending portions of the Brown Act, the October 21, 2020 Willows City Planning Commission meeting will be OPEN to the public. We will be limiting the number of members of the public physically present in Council chambers at City Hall in order to observe recommended social distancing practices. Members of the public who choose to attend in person are strongly advised to wear a mask or other face covering, and to wash their hands and use hand sanitizer frequently, in addition to maintaining at least six feet of distance between themselves and any others who are not members of their household to minimize the possibility of transmission of the COVID-19 virus. For those members of the public who are at high-risk or prefer not to attend in-person, the City is also providing a mechanism through which they may attend the meeting telephonically by following the instructions below.

Dial in Number: (605) 313-5611

Access Number: 404150

1. **CALL TO ORDER – 7:00 p.m.**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **OATH OF OFFICE**

a. City Clerk, Tara Rustenhoven, will administer the Oath of Office to Pedro Bobadilla.

5. **PUBLIC COMMENT/WRITTEN COMMUNICATIONS**

a. Public Comments:

Members of the public wishing to address the Commission on any item(s) not on the agenda may do so at this time by stating your name and address. Then please wait until you are recognized by the Chair or Vice Chair. No formal action will be taken unless the matter is placed on a future agenda. Each member of the public attending in person or caller will be limited to three (3) minutes. If you are calling in to provide public comment, use the call-in information below:

Dial in Number: (605) 313-5611

Access Number: 404150

6. **CONSENT AGENDA**

Consent items are considered to be routine by the Planning Commission and will be enacted in one motion. There will be no separate discussion on these items unless a Commission Member requests, in which event the item will be removed from the consent agenda. It is recommended that the Commission:

a. Approval of minutes of the Regular Planning Commission Meeting held on June 17, 2020.

- b. Approval of minutes of the Regular Planning Commission Meeting held on July 15, 2020.

Comments from the public are welcome. The Chair will allow an opportunity for comments related to Public Hearings and each action item on the agenda. Please limit comments to three minutes per topic, and one comment per person per topic. Once comments conclude, please allow the Commission the opportunity to continue its consideration of the item without interruption.

7. REGULAR BUSINESS AGENDA/PUBLIC HEARING(S)

- a. Staff recommends Commission receive the staff report, attachments, discuss and upon conclusion, consider the adoption of the attached resolution for granting Design Review approval (File# DR-20-04) To Francisco Zepeda for the façade elements for a new 786 sf stand-alone Restaurant and site improvements for property located at 115 W. Oak Street (Crazy Taco) Assessors Parcel Number 003-051-015.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS GRANTING DESIGN REVIEW APPROVAL (FILE# DR-20-04) TO FRANCISCO ZEPEDA FOR BUILDING FAÇADE ELEMENTS FOR A NEW 786 SF STAND ALONE RESTAURANT AND SITE IMPROVEMENTS FOR PROPERTY LOCATED AT 115 W. OAK STREET (CRAZY TACO) ASSESSORS PARCEL NUMBER 003-051-015

- b. Staff recommends Commission receive the staff report, attachments, discuss and upon conclusion, consider granting use permit approval (File #UP-20-02) to Element 7 Willows, LLC to allow a retail commercial cannabis dispensary for property located at 102 Harvest Drive, Assessors Parcel Number 017-350-005.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS GRANTING USE PERMIT APPROVAL (FILE# UP-20-02) TO ELEMENT 7 WILLOWS, LLC TO ALLOW A RETAIL COMMERCIAL CANNABIS DISPENSARY FOR PROPERTY LOCATED AT 102 HARVEST DRIVE, ASSESSORS PARCEL NUMBER 017-350-005.

- c. Staff recommends Commission receive the staff report, attachments, discuss and upon conclusion, consider approving a Home Occupation/Use Permit (File #UP-20-07) for Kaitlen Ballew to allow establishment of a hair salon business (Ballew Salon/Studio) within an existing accessory structure for property located at 650 S. Culver Street Assessors Parcel Number 001-303-001.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS APPROVING A HOME OCCUPATION/USE PERMIT (FILE # UP-20-07) FOR KAITLEN BALLEW TO ALLOW ESTABLISHMENT OF A HAIR SALON BUSINESS (BALLEW SALON/STUDIO) WITHIN AN EXISTING ACCESSORY STRUCTURE FOR PROPERTY LOCATED AT 650 S. CULVER STREET ASSESSORS PARCEL NUMBER 001-303-001.

8. COMMISSION/STAFF REPORTS/COMMENTS

- a. Staff Reports/Comments:

9. ADJOURNMENT

[This agenda was posted on October 15, 2020](#)

Maria Ehorn, Minute Clerk

A complete agenda packet, including staff reports and back-up information, is available for public inspection during normal work hours at City Hall or the Willows Public Library at 201 North Lassen Street in Willows or on the City's website at www.cityofwillows.org.

In compliance with the Americans with Disabilities Act, the City of Willows will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's office at 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



ACTION MINUTES OF THE WILLOWS PLANNING COMMISSION REGULAR MEETING HELD JUNE 17, 2020

Meeting audio is available at the City of Willows website. This is not a live feature. Audio recordings are posted the succeeding business day following the scheduled Planning Commission Meeting.
Please visit www.cityofwillows.org for free PodBean recordings.

1. Chair Griffith called the meeting to order at 7:00 p.m.
2. The meeting opened with the Pledge of Allegiance led by Chair Griffith .
3. **Roll Call:**

Commissioners Present: Griffith, Hansen, Woods

Absent: Muller

Staff Present: Karen Mantele, City Planner, Maria Ehorn, Minute Clerk

4. **Public Comment/ Written Communications:** No public comments or written communications.
5. **Consent Agenda:**

- a. Approval of minutes of the Regular Planning Commission meeting held on May 20, 2020.

Action:

Motion: Vice Chair Hansen/Second: Commissioner Woods

Moved to approve the minutes of Regular Planning Commission meeting as presented.

The motion passed 3/0 carried by the following voice vote:

AYES: Griffith, Hansen, Woods

NOES:

ABSENT: Muller

ABSTAIN:

6. **REGULAR BUSINESS AGENDA/PUBLIC HEARING(S)**

- a. Staff recommends Commission receive the staff report, discuss and upon conclusion, consider the adoption of the attached resolution recommending approval of the Major Use Permit and Design Review applications.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS GRANTING USE PERMIT AND DESIGN REVIEW APPROVAL (FILE # MUP-20-04 & DR-20-03) TO JAIMAC PROPERTIES LLC ALLOWING A CHANGE OF USE FROM COMMERCIAL TO RESIDENTIAL AND APPROVE BUILDING AND SITE IMPROVEMENTS FOR THE PROJECT LOCATED AT 251 S. TEHAMA STREET ASSESSORS PARCEL NUMBER 003-061-009.

Mr. Sharma was in the audience and provided answers to some of the Commissions questions.

7:22 pm Chair Griffith opened the public hearing.

7:22 pm Chair Griffith closed the public hearing.

Motion: Vice Chair Hansen/Second: Commissioner Woods

Moved by motion to approve the next resolution in line entitled, a resolution of the Planning Commission of the City of Willows granting Use Permit and Design Review approval (File # MUP-20-04 & DR-20-03) to Jaimac Properties LLC allowing a change of use from commercial to residential and approve building and site improvements for the project located at 251 S. Tehama Street Assessors Parcel Number 003-061-009.

The motion passed 3/0 carried by the following voice vote:

AYES: Griffith, Hansen, Woods

NOES:

ABSENT: Muller

ABSTAIN:

7. COMMISSION/STAFF REPORTS/COMMENTS:

- a. Staff Reports/Comments: City Planner, Karen Mantele gave brief updates/status of upcoming and ongoing projects.
- b. Commission Reports/Comments: Commissioners gave comments/reports on activities and various meetings they attended.

8. ADJOURNMENT:

The meeting was adjourned at 7:36 p.m.

Robert Griffith – Chair

Maria Ehorn – Minute Clerk

DRAFT



ACTION MINUTES OF THE WILLOWS PLANNING COMMISSION REGULAR MEETING HELD JULY 15, 2020

Meeting audio is available at the City of Willows website. This is not a live feature. Audio recordings are posted the succeeding business day following the scheduled Planning Commission Meeting.
Please visit www.cityofwillows.org for free PodBean recordings.

1. Vice Chair Hansen called the meeting to order at 7:03 p.m.
2. The meeting opened with the Pledge of Allegiance led by Commissioner Muller.
3. **Roll Call:**

Commissioners Present: Hansen, Woods, Muller

Absent: Griffith

Staff Present: Karen Mantele, City Planner, Maria Ehorn, Minute Clerk

4. **Public Comment/ Written Communications:** No public comments or written communications.
5. **Consent Agenda:**

- a. Approval of minutes of the Regular Planning Commission meeting held on June 17, 2020.

Action:

Motion: Commissioner Woods /Second: Commissioner Muller

Moved to approve the minutes of Regular Planning Commission meeting as presented. Commissioner Muller withdrew his second of the motion due to Commissioner Muller not being present at the June meeting. The Commission agreed to continue this item to the next regular meeting of the City of Willows Planning Commission due to lack of a quorum to vote on this item.

6. **REGULAR BUSINESS AGENDA/PUBLIC HEARING(S)**

- a. Staff recommends Commission receive the staff report, discuss and upon conclusion, consider recommendation to the City Council of the attached resolution approving a zoning text amendment to the municipal code/zoning ordinance.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS RECOMMENDING THE CITY COUNCIL APPROVE A ZONING TEXT AMENDMENT TO THE MUNICIPAL CODE/ZONING ORDINANCE AS LISTED ON EXHIBIT A WITH OTHER TEXT REMAINING UNCHANGED.

7:15 pm Vice Chair Hansen opened the public hearing.

7:15 pm Vice Chair Hansen closed the public hearing.

Motion: Commissioner Muller /Second: Commissioner Woods

Moved by motion to approve the next resolution in line entitled, a resolution of the Planning Commission of the City of Willows recommending the City Council approve a zoning text amendment to the municipal code/zoning ordinance as listed on exhibit a with other text remaining unchanged.

The motion passed 3/0 carried by the following voice vote:

AYES: Hansen, Woods, Muller

NOES:

ABSENT: Griffith

ABSTAIN:

7. **COMMISSION/STAFF REPORTS/COMMENTS:**

- a. Staff Reports/Comments: City Planner, Karen Mantele gave brief updates/status of upcoming and ongoing projects.
- b. Commission Reports/Comments: Commissioners gave comments/reports on activities and various meetings they attended.

8. ADJOURNMENT:

The meeting was adjourned at 7:25 p.m.

