



Willows Planning Commission Regular Meeting

PLANNING COMMISSION
Peggy White, Chair
Walter Michael, Vice Chair
Jose Hansen, Commissioner
Candis Woods, Commissioner
Robert Griffith, Commissioner

CITY PLANNER
Karen Mantele

MINUTE CLERK
Maria Ehorn

December 19, 2018
Willows City Hall
7:00 p.m.

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

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**

Members of the public wishing to address the Commission on any item(s) not on the agenda may do so at this time when recognized by the Chair; however, no formal action will be taken unless a majority consensus of the Commission directs staff to place the item on a future agenda. Public is advised to limit discussion to one presentation per individual. While not required, please state your name and address for the record. (Oral communications will be limited to three minutes)

6. **APPROVAL OF MINUTES:** Minutes of Planning Commission meeting(s) held on October 17, 2018 and November 14, 2018.

7. **NEW BUSINESS/Public Hearing(s)**

- (a) **Tentative Parcel Map Extension #1 (File# MSUB-13-01) Applicant/Owner: Ron Kahn/FA Investments/APN: 017-170-033 /CH (Highway Commercial) Zone/Highway Commercial Land Use Designation/Request for one year extension to approved tentative map**
- (b) **Major Use Permit (File# MUP-18-05) and Design Review (File# DR-18-05) Applicant/Owner: Walden Academy/Catholic Church/1159 W. Wood Street/APN: 005-370-011/R-P (Multiple Residence-Professional Office District) zone/Office Professional Land Use Designation/Request to add 4 modular buildings to augment the existing Walden Academy school; and request for approval of site improvements**
- (c) **Review Use Permit (File# UP-18-03) Applicant/Owner: Ana Camacho/Aida Corpuz**
610 S. Tehama Street/Assessors Parcel Number 002-312-002/ CG General Commercial) zone/General Commercial Land Use Designation/Use Permit Revocation

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.

8. **COMMISSION COMMENTARY**
9. **ADJOURNMENT**

CERTIFICATION: Pursuant to Government Code § 54954.2 (a), the agenda for this meeting was properly posted on or before December 14, 2018.

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

In compliance with the Americans with Disabilities Act, the City of Willows will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's office 934-7041 to make such a request. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

The City of Willows is an Equal Opportunity Provider


**REVISED MINUTES OF THE WILLOWS PLANNING COMMISSION
REGULAR MEETING HELD OCTOBER 17, 2018**

1. **Call to Order:** 7:00 p.m.
2. **Pledge of Allegiance:** Commissioner Michael led the pledge of allegiance.
3. **Roll Call:** Karen Mantele, Planner; Maria Ehorn, Minute Clerk.

Commissioners:

PRESENT: White, Woods, Michael, Hansen, Griffith

ABSENT:

4. **Agenda Review:** Chair White asked if there were any changes to the agenda by staff or Commissioners. Staff and Commission had no changes to the agenda.
5. **Public Comment:** Chair White introduced the item.
6. **Approval of Minutes:** It was moved by Commissioner Hansen and seconded by Commissioner Michael approve the minutes of September 19, 2018.

The motion passed unanimously 4/0 by the following voice vote:

AYES: White, Michael, Hansen, Woods

NOES:

ABSENT:

ABSTENTION: Griffith

7. NEW BUSINESS/PUBLIC HEARING(S):

- a. **Review of Conditions for Use Permit (File# UP-18-03) Applicant/Owner: Ana Camacho/Aida Corpuz**
610 S. Tehama Street/Assessors Parcel Number 002-312-002/CG General Commercial Zone/General Commercial Land Use Designation/Use Permit Conditions Review.

Chair White introduced the item. Ms. Mantele presented the staff report. Chair White opened the public hearing. Ms. Camacho was in attendance and addressed the Commission about why the restaurant was not open, explaining that her daughter had taken ill since she got the approval from the Commission which took her away from running the business. She apologized to anyone affected by the music noise. She wants to comply with the rules and is looking to open six days a week and wants the opportunity to show she can follow the rules. A discussion was had by the Commission and Ms. Camacho regarding the Commissions concerns on whether or not to revoke the use permit. Commissioner Griffith and White inquired what days and hours of operation are planned in the future. Ms Camacho stated Thursday through Saturday from 2pm to 9 pm generally and that they do not plan on ant more events until the restaurant is open. The Commissioners expressed concern about the restaurant not being open as they have tried to go there and it was not open. Commissioner Griffith spoke about meeting the requirements of the ABC license. Commissioner Woods spoke and stated that her thoughts were to not revoke the Use Permit at this time with the understanding that this will be a one-time extension and expressed concerns that it is being advertised as a nightclub and they are not serving food, which is inconsistent with the approval they granted. Commissioner Woods expressed her concerns about disturbing the neighborhood and stated that she is willing to give her an opportunity to fix the situation. Commissioner Michael stated that being consistent with hours of operation is key to building a business but he was willing to give her a chance for another couple of months to comply.

Doug Ross spoke briefly during the public hearing.

Chair White closed the public hearing after hearing Ms Camacho speak.

Commissioner Griffith made a motion to revoke the use permit, which was seconded by Chair White.

A voice vote was taken to revoke the Use Permit resulting in a 2/3 vote by the following voice vote:

AYES: White, Griffith
NOES: Woods, Michael, Hansen,
ABSENT:
ABSTENTION:

The motion died for a lack of majority votes. The Use Permit remains active following the voice vote which resulted in the majority of Commissioners in favor of allowing Ms Camacho to continue operations under this Use Permit.

- b. **Use Permit (File #UP-18-04) Applicant/Owner: Lori & Manuel Rodrigues/David & Marilee Doolittle**
Assessor's Parcel Number: 002-311-013, 669 S. Tehama Street, General Commercial zoning district, General Commercial Land Use Designation/Request to establish a used car sales business.

Chair White introduced the item. Ms. Mantele presented the staff report. Chair White opened the public hearing. David Doolittle, the property owner, addressed the Commission and gave some brief information on the history and proposed use of the property. Mr. Rodrigues was also in attendance and provided information on his processes for selling used cars, stating at times he sells a car in hours and other times it may be a week or more. Commissioner Woods stated that this proposal will augment the adjacent tow business and asked that he keep the lot in clean condition as it is very visible.

Chair White then closed the public hearing.

It was moved by Commissioner Griffith and seconded by Commissioner Woods to approve the next resolution in line entitled, a resolution of the Planning Commission of the City of Willows approving Use Permit (File #UP-18-04) for Manual Rodrigues allowing establishment of a used car sales business for property located at 669 S. Tehama Street, Assessor's Parcel Number 002-311-013.

Motion: Commissioner Griffith/Second: Commissioner Woods

The motion passed unanimously 5/0 by the following voice vote:

AYES: White, Woods, Michael, Hansen, Griffith
NOES:
ABSENT:
ABSTENTION:

8. COMMISSION COMMENTARY:

- a. Commissioners gave reports on activities and various meetings they attended.
- b. Ms. Mantele reported on the status of several ongoing projects and possible other items to come before the Commission. Ms. Mantele suggested the next regular meeting be scheduled for November 14, 2018 due to the Thanksgiving holiday. The consensus of the Commission was to change the date to November 14, 2018.

ADJOURNMENT: 7:47 p.m.

PEGGY WHITE – Chair

Maria Ehorn – Minute Clerk

**SUMMARY MINUTES OF THE WILLOWS PLANNING COMMISSION
REGULAR MEETING HELD NOVEMBER 14, 2018**



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. **Call to Order:** 7:00 p.m.

2. **Pledge of Allegiance:** Commissioner Griffith led the pledge of allegiance.

3. **Roll Call:** Karen Mantele, Planner; Maria Ehorn, Minute Clerk.

Commissioners:

PRESENT: White, Woods, Michael, Hansen, Griffith

ABSENT:

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

5. **Public Comment:** Chair White introduced the item. No public comments were made.

6. **Approval of Minutes:**

Action:

Motion: Commissioner Michael/Second: Commissioner Hansen

It was moved to postpone approval of the minutes of October 17, 2018 until the next Planning Commission meeting due to the Commission's request for revision.

The motion passed unanimously 5/0 by the following voice vote:

AYES: White, Woods, Michael, Hansen, Griffith

NOES:

ABSENT:

ABSTENTION:

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

- a. **Administrative Use Permit (File# AUP-18-06) and Design Review (File# DR-18-03) Applicant/Owner: Sunworks Solar/Kumar Hotel Inc. /545 N. Humboldt Avenue/Assessors Parcel Number 017-330-029/ CH Highway Commercial) zone/Highway Commercial Land Use Designation/Temporary Storage Container Use and Design Review Request to install two solar carport canopies**

Chair White introduced the item. Ms. Mantele presented the staff report. A brief discussion was had among the Commission regarding the number of trees to be removed from the area and the length of time of the project.

Chair White opened the public hearing. Mr. Kumar was in attendance and spoke. Discussion was had regarding the color of the new canopy structures. Mr. Kumar would like to use the color in the provided attachment however was agreeable with whatever color choice the Commission desired. The consensus of the Commission was to use the lighter shade of beige from the selection of color pallets (result was the middle bottom color as shown on the provided color pallet)

Chair White then closed the public hearing.

Action:

Motion: Commissioner Michael/Second: Commissioner Griffith

Moved by motion to approve the next resolution in line entitled, a Resolution of the Planning Commission of the City of Willows granting Design Review approval (file #DR-18-03) to Sunworks Solar for installation of two solar carport canopies and Administrative Use Permit approval (file #AUP-18-06) for a temporary storage container for property located at 545 n. Humboldt Avenue, Assessors Parcel Number 017-330-029 with the condition that the color of the structure be the color be shown on the building plans..

The motion passed unanimously 5/0 by the following voice vote:

AYES: White, Woods, Michael, Hansen, Griffith

NOES:

ABSENT:

ABSTENTION:

- b. **Design Review (File #DR-18-04) Applicant/Owner: BRR Architecture/Walmart Stores Inc** 470 N. Airport Road/Assessors Parcel Number: 017-210-052: CG/ML/PD zoning district; Commercial-Industrial land use designation/Request to install a metal canopy structure and signage for the Walmart OGP program

Chair White introduced the item. Ms. Mantele presented the staff report. She stated Mr. Burl with BRR Architecture was in the audience if the Commission had any questions. Chair White opened the public hearing. Mr. Richard Burl spoke and gave information on the canvas covering and the choice of colors stating the orange color is the brand color. Discussion was had among the Commission regarding the structure size, canvas and the color scheme of the structure.

Chair White then closed the public hearing. Commissioner Hansen spoke in favor of the orange brand color. Commissioner Griffith was in agreement. Commissioner Woods reiterated to the Commission that the brand color is not the only choice and was not in favor of the brand color orange as the structure color.

Action:

Motion: Commissioner Woods/Second: Commissioner Michael

Moved by motion to have the structure's color be Dorian Grey as shown on the provided color pallet selection.

The motion passed 4/1 by the following voice vote:

AYES: White, Woods, Michael, Hansen

NOES: Griffith

ABSENT:

ABSTENTION:

Action:

Motion: Commissioner Michael/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 Design Review approval (file# DR-18-04) to Walmart Stores Inc to install a canvas canopy structure and signage for the OGP program for property located at 470 N. Airport Road Assessors Parcel Number 017-210-052.

The motion passed unanimously 5/0 by the following voice vote:

AYES: White, Woods, Michael, Hansen, Griffith

NOES:

ABSENT:

ABSTENTION:

8. COMMISSION COMMENTARY:

- a. Commissioners gave reports on activities and various meetings they attended.
- b. Ms. Mantele reported on the status of several ongoing projects and stated there will be three items to come before the Commission at the next regular meeting. Ms. Mantele suggested the next regular meeting be scheduled for December 19, 2018.

ADJOURNMENT: 7:54 p.m.

PEGGY WHITE – Chair

Maria Ehorn – Minute Clerk

Planning Commission Agenda Report:**December 19, 2018**

Project: One-year extension for a Tentative Map (File #MS-13-01)
 Applicant(s)/Owner: Ron Kahn/FA Investments, LLC
 Project Location: Northwesterly of the Intersection of County Rd 57 and County Road 99
 Parcel No: 017-170-033
 Zoning: Highway Commercial (CH)
 General Plan: Highway Commercial

Project/Background:

On November 18, 2018, the applicant submitted a letter to the City requesting a one-year extension to an approved tentative map, allowed per Subdivision Map Act Section 66452.6(a)(1). This map subdivided one 8.72 acre parcel into four (4) lots to allow future commercial development, to include; Lot 1 (2.78 acres) proposed to be developed into a 50,000 square foot/ three-story 120 room hotel; Lot 2 (2.05 acres) proposed to be developed into a 2,500 square foot fast food restaurant with a drive through; Lot 3 (0.98 acres) proposed to be developed into a 4,000 square foot sit down restaurant, and Lot 4 (1.98 acres) proposed to be developed into an automobile service station with 13 fueling positions and a mini-food mart. A separate easement (0.06 acre) for a pylon sign is proposed and will be adjacent to the hotel parcel.

Access to all four lots are proposed off of S. Tehama Street via a new private roadway (Willows Gateway Boulevard) to be constructed. New sidewalks are proposed along the property frontage of South Tehama. The project will have to construct a new bridge at the S. Tehama property frontage, which would cross the drainage ditch that runs along the property's eastern boundary.

Environmental Review and Analysis

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA) through a Mitigated Negative Declaration which was adopted by the Planning Commission in 2017 with the initial Tentative Map application approval. Staff has determined that the proposal is exempt from further any further CEQA review as this is an extension to an approved tentative map.

STAFF RECOMMENDATION:

Staff recommends adoption of the attached resolution recommending approval of a one-year extension to Tentative Map (file# MS-13-01) for FA Investments LLC for property located at Assessors Parcel Number 017-170-033, with all conditions of approval applicable.

PLANNING COMMISSION OPTIONS:

- 1) Recommend approval of the map extension request as described
- 2) Deny the map extension request with appropriate findings for denial

Attachments:

1. Draft Planning Commission Resolution
2. Letter of request
3. Tentative map
4. Adopted Conditions of Approval

Submitted by:



Karen Mantele
Principal Planner

PC RESOLUTION NO. _____-2018

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS GRANTING APPROVAL TO FA INVESTMENTS LLC FOR A ONE YEAR EXTENSION TO TENTATIVE MAP FILE NUMBER MS-13-01 FOR PROPERTY LOCATED NORTHWESTERLY OF THE INTERSECTION OF COUNTY RD 57 AND COUNTY ROAD 99 AND AT ASSESSORS PARCEL NUMBER 017-170-033

WHEREAS, the applicants FA Investments, LLC have filed a written request to allow a one-year extension to the approved Gateway Center Tentative Map file # MS-13-01; and,

WHEREAS, WMC Section 17.55.180(2) allows for a subdivider to apply for an extension to not exceed 12 months upon application of the subdivider prior to the expiration of the 24-month period which may be granted by the Planning Commission upon request; and

WHEREAS, Section 66452.6(a)(1) of the Subdivision Map Act allows for an additional 12 month extension on this tentative map beyond the initial 2 years from when the Tentative Map was approved; and,

WHEREAS, the Planning Commission did, on December 19, 2018, hold a public hearing to consider the subdivider’s request, 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 map extension request, 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 project map was reviewed under the California Environmental Quality Act (CEQA) through a Mitigated Negative Declaration which was adopted by the Commission in February of 2017 for the initial project.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the one-year extension request to extend the tentative map for Gateway Center for an additional 12 months, is consistent with the City of Willows General Plan, the City of Willows Municipal Code, the Subdivision Map Act, and hereby approves the request for a one year extension until February 15, 2020.

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 19th day of December, 2018, by the following vote, to wit:

AYES: _____
NOES: _____
ABSENT: _____
ABSTAIN: _____

APPROVED: _____

Peggy White, Chairperson

ATTEST: _____
Recording Secretary, Maria Ehorn

Letter of Request**MEMO**

To: City of Willows – Planning Department **From:** Ron Kahn

Date: 11/18/2018 **Pages:**

Subject: Willows Gateway Center – Request for TM Extension (#TM-13-1)

**Gateway Center – Request for Tentative Map Extension
APN: 017-170-033**

PROJECT DESCRIPTION: BACKGROUND: GATEWAY CENTER - TENTATIVE SUBDIVISION MAP
ORIGINALLY SUBMITTED FEBRUARY 15, 2017

The application for a Tentative Map for parcel APN #017-170-033 to be known as Gateway Center was submitted to and approved by the City of Willows Planning Department on February 15, 2017 as a minor subdivision (#MS – 13-01). The new map was issued to divide an 8.72-acre site into four parcels and approved a Use Permit (#UP 16-08) to allow an 88-foot-high pylon sign, plus an additional 75 sf of signage for the proposed gas station and motel use and allow a maximum of 275 sf of off-site signage.

CURRENT STATUS:

Since approval of our Tentative Map, we have spent the past two years working with various city departments, including Planning, Engineering, Public Works, and others regarding formation of a Mello-Roos Community Facilities District (CFD) in order to obtain land-secured funding and grants for the infrastructure improvements needed to make development possible. The City has made tremendous progress, however additional time is still needed to complete this process. Concurrently, we have been working with our environmental consultants to complete required studies needed for the bridge and other development including the Draft Delineation of Jurisdictional Waters of the US, the Biological Resource Assessment Report, the Cultural Resource assessment, and other potential mitigation factors. We have identified our vendors for additional surveying needed for the GCID separation, new soil reports to prepare the engineering and improvement plans, and SWWPP plan for the Final Map submission.

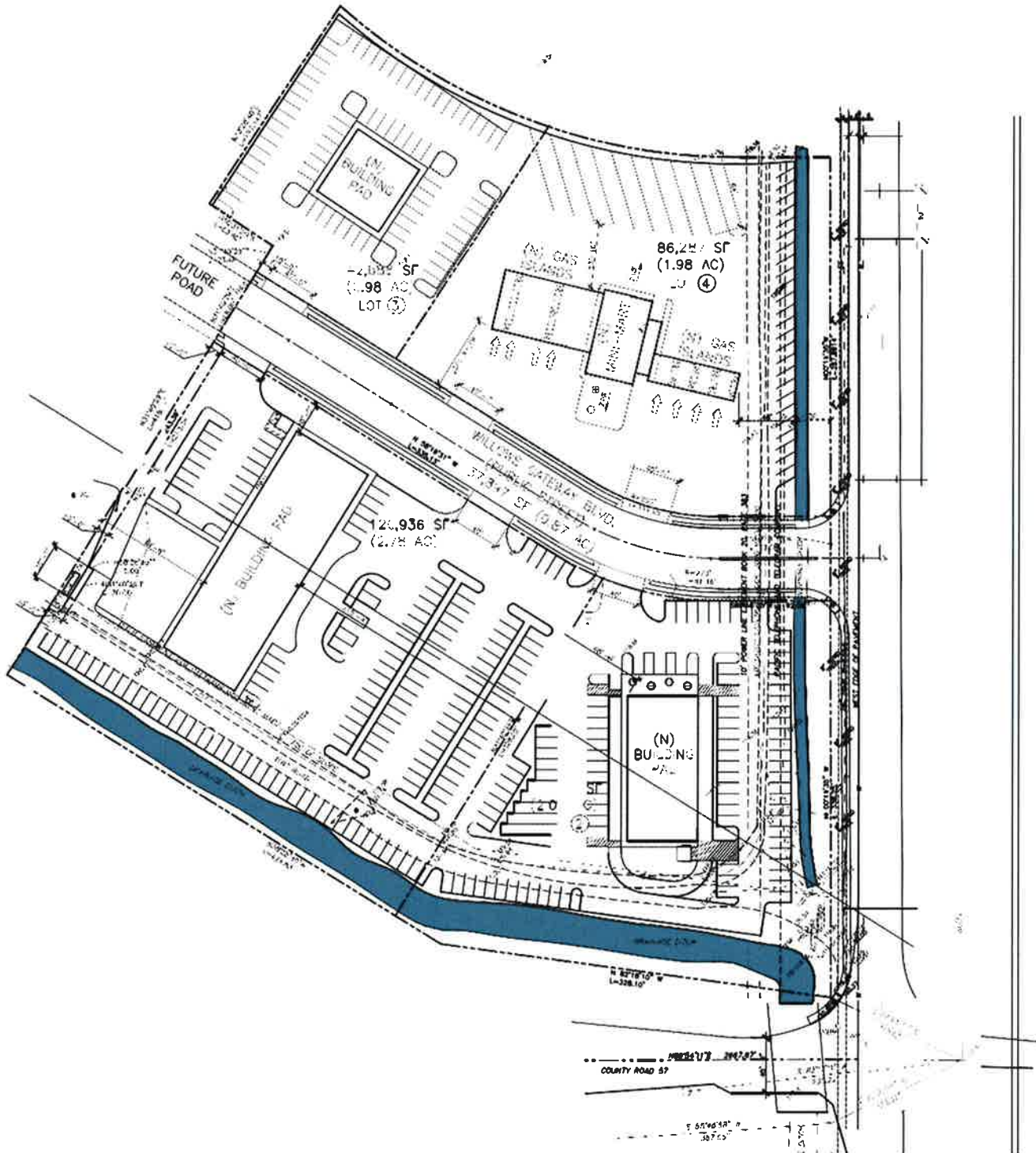
REASON FOR EXTENSION:

We are respectfully requesting an extension of the Tentative Map for Gateway Center in order to complete the above-mentioned studies to quantify the prospective mitigation costs, determine its impact on a sale price, verify grant/utility district loan funding (CFD) availability for construction of water and sewer lines, and the bridge to provide access from Tehama Street, and take the project to Final Map.

Submitted By:

Ron Kahn
Manager – FA INVESTMENTS, LLC

Tentative Map



Adopted Conditions of Approval**CONDITIONS OF APPROVAL FOR
F.A. INVESTMENTS, LLC/GATEWAY CENTER MINOR SUBDIVISION & USE
PERMIT/Minor Subdivision File #MS-13-01 and Use Permit #UP-16-08**

**For property located Northwesterly of the Intersection of County Rd 57 and County Road 99
(APN: 017-170-033)**

PC approval date: February 15, 2017

General Conditions:

1. The applicant/developer shall enter into a Pass Through Agreement with the City of Willows to pay the cost of all planning and engineering review, plan checking and field inspection of this development. The applicant/developer shall pay the amount to the City of Willows.
2. Notwithstanding the provisions of any other of these Conditions of Approval, this Tentative Map shall expire 24 months from the date of approval unless extended pursuant to the Subdivision Map Act.
3. That the application to extend the filing period for this map shall be received by the City of Willows sixty (60) days prior to the expiration date.
4. Any action or condition of the Planning Commission regarding this Tentative Map may be appealed in writing to the City Council in accordance with Section 66452.5 of the Government Code (filing fee is required). This Map shall not be recorded until the expiration of the 15-day appeal period following the date of approval. The expiration date of the appeal period is March 3, 2017.
5. Pursuant to Section 66474.9 of the California Government Code the subdivider shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any claim, action, or proceeding against the County, its agents, officers, or employees to attack, set aside, void, or annul, an approval by the Planning Commission or City Council concerning this subdivision, which action is brought within the time period provided for in Section 66499.37. The City shall promptly notify the applicant of any such claim, action or proceeding and shall cooperate fully in the defense of the action. If the City fails to so notify the applicant or to cooperate fully in the defense, the applicant shall not be obligated by this condition.
6. That prior to the filing of the Final Map for recording, the subdivider shall file a properly executed Tax Collector's Certificate with the County Recorder. A copy of this executed Certificate shall be included with the Final Map at the time the Map is submitted to the City for recording. In lieu of the above-mentioned requirements the subdivider may choose to have the County Tax Collector execute a Tax Collector's Certificate placed on the face of the Final Map. The Certificate shall be executed by the Tax Collector prior to submitting the Final Map to the City for recording.

7. The project does not qualify for a certificate of fee exemption for a de minimus impact from the Department of State Fish and Game fee, as the project will contribute to cumulative impacts upon fish and wildlife and that a possible impact to natural habitat exists. The applicant shall be responsible for these fees pursuant to Section 711.4 of the Department of Fish and Game code prior to the filing of the Notice of Determination (NOD).
8. Any new structures to be constructed as part of the proposed four lot development shall be subject to Architectural Design Review approval by the City of Willows Planning Commission.
9. It is noted that other areas of the proposed pylon pole sign elevation submitted are not part of the approval of the sign and shall not be considered or approved as shown on Attachment 4 (Proposed Pylon Sign).
10. The applicant shall at a later date, apply for a Use Permit for a Master Sign Program for all building and site signage for the Gateway Center per Section 18.125.200.
11. Only one pylon pole sign shall be allowed to advertise the four uses.

Dept. of Transportation/Division of Aeronautics

12. California Public Utilities Code Section 21659 prohibits structural hazards on or near airports. Federal Aviation Administration (FAA) Advisory Circular 150/5370-2E "Operational Safety on Airports During Construction" should be incorporated into the project design in order to identify any permanent or temporary construction-related impacts (e.g. construction cranes) to the airport imaginary surfaces. The advisory circular is available at <http://www.faa.gov>.
13. The proposal will require the filing of a Notice of Proposed Construction or Alteration (Form 7460-1) in accordance with FAR Part 77 "Objects Affecting Navigable Airspace." This form is available at <https://oeaaa.faa.gov/external/portal.jsp> and should be submitted electronically to the FAA.