Robert Griffith – Chair

Maria Ehorn – Minute Clerk

DRAFT

Planning Commission Agenda Report:

October 21, 2020

Project: Design Review (file# DR-20-04) Building façade elements for new commercial stand-alone restaurant building & site improvements

Applicant/P.Owner: Mathew Amaro/Francisco Zepeda

Project Location: 115 W. Oak Street

Parcel No: 003-051-015

Zoning: Central Commercial (CC)

General Plan: General Commercial

Project Description:

The applicant, on behalf of the property owner, has submitted a planning application requesting Design Review approval of the exterior façade elements for a 786 SF stand-alone restaurant building and site improvements for the project. The Crazy Taco business has occupied this corner site for over 20 years, and now the desire is to build a building to serve food out of versus the truck. The components to this proposal are:

- There will be no interior seating, rather the business will utilize an existing metal awning for outdoor covered seating. This seating area will be enclosed with a 36” tall wrought iron fence anchored with square 42” high khaki colored bollards
- Install one on-site parking space, a van-sized handicap space adjacent to the existing storage building
- Install a public restroom, and outdoor hand sink available for customers
- Install signage on the exterior of the upper building and the existing metal awning located on the Tehama and Oak Street sides, as depicted on the elevations
- Install two new access paths of travel to the public right of way along Oak Street for patrons to gain access to the site. One of the new access paths will enter the fenced area, and the second one will gain access to the parking lot.
- The existing 707 SF storage building in the SW corner of the lot will remain and be used to store the restaurant supplies. The storage building will be painted to match the color of the new restaurant building
- No new landscaping is proposed rather utilizing the existing landscaping along the east and southern sides of the property.
- Install an enclosed trash enclosure near the alley for the business
- Remove an existing electrical pole which sits near the location of the new building
- The owner would like to keep the existing mobile food facilities truck on the same parcel and remain operating during the development of the project. This truck has occupied this parcel for years and if they shut it down during development, they feel this will hurt their business. The mobile truck will be located on the NW corner of the parcel as shown on the attached site plan
- Estimated construction time for the project is 120 days. A temporary 6-foot tall chain link fence will surround the area of construction on the parcel during that time. A temporary restroom will also be placed within the fenced area for construction workers during development.

Proposed hours of operation will be from 11:00 am to 8:00 pm, Monday through Saturday, and closed on Sundays. These hours of operation are similar to the current schedule, however, some

hours of operation may be limited and adjusted due to the construction. The restaurant will employ up to 4 people with a normal shift of 3 people. Employees will park off site.

Review Process:

This matter is before the Planning Commission pursuant to Section Chapter 2.45.030 (Architectural Design Review), of the City of Willows Municipal Code. Additionally, since the site is located in the downtown district, the Downtown Design Guidelines are applicable.

Zoning/General Plan:

The 7,405 SF parcel is zoned Central Commercial (CC) and sits on the NW corner of Tehama and Oak Street and bordered on the west by an alley. The lot used to be a used car lot operated by a Chevrolet dealership located across Oak Street. Zoning to the north, east and west are all CC. A mix of commercial uses are within proximity to the site, to include a tire business to the south, and across the alley to the west is the Willows Market. A vacant lot sits north of the project site, owned by the property owner of the subject lot. The General Plan Land Use Designation for this parcel is General Commercial, which allows for a wide range of commercial uses including retail food establishments.

Design Review/Project Analysis:

Competent Design: The applicant has hired a local designer with their vision of creating a fresh gathering spot in the taqueria style, by designing a new building in a modern style with an enclosed seating area, utilizing the existing shade awning in order to enjoy great food and conversation in the taqueria style.

Relationship between Structures within the Development and between Structures and Site:

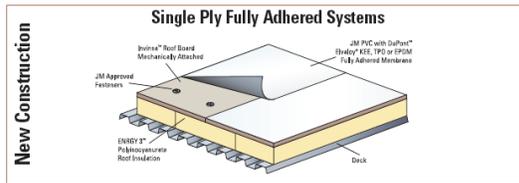
Currently there are no structures other than the awning on the site. The surrounding site has older style buildings and or vacant lots, therefore a new structure will enhance the area. The Crazy Taco truck has been the only structure, being mobile, on the lot in years. Their intent is to continue the use of this mobile truck business until the new restaurant is built. The truck is approximately 8 feet wide by 20 feet long.

Relationship between Development and Neighborhood:

The proposed design has considered the existing awning, and has oriented the building to utilize it, and provide an open space for seating. The proposed project is not overdeveloping the site. The Downtown Design Guidelines under public and semi-public open space section and entries section, states that open space should be visible from the street and provide a place for transition. The outdoor seating area is visible from the street and allows for an entrance from the street into the seated area by the new pathways, which encourages pedestrian use.

Materials and Colors Used:

The proposal is to use stucco and corrugated metal skin for the building exterior to match the existing awning structure. Stucco will be used on the upper wall with the corrugated metal on the lower half of the building. Natural materials, like adobe, are considered acceptable in the range of materials listed in the code. The base color of the new building will khaki color (both the stucco and the metal). The code does not allow for unpainted metal, galvanized metal, or metal subject to ordinary rusting. The proposal is to paint the existing awning a triple shade-color: dark bronze, terra cotta and patina green, in order to accent the building. The intent is to have the accent colors in the forefront of the main building and create a subtle fiesta theme. The storage building will be painted the same color as the new restaurant building as well as the trash enclosure which will be the khaki color. The roof will be epdm single ply membrane of a white color, which will be reflective.



Example of epdm

Wall, fences or screening: As stated in the project description, the proposal is to enclose the seating area with a 36” high wrought iron fence anchored with bollards. A parapet wall sits atop the building and will screen the mechanical units that are planned for the roof. These units shall not be visible per Chapter 2.45.060 which states;” *screening shall be employed in a skillful manner and in harmony with the design of the development to conceal and to screenmechanical equipment from public view from adjoining streets, from persons residing on or working in the development, or from persons residing or working in the neighborhood.*”

Utility Service: All new utilities will be placed underground, and electricity is being planned to be delivered overhead from the existing power pole along Oak Street near the alley. Water will be delivered off Oak Street near the alley from an existing stub/meter box. Gas and sewer connections service will be gained from existing lines running north and south in the alley right of way along the west property line. Conditions of approval include requirements for these utilities.

Signage: New signage is proposed with the project, to include two (2) face-lighted metal signs mounted high on the new building. The restaurant name and logo will be painted on these signs. In addition, incidental signage is proposed on the existing awnings facing Tehama and Oak Streets. Usage of the awnings helps to incorporate an existing architectural feature of the area and compliments the overall character of the downtown. These signs are conditioned to obtain a sign permit from the Planning Department prior to installation.

Lighting: New building lighting (wall packs) are proposed with the project, producing lighting for security and safety purposes. The proposal includes replacing the existing lighting under the awning outdoor seating area. This lighting will be on during the evening hour schedule. Any new lighting installed shall meet the City of Willows code requiring no light glare upon adjacent properties.

Parking: The initial site plan for the project proposed to install three parking spaces, to include one, a van-accessible handicap space. This was not feasible as the parcel size and development precludes any more on-site parking, regarding location and back up space needed. Therefore, the site plan was revised to include one parking space; a van accessible handicap space, along the east side of the existing storage building, with an accessible path of travel to the front of the new building. Additionally, since the property is located within the Central Commercial district, Chapter 18.120.060/*Parking exemption for sites in the downtown CC district*, this project is afforded the exemption to parking requirements. The project is not required to provide on-site parking as normally required by Chapter [18.55](#) WMC, since new parking will be largely accommodated by existing on-street parking.

There shall be an area designated for delivery of supplies per Chapter 18.120.030 *Off site loading facilities*; which states; Private off-street loading space for commercial and industrial uses requiring the handling of goods, materials, and equipment shall be provided. A revised site plan at the time of building permit submittal will be required to show this space.

The project was reviewed internally by the building department for comments and incorporated into the draft conditions.

Environmental Review and Analysis

The project, new construction of a small structure, 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 Section 15303, Class 3, New Construction.

Staff Recommendation:

Staff recommends adoption of the attached resolution recommending Design Review approval for the new building and site improvements for property located at 115 W. Oak Street, Assessor's Parcel Number 003-051-015, subject to the conditions of approval as shown in Attachment #2 and Attachments 3-6 (site plan, floor plan, building elevations, color chart).

Planning Commission Options:

1. Adopt the Resolution approving the Design Review application with conditions
2. Deny the Design Review application with findings for denial

Attachments:

1. Draft Planning Commission Resolution
2. Proposed Conditions of Approval
3. Site Plan
4. Floor Plan
5. Building Elevation
6. Color chart
7. Zoning/Gen Plan Map

Submitted by:

Karen Mantele
Principal Planner



PC RESOLUTION NO. _____-2020

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS GRANTING DESIGN REVIEW APPROVAL (FILE# DR-20-04) TO FRANCISCO ZEPEDA FOR BUILDING FAÇADE ELEMENTS FOR A NEW 786 SF STAND ALONE RESTAURANT AND SITE IMPROVEMENTS FOR PROPERTY LOCATED AT 115 W. OAK STREET (CRAZY TACO) ASSESSORS PARCEL NUMBER 003-051-015

WHEREAS, Mathew Amaro, on behalf of the property owner Francisco Zepeda, has filed for Design Review approval of the façade design elements for a new 786 SF stand-alone restaurant and project site improvements; and,

WHEREAS, City of Willows Municipal Code Section 2.45.030 states that all new buildings and physical improvements require Design Review approval, and

WHEREAS, the Planning Commission did, on October 21, 2020 hold a public hearing to consider all public oral and written comments, letters and documents, staff reports, and all other documents and evidence, which are a part of the Record; and,

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

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

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the Design Review proposal to construct a new 786 SF standalone restaurant is consistent with the City of Willows General Plan, the City of Willows Municipal Code, the Historic Downtown Guidelines, and hereby approves Design Review file# DR-20-04 subject to the attached conditions of approval set forth in Attachment #2, and site plan, floor plan, building elevation, and color chart, Attachments 3-6.

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 21st day of October 2020, by the following vote, to wit:

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____

APPROVED: _____
Robert Griffith, Chairperson

ATTEST: _____
Recording Secretary, Maria Ehorn

**DESIGN REVIEW CONDITIONS
FOR
CRAZY TACO/ DESIGN REVIEW PROJECT
LOCATED AT 115 W. OAK STREET
APN; 003-051-015**

PC approval date: _____, 2020

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 which granted the construction of a new 786 SF stand-alone restaurant building and site improvements, as submitted with application plans.
4. The Architectural Design Review approval shall expire in one year unless otherwise stipulated by the Planning Commission. The applicant may apply to the City 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. All contractors/sub-contractors doing work on the project shall obtain a City business license prior to commencing operation. (Contact Finance Department).
6. The mobile food truck business may continue until the new restaurant is constructed. The truck will be placed near the NW corner of the parcel as shown on the applicants' site plan. The mobile food truck shall be removed upon completion of the project and final occupancy of the building.
7. A sign permit shall be applied for and obtained prior to installing any business signage.
8. One van accessible handicap parking space shall be installed on site per the current code.
9. A delivery/loading space shall be provided on-site for delivery of goods.