Cal Trans conditions:

14. Cal Trans requires the opportunity to review and comment on the drainage report upon completion. Drainage report shall include the following details:
 - a. No net increase in discharge shall be directed to State ROW as a consequence of future development. Any work performed within or from State ROW will require an encroachment permit. Conveyance facilities within State's ROW shall not have their capacity reduced as a consequence of development, resulting in run-off encroachment into the traveled way.
 - b. All grading and/or drainage improvements must perpetuate, maintain or improve existing drainage pathways, both within and outside of the State's highway ROW, and may not result in adverse hydrologic or hydraulic conditions within the State's highway ROW or to Caltrans drainage facilities.
 - c. In order to adequately evaluate project impacts upon the State's ROW and Caltrans drainage facilities, we recommend the following documents from the project proponent. Send them to the above address for review and comment prior to final project approval; detailed drainage plans, drawings or calculations,

hydrologic/hydraulic study or report, or plans showing the “pre-construction” and “post-construction” coverage quantities for buildings, streets, parking, etc.

- d. Runoff from the proposed project that may enter the State’s highway ROW and/or Caltrans drainage facilities must meet all Central Valley Regional Water Quality Control Board water quality standards prior to entering the State’s highway ROW or Caltrans drainage facilities. Appropriate stormwater quality BNP’s (i.e. oil/water separators, clarifiers, infiltration systems, etc.) may be applied to ensure that runoff from the site meets these standards (i.e. is free of oils, greases, metal, sands, sediment, etc.) Once installed, the property owner must property maintain these systems.

Fire Department

15. All buildings will have fire sprinkler systems provided. The Fire Department shall review all sprinkler plans prior to installation per WMC Section 15.15.10.
16. FDC connection will be within 50 feet of hydrant.
17. Water flow calculations shall be provided to indicate that the new hydrants meet water flow requirement minimums for this development.
18. On site hydrants will need to provide right of way given to Cal Water Service. On site hydrant will follow Cal Water design and planning process.
19. Fire flow at the site will be 2000 gallons per minute. Individual buildings will be calculated at time of building permit plan check.
20. Water storage in the area will be based upon type of building construction, building square footage, fire flow, and flow duration.
21. Fire hydrants will be spaced following Ca 2013 Fire Code Appendix C Table C105.1.
22. Water main from Cty. Rd. 53 to Cty. Rd. 57 to be a minimum of 12 inches.
23. All conditions subject to the most current adopted federal, state, local codes and ordinances. (Based on plan review submittal date)

Cal Water Service

24. Per comments received, California Water can serve the project per a Will Serve letter.

GCID Conditions:

25. The tentative development would necessitate detachment from GCID prior to the issuance of a building permit
26. The project Tentative Map does not designate any conduct of runoff drainage water into the southern drain. Should such a drain be proposed, a written agreement would need to be established by all parties for the mode and maintenance of said drainage in adherence to MOU item 6.
27. GCID has yet to receive any design documentation for the improvement of the existing southern drainage channel. The tentative map delineates parking lots along the southern portion of Lot 1 and Lot 2. This would impede GCID from gaining access to and conducting maintenance of this reach of drain. As such without any provision of a reasonable area to conduct operation and maintenance activities, GCID would consider quitclaiming the drain easement to the underlying landowners.

County of Glenn Air Pollution Control District Conditions:

28. Automobile service stations require both Air Pollution and CUPA Permits prior to installation of fueling systems and must be constructed to meet all Federal, State, and Local requirements.

29. Construction and fugitive related Particulate Matter (PM) (Dust) must be mitigated. All unpaved roads must be watered to the point that PM emissions are prevented from leaving the property boundary. All disturbed surfaces must have the soil stabilized to the point that fugitive dust emissions are prevented from leaving the property boundary. All vehicle traffic on unpaved roads must be limited to 15mph. Grading activities must be suspended when winds are sustained above 15mph.
30. The Tentative Map and new map layout appears to include specific uses for the proposed subdivided lots. Prior to construction each of these uses will likely be subject to mitigation and permitting requirements from the Glenn County Air Pollution Control District.

Glenn County Planning & Public Works Agency conditions:

31. Past drainage studies regarding development of this area, included a new diagonal box culvert to handle the increased runoff that would occur with development. This would include a slope with more than one foot of head loss from the entrance of the box culvert, north of County Rd. 57 to the outfall at the east side of County Hwy. 99.
32. The County has concerns regarding the capacity of existing drainage facilities maintained adjacent to the proposed project. Even with retention controls, the off premise drainage and culverts may be susceptible to increases in stormwater flows as a result of impermeable surfaces; such as run-off from new streets, parking areas, and buildings. It is requested that any additional commenting periods, detail drawings, or calculations regarding the proposal continue to be forwarded to the Planning & Public Works Agency for additional analysis and/or remarks regarding potential modifications.

Engineering/Public Works Department:

General Conditions

33. Developer shall design and construct all improvements and facilities shown on the site plan in accordance with the Willows Municipal Code (WMC) and the City of Willows Design and Construction Standards. Approval of a tentative map 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.
34. The developer shall be responsible for all City plan check and inspection costs. The developer shall deposit 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 the actual plan check and inspection costs.
35. If any of the improvements which the applicant is required to construct or install is to be constructed or installed upon land in which the applicant does not have title or interest sufficient for such purposes, the applicant shall do all of the following at least 60 days prior to the filing of the final or parcel map for approval pursuant to Government Code Section 66457:
 - a) Notify the City of Willows (hereafter "City") in writing that the applicant wishes the City to acquire an interest in the land which is sufficient for such purposes as provided in Government Code Section 66462.5;
 - b) Supply the City with (i) a legal description of the interest to be acquired, (ii) a map or diagram

of the interest to be acquired sufficient to satisfy the requirements of subdivision (e) of Section 1250.310 of the Code of Civil Procedure, (iii) a current appraisal report prepared by an appraiser approved by the City which expresses an opinion as to the current fair market value of the interest to be acquired, and (iv) a current Litigation Guarantee Report;

- c) Enter into an agreement with the City, guaranteed by such cash deposits or other security as the City may require, pursuant to which the applicant will pay all of the City's cost (including, without limitation, attorney's fees and overhead expenses) of acquiring such an interest in the land.
36. 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.
37. Unless otherwise explicitly permitted, all existing wells, septic tanks and/or underground fuel storage tanks shall be abandoned under permit and inspection of Glenn County Department of Health Services or other designated agency. If there are none, the project engineer shall provide a letter describing the scope of this search done to make this determination.
38. CC&R's shall be provided that include provisions for maintaining all onsite private facilities including, but not limited to, all private utilities (including sewer and storm drain), all proposed landscaping, all streetlights, parking areas and other proposed privately owned facilities. The CC&R document shall be submitted to the City with the submittals of the final map and improvement plans and shall be subject to review and approval by the City. The CC&R's shall be recorded along with the final map and a copy of the recorded document shall be provided to the City. No building permits shall be issued until the recorded CC&R document has been received by the City.

Improvement Plans and Construction Conditions:

39. 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, walls, fences and lighting. All design and construction shall conform to the City of Willows Design and Construction Standards, as applicable.
40. 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.
41. All private utilities and streets within the development, including any water mains not owned/maintained by Cal Water, any sewer mains (from the point of connection on the proposed Willows Gateway Blvd.) and all onsite storm drain facilities shall be clearly labeled "Private" on the improvement plans. Note that the proposed drainage facilities along County Road 57 currently owned, operated and maintained by Caltrans and the City of Willows shall continue to be owned, operated and maintained by those entities and shall remain public facilities.
42. Improvements plans shall include a storm water pollution prevention plan, storm water quality and site erosion control plans that meet State Water Resource Control Board and City requirements.

43. For any garbage dumpster areas proposed for the project site, all dumpster areas should be covered to prevent rainwater from entering the area and shall have a drain that connects to the City's sewer system, or alternate methods approved by the City Engineer.

44. Roadway Improvements

- a. The structural section of all road improvements shall be designed based upon a geotechnical investigation that provides the basement soils R-value and expansion pressure test results. A copy of the geotechnical report shall also be submitted with the first set of improvement plan check-prints. All improvements associated with Tehama Street and Road 57 shall be designed for a Traffic Index of a minimum of 7.
- b. Where new roadway improvements abut existing paving, the existing pavement section shall be saw-cut and reconstructed to provide adequate conforms. The limits of such reconstruction shall be as determined by the City Engineer.
- c. Pavement markings and signage shall be provided on all streets as necessary and as required by the City Engineer. Signage restricting parking and red painted curbing shall be installed where appropriate. Speed limit signs and other regulatory and informational signs shall be installed at locations determined by the City Engineer.
- d. Street lighting shall be designed to provide to meet safety requirements and minimize glare. Street light standard and luminaries of the design, spacing, and locations shall be approved by the City Engineer. All lighting must have shields as specified in the City Standards.
- e. Ramps for disable persons meeting the most recent ADA standards shall be provided at all roadway and driveway intersections, and at the limits of the improvements where they do not adjoin existing sidewalk improvements. Sidewalk warps shall be provided as necessary to allow a clear four-foot wide walkway at all locations, including areas where mailboxes, streetlights, and fire hydrants obstruct sidewalks.
- f. Willows Gateway Blvd. shall be 48-foot curb to curb width and shall include an additional 10 feet from face of curb to right-of-way on both sides of the street, with 5-foot sidewalks provided. If landscaping is proposed to be located in the area between the sidewalk and the curb, there shall be a minimum of 5 feet in width provided for the landscaping. Any trees planted between the sidewalk and the curb should be installed with root barriers. The structural section of the road shall be designed to support a minimum Traffic Index of 7.0. The road shall be striped to include centerline striping, stop signs, stop bars and other striping that may be required on the improvement plans. Adequate turn around areas shall be provided at the westerly terminus, as well as barricades and signage. The turn-around area shall be sufficient to allow truck turning movements. This shall be demonstrated through the use of truck templates to establish required radii. Left turn and right turn pockets shall be provided at the intersection with Tehama Street. Necessary red curbing and/or No Parking signs shall be posted as necessary and as directed on the improvement plans.
- g. The bridge for Willows Gateway Blvd. spanning the existing drainage channel shall be of similar design as the bridge proposed in the Willows Commercial project to the

north. Adequate guardrails shall be included with the design to protect vehicles from the drop off at the channel crossing.

- h. Tehama Street shall be fully improved to include road widening along the entire length of the frontage of the development that shall include curb, gutter and a 5-foot sidewalk per City Standards; road widening to include 12 foot wide through lanes in both directions; a minimum of 8 feet of paved shoulder width in both directions (for the southbound direction, the 8 foot shoulder shall abut the curb and gutter); 12 foot wide acceleration and deceleration lanes in the southbound direction; a 12 foot center left turn lane (minimum storage pocket length of 100 feet) in the northbound direction with appropriate tapers per Caltrans; and adequate widening north of the proposed intersection to shadow the northbound left turn pocket with tapers meeting Caltrans requirements. All design shall be per the City's Design and Construction Standards and Caltrans standards. Guardrails shall be provided behind the back of the sidewalk.
- i. Sidewalk barricades shall be provided at the westerly terminus of the proposed private road and at the north end of the sidewalk to be constructed along Tehama Street. Barricades shall be per City Standards.
- j. At the intersection of Rd. 57 and Tehama, improvements to the northwest corner shall be made to include pedestrian ramps, guardrail (to protect vehicles from the drop off into the channel) and necessary signage as may be required. Southbound Tehama shall be widened to provide a dedicated right turn lane and a thru/left turn lane.

45. **Water and Sanitary Sewer Improvements:**

- a. All public water and sewer mains must be located in public right-of-way or within approved easements. Where public water or sewer mains must be located on private property, all necessary easement dedications must be made either on the parcel map for the development or must be done by separate deed and full executed prior to approval of the improvement plans.
- b. Sewer grades must be designed such that ultimate finished floors are a minimum of 12" above upstream manhole or clean-out rim elevations. Inadequate elevation differentials or grade on private laterals, as determined by the City, must be mitigated by either raising finished floor elevation(s) or installing privately owned and operated sewer lift station(s) with grinder/ejector pump(s) on site.
- c. The applicant shall be responsible to for connecting to the City's existing sewer system. This will include connecting to the manhole at the intersection of Road 57/Tehama Street, or at the connection being constructed with the South Willows Commercial project (sewer lines depicted on the Tentative Map are not correct – there is no existing line fronting this project.) If connecting to the manhole at Road 57/Tehama, the applicant shall conduct a sewer study of the downstream sewer line to determine if the line is sufficiently sized to handle increased flows from this development. If it is determined that the existing line is undersized, the developer shall be responsible for upsizing the existing sewer line to accommodate the increase in effluent from the point of connection to wherever the study indicates the

line needs to be upsized to. This study shall be submitted prior to the first submittal of the improvement plans and shall be subject to review and approval by the City.

- d. All onsite sewer mains and lateral shall be privately owned and maintained.
- e. An analysis shall be completed indicating the ultimate development north and west of this project to ensure that utility lines are being properly sized to consider future development and extension. The onsite sewer lines for this project shall be sized adequately to handle the ultimate flows of the build-out of the adjacent property.
- f. The developer shall be responsible for constructing the water line from its proposed terminus at the southerly end of the South Willows Commercial Development to Road 57. As the City is proposing to relinquish ownership of the City's current water system in this area to Cal Water, other requirements (e.g. storage tanks) may be needed to support development. It is anticipated that the City will form an Area of Benefit for the overall area south of Road 53. This intent of this Area of Benefit will be to set up a cost sharing mechanism to pay for needed infrastructure (water, sewer, etc.) that will serve this overall area. The property associated with this project will be within this Area of Benefit. Anticipating a fair-share equity formula for spreading the costs of improvements, the developer shall waive his rights of protest for formation of the Area of Benefit and shall agree to participate in the Area of Benefit in accordance with the equitable sharing of costs.

46. Drainage Improvements:

- a. 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 include a hydrology map and indicate the following conditions before and after development:

Quantities of water, water flow rates, major water courses, drainage areas and patterns, diversions, collection systems, flood hazard areas, sumps and drainage courses. Hydrology shall be per current City Standards.

- b. Post-development flows from the site shall not exceed pre-development flows. If detention areas are needed they shall be shown on the improvement plans and calculations showing the needed storage and sizing of the detention basin shall be provided with the first submittal of the improvement plans. Detention plan calculations shall show routing hydrographs into and out of the pond(s).
- c. Any work within the existing drainage courses may require Streambed Alteration Permits from California Fish and Wildlife and/or permits from other agencies (e.g. Caltrans, Regional Water Quality, etc.) If permits are needed, said permits shall be obtained prior to signing of the improvement plans to ensure that the improvement plans take into account any mitigation measures or conditions that may be required.
- d. Sizing of facilities for the proposed bridge over the drainage ditch along the

Tehama frontage of the property shall be sized such that the 100-year storm will be able to pass under the bridge. All onsite storm drain facilities shall be sized to carry a 10-year storm and 100-year storm overland flows shall be provided for on the improvement plans. If the 100-year overland relief is not in the street, flood easements shall be dedicated on the final map. Said overland easements shall be clear of structures and landscaping (parking lots may be used.)

- e. The developer shall submit a SWPPP for the project.
- f. The improvement plans shall take into account intercepting any storm water from adjacent properties that historically have been flowing across the project site, and getting any intercepted flows into an approved storm drain system.
- g. If development is to occur west and north of this property, an analysis shall be completed indicating the ultimate development and needed pipe sizing to accommodate ultimate flows. The onsite storm drain system for this project shall be sized adequately to handle the ultimate flows of the build-out of the adjacent property.
- h. The developer agrees to participate in the City's existing Landscape and Lighting Assessment District for maintenance of any public landscape areas and, if formed, agrees to participated in an maintenance assessment district (1982 Act) for maintenance of the ditches along Tehama and Road 57.
- i. As part of the overall development, access easements shall be provided to the City form maintenance of the Tehama ditch. If this is accomplished by providing a levee road, an easement will be required for the road if it extends beyond any existing easements. If the access road will be provided through the parking areas adjacent to the ditch, an access and maintenance easement shall be dedicated to the City. As part of the easement, verbiage shall include providing the City with access over the parking areas and the ability to close off any of the parking within the easement for maintenance. Additionally, if the parking area is used for accessing/maintaining the ditch, the structural section of the base/paving under the portion of the parking lot used for access and maintenance shall be sufficient to support heavy equipment used in maintenance/construction operations. The City shall not be responsible for maintenance of the parking areas or damage due to inadequate structural sections.
- j. The applicant shall be responsible for obtaining all clearances from Caltrans associated with impacts and/or construction within the existing Caltrans easement for their drainage channel. Written clearance shall be provided to the City from Caltrans prior to signature of the improvement plans.
- k. All fire hydrant locations shall be coordinated with the City's Fire Department and Cal Water.

Final Map Conditions:

- 47. A final map, as defined in the State Subdivision Map Act, shall be prepared by a licensed surveyor or civil engineer, showing all parcels, rights-of-way, and easement(s) shall be filed with the City Engineers Office. The final map shall be substantial conformance with

the approved Tentative Map and all applicable conditions of approval. The final map in not valid until it has been approved and recorded.

48. The developer shall secure all necessary rights-of-way and easements for both onsite and offsite improvements. Rights-of-way and easements shall be dedicated on the map or provided by separate instrument. The developer shall prepare all necessary legal descriptions and deeds.

The following offers of dedication shall be made to the City:

- Dedication of any necessary right-of-way for the widening of Tehama Street.
 - Dedication of Willows Gateway Blvd.
 - Easements necessary for maintenance of the drainage ditches along Tehama and Road 57.
49. The applicant shall transmit by certified mail a copy of the conditionally approved Tentative Map together with a copy of Section 66436 of the State Subdivision Map Act to each public entity or public utility that is an easement holder of record. Written compliance shall be submitted to the City of Willows.
 50. The final map shall not be approved prior to approval of the improvement plans.
 51. Prior to approval of the final map, the developer shall either complete required improvements in accordance with the approved improvement plans, or enter into a Subdivision Improvement Agreement and post sufficient surety as required by the City for the improvements. A certificate of occupancy shall not be issued for any structure until required improvements are completed to the satisfaction of the City.
 52. The final map shall include reciprocal access and parking easements for all parcels sharing common driveways and parking lots.

Construction Conditions:

53. 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 or Caltrans' rights-of-way.
54. 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.
55. Before or any construction activity commences, 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.
56. 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.
57. Prior to final preparation of the subgrade and placement of base materials, all underground utilities shall be installed and service connections stubbed out behind the sidewalk. Public utilities, Cable TV, sanitary sewers, and water lines, shall be installed in a manner which

- will not disturb the street pavement, curb, gutter and sidewalk, when future service connections or extensions are made.
58. 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.
 59. Prior to placing the final lift of asphalt, all public sanitary sewer lines shall be video inspected at the expense of the contractor/developer. All video tapes shall be submitted to the City. If any inadequacies are found, they shall be repaired prior to the placement of the final lift of asphalt.
 60. 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.
 61. The applicant shall submit a proposed haul route for all trucking associated with this project to the City Engineer for review and approval prior to commencement of construction.
 62. Dust control must be maintained to the City's satisfaction.
 63. Working hours shall be restricted to the hours of 7:00 a.m. to 6 p.m., Monday through Friday.

Subdivision Final and/or Release of Securities Conditions:

64. All improvements shown on the Improvement Plans shall be completed and accepted by the City.
65. All punch-list work shall be completed and any outstanding inspection fees or other charges shall be paid.
66. Developer shall provide sufficient surety guaranteeing the public improvements for a period of one year.
67. 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.
68. 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.
69. 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.

Mitigation Measures/MND

Mitigation Measures/Gateway Center Minor Subdivision Tentative Map

1. Prior to obtaining building permits for the automotive/truck fueling stations, the applicant shall obtain Air Pollution and CUPA permits. Fueling stations (gasoline dispensing systems) shall meet or exceed all Federal, State and Local requirements. Permit conditions may include but are not limited to the following:
 - a) Limit the number of fueling stations to maintain peak winter NOx emissions at less than 137 lbs/day.
 - b) Limit the hours of station operation to reduce peak winter NOx emissions.
 - c) Use the most-advanced models of California Air Resources Board-certified vapor-recovery systems.
 - d) Permit conditions are subject to the discretion of the Glenn County AQMD.
2. During construction, all unpaved roads and ground surfaces must be watered to the point that Particulate Matter emissions are prevented from leaving the property boundary. All vehicle traffic on unpaved surfaces shall be limited to 15 mph. Grading activities shall be suspended whenever winds are sustained at or above 15 mph.
3. Giant Garter Snake Mitigation:
 - a) A Worker Environmental Awareness Training Program for construction personnel shall be conducted by a California Department of Fish and Wildlife-approved biologist for all construction workers, including contractors and sub-contractors, before each phase of construction. The project applicant shall inform the City in writing (paper, email, etc.) that such training has occurred.
 - b) Twenty-four-hours prior to beginning site preparation, grading and construction activities, the project area shall be surveyed for giant garter snakes by a CDFW-approved biologist. The biologist shall provide the City and CDFW a written report that documents the monitoring efforts within 24 hours before construction activities. The project area shall be re-inspected by the monitoring biologist whenever a lapse in construction activity of two weeks or more has occurred.
 - c) Snake exclusionary fencing, such as a silt fence buried at least six inches below the ground, shall be installed along the northern and western project boundary before site preparation, grading and construction. A CDF&W-approved biologist shall verify that this fencing is in place and has been installed properly.
 - d) Stockpiling of construction materials, portable equipment, vehicles, and supplies shall be restricted to the designated construction staging areas. All operations shall be confined to the minimal area necessary.
 - e) Project-related vehicles shall observe a 20-mile-per-hour speed limit within construction areas, except on existing paved roads where they shall comply with posted speed limits.
 - f) Best Management Practices (BMPs) and a Storm Water Pollution Prevention Plan (SWPPP) pursuant to current regulations shall be implemented to minimize the potential for erosion and sedimentation into nearby water bodies.
 - g) As directed by the California Department of Fish and Wildlife, prior to site preparation, the project proponent shall apply for an Incidental Take Permit, and comply with any permit conditions imposed in addition to the mitigation measures above.
4. Wetlands/Intermittent Channel/GSS Habitat Loss Mitigation
 - a) The project proponent shall purchase USFWS- and CDFW-approved GGS mitigation credits, or deposit in-lieu fees into the Giant Garter Snake Conservation Fund as approved by the USFWS. Credits purchased shall be at an acreage ratio of at least 1:1.

- b) Prior to site preparation, the project proponent shall seek and obtain the appropriate CWA Section 404 permit from the U.S. Army Corps of Engineers, and implement mitigation measures as directed by that permit.

5. Nesting Birds, Tri-colored Blackbird and Burrowing Owl Mitigation

- a) Vegetation scheduled for removal shall be removed during the non-nesting season from 2 September to 14 February. Trees may be trimmed several inches above the ground with the roots left intact to prevent erosion.
- b) If construction begins outside the 15 February to 1 September nesting season, there will be no need to conduct a preconstruction survey for active nests.
- c) If construction or vegetation removal begins between 15 February and 1 September, a CDFW-approved biologist shall conduct a survey for active bird of prey nests within 500 feet and other active nests within 100 feet of the PSA from publicly accessible areas within 14 days prior to construction. The measures listed below shall be implemented based on the survey results. The preconstruction survey for nesting birds shall comply with the guidance for "Take Avoidance Surveys" described by the CDFW (2012) Staff Report on Burrowing Owl Mitigation.
- d) If no active nests or burrows are found:
 - i. If no active nest of a bird of prey, MBTA bird, or other CDFW-protected bird is found, then no further avoidance and minimization measures are required.
- e) If active nests or burrows are found:
 - 45. A 500-foot Environmentally Sensitive Area (ESA) shall be established around any active bird of prey nest. A 100-foot Environmentally Sensitive Area (ESA) shall be established around an active nest of other protected birds.

No construction activity shall take place in the ESA until the CDFW-approved biologist determines that the nest is no longer active.

6. In the event that archaeological remains or artifacts are uncovered during construction activities, work shall be stopped and a qualified archaeologist shall survey the site. The archaeologist shall submit a report with recommendations on the disposition of the site. Disposition may include, but is not limited to, excavation and documentation, capping the site, or leaving the site in an open space area. The recommendations of the archaeologist shall be incorporated in the project.

7. 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.

8. Improvement plans shall be prepared by a California Registered Civil Engineer for the construction of all necessary and required on-site and off-site improvements including grading, water (coordinated with Cal Water), sanitary sewer, storm drain facilities, roadway improvements, curbs, gutters, sidewalks, parkway strips, on-site lighting, streetlights and erosion control measures. All design and construction shall conform to the City of Willows Design and Construction Standards, as applicable.

9. Prior to final design and the commencement of site grading, a detailed geotechnical investigation of this property shall be conducted that includes additional test borings of test pits with soil sampling, laboratory testing, and additional engineering evaluation. The final report shall present geotechnical engineering conclusions and specific recommendations regarding site preparation, dewatering methods, foundation alternates, floor support, site drainage and pavement design.

10. 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 sub-drains, the location, size and construction details must be provided to the City for review and approval prior to construction.

11. 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.
12. 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.
13. The project applicant shall prepare an evacuation plan for patrons and employees of the proposed commercial development for review and approval by the City Planning Department, the Fire Department and the Police Department. Said plan shall include a description and methods of safely evacuating the hotel/restaurant/service station uses on the project site in the event of a release of a hazardous material spill, leak or other release from the Glenn Fertilizer plant. Evacuation routes and instructions shall be prominently posted in hotel rooms, the proposed restaurants and service station facilities. The final project design shall provide sufficient access/egress to accommodate this evacuation plan, subject to approval by the City Planning, Police and Fire Departments. Such access/egress may include multiple points of access, additional driveways, wide driveway aisles, limitation of landscaping obstructions, etc.
14. The developer shall submit to the City a Storm Water Pollution Prevention Plan (SWPPP) for the project.
15. Before 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 (NOI) 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 (SWPP) shall be submitted to the City.
16. Improvements plans shall include the SWPP described above, in conformance with State and local standards.
17. Grading and site improvements shall be such that storm water runoff is not directed onto any of the adjacent parcels.
18. The developer shall keep adjoining streets free and clean of project dirt, mud, materials, and debris during the construction period, as is found necessary by the City Engineer.
19. 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 Rational Method and any applicable adopted City drainage plans.
20. 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
 - b) Water flow rates
 - c) Major water courses

- d) Drainage areas and patterns
- e) Diversions
- f) Collection systems
- g) Flood hazard areas
- h) Sumps and drainage courses

Hydrology calculations and design shall be per current City standards.