Building Department:

10. Once Design Review has been approved, the applicant shall submit a completed building permit application with a detailed scope of work, 3 complete sets of plans, calculations, specifications, etc. for review. Applicable plan review fees shall be paid at time of submittal.
11. All work shall comply with current Federal, State and Local codes and ordinances, and be shown on the plans submitted for review.
12. A fire rated wall shall be required on the north side of the building due to the proximity of the adjacent parcel.
13. Conditions of approval shall be on the plans submitted for review.

Fire Department:

14. All impact fees shall be paid prior to the issuance of a building permit,
15. All buildings will have fire sprinkler systems provided. The fire department shall review all sprinkler plans prior to installation per WMC 15.15.10
16. All fire and alarm systems must meet the approval of the Fire Chief per WMC 15.15.120.
17. A Knox box shall be installed per Fire Chief approval per WMC 15.15.130.
18. The building address signing shall meet all WMC 15.15.100 criteria and be reviewed by the Fire Department prior to installation.
19. Fire Extinguishers shall be provided in accordance with 2019 CFC.
20. Illuminated exit signs shall be provided over all exit doors in accordance with the 2019 CBC and CFC.
21. 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.
22. FCC connection will be within 50’ of hydrant.
23. On site road surface will meet CFC Chapter and Section 15.15.090 Fire Apparatus Access Roads.
24. Red Curbs may be required and will be reviewed at the time of construction.

Glenn County Environmental Health Department:

25. The new food facility will require a Department plan review before construction of the restaurant begins.

Cal Water Service:

26. The proposed building can be served by existing ¾” service on site. Separate fire service may be required.

Public Works/Engineering Department:**General Conditions:**

27. 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 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, map 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 grading, water, sanitary sewer, storm drain facilities, roadway improvements, curbs, gutters, driveways, alleyways and sidewalks. All design and construction shall conform to the City of Willows Design and Construction Standards, as applicable.
30. Improvements plans shall include a storm water pollution prevention plan.
31. **Site access and frontage improvements:**
 - a. The applicant shall remove the existing driveway cut on S. Tehama Street leading into the site and replace it with City Standard curb, gutter and sidewalk. Where new 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.
32. If the proposed development uses the driveway access from the abutting vacant property to the north (161 S. Tehama Street) for access and/or parking for this development, the applicant shall reconstruct the driveway from S. Tehama Street to be per City Standards and shall provide a blanket access easement over 161 S. Tehama Street allowing the proposed site to gain access over the adjacent property. Any improvements or access easements will need to be review and approved by the City prior to construction or building permit issuance.
33. If the proposed development uses the existing alley off of W. Oak Street to gain access to the property, the applicant shall be responsible for reconstructing a driveway/entrance at the intersection of the alley and W Oak Street. This will include both driveway, curb, gutter and sidewalk improvements. The improvements shall be constructed in such a way as to protect the existing PG&E pole between the project site and the alley. Additionally, the portion of the existing alley between W. Oak Street and the northerly property line of 115 W. Oak property shall be improved to include repair of any failed asphalt areas, grinding off 2-inches of existing pavement and placement of 2 new inches of new asphalt.
34. The electrical service to serve the proposed building shall be underground. Additionally, the existing onsite power pole and overhead electrical drop shall be removed.
35. The site plans submitted for the project shall demonstrate how the onsite parking meets City Standards. All new parking shall be striped and any disabled access from the parking to the new proposed building shall meet current ADA standards.
36. The site plan indicates that new sidewalk access points from the site shall be constructed to connect with the sidewalk and extend to the curb and gutter. All sidewalk within the public right-of-way shall meet City Standards.
37. **Water and Sanitary Sewer Improvements:**
38. The improvement plans submitted shall show any proposed new water and sewer connections and/or extensions onto the site. All utilities shall be appropriately separated by distances as required by code.

39. 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 installation of backflow prevention valves installed on the sewer service on the private lateral.

40. Drainage Improvements:

- a. Improvement plans shall demonstrate how the site drains. If drainage inlets and curb drains are needed to adequately drain the site, they shall be shown on the improvement plans and shall comply with City Standards.

Construction Conditions:

41. 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.
42. 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.
43. 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.
44. All streets, curbs, gutters, sidewalks, alley’s or other public facilities damaged 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.
45. Dust control must be maintained to the City’s satisfaction.
46. Working hours shall be restricted to the hours of 8:00 a.m. to 5 p.m., Monday through Friday.
47. All punch-list work shall be completed, and any outstanding inspection fees or other charges shall be paid.
48. Developer shall provide sufficient surety guaranteeing the public improvements for a period of one year.

**Mathew
Amaro
Designs**

453 N. Murdock St.,
Willows, California 95988
Phone: (530)-592-9912

DATE
July 29, 2020

LOCATION
115 W. Oak St.
Willows, Ca

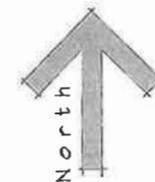
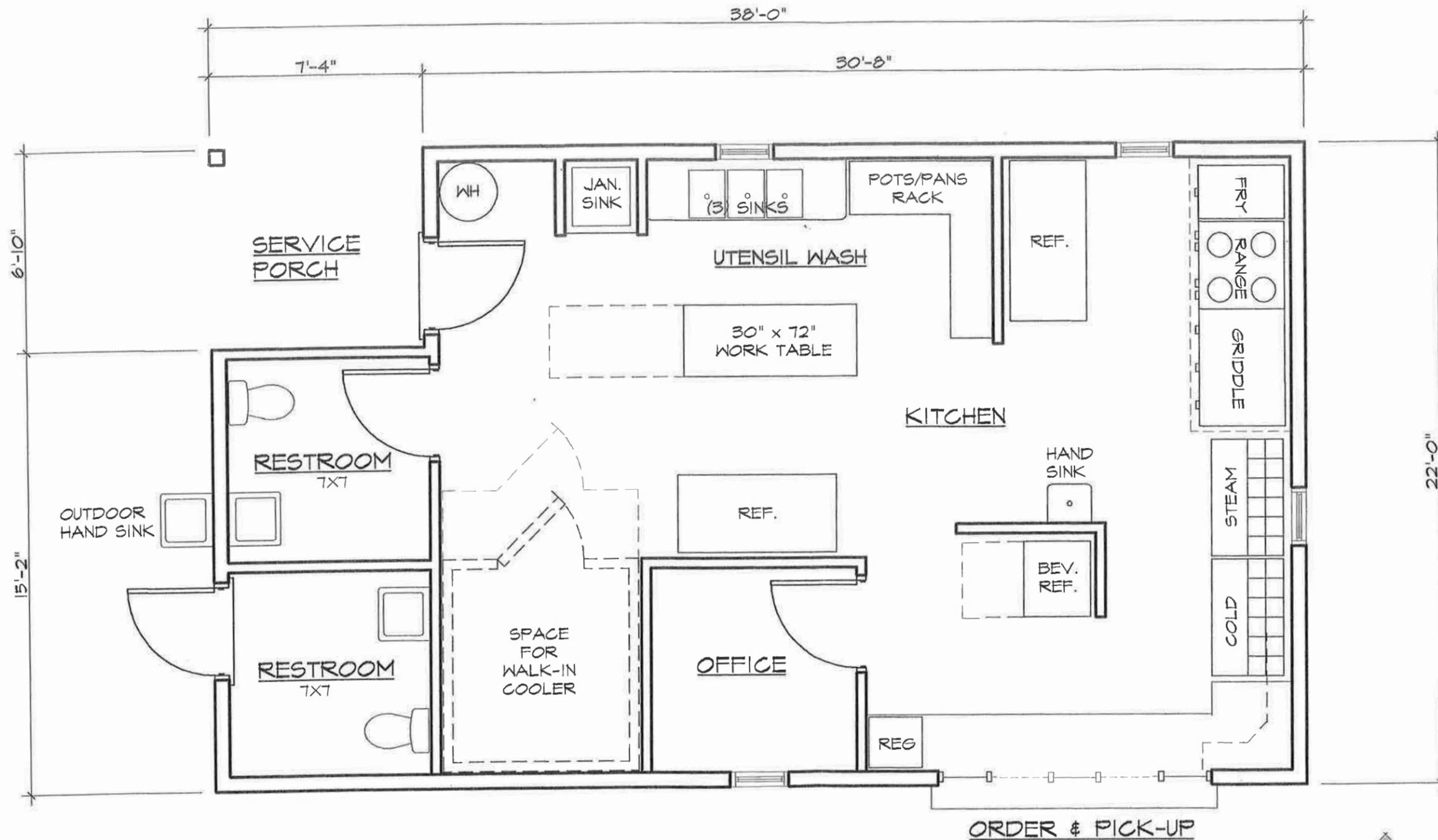
PROJECT
CRAZY TACO