21. Post-development off-site flows shall not exceed pre-development flows. Any needed detention facilities shall be included on the improvement plans. Hydrology calculations shall be included with the first submittal of improvement plans, showing the needed storage and sizing of the detention basin(s), routing hydrographs into and out of the basin(s). All detention facilities shall be privately owned and maintained.

22. Any work within the existing drainage courses (intermittent channel, irrigated wetland) may require Streambed Alteration Permits from the California Department of Fish and Wildlife and/or permits from other agencies (e.g. Caltrans, Regional Water Quality Control Board, U.S. Army Corps of Engineers, etc.). If permits are needed, said permits shall be obtained prior to sign-off of the improvement plans, to ensure that improvement plans comply with any required mitigation measures or permit conditions.

23. Facilities for the proposed bridge over the drainage ditch along the Tehama frontage of the property shall be sized such that the 100-year storm will be able to pass under the bridge. All on-site storm drain facilities shall be sized to carry a 10-year storm and 100-year storm overland flows shall be provided for on the improvement plans. If the 100-year overland relief is not in the street, flood easements shall be dedicated on the final map. Said overland easements shall be clear of structures and landscaping (parking lots may be used).

24. No net increase in discharge shall be directed to State right-of-way. Any work performed within or from State right-of-way will require an encroachment permit. Conveyance facilities within the State's right-of-way shall not have their capacity reduced as a consequence of development, resulting in run-off encroachment into the traveled way.

25. Improvement plans shall take into account intercepting any storm water from adjacent properties that historically have been flowing across the project site, and getting any intercepted flows into and approved storm drain system.

26. If development is to occur west and north of the subject property, an analysis shall be completed indicating the ultimate development and needed pipe sizing to accommodate ultimate flows. The on-site storm drain system for this project shall be sized adequately to handle the ultimate flows of the build-out of the adjacent property.

27. All grading and/or drainage improvements must perpetuate, maintain or improve existing drainage pathways, both within and outside of the State's highway right-of-way, and may not result in adverse hydrologic or hydraulic conditions within the State's highway right-of-way or to Caltrans' drainage facilities.

28. Runoff from the proposed project that may enter the State's highway right-of-way and/or Caltrans' drainage facilities must meet all Central Valley Regional Water Quality Control Board water quality standards prior to entering the State's highway right-of-way or Caltrans' drainage facilities. Appropriate storm water quality BMPs (i.e. oil/water separators, clarifiers, infiltration systems, etc.) may be applied to ensure that runoff from the site meets these standards (i.e. is free of oils, greases, metals, sands, sediment, etc.). Once installed, the property owner must properly maintain these systems.

29. The proposed project shall demonstrate compliance with Fire Department Conditions, prior to issuance of the Occupancy Permit for the project.

30. The applicant shall construct the proposed project access intersection in accordance with City of Willows and Glenn County design standards. The driveway approach shall be STOP controlled and shall meet AASHTO intersection sight-distance requirements.

31. The project access intersection shall have exclusive left-turn and exclusive right-turn lanes approaching Tehama Street.
32. A northbound left-turn pocket with at least 100 feet of storage pocket length shall be provided on Tehama Street to provide safe turning movements on this road.
33. Traffic signal timing shall be revised in the future to optimize traffic flow with changing traffic patterns.
34. Right-of-way shall be reserved at the County Road 57/Tehama Street intersection to accommodate a single lane roundabout in the long-range horizon.
35. Willows Gateway Blvd. shall be 48-foot curb to curb width and shall include an additional 10 feet from face of curb to right-of-way on both sides of the street, with 5-foot sidewalks provided. If landscaping is proposed to be located in the area between the sidewalk and the curb, there shall be a minimum of 5-feet in width provided for the landscaping. Any trees planted between the sidewalk and the curb should be installed with root barriers. The structural section of the road shall be designed to support a minimum Traffic Index of 7.0. The road shall be striped to include centerline striping, stop signs, stop bars and other striping that may be required on the improvement plans. Adequate turn around areas shall be provided at the westerly terminus, as well as barricades and signage. The turn-around area shall be sufficient to allow truck-turning movements. This shall be demonstrated through the use of truck templates to establish required radii. Left turn and right turn pockets shall be provided at the intersection with Tehama Street. Necessary red curbing and/or No Parking signs shall be posted as necessary and as directed on the improvement plans.
36. The bridge for Willows Gateway Blvd. spanning the existing drainage channel shall be of similar design as the bridge proposed in the Willows Commercial project to the north. Adequate guardrails shall be included with the design to protect vehicles from the drop off at the channel crossing.
37. Tehama Street shall be fully improved to include road widening along the entire length of the frontage of the development that shall include curb, gutter and a 5-foot sidewalk per City Standards; road widening to include 12-foot wide through lanes in both directions; a minimum of 8 feet of paved shoulder width in both directions (for the southbound direction, the 8 foot shoulder shall abut the curb and gutter); 12-foot wide acceleration and deceleration lanes in the southbound direction; a 12- foot center left turn lane (minimum storage pocket length of 100- feet) in the northbound direction with appropriate tapers per Caltrans; and adequate widening north of the proposed intersection to shadow the northbound left turn pocket with tapers meeting Caltrans requirements. All design shall be per the City's Design and Construction Standards and Caltrans standards. Guardrails shall be provided behind the back of the sidewalk.
38. Sidewalk barricades shall be provided at the westerly terminus of the proposed private road and at the north end of the sidewalk to be constructed along Tehama Street. Barricades shall be per City Standards.
39. Improvements to the northwest corner of the intersection of County Road 57 and Tehama Street shall be made to include pedestrian ramps, guardrail (to protect vehicles from the drop off into the channel) and necessary signage as may be required. Southbound Tehama Street shall be widened to provide a dedicated right-turn lane and a thru/left turn lane.
40. In the event of the accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the following steps shall be taken:
- a. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:
 - b. The coroner of Glenn County is contacted to determine that no investigation of the cause of death is required, and
 - c. If the coroner determines the remains to be Native American:
 - i. The corner shall contact the Native American Heritage Commission within 24 hours.

- ii. The Native American Heritage Commission shall identify the person or persons believed to be the most likely descendant of the deceased Native American.
- iii. The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code § 5097.98, or
- iv. Where the following conditions occur, the landowner or his/her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance, unless:
 - v. The Native American Heritage Commission is unable to identify the most likely descendant or the most likely descendant failed to make a recommendation within 24 hours after being notified by the Commission.
 - vi. The descendant identified fails to make a recommendation; or
- vii. The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

Planning Commission Agenda Report:**December 19, 2018**

Project: Install New Portable Structures -Major Use Permit (File #MUP-18-05) and New Site Improvements -Design Review (File# DR-18-05)
 Applicant(s)/Owner: Walden Academy, Inc/Catholic Church
 Project Location: 1159 W. Wood Street
 Parcel No: 005-370-011
 Zoning: RP (Multiple Residence-Professional Office District)
 General Plan Office Professional

Project Description

The applicant, Landry Otterson, on behalf of Walden Academy Inc, has submitted a Planning application to allow installation of four (4) 24x40' portable structures; three will be used as classrooms and one used for cold food preparation. Additionally the request is for Design Review approval to allow site improvements for the project to include, a new six foot high black wrought iron fence, two new gates, new landscaping, new sidewalks along front of classrooms and an ADA pathway. The additional classrooms will be an addition to the existing Walden Academy School. Currently the school has 23 employees and 182 students, with a projection of adding a minimum of 25 students in the 2019-2020 school year (18% increase). Currently the charter school is a TK through 8th grade, with the plan to move the middle school grade levels (6-8) to the new classrooms, enhancing and growing the TK-8 grades. Hours of operation are Monday through Friday from 7:45 am until 5:30 pm.

Review Process

This matter is before the Planning Commission pursuant to Section(s) 18.45.030(1), 18.135, and Chapter 2.45 of the City of Willows Municipal Code.

Zoning

The project site is zoned R-P (Multiple Residence-Professional Office District) which allows various conditionally permitted uses, including schools with a use permit. Zoning to the east is the same as the project site. Zoning to the north is R-1, south is Hwy 162/W. Wood Street and Entryway zoning beyond, and Highway Commercial zoning to the west. The existing Walden Academy is located north of the project site and the Catholic Church facilities (parish center, office and fathers living quarters) is east of the subject parcel.

General Plan Consistency

The General Plan Land Use designation for this site is Office Professional pursuant to the City's General Plan Land Use Map. The outdated General Plan currently does not list schools within this designation; however the zoning ordinance allows for the use.

Background

On May 7, 2014 the Planning Commission approved a Use Permit to establish the Walden School; which this Use Permit approved placement of six (6) classroom modular buildings and a modular restroom. Prior to that time the Catholic Church operated a classroom in one of the existing buildings for the Walden School for a year or so without the benefit of a Use Permit. Subsequently since the approval, the school has installed playground equipment, a new fire road and a new solar panel system.

Project Analysis for Design Review (pursuant to Section 2.45.060)

Competent Design: The proposal is to place four (4) new modular buildings on a separate lot, south of the existing elementary school building. The new units will be constructed to state standards and placed on an approved foundation system as conditioned by the Building Department.

Relationship between Structures within the Development and between Structures and Site: The addition of the proposed modular units will be complementary to the site. North and south of the subject parcel are existing structures including the school classrooms located there in 2014, the Catholic Church and pastor buildings, all which are located on separate parcels.

Relationship between Development and Neighborhood: The proposed project would be an appropriate addition to the surrounding neighborhood. The new classrooms will match the existing classrooms to the north. The new units will be located south of the existing classroom buildings, with the doors facing towards the north where the existing classrooms and play area are located.

Materials and Colors Used: The modular units are constructed off site and are State approved. The color of the units will be earthtone in color and match the existing classrooms in style and color.



Wall, Fences or Screening: A new 6 foot high black ornamental panel fence (resembling wrought iron) will be installed along the southern property line (adjacent to Wood Street) and will extend north towards the existing classrooms, to be enclosed with two (2) 10-foot rolling gates which open in opposite directions, for a length of 20 feet. A new ADA man gate is proposed north of the newly gated area adjoining the existing elementary school building on the SE corner.

Surface Water Drainage: No reconstruction of the existing parking or concrete surfaces is proposed with this project. All surface water shall be contained on site and is conditioned so.

Drives, Parking and Circulation: A circulation plan is attached to show how the students will be dropped off and picked up by way of the two driveways (south exit onto Wood Street and east exit onto Pacific Avenue). The site plan shows new employee parking to accommodate 11 parking spaces which are located in the back of the existing parish hall and church. Parking requirements for schools are one parking space for every 10 children plus one for each employee. As stated there are 23 employees, and currently 182 children with 25 more students anticipated in the future upon build out. This would equate to the requirement of at least 44 parking spaces. The site plan submitted shows there are 69 parking spaces used for the school and church. Parking is shared for this site with the church via a Shared Parking Agreement in their lease agreement.

With the addition of 11 new parking spaces and the access to 12 more parking spaces for employees, the parking requirements are met. Most church events take place when school is not being held; however any church events that may need to use the parking area during school hours (such as funerals) the school will accommodate with the children playing in the back during these times and fencing will be in place to separate the children from the event. There will be a designated painted path-of-travel walkway on the west side to the back play area for children to access this play area and to access the existing classrooms.

The proposed project does not include any resurfacing of existing parking lot areas but the school is working with the Church to approach that in the future. Any patching that is needed will be done at the time of unit installation. . New concrete sidewalks are proposed along the front of the new buildings.

The adjoining features to the project site include existing pavement with sidewalks, curbs, and gutters. The conditions of approval detail the site improvements required for the project.

Utility Service: Existing utilities are available to the proposed project. Cal Water Service Company commented that they can serve the project site in accordance with Ca. Public Utility Tariffs. An underground irrigation line is proposed for the area where new landscaping will go. New storm drain inlets will be installed as well.

Signs: The project includes addition of a sign to advertise the location of the Walden School. The proposed sign will be 3' x 8' and made from MDO high density ½' plywood. The sign will not be illuminated. There is an existing sign located on the site used by the church to advertise events. The proposal is to keep the sign in its present location.

Exterior Lighting: No new lighting is proposed at this time for the project; however any lighting shall be installed so as not to reflect glare onto adjacent property. This is reflected in the conditions of approval.

Landscaping: New landscaping will be installed around the new buildings, visible from Wood Street. A combination of crepe myrtle trees, boxwood bushes and ground cover of lantana is proposed. Additionally wood chips are proposed throughout the landscaping area. No landscaping will be removed for the project.

Use Permit Analysis:

The project site is zoned R-P Multiple Residence-Professional Office District, which allows various conditionally permitted uses, including schools. Section 18.45.030(1) allows uses permitted in the R-3 district as set forth in WMC 18.40.030, and whereas 18.40.030 allows schools. There is an existing Use Permit that allows the Walden School Academy to operate in the six classrooms. The current request will add three additional classrooms, but on a separate parcel, as the existing classrooms are located on another parcel and which that parcel is zoned R-1.

The R-P District regulations call for a ten foot separation between single row buildings, which the site plan shows compliance with. Front, side and rear-yard setbacks have been met according to the zoning district regulations. The installation of the four units will cover approximately 20% of the lot, which meets the regulation requirement to not exceed 55% coverage.

Findings of Fact

Based upon the facts and conclusions contained within this staff report the following findings must be made in order to approve the applicant's request for a Use Permit.

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.

The project was reviewed internally by City departments and outside agencies for comments/conditions which attached proposed conditions of approval reflect those comments.

Environmental Review and Analysis

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA). Staff has determined that the proposal is exempt from further CEQA pursuant to CEQA Code Section 15303, New Construction, Class 3.

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. As of the date of preparation of this report no written public comments have been received.

STAFF RECOMMENDATION:

Staff recommends adoption of the attached resolution recommending Use Permit/Design Review approval to install four new portable classrooms and site improvements for the Walden School addition, subject to the conditions of approval as shown in Attachment #3 and per Attachments 4, 5, 6, &7.

PLANNING COMMISSION OPTIONS:

- 1) Recommend approval of the Use Permit/Design Review proposal and subject to Conditions of Approval as described in Attachment 3
- 2) Deny the Use Permit/Design Review application with appropriate findings for denial

Attachments:

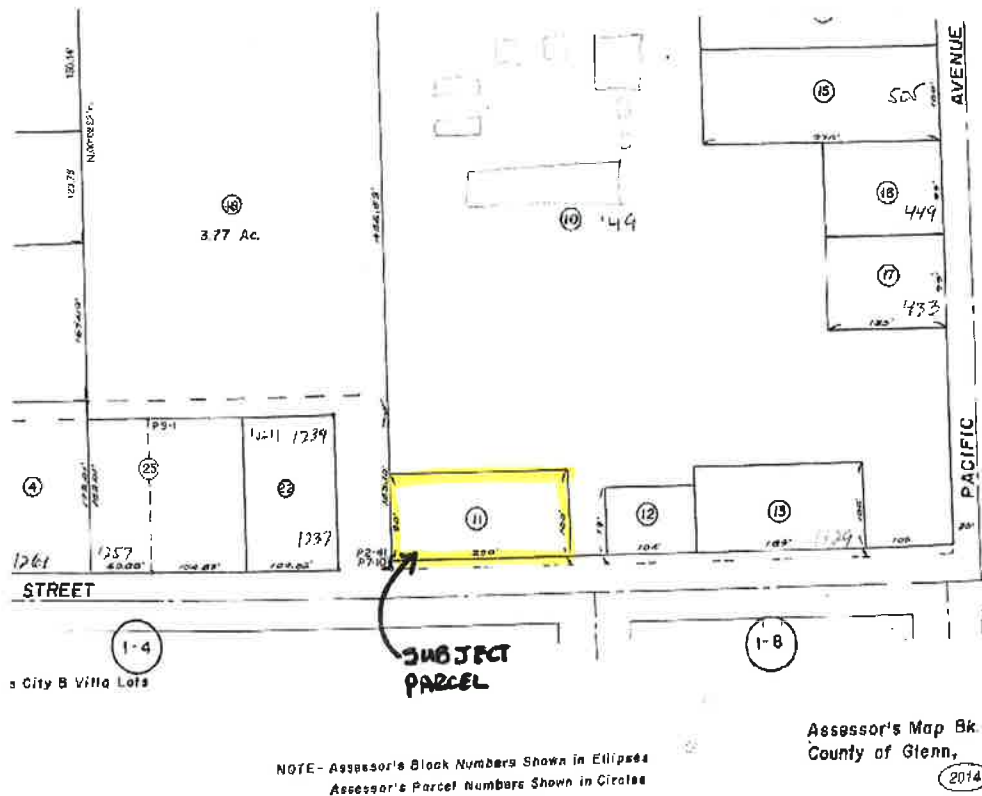
1. Draft Planning Commission Resolution
2. Applicant letter
3. Proposed Conditions of Approval
4. Circulation Plan

- 5. Fence & Sign photo
- 6. Site Plan
- 7. Landscaping Plan
- 8. Zoning/General Plan

Submitted by:

Karen Mantele
Principal Planner

THE APPLICANT IS REMINDED THAT THERE IS A 10 (TEN) DAY APPEAL PERIOD FOLLOWING THE PLANNING COMMISSION DECISION ON THE USE PERMIT per section 18.135.060



PC RESOLUTION NO. _____-2018

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS GRANTING USE PERMIT AND DESIGN REVIEW APPROVAL TO WALDEN ACADEMY INC. TO INSTALL FOUR NEW PORTABLE BUILDINGS AND APPROVAL FOR SITE IMPROVEMENTS FOR PROPERTY LOCATED AT 1159 W. WOOD STREET, ASSESSORS PARCEL NUMBER 005-370-011

WHEREAS, the applicant, Walden Academy, Inc., has filed a Conditional Use Permit planning application to allow installation of four new 24'x40' portable units, with three to be used for school classrooms; and,

WHEREAS, WMC Section 18.45.030(1) allows for schools within the R-P zoning district with an approved use permit; and

WHEREAS, WMC Section 2.45.030 requires Design Review approval for new physical improvements; and

WHEREAS, notice of the Planning Commission meeting held on December 19, 2018, 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 December 19, 2018, 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, New Construction, Class 3; and

WHEREAS, the Planning Commission does finds that the proposed use is consistent with the purposes of the district in which the site is located, as schools are permitted per Section 18.45.030(1) with a Conditional Use Permit; and

WHEREAS, the Planning Commission does find that the proposed location of the use and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity as conditions of approval incorporate provisions which project will not be detrimental to the public health, safety or welfare; and

WHEREAS, the Planning Commission does find that the proposed project conforms to the General Plan and provisions of this title, as the property is located within the Office Professional designation, which allows for uses in conjunction with zoning which allows for schools.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the Use Permit and Design Review proposal to install four new portable units and new site improvements is consistent with the City of Willows General Plan, the City of Willows Municipal Code, and hereby approves Use Permit #UP-18-05 and Design Review #DR-18-05, subject to the attached conditions of approval set forth in Attachment #2 and per Attachments 4, 5, 6, &7.

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 19th day of December, 2018 by the following vote, to wit:

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____

APPROVED: _____
Peggy White, Chairperson

ATTEST: _____
Maria Ehorn, Recording Secretary

Applicant Letter

Walden Academy
1149 W. Wood St.
Willows, CA 95988

October 29, 2018

City of Willows Planning Commission
201 N. Lassen St.
Willows, CA 95988

To Karol Mantle:

As Walden Academy grows in student numbers, we are finding we are in need of more classrooms. We are proposing to install up to four 24' x 40' portable classrooms identical to the previous classrooms installed in 2014. We want to install them on the St. Monica's Parish lot, marked T or A on the enclosed diagram attached to the lease, south of the existing parking lot. The doors will face north to open to the existing classrooms. We plan to install one with a washing sink and hookup for a commercial refrigerator. This will become our cold food preparation room to stay in compliance with State law. NO oven or stove will be installed.

Our hours of operation are Monday through Friday from 7:45 A.M. until 5:30 P.M. for 23 employees and 182 students. We will have employee parking in the back for 11 employees and the remaining 12 will have access to parking in front of Parish Hall according to the reciprocal agreement in the lease. We will work with the church for special events to allow parking in our play area during special events such as funerals. The children will have a designated painted walkway on west side to the back play area. We will restrict play during those times in the back for safety. This is our current protocol which has worked very well.

The building will be made of wood primarily. Wood panel siding painted Desert Floor by ICI (Light beige) with wood trim and metal door painted Otter Brook by ICI (Dark brown) with metal ramps painted Otter Brook by ICI. Identical paint colors to existing portables installed in 2014. Lighting will only be a photosensitive lamp mounted just above the doors of the classrooms. No additional light standards will be installed.

We plan to install ornamental black iron fencing to encompass the school site including two 20' gates for entrance and exit onto school site during drop-off and pick-up, and an ADA compliant man gate at the east end of the existing classrooms next to ladies' restroom. We have an agreement with the church designating use of the west ADA/van accessible parking spot in front of the Parish Hall as the parking for staff and parents will be in front of Parish Hall. The current fire gate west of the existing classrooms will be removed.

Landscape will remain simple yet aesthetic including, but not limited to, Crepe Myrtle trees, ornamental bushes, flowering lantana bedded in lava rock. Gravel matching the gravel at the church site will be laid between fence and landscaping to maintain a clean, weed free look. We plan to install our 3' x 8' MDO high density 1/2" plywood sign on the new fence facing Hwy 162 approximately 84' from the west fence. No illumination planned for the sign.

A cement pad will be installed to mount the ramps on as well as a walkway in front of the ramps meeting ADA requirements for foot traffic adjacent to the existing pavement to make a smooth transition from play area to the classrooms. A painted walkway will identify the path from the new classrooms to the existing bathrooms.

This is an exciting step for Walden Academy. Thank you for your time and consideration.

X *Suzanne Telfs*

Suzanne Telfs
Walden Academy Director

USE PERMIT/DESIGN REVIEW CONDITIONS OF APPROVAL
FOR
WALDEN ACADEMY ADDITION
FOR PROPERTY LOCATED AT
1159 W. Wood Street/APN; 005-370-011

PC approval date: _____, 2018

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 (installation of four portable units) is not made on the project subject to the permit within one (1) year after the date of granting the permit, then without further action, the permit shall be null and void and such use shall not be made of the property except upon the granting of a new permit.
3. This use permit is void one (1) year after the use permitted by such permit is discontinued.
4. 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.
5. 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. A final landscape plan shall be submitted for review and approval by the Planning Department with the building plans.
6. The developer shall adhere to the design and specification of the Architectural Design Review approval for the site improvements to include a six foot high black wrought iron fence, new gates, new landscaping, and new sidewalks in front of the classrooms. 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.
7. 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.
8. Any 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.

Building Department.

9. The applicant shall submit a completed building permit application with detailed scope of work and 3 complete sets of plans, calculations & specifications to the building department for review.
10. The applicant/owner shall be responsible for the payment of plan review fees at time of submittal.
11. All work shall comply with all current Federal, State and Local codes and ordinances and be shown on the plans submitted for review.
12. The modular units shall be approved and listed for use in the State of California.
13. All contractors including subs shall obtain a business license to operate in the City of willows prior to commencing work. (Contact Finance Department).
14. Conditions of Approval shall be shown on plans submitted for review.
15. The project falls within the zone where impact fees are applicable. The applicant/owner shall be responsible for the payment of impact fees.
16. A new address is being assigned due to the proposed expansion.

Fire Department

17. Addressing shall meet WMC Section 15.15.100, with lettering to be 6" by 1" for commercial buildings.
18. A Knox box shall be installed per WMC Section 15.15.130 for the property.
19. Fire Extinguishers shall be mounted per CFC.

Public Works Department

20. If a stove or oven is installed or if the building is set up to receive a stove, a grease interceptor is required.

Engineering Department

General Conditions

21. Developer shall design and construct all improvements and facilities shown on the 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.
22. 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.
23. Unless otherwise explicitly permitted, all existing wells, septic tanks and/or underground fuel storage tanks shall be abandoned under permit and inspection of Glenn County Department of Health Services or other designated agency. If there are none, the project engineer shall provide a letter describing the scope of the search done to make this determination.

Improvement Plan and Construction Conditions

24. Improvement plans shall be prepared and submitted by a California Registered Civil Engineer for the construction of all necessary and required improvements including grading, water, sanitary sewer, storm drain facilities, parking lot improvements, access paths, sidewalks and lighting. All design and construction shall conform to the City of Willows Design and Construction Standards, as applicable.
25. All private water mains, sewer mains and storm drains shall be clearly labeled "Private" on the improvement plans.
26. Improvements plans shall include a storm water pollution prevention plan.
27. All ramps leading to the new buildings proposed with this school expansion shall meet all California and Federal ADA standards. Detailing of grades, widths, slopes, etc. shall be shown on the improvement plans. Additionally, all paths of travel from the proposed new structures to the playground area shall also meet California and Federal ADA standards.
28. **Parking Lot Improvements:**
 - a. Parking for the project shall include the required number of handicapped parking stalls. Plans depicting the location, dimension and paths of travel shall be shown on the improvement plans.
 - b. From the submitted site plan for the project, the proposed gate/fence locations in the parking area conflict with some of the existing parking stalls. The proposed path of travel from the proposed structures to the playground conflicts with existing parking stalls. The

proposed path of travel from the new buildings to the playground area shall be shown as striped to designate a pedestrian pathway.