ENGINEER

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2 BUILDING SITE
3 FLOOR PLAN
4 EXTERIOR ELEVATIONS

SHEET

3

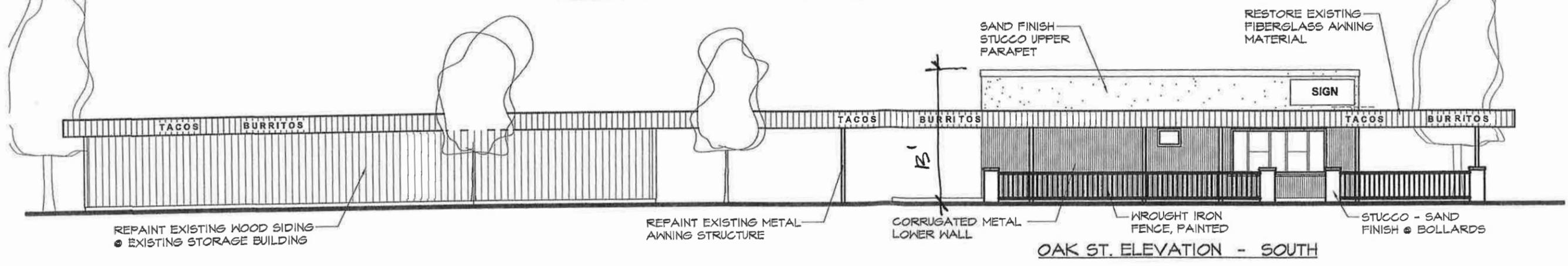
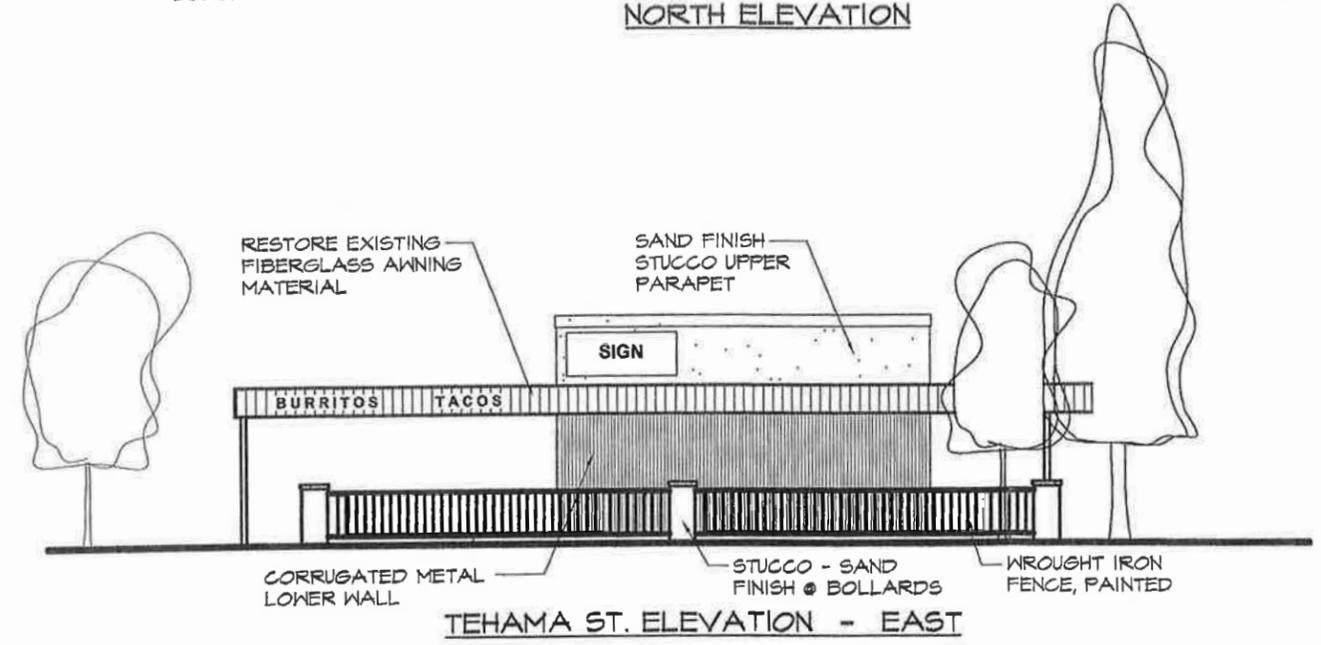
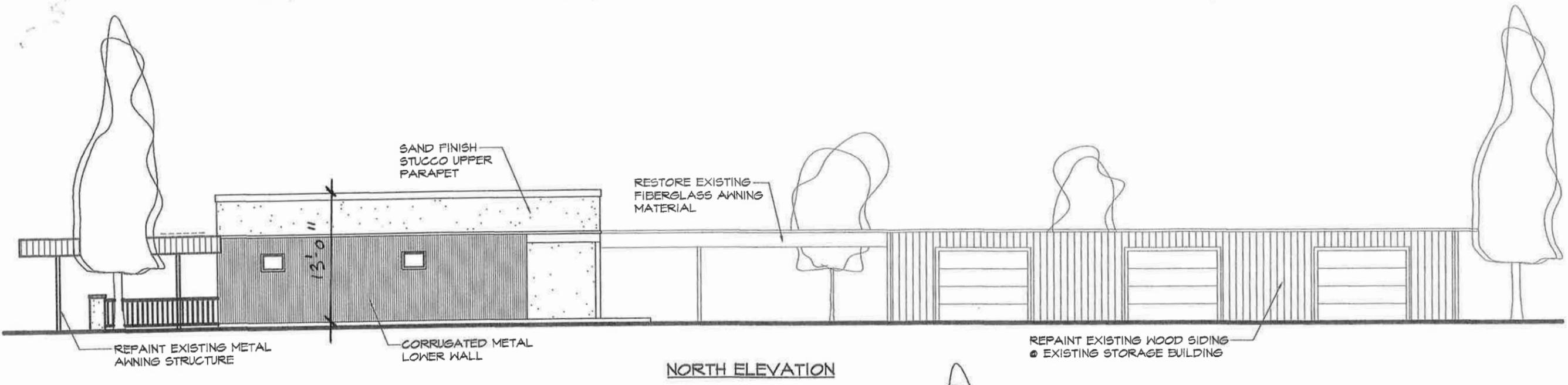


1/4" = 1'-0"

Floor Plan

Mathew Amaro Designs

453 N. Murdock St.,
Willows, California 95988
Phone: (530)-592-9912



DATE
July 29, 2020

LOCATION
115 W. Oak St.
Willows, Ca

PROJECT
CRAZY TACO

ENGINEER

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3/32" = 1'-0"

Exterior Elevations

Mathew Amaro Designs

453 N. Murdock St.,
Willows, California 95988
Phone: (530)-592-9912

DATE
July 10, 2020

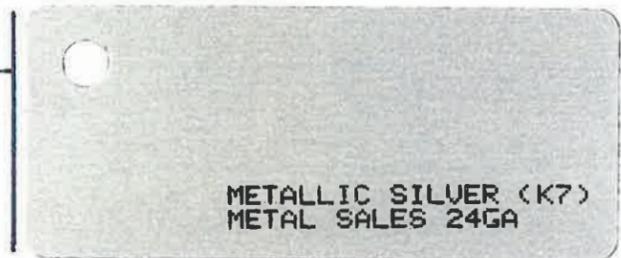
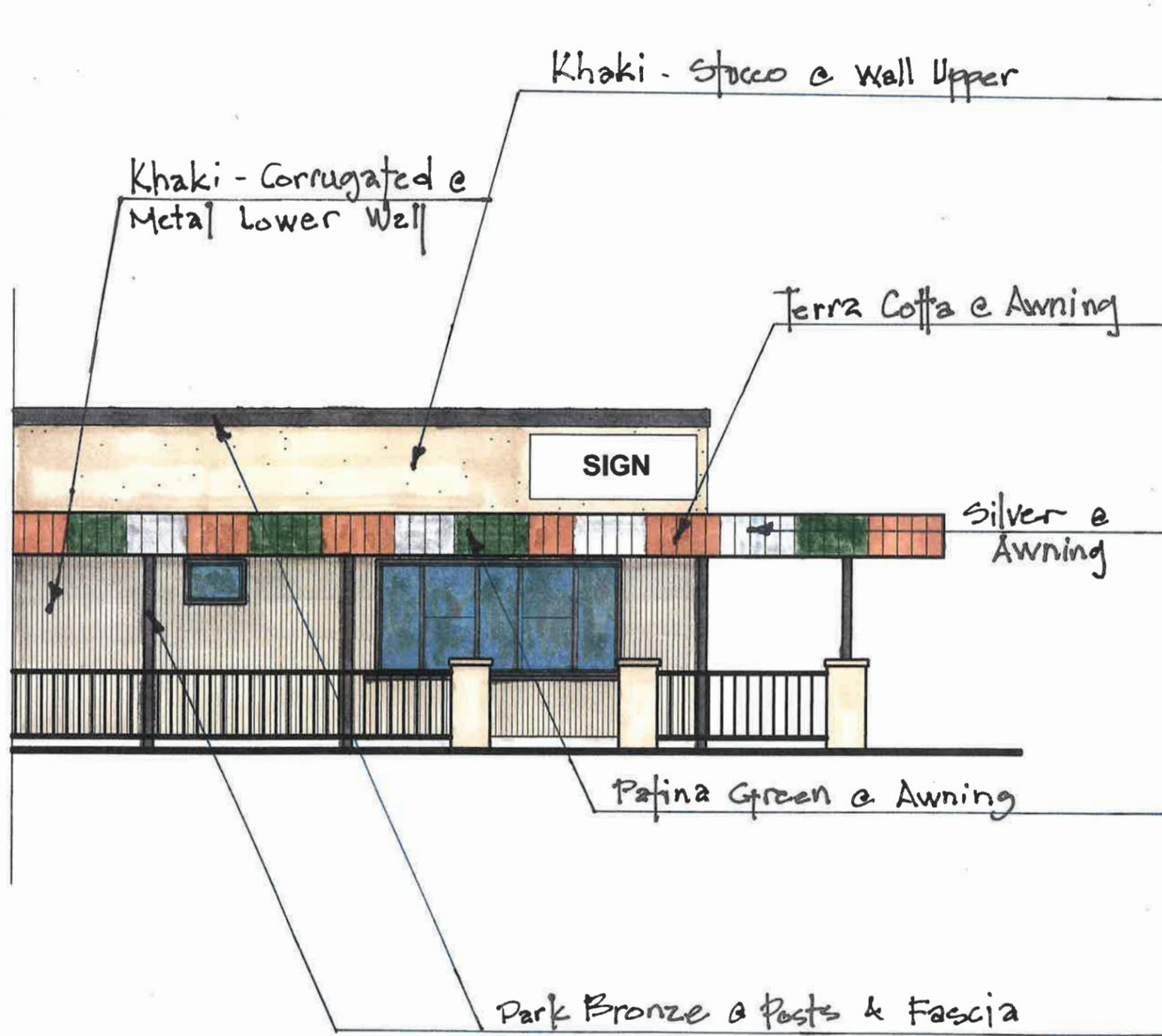
LOCATION
115 W. Oak St.
Willows, Ca

PROJECT
CRAZY TACO

ENGINEER



No Scale



Project Color Selection

**Mathew
Amaro
Designs**

453 N. Murdock St.,
Willows, California 95988
Phone: (530)-592-9912



DATE
July 10, 2020

LOCATION
115 W. Oak St.
Willows, Ca

PROJECT
CRAZY TACO

ENGINEER



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DESCRIPTION
EXTERIOR ELEVATIONS