29. Water and Sanitary Sewer Improvements:

- a. The applicant shall provide evidence that the size of water line that is proposed is sufficient to supply adequate fire flow for the proposed school buildings.
- b. The proposed sewer lateral shall meet building code standards.

30. Drainage Improvements:

- a. 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 for a 10-year storm event 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:

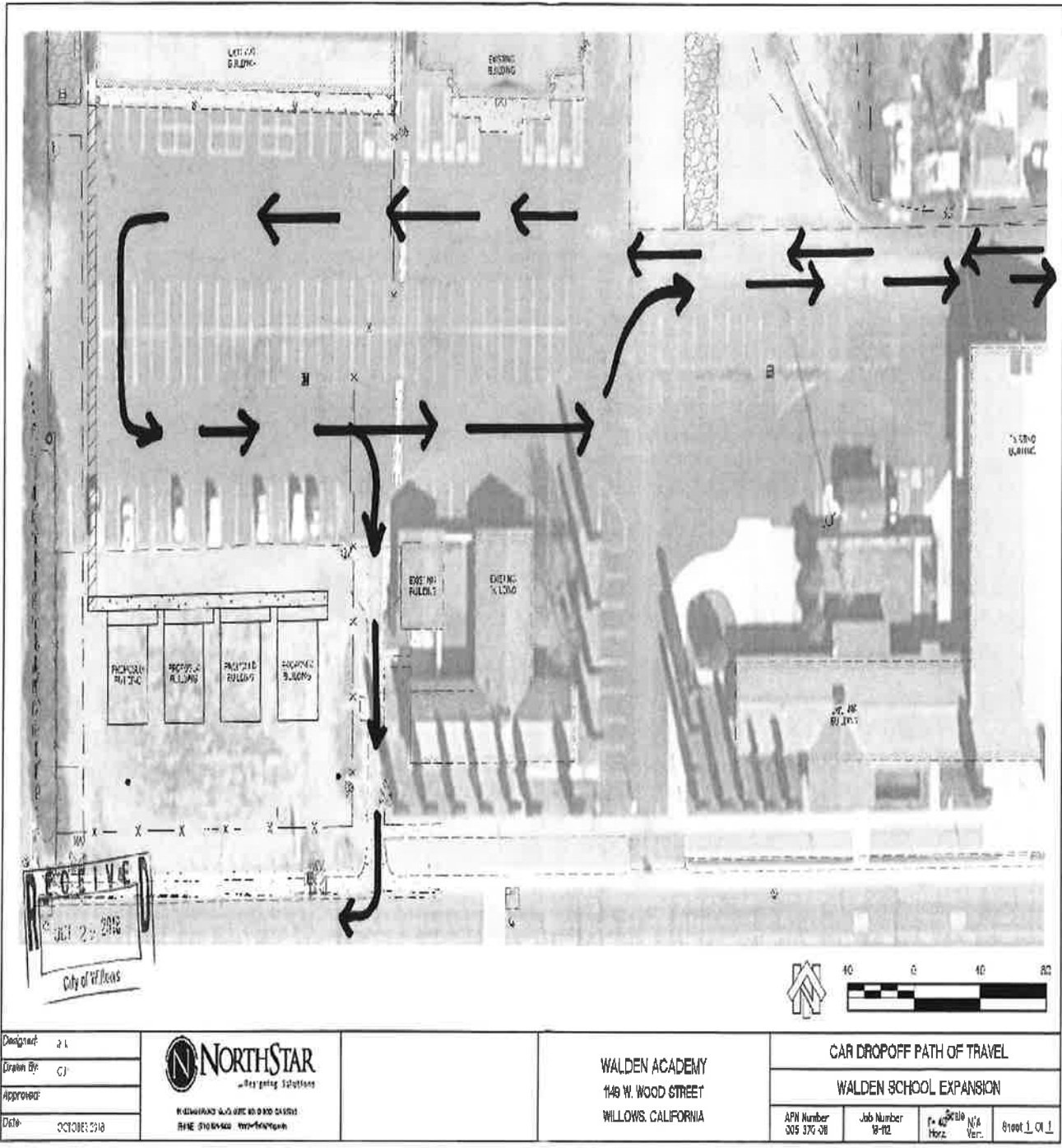
Quantities of water, water flow rates, major water courses, drainage areas and patterns, diversions, collection systems, flood hazard areas, sumps and drainage courses


- b. Post-development off-site flows shall not exceed pre-development flows. Calculations for any on-site detention, retention or storm drain infiltration ditches shall be provided with the improvements plans evidencing that post development flows will not exceed pre-development flows.

Construction Conditions

31. No grading or other construction shall be performed until the improvement plans have been approved and signed by the City Engineer. Building Permits will not be issued prior to the approval of the improvement plans.
32. 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.
33. 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 County Sheriff's Department, and the City Building Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies.
34. 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.
35. Dust control must be maintained to the City's satisfaction.
36. Working hours shall be restricted to the hours of 7:00 a.m. to 6 p.m., Monday through Friday.

Circulation Plan

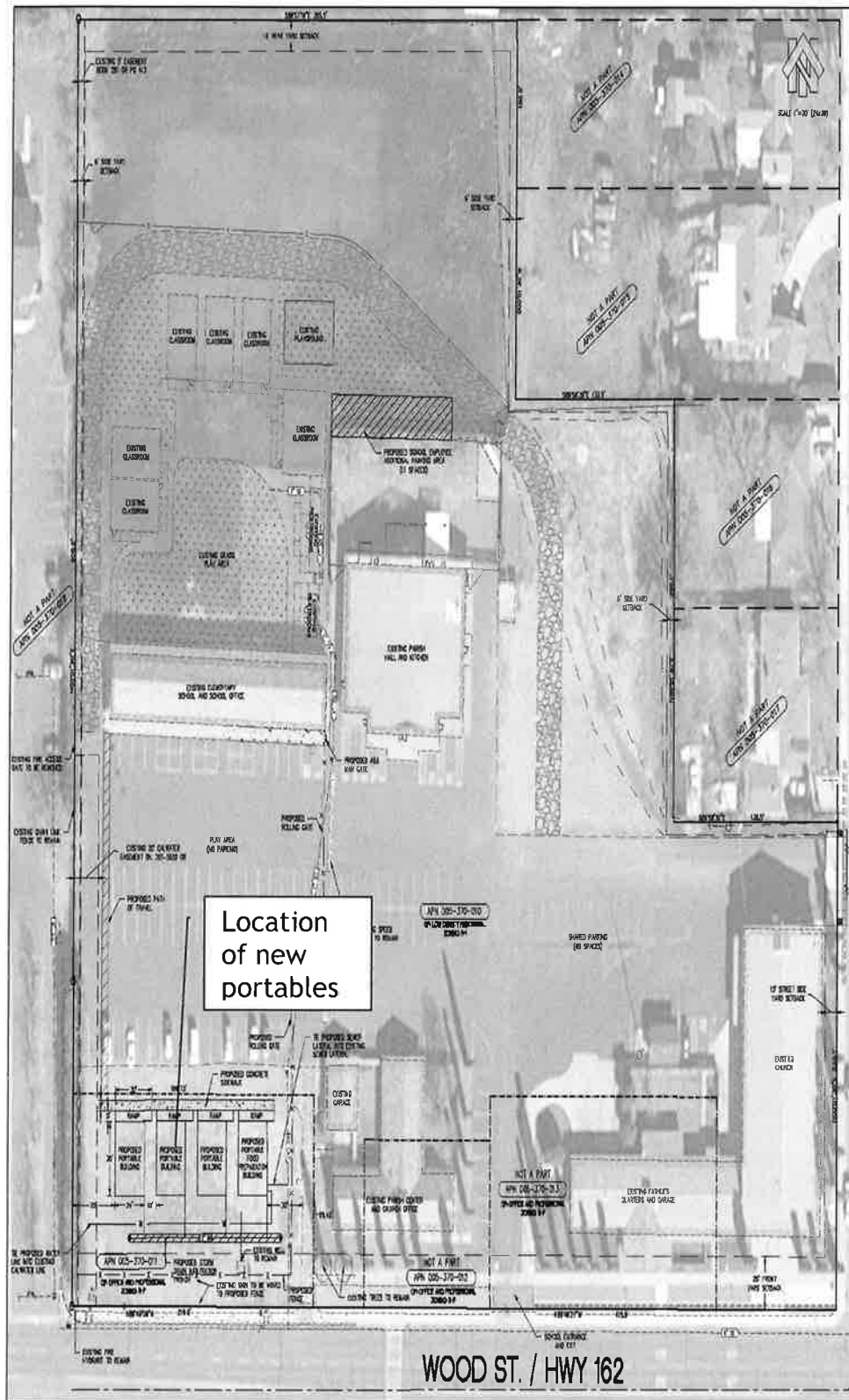


Designer: J.L. Drawn By: CJ Approver: Date: OCTOBER 2018	 NORTHSTAR <i>...helping solutions</i> <small>PROFESSIONAL LAND SURVEYORS AND ENGINEERS STATE OF CALIFORNIA LICENSE NO. 50688</small>	WALDEN ACADEMY 140 W. WOOD STREET WILLOWS, CALIFORNIA	CAR DROPOFF PATH OF TRAVEL WALDEN SCHOOL EXPANSION APN Number: 005 370 018 Job Number: 18-102 Scale: 1" = 40' Date: 10/18/18 Sheet: 1 of 1
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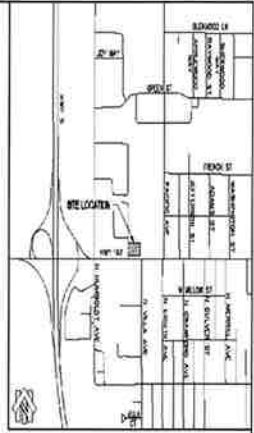
Fence & Sign Photo



Site Plan



- NOTES**
1. DEDICATED P.P. (PROFESSIONAL PROFESSIONAL)
 2. GENERAL PLANS OFFICE AND PROFESSIONAL
 3. LAND USE EXISTING - LOCAL PROPOSED - SLOOO.
 4. SOURCE: CITY OF WILLOWS SEWER
 5. STORM DRAINAGE: 3'-6" DIA. 12' MIN. DEPTH
 6. WATER: CALIFORNIA WATER SERVICE
 7. POWER: PG&E
 8. TELEPHONE: AT&T
 9. CABLE TV: COMCAST
 10. EXISTING WELLS AND SEPTIC SYSTEMS TO BE RECORDED VIA PERMIT FROM BUTTE COUNTY COURTHOUSE, A. HEALTH
 11. GRADING: ALL LOTS WILL BE GRADDED TO OPAAN TO MATCH THE NEAREST ADJACENT LOT.
 12. EXISTING FRODOON CONTROL MEASURES SHOULD BE USED IN COMPLIANCE WITH THE CITY OF WILLOWS AND THE WATER QUALITY CONTROL BOARD
 13. OWNER: CAROL C. OLSO, 1100 W. WOOD STREET, WILLOWS, CA 95986
 14. DEVELOPER: WALDEN ACADEMY, 1100 W. WOOD STREET, WILLOWS, CA 95986
 15. PREPARED BY: NORTH STAR ENGINEERING
 16. THIS SITE PLAN WAS PREPARED UNDER THE SUPERVISION OF A REGISTERED CIVIL ENGINEER OR LICENSED LAND SURVEYOR.