No Scale

Color Perspective

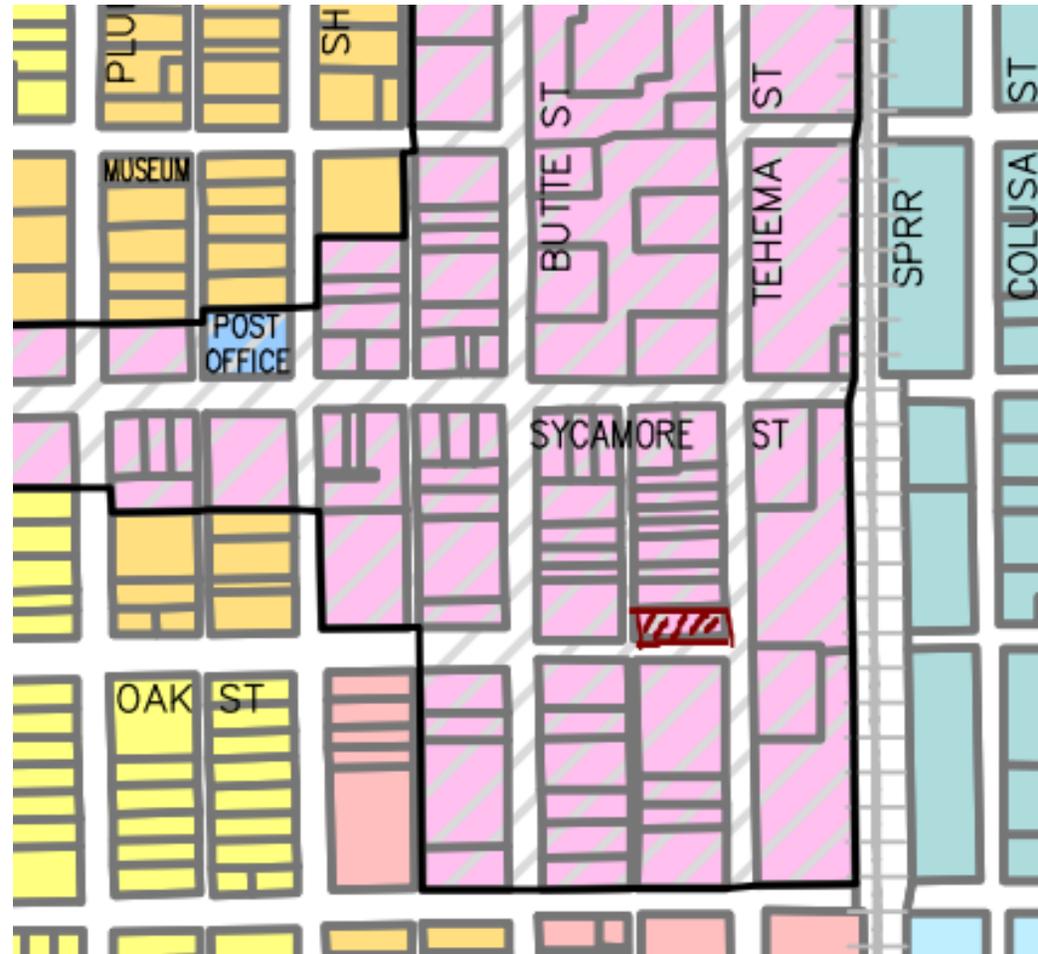
5

LEGEND

- CITY LIMITS
- +++++ RAILROAD
- SPHERE OF INFLUENCE LINE
- · - · - URBAN LIMIT LINE
- GENERAL PLAN (PLANNING) LINE
- ▨ DOWNTOWN AREA BOUNDARY

ZONING DESIGNATIONS

- R-1/PD: SINGLE FAMILY HOUSING/PLANNED DEVELOPMENT
- R-1/A: SINGLE FAMILY RESIDENTIAL HOUSING/AGRICULTURE
- R-1: SINGLE FAMILY RESIDENTIAL
- R-3: HIGH DENSITY RESIDENTIAL
- RP: RESIDENTIAL/PROFESSIONAL
- HIGHWAY COMMERCIAL
- PUBLIC FACILITIES AND SERVICES
- OPEN SPACE
- CG/ML: GENERAL COMMERCIAL/LIGHT MANUFACTURING
- ML: LIGHT MANUFACTURING
- MH: HEAVY MANUFACTURING
- GC: GENERAL COMMERCIAL
- CC: CENTRAL COMMERCIAL
- CG/PD: GENERAL COMMERCIAL/PLANNED DEVELOPMENT
- CG/ML/PD: GENERAL COMMERCIAL/LIGHT MANUFACTURING/PLANNED DEVELOPMENT
- E: ENTRYWAY



Planning Commission Agenda Report:

October 21, 2020

Project:	Use Permit (file# UP-20-02) Cannabis Retail Dispensary
Applicant/P.Owner:	Element 7 Willows, LLC/California Land Investment LLC
Project Location:	102 Harvest Drive
Parcel No:	017-350-005
Zoning:	CG/ML/PD (General Commercial/Light Industrial/Planned Development)
General Plan	Commercial Industrial Combining

Project Description:

The applicant has submitted a planning application requesting Use Permit approval to establish a storefront medical and adult use retail commercial cannabis dispensary with delivery services. The hours of operation are proposed will be between 7 am and 9 pm.; beginning with daily cleaning of the facility between 7-8am and daily dispensary operations from 8am to 7pm, including daily cleaning of the dispensary area from 7am to 9pm and closing taking place between 7-9pm. The number of employees for the dispensary will be between 10 and 12 employees, including a general manager, shift assistant managers, and between 6-8 bud tenders. They are looking to hire 80% locally. The project will provide 20 onsite parking spaces designated for customer and employee parking.

The Element 7 team brings decades of experience in building, owning, and operating over 1,000 retail stores in North America. In California, their operations have been located through-out the state including Monterey County and Hanford areas and recently Fort Bragg. The company retails a wide range of branded cannabis and cannabis related products (flower, vapes, cartridges, and accessories). The company is committed to sourcing cannabis products from state-licensed operators that provide products that have passed mandatory product quality testing as required by the State. Products will only be accepted into the facility and sold to customers if products arrive in compliant pre-packaging and include demonstratable compliance with mandatory product quality testing.

Review Process:

This matter is before the Planning Commission pursuant to the City of Willows Municipal Code Section 9.20.070, Section 18.135. Additionally the property is subject to the Planned Development Standards and Uses adopted for the South Willow Commercial/Industrial Tentative Map, and the final conditions of approval and mitigation measures for the commercial/industrial tentative map adopted by the Planning Commission on July 29, 2009,

Additionally, per code Section 9.20.070(7) For the convenience and efficiency of both the applicant and the City, applications for retail/dispensary cannabis business licenses shall be processed in three phases: (a) a preliminary application intended to confirm the eligibility and suitability of the applicant(s), as determined in the sole discretion of the City of Willows; (b) significant information about the proposed site of the business, proposed operations, security and other detailed business operations; and (c) final consideration and approval/disapproval by the city council. A preliminary application was submitted to the City on January 9, 2019 (a); significant information about the proposed site, operations, and security have been submitted and reviewed by the City and

commenting departments/agencies (b); and final consideration and approval by the City Council shall take place upon Use Permit approval (c).

Zoning/General Plan:

The project site, located in the southern portion of the City of Willows, is zoned CG/ML/PD. Zoning to the north, south, and west are the same as the subject parcel. A recently approved project (Ruminao Cheese) sits north of the project site. There are commercial uses east of the site, to include the city sewer lift station, and the Wilbur Ellis facility. Interstate I-5 is to the west and Tehama Street (aka Hwy.99) is to the east, and beyond is light industrial zoning. The General Plan Land Use designation for this site is Commercial/Industrial Combining pursuant to the City's General Plan Land Use Map. The proposed use is consistent with this designation, which designation provides for general commercial uses or light industrial uses.

Background:

On November 28, 2017, the Willows City Council adopted a Cannabis Ordinance (#736-2017) to facilitate the approval, regulation, and operation of cannabis businesses. This ordinance, as chaptered in the Willows Municipal Code (“WMC”) along with State laws and regulations imposes strict zoning, security, and operational requirements on cannabis dispensaries. Thereafter, on November 28, 2018 the Willows City Council adopted a resolution (#32-2017) allowing up to two (2) commercial retail cannabis dispensaries within the City.

On November 16, 2018, an RFP (Request for Proposals) for applications for a Cannabis Retail Dispensary Permit was released to the public (and a list of interested individuals who had contacted the City for this notice) with a submittal deadline of December 17, 2018. This deadline was extended until January 9, 2019. The RFP sought applications from individuals and companies, who wished to develop and operate a cannabis retail dispensary facility in Willows. Any cannabis business seeking a Dispensary /Retailer permit had to participate in a competitive Request for Proposals process to obtain a permit. There were several inquiries during the process; however, by the end of the RFP submittal period on January 9th, only one proposal was received; that was from Element 7.

This Phase 1 application was reviewed to determine completeness before Phase 2 of the process could begin. That was achieved and Element 7 was notified by the City Manager on January 29, 2019 that they could proceed forward to Phase 2. Subsequently a Phase 2 application was submitted on March 31, 2019, by the applicant. All the required submittals were received from the applicant, and steps have been taken to review and process the submittal since that time.

Use Permit Review/Project Analysis

The project site is located within the CG/ML/PD zoning district as shown on the City’s zoning map. Per Chapter 18.60.030(11) *Uses with a conditional use permit*, a cannabis retail/dispensary business in combined CG/ML/PD or CG/PD zones subject to development standards and WMC 9.20.070 to 9.20.080 and defined in WMC 9.10.010 is allowed.

Additionally under Chapter 9.20.070 *Retail/dispensary cannabis business licenses*, which states, “*The City of Willows authorizes, subject to the conditions set forth in this code, and only in zones in which such sales are permitted uses pursuant to WMC Title 18, the commercial sale of cannabis and cannabis products for medical and nonmedical uses.*”

This combined zoning district allows for various permitted uses; however stated within the adopted Planned Development Standards and Uses for the South Willows Commercial Industrial Center Tentative Map, the proposed use is considered a general retail establishment, which is permitted, and in this type of use, specifically with a conditional use permit per Section 9.20.070.

Therefore, the proposed use is allowed under these code sections and within the adopted map Planned Development Standards and Uses for the South Willows Commercial Industrial Center Tentative Map. The term of an initially issued retail/dispensary business cannabis license shall be one year.

Hours of Operation:

City Code states that all permitted retail/dispensary cannabis business premises shall be closed to the general public, and transporter deliveries, and pick-ups shall be prohibited between the hours of 7:00 p.m. and 8:00 a.m. The proposed hours of operation meet these code requirements.

Proximity to Schools:

Proximity to sensitive uses, pursuant to City regulations, a retail dispensary may not operate within 1000 feet of any church, elementary school, middle school, high school, licensed day care or preschool facility, playground, or park. The property site meets the restrictions and buffering required within the WMC, as none of these sensitive uses are within 1000 feet of the subject property. See attached 1000-foot radius map.

Odor Control:

As required under the general conditions of the WMC, odors shall be contained on the property on which the commercial cannabis activity is located. If the City receives any odor complaints, the cannabis business shall work with the building official or his designee to correct odor concerns. Unresolved or repeated odor complaints may be basis for suspension or revocation of the license or denial of license renewal.

Health Permit:

Businesses that sell or manufacture edible cannabis products shall have a valid Glenn County health permit. Permit holders shall comply with Health and Safety Code Section [13700](#) et seq., and Glenn County health permit requirements. Such requirements provide a system of prevention and overlapping safeguards designed to minimize foodborne illness, ensure employee health, demonstrate industry manager knowledge, ensure safe food preparation practices and delineate acceptable levels of sanitation for preparation of edible products.

Delivery Services:

The proposal includes delivery services. Chapter 9.20.070(a)(iii) states a conditional use permit application for cannabis retail businesses shall include a statement as to whether the use will include delivery of cannabis and cannabis products to customers located outside the cannabis retail facility; and (iv) goes on to state that if delivery services will be provided, the operational plan shall be submitted. Element 7 has submitted an SOP for Delivery Services that meet the intent of the code.

Security Plan

Every cannabis business shall maintain a commercial burglar alarm monitoring system and install a video surveillance system. A security plan and SOP (Standard Operating Procedures) was received and reviewed by the County of Glenn Sheriff Department with the comment that the Plan appears to be in order and all law requirements met.

As detailed in the Security SOP's, cannabis or cannabis product will not be stored, kept, or otherwise accessed from the outside of the building. Loading and unloading of cannabis or cannabis products is allowed during business operating hours only. All exterior doors will remain locked and be accessible for operation by employees only. The project Security Plan seeks to ensure safety and to effectively prevent theft or diversion of any cannabis or currency, as well as to discourage loitering, crime, and illegal or nuisance activities.

Per Section 9.20.080 *General conditions for all retail/dispensary cannabis business licenses*; any retail dispensary shall be held to these general conditions, which Section 9.20.080 (1) states, Prior to commencing business operations pursuant to a cannabis retail/dispensary business license issued by the City of Willows, the applicant shall hold a certificate of authorization issued by the City of Willows. Certificates of authorization shall be issued only to applicants who hold (a) a retail/dispensary cannabis sales license issued by the City of Willows, (b) a use permit issued by the City of Willows Planning Commission, and (c) California state-issued A-license and/or M-license. Other conditions listed within this section are relative to hours of business operation, odor control, age limitation, security measures plan, labeling, minors, inspection records/inspections, package labeling, liability insurance requirements, written records, operations accounting, change of ownership, and violations.

State Requirements

The applicant will hold a Type 10 State license, which allows a cannabis retail use. The Project is required to adhere to State Bureau of Cannabis Control licensing and operating procedures in addition to operational provisions of the Zoning Code.

A Lot Line Adjustment is proposed which will adjust adjacent lots to accommodate the proposed building. The Commission will hear this proposal to reconfigure the parcels within the Phase I Final Map for the South Willows Commercial Center through a forth coming Lot Line Adjustment application.

Findings of Fact

Based upon the facts and conclusions contained within this staff report, per Section 18.135.050 the following findings must be made to approve the applicant's request for a Use Permit to allow a retail commercial cannabis dispensary:

1. The proposed use is consistent with the goals, objectives, policies, and programs of the city of willows general plan and any applicable design guidelines.
2. The proposed use conforms to applicable development standards and provisions of this title and will not be detrimental to the public health, safety, and welfare.
3. The physical location or placement of the proposed use is compatible with the surrounding neighborhood and does not pose a safety risk.

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

The project was reviewed by internal and county departments for comments and which comments have been incorporated into the attached draft conditions. The project was reviewed by CalTrans with the comment that they do not have any comments on this project at this time, however request copies of actions regarding the project or if any changes occur.

Environmental Review and Analysis

The project site lies within an approved subdivision for the phased construction of commercial and light industrial buildings on a parcel that is currently vacant and relatively flat. Prior to the subdivision, the site was part of a 1989 City initiated annexation with the specific purpose/intent of urban development.

The project site was reviewed pursuant to the California Environmental Quality Act (CEQA) in 2009 for significant environmental impacts to the environment. The previously adopted Commercial/Industrial Tentative Map (**File# TPM-09-01/PD-09-01/UP-09-01**) was fully analyzed utilizing an Initial Study/Mitigated Negative Declaration which was adopted by the Planning Commission of the City of Willows on the 29th of July 2009, resolution #08- 2009. (SCH# 2009062074). Additionally, adopted with the Tentative Map were Planned Development Standards and Uses, which included retail uses.

Therefore Staff determines that the proposed retail use does not result in new environmental effects, or environmental effects of greater severity, peculiar to the parcel or the project that were not analyzed and addressed in the adopted 2009 MND, and thereby does not require additional CEQA review, or require the preparation of an Addendum to the previously adopted MND, pursuant to Section 15164 of CEQA.

The proposed use is consistent with what was proposed with the 2009 MND with no changes to the prior mitigation measures previously adopted are warranted. The project is subject to the mitigation measures listed within the adopted Initial Study/Mitigated Negative Declaration as conditioned.

Staff Recommendation:

Staff recommends adoption of the attached resolution recommending Use Permit approval for establishment of a retail commercial cannabis dispensary for property located Assessor's Parcel Number 017-350-005, subject to the conditions of approval as shown in Attachment #2; and final review and approval from the City Council per code.

1. Adopt the Resolution approving the Use Permit applications with conditions
2. Deny the Use Permit applications with findings for denial

Attachments:

1. Draft Planning Commission Resolution
2. Proposed Conditions of Approval
3. Site Plan
4. Floor Plan
5. Zoning/General Plan map

Submitted by:

Karen Mantele
Principal Planner

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

PC RESOLUTION NO. _____-2020

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS GRANTING USE PERMIT APPROVAL (FILE# UP-20-02) TO ELEMENT 7 WILLOWS, LLC TO ALLOW A RETAIL COMMERCIAL CANNABIS DISPENSARY FOR PROPERTY LOCATED AT 102 HARVEST DRIVE ASSESSORS PARCEL NUMBER 017-350-005

WHEREAS, on March 31, 2020, an application was submitted requesting the approval a Conditional Use Permit for Element 7 Willows, LCC, for a commercial cannabis retail facility selling both medical and adult use cannabis products, to be located at Assessor's Parcel Number 017-350-005; and

WHEREAS City of Willows Municipal Code Section 9.20.070 allows for the commercial sale of cannabis and cannabis products for medical and nonmedical uses, subject to the conditions set forth in this code, and only in zones in which such sales are permitted uses pursuant to WMC Title [18](#); and

WHEREAS, subject property is located within the CG/ML/PD zone, which requested use is allowed per Willows Municipal Code Section 18.60.030(11); and

WHEREAS notice of the Planning Commission meeting held on October 21, 2020 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 October 21, 2020, hold a public hearing to consider all public oral and written comments, letters and documents, staff reports, and all other documents and evidence which are a part of the Record; and,

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

WHEREAS, the Planning Commission finds that the proposal to allow the retail use on subject property has previously been analyzed under the California Environmental Quality Act (CEQA) pursuant to a July 29, 2009 adopted Mitigated Negative Declaration (MND) for the Tentative Map, and therefore no further environmental review is required; and

WHEREAS, the previously adopted Mitigation Measures for the adopted MND and final conditions of approval for the Commercial/Industrial Map, shall apply to development on the subject property; and

NOW, THEREFORE, BE IT RESOLVED, that after consideration of the reports, documents, testimony, and other materials presented, and pursuant to City Code Section 18.135 (Conditional Use Permit), the Planning Commission of the City of Willows finds and determines:

- A. That granting the use permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located, as conditions of approval shall provide standards to adhere to.
- B. That the proposed cannabis retail facility is consistent with the General Plan land use designation of Commercial/Industrial Combining Use designation, which designation provides for general commercial uses or light industrial uses.
- C. That on November 28, 2017, the Willows City Council adopted a Cannabis Ordinance (#736-2017) finding Cannabis Retail uses appropriate in areas designated as Commercial/Industrial Combining on the land use map.
- D. That the subject site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and with the absence of physical constraints; as the proposed use (establish a retail commercial cannabis dispensary) is consistent with the purposes of the district in which the site is located (CG/ML/PD).
- E. That WMC Chapter 9.20.070(5) states that no license will be issued unless and until the applicant holds a use permit.
- F. That WMC Chapter 9.20.072(c)(1)-review by City Manager and forwarding to the City Council—shall take place after the approval of the use permit.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the Use Permit approval to establish a store front retail commercial cannabis dispensary for medical and adult use products, is consistent with the City of Willows Municipal Code, City of Willows General Plan and hereby approves Use Permit File#UP-20-02, 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 21st day of October 2020 by the following vote, to wit:

AYES

NOES

ABSTAIN

ABSENT

APPROVED: _____
Robert Griffith, Chairperson

ATTEST: _____
Maria Ehorn, Recording Secretary

**USE PERMIT CONDITIONS OF APPROVAL FOR
ELEMENT 7 WILLOWS, LLC
RETAIL COMMERCIAL CANNABIS DISPENSARY PROJECT
LOCATED AT 102 Harvest Drive**

PC approval date: _____, 2020

General

1. The approval of this project shall be subject to the latest adopted Ordinances, Resolutions, Policies and fees of the City of Willows.
2. If the use is not made on the project subject to the permit within one (1) after the date of granting the use 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. (subject to Section 9.20.071(4) the term of an initially-issued retail/dispensary business cannabis license shall be one-year)
3. All contractors/sub-contractors doing work on the project shall obtain a City business license prior to commencing operation. (Contact Finance Department).
4. A sign permit application shall be required to be submitted to the City Planning staff for review and approval for any proposed business sign plans prior to installation. A planning sign permit application is required for all signs.
5. A Design Review application shall be submitted and processed for approval for the proposed structure.
6. This Use Permit adopts and incorporates by reference the final conditions of approval contained in the approval for the South Willows Commercial Industrial Center Tentative Map, adopted July 29, 2009. Those conditions of approval of the tentative map include mitigation measures, monitoring and reporting requirements.
7. All plans for additional uses, which are not covered by this review, shall be submitted to the City Manager/Planning Commission for review and approval prior to use.
8. A retail commercial cannabis dispensary shall obtain a retail/dispensary cannabis business license, obtain, and maintain a business license from the city of Willows.

Building Department

9. The proposed development shall be designed and constructed in accordance with the most current applicable Building Codes, including the Uniform Building Code (UBC) and the California Building Code (CBC) as determined by the Building Division of the City of Willows.

10. All work shall comply with current Federal, State and Local codes and ordinances, and be shown on the plans submitted for review.
11. Development impact fees shall be paid at the time of building permit issuance.
12. Prior to issuance of a Building Permit for the construction of any structures on the site, a Final Lighting Plan shall be submitted to the City and reviewed by the Planning Director. The final lighting plan shall include, but not limited to the following: (a) details regarding exterior lighting with lighting sources that are full cut-off, hooded, and down-cast, or otherwise shielded to ensure that light does adversely shine towards neighboring properties or toward the night sky, (b) lighting sources with the minimum wattage necessary to provide adequate security without causing excessively bright night glow, (c) sufficient details regarding the proposed wattage and area of coverage for all site lights.
13. The final adopted conditions of approval shall be on the plans submitted for review.