PARKING

REQUIRED	SPACES
9500L 300 FEET	22
3000L 200 FEET	18
1500L 100 FEET	9
TOTAL SPACES REQUIRED	49

PROPOSED	SPACES
EXISTING SHARED	10
PROPOSED (INDICATED)	10
TOTAL SPACES PROPOSED	20

- LEGEND**
- EXISTING FIRE HYDRANT
 - EXISTING WATER VALVE
 - EXISTING WATER METER
 - EXISTING PROPOSED FIRE TAP
 - EXISTING STORM DRAIN MANHOLE
 - EXISTING STORM DRAIN INLET
 - EXISTING SANITARY SEWER MANHOLE
 - EXISTING SANITARY SEWER CLEANOUT
 - EXISTING POWER POLE
 - EXISTING POWER POLE TO BE DELETED
 - EXISTING SLO
 - EXISTING FENCE LINE
 - EXISTING EDGE OF PARKING
 - EXISTING TOP OF BANK
 - EXISTING FENCE
 - EXISTING SANITARY SEWER LINE
 - EXISTING PARKING BOUNDARY
 - EXISTING SANITARY SEWER LINE
 - EXISTING GROUNDWATER
 - EXISTING FENCE OVERLAP
 - EXISTING BUILDING
 - EXISTING CONCRETE
 - EXISTING FIRE ACCESS ROAD
 - EXISTING LANDSCAPE
 - PROPOSED AREA FENCE OF TRAIL, STAIRS
 - PROPOSED CONCRETE
 - PROPOSED BUILDING
 - PROPOSED STORM DRAIN INLET
 - PROPOSED STORM DRAIN MANHOLE CLEANOUT
 - PROPOSED WATER LINE
 - PROPOSED SANITARY SEWER LINE
 - PROPOSED FENCE

USE PERMIT FOR WALDEN ACADEMY

ALL OF LOT 15 OF WOODY'S CITY AND MILLA LOTS
TOWNSHIP 19 NORTH RANGE 3 WEST SECTION 4

CITY OF WILLOWS
COUNTY OF GLENN STATE OF CALIFORNIA

NORTHSTAR
...Designing Solutions

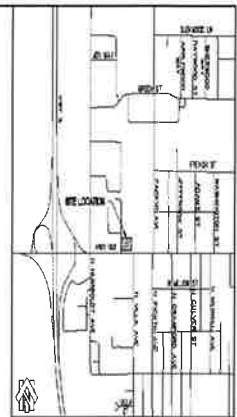
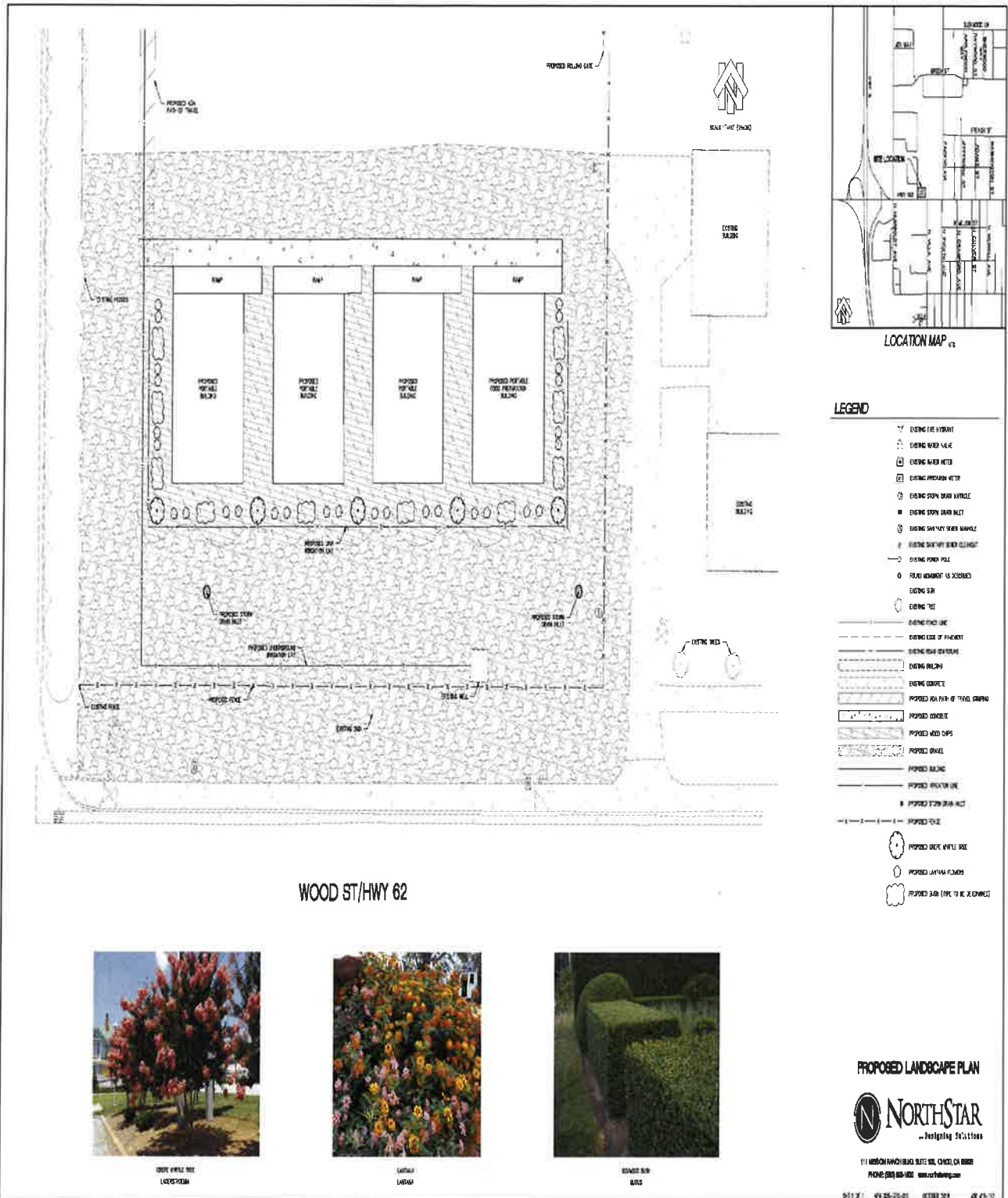
111 WILSON PARKWAY SUITE 102 CHICO, CALIFORNIA
PHONE: (530) 894-0200 www.northstareng.com

04/11/18 07/26/18-01 OCTOBER 2018 08/25/18

Location of new portables

WOOD ST. / HWY 162

Landscaping Plan



LEGEND

- EXISTING TREE SYMBOL
- EXISTING WOOD SHALE
- EXISTING WOOD PIER
- EXISTING ARCHWAY PIER
- EXISTING STONE OVER WALKWAY
- EXISTING STONE OVER ALLEY
- EXISTING SAWYER STREET MANHOLE
- EXISTING SAWYER STREET LIGHTING
- EXISTING POND POLE
- PROPOSED MANHOLE AS EXISTING
- EXISTING SIGN
- EXISTING TREE
- EXISTING FENCE LINE
- EXISTING USE OF PROPERTY
- EXISTING ROAD CURBLINE
- EXISTING WALKWAY
- EXISTING DRIVEWAY
- PROPOSED 8\"/>

WOOD ST/HWY 62



CHERRY WILLOW TREE
LACINOSPERMA



LAVENDER
LAVANDULA



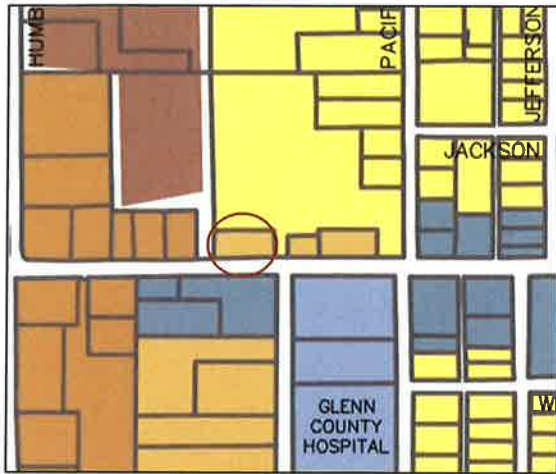
ESCALADE BUSH
BURNING BUSH

PROPOSED LANDSCAPE PLAN
NORTHSTAR
...helping solutions

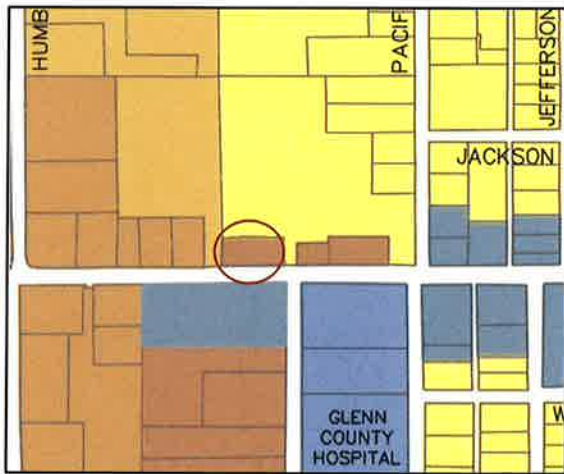
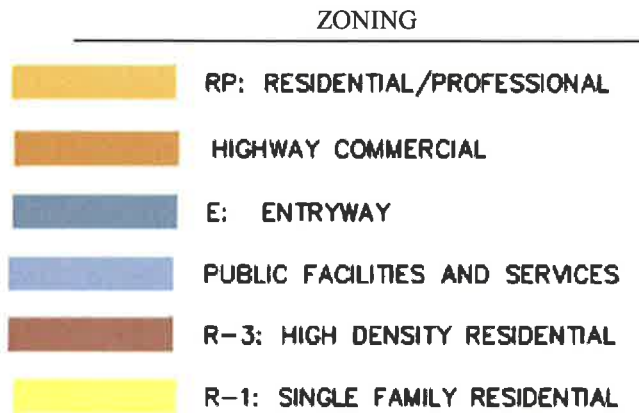
111 WILSON MANOR DRIVE SUITE 100, CHICO, CA 95926
PHONE: (916) 898-8800 www.northstarinc.com

DATE: 11/17/17 11/25/2018 10:00 AM 11/25/2018 10:00 AM

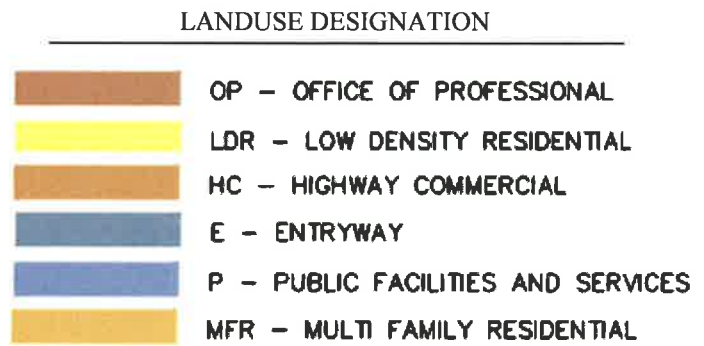
Zoning & General Plan Map



ZONING MAP



GENERAL PLAN MAP



Planning Commission Agenda Report:

December 19, 2018

Project:	Use Permit (File UP #18-03) Willows Roadhouse Bar and Cocktail Lounge/Use Permit Six Month Review
Business Owner/Property Owner:	Ana Camacho/Aida Corpuz
Project Location:	610 S. Tehama Street
Parcel No:	002-312-002
Zoning:	General Commercial (GC)
General Plan	General Commercial

Background:

On June 20, 2018, the Planning Commission heard and approved a Use Permit to allow a Bar and Cocktail Lounge within an existing commercial building (a.k.a Willows Roadhouse). The adjacent use within this building is a restaurant and therefore food would be available to patrons. The proposal was a request to legally establish and operate the bar business in conjunction with a restaurant, located within a portion of the building. At the June 20th meeting, the applicant stated the restaurant was soon to be open for business. Per the applicant's letter submitted with the Use Permit application, live music events were proposed as part of the establishing the business, with music to take place on Friday and Saturday nights. A dance floor is located in the rear of the bar area and the applicant desire to use that area for music events. The proposal stated the business operation will employ 5-6 full time employees and 4-5 part time employees (including the applicant).

An on-sale liquor license (License Type 47) is valid for this property address, held under the property owners' name. This license type allows for: *(On-Sale General-Eating Place (Restaurant) authorizes the sale of beer, wine and distilled spirits, for consumption on the licensed premises. Authorizes the sale of beer and wine for consumption off the licenses premises. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises)*

On September 19, 2018 at the regular Planning Commission meeting a member of the public spoke during the public comment period, stating that the bar has been having music events on Saturday nights which have become a noise nuisance. Staff contacted the Glenn County Sheriffs' Department obtained copies of summary reports which were called in by anonymous callers reporting loud music; one on August 18th and another on September 8, 2018. At the direction of the Commission Chair and Commissioners, Staff was asked to bring the Use Permit back to the Commission at the October meeting to discuss possible revocation of the Use Permit.

On October 17, 2018 Staff brought the Use Permit to the Commission for review and discussion. Ms. Ana Camacho was present and addressed the Commission regarding why the restaurant was not functioning as proposed and required by the liquor license. She asked that the Commission allow the Use Permit to stay in place. In a 3/2 vote by the Commission whether or not to revoke the Use Permit; three Commissioners were in favor of allowing the business to continue to operate until the December review per condition #4, thereby keeping the Use Permit valid.

Current Status/Review Process:

At the June 20th meeting, the Commission adopted conditions of approval for this Use Permit. (Attachment 1). One of those conditions #4, stated *The Use Permit approval is valid for six months from*

the date of approval, with a review in front of the Planning Commission thereafter. That six month period ends December 20th and therefore the Use Permit is before the Commission for review.

Condition #4 allows the Commission to review the progress the permittee has made in meeting the adopted conditions of approval. This Use Permit was based upon allowing a bar/cocktail lounge to be established in conjunction with a restaurant. The liquor license for this bar specifically states that the business *“Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises.* There are kitchen facilities however the restaurant has not been open for business on a regular basis and appears to have been open only in late July and early August of this year. Since the restaurant has not been in operation as proposed for the past several months thereby not making actual and substantial sales of meals; this results in a violation of the ABC liquor license.

Music events in the bar/cocktail lounge have been advertised and held in the months of August, September, October and November. Two noise complaints were made to the Sheriff Department after the August, September and October music events. Condition #6 states *“Applicant