Fire Department:

14. All impact fees shall be paid prior to the issuance of a building permit.
15. All buildings shall provide fire sprinkler systems. The Fire Department shall review all sprinkler plans prior to installation per WMC 15.15.110.
16. A fire and alarm system shall be installed and must meet the approval of the Fire Chief per WMC 15.15.120.
17. A knox box shall be installed per Fire Chief approval per WMC 15.15.130.
18. The building address shall meet tall WMC 15.15.100 criteria and be reviewed and approved by the Fire Department prior to installation.
19. Fire extinguishers shall be provided in accordance with the 2019 CFC.
20. Provide illuminated exit signs over all exit doors in accordance with the 2019 CBC and CFC.
21. All exit doors shall have no knowledge door locks, be posted “this door to remain unlocked when building occupied” and swing in the direction of exit travel.
22. Water flow calculations shall be provided after the installation of new hydrant to indicate that they meet water flow requirement minimums for this development.
23. On-site hydrant will be required to have dedicated right-of-way easements to Cal Water. On-site hydrant will follow Cal Water design and planning process.
24. FDC connection will be within 50’ of hydrant.

25. All new fire hydrants shall be covered with burlap sacks until the hydrants have been tested and found to be in conformance with City flow requirements. No storage of combustible materials or construction of building shall be permitted until all hydrants meet City flow requirements.

26. Red curbs maybe required and will be evaluated at the time of construction.

Glenn County Environmental Health Department

27. The proposed facility/parcel shall be connected to the City of Willows wastewater treatment systems prior to operation.

Cal Water Service Company

28. Cal Water can serve the proposed project. There is not currently domestic or fire service to this parcel. Water improvements associated with this project shall be subject to the requirements of Cal Water.

Engineering Department

General Conditions:

29. Developer shall design, submit for review and approval, and construct all improvements and facilities associated with this site in accordance with the Willows Municipal Code (WMC), the City of Willows Design and Construction Standards.

30. 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:

31. 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.

32. All design information shall take into consideration all improvements constructed with the South Willows Commercial and Industrial project, including all points of access, all utility improvements, all drainage improvements, and other site improvements.

33. If any easements are needed, the applicant shall be responsible for submitting legal descriptions and plats of all easements for review and approval prior to finalizing.

34. A detailed Soils Investigation/Geotechnical Report shall be prepared and submitted for review. The report shall address, at a minimum, parking lot and foundation recommendations. The improvement plans shall incorporate all design and construction criteria recommended in the Geotechnical Report.

35. Depending on the size of the development proposed, improvements plans may be required to include a storm water pollution prevention plan.

36. Roadway Improvements:

- a. Design of the entrance to the property shall take advantage of all pre-existing common access points and easements as shown on the South Willows Commercial and Industrial plans and final map.
- b. 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.

37. Water and Sanitary Sewer Improvements:

- a. All public water and sewer services to the site shall use any existing water and sewer services that have been stubbed into the property with the South Willows Commercial and Industrial project.

38. Drainage Improvements:

*All project related flooding 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 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:

- a. 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

Construction Conditions:

39. 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.

40. 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.

41. 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.

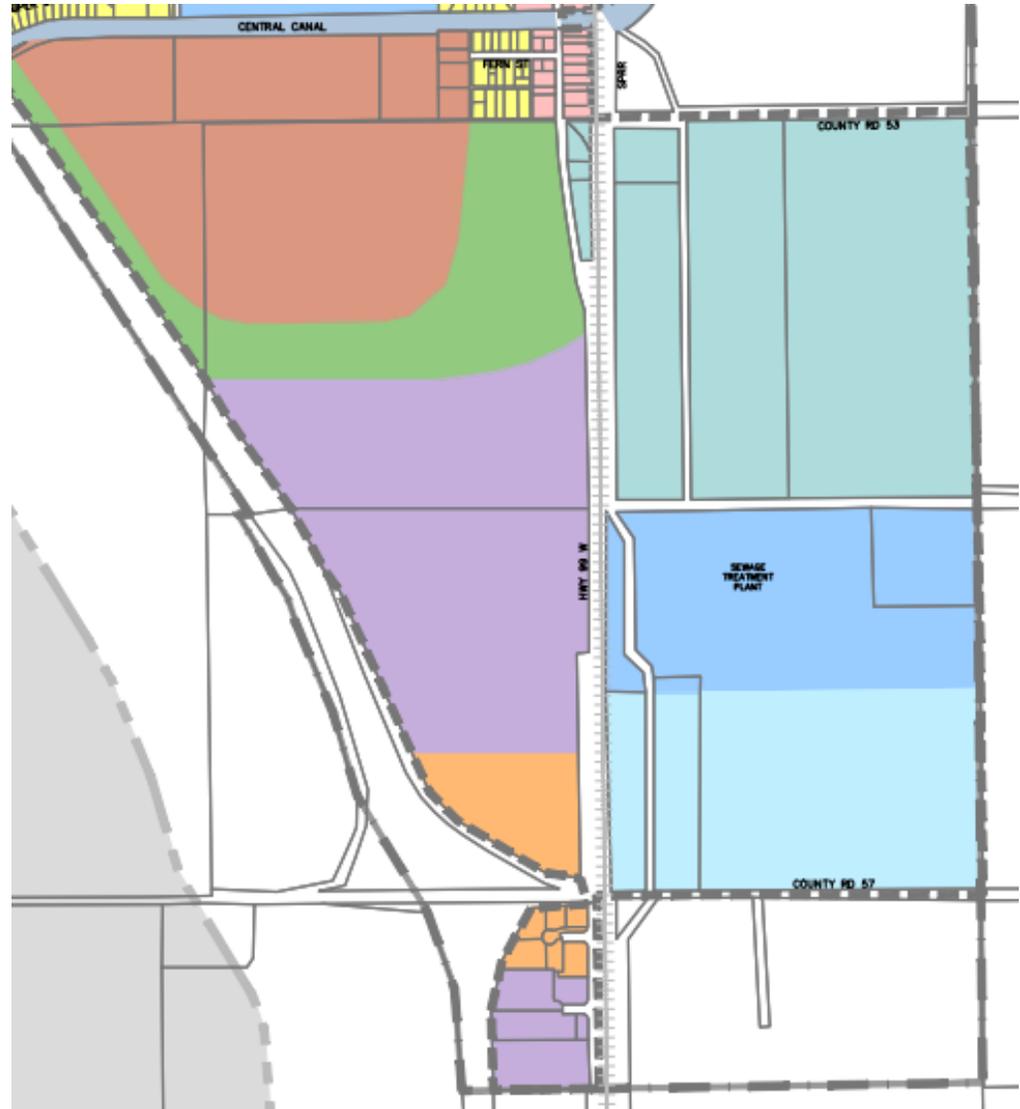
42. Before or any construction activity that would result in a land disturbance of one acre or larger, the developer shall provide evidence that a Notice of Intent has been submitted and received by the Regional Water Quality Control Board for a General Construction Activity Storm Water Permit. A copy of the project Storm Water Pollution Protection Plan shall be submitted to the City.
43. 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.
44. 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.
45. Dust control must be maintained to the City's satisfaction.
46. Working hours shall be restricted to the hours of 7:00 a.m. to 6 p.m., Monday through Friday
47. All punch-list work shall be completed, and any outstanding inspection fees or other charges shall be paid.
48. Developer shall provide sufficient surety guaranteeing the public improvements for a period of one year.
49. 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.
50. 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.
51. 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.

LEGEND

- CITY LIMITS
- +++++ RAILROAD
- SPHERE OF INFLUENCE LINE
- . - . - . URBAN LIMIT LINE
- GENERAL PLAN (PLANNING) LINE
- ▨ DOWNTOWN AREA BOUNDARY

ZONING DESIGNATIONS

- R-1/PD: SINGLE FAMILY HOUSING/PLANNED DEVELOPMENT
- R-1/A: SINGLE FAMILY RESIDENTIAL HOUSING/AGRICULTURE
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- E: ENTRYWAY



Willows Planning Commission Agenda Report:

Project: Use Permit/Home Occupation (#UP-20-07)
Ballew Salon/Studio
Applicant/Owner: Kaitlen Ballew/Nicholas & Kaitlen Ballew
Project Location: 650 S Culver Street, Willows, CA
Parcel No: 001-303-001
General Plan R-1 (Single Family Residential)
Zone: Low Density Residential (LDR)

Project Description:

The applicant has submitted a Use Permit/Home Occupation application to allow use of an accessory structure on the subject property for a Hair Salon business. The Salon will not be a full-time salon, rather by appointment based only, with no walk-in clients; allowing only one person at a time. The proposed days/hours of operation will be Thursday through Saturday 9 am to 6 pm. On-site parking will be available in a carport adjacent to the Salon for the client as shown on the attached site plan. Ms Ballew will be the sole operator with no employees.

This matter is before the Planning Commission pursuant to Sections 18.110.070 (Home Occupations) and 18.135 (Use Permits) of the City's Zoning Ordinance

Zoning

The subject property is located within the R-1 zoning district. Per Chapter 18.110.070/Home Occupations are allowed within any legal structure on a lot which is clearly incidental and secondary to the residential use of the property and subject to the home occupations regulations, upon first securing Use Permit approval from the Planning Commission.

Use Permit/Home Occupation Analysis:

Section 18.110.070 regulates Home Occupations. These regulations shall be adhered to regarding allowing Home Occupations, which state (1) it must be confined within a legal structure and occupy not more than 25% floor space of a dwelling or 50 percent of that of an accessory building, (2) involves no sale of merchandise other than that produced on the premises or directly related to and incidental to the services offered, (3) is carried out by the member of the family occupying the dwelling with no employees, (4) produces no evidence of its existence beyond the premises, (5) permits a two square foot sign, (5) does not generate pedestrian or vehicular traffic beyond the normal neighborhood use, and (6) meets the requirements of the chief building inspector and fire district. These regulations will be incorporated into the conditions of approval attached to the resolution.

Home occupation are defined in the zoning code as " means an accessory use of a nonresidential nature which is performed within a legal structure on the lot, by an occupant of the dwelling unit, and which is clearly incidental and secondary to the residential use of the property. Home occupations are subject to the home occupation regulations". (*as stated above*)

- (1) A site plan was submitted with the application which indicates Ms Ballew will use 322 SF of an accessory structure (approximately 960 square feet in size), located in the rear of the subject property adjacent to the alley. This space equates to less than 1/2 of the accessory structure.
- (2) The applicant does not intend to sell hair products from her salon.

- (3) Business is only carried out by Ms Ballew.
- (4) Accessory structure is existing, therefore no new construction associated with business.
- (5) One car at a time will not generate excessive residential traffic on a part time basis
- (6) The Fire Department will inspect the premises to meet the Fire Code, and the Building Department has provided conditions of approval regarding the building.

A paved parking space is available on-site to accommodate a client. One handicap parking space is required as well as an accessible path of travel to the entrance to the salon.

The code allows the applicant one sign (two square feet in area) pertaining directly to the home occupation. The applicant does not intend to have a sign at this time.

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.

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.

Notice of the proposed use permit/home occupation 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. Staff received written comments from property owner within 400 feet asking about whether ADA regulations are applicable to the Salon.

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 a Home Occupation/Use Permit (file # UP-20-07) for Kaitlen Ballew to establish a Home Occupation (a.k.a. Ballew Salon/Studio) located at 650 S. Culver Street for a for a Hair Salon business subject to the attached conditions of approval.

Planning Commission Options:

- 1) Approve the Home Occupation/Use Permit with Findings
- 2) Deny the Home Occupation/Use Permit with Findings

Attachments:

- Draft Resolution
- Conditions of Approval
- Site Plan
- Floor Plan
- Zoning /General Plan 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.



CARPORT AREA

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS APPROVING A HOME OCCUPATION/USE PERMIT (FILE # UP-20-07) FOR KAITLEN BALLEW TO ALLOW ESTABLISHMENT OF A HAIR SALON BUSINESS (BALLEW SALON/STUDIO) WITHIN AN EXISTING ACCESSORY STRUCTURE FOR PROPERTY LOCATED AT 650 S. CULVER STREET ASSESSORS PARCEL NUMBER 001-303-001

WHEREAS, the applicant, Kaitlen Ballew, has submitted a Use Permit/Home Occupation application to request the use of an accessory structure to establish a hair salon business at property located at 650 S. Culver Street, and

WHEREAS, City of Willows Municipal Code Section 18.110.070 states a home occupation shall be permitted in any legal structure on a lot which is clearly incidental and secondary to the residential use of the property upon first securing Use Permit approval from the Planning Commission, and

WHEREAS, notices of the Planning Commission meeting held on October 21, 2020 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 October 21, 2020, 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.
A Home Occupation is allowed in any legal structure on a lot which is clearly incidental and secondary to the residential use of the property with Planning Commission approval.
- 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 Home Occupation 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.
General Plan policy DPS-2/Compatible Uses, is to allow new development uses that would be compatible with existing uses while maintaining the viability of the residential neighborhood, which this use would result in.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the request to allow use of a legal accessory structure for a dog

grooming Home Occupation business is consistent with the General Plan, and the City of Willows Municipal Code; and hereby approve Home Occupation/Use Permit (file # UP-20-07), subject to the attached conditions set forth in Attachment 2 (Conditions of Approval), and site plan/floor plan, Attachment 3 & 4.

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 21st day of October 2012, by the following vote, to wit:

AYES _____

NOES _____

ABSTAIN _____

ABSENT _____

APPROVED: _____

Robert Griffith , Chairperson

ATTEST: _____

Maria Ehorn, Recording Secretary

**CONDITIONS OF APPROVAL
FOR
BALLEW SALON/STUDIO HOME OCCUPATION
650 S. Culver Street/APN: 001-303-001
Adopted by Planning Commission _____, 2020**

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 establish a Home Occupation Hair Salon business within an existing legal accessory structure at property located at 650 S Culver 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 Home Occupation/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 approval of this project shall be subject to the latest adopted Ordinances, Resolutions, Policies and fees of the City of Willows.
7. The applicant shall obtain a Business License from the Finance Department of the City of Willows for the Salon business prior to operation.
8. The Salon business must be confined within the legal accessory structure and occupy not more than 50% floor space.
9. There shall be no sale of merchandise other than that produced on the premises or directly related to and incidental to the services offered.
10. The Home Occupation business shall be carried out by the member of the family occupying the dwelling with no employees.
11. The Home Occupation business shall produce no evidence of its existence beyond the premises.
12. The Home Occupation business shall not generate pedestrian or vehicular traffic beyond the normal neighborhood use. An off-street parking space shall be provided for clients.
13. The Home Occupation business shall meet the requirements of the chief building inspector and fire district.

14. In any case where the conditions of granting the Home Occupation have not been or are not complied with, the Planning Commission shall give notice to the permittee of intention to revoke such permit and shall give notice ten days prior to a hearing thereon.

BUILDING DEPARTMENT

15. Since this is a change of use it requires a complete set of detailed plans to convert to a commercial facility. (Structural, electrical, plumbing HVAC, accessibility, etc.)
16. The applicant shall submit 3 complete sets of plans to the Building Department for review and approval prior to construction improvements or commencing operations.
17. Plans shall include all the details necessary to determine handicap accessible compliance, i.e.: parking/unloading, path of travel (parking to customer area), door/hardware, and transaction area.
18. Plans shall include a scaled floor plan.
19. Plans shall include a scaled electrical and plumbing plan (current and proposed).
20. Plans shall indicate if the space will be heated or cooled, of so energy calculations may be required.
21. All the Conditions of approval shall be included on sets of plans.

FIRE DEPARTMENT

22. Applicant shall obtain Fire Department clearance prior to establishing hair salon business. Contact the Fire Department for an inspection.

(South of shop)

SITE PLAN

ATTACHMENT 3

450 S. Culliver St
Willows, CA 95986
(530) 635-1151

Elm St.

S. CULLIVER AVENUE

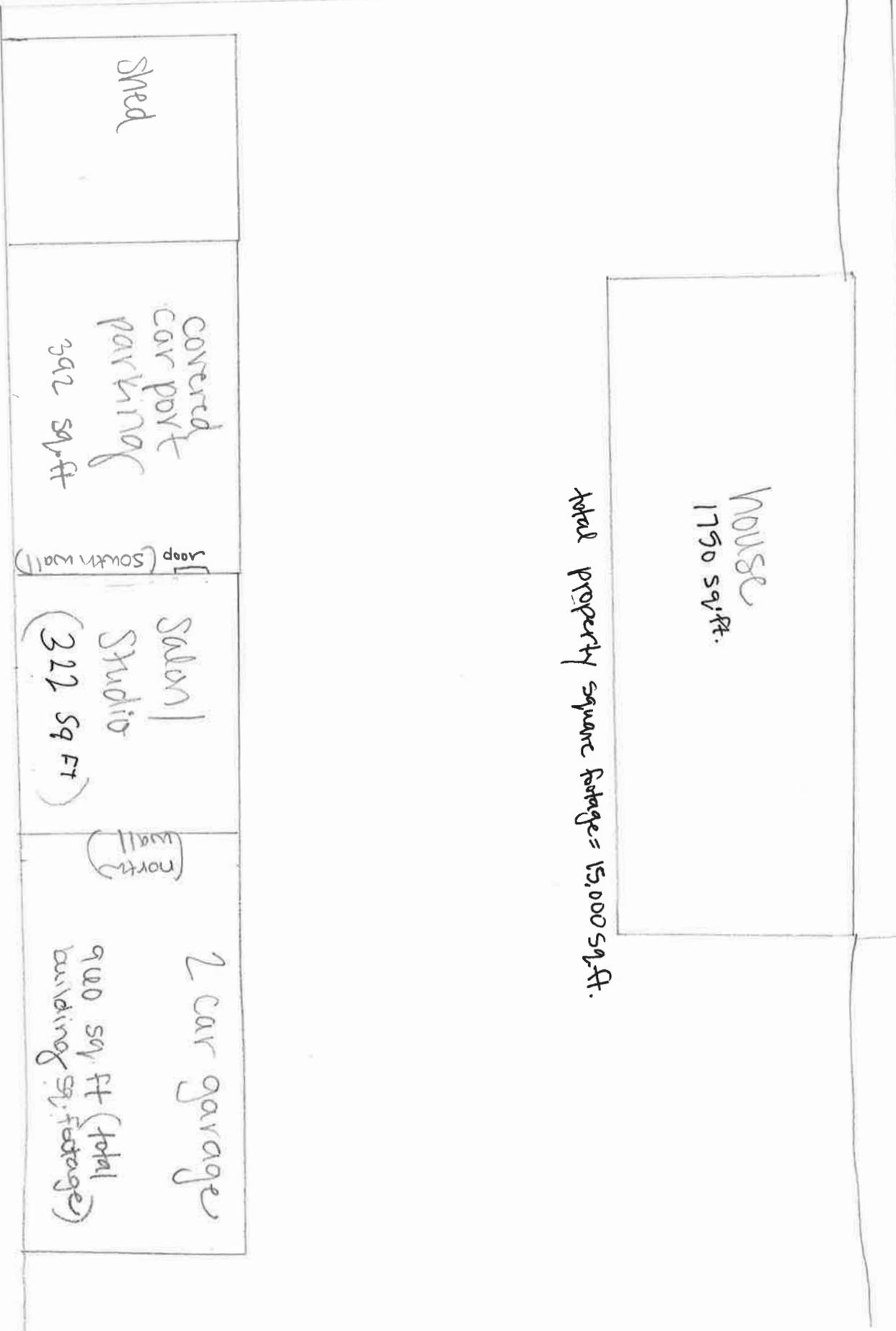
(west of shop)

Kaitlen Ballen
Site plan

APN# 001-303-001

HOUSE
1750 sq.ft.

total property square footage = 15,000 sq.ft.



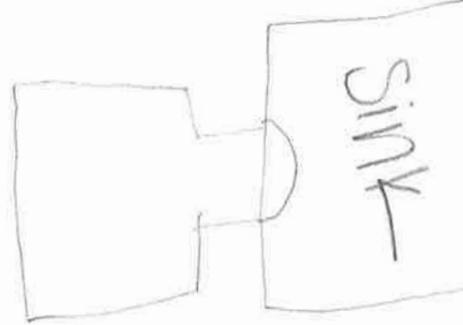
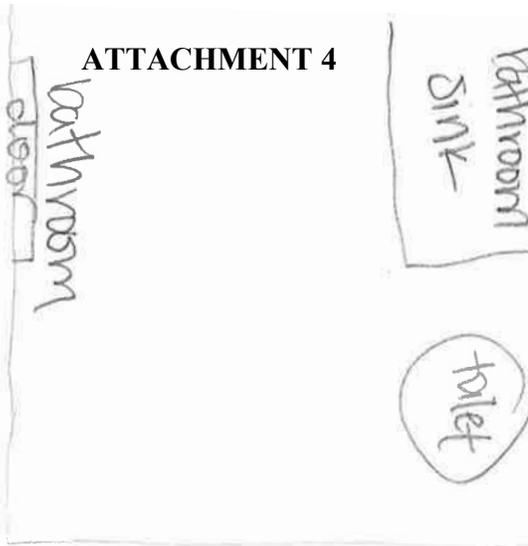
Alley way

(east of shop)

FLOOR PLAN

ATTACHMENT 4

door to my backyard



entry from carport

couch



LEGEND

- CITY LIMITS
- +++++ RAILROAD
- SPHERE OF INFLUENCE LINE
- · - · - URBAN LIMIT LINE
- GENERAL PLAN (PLANNING) LINE
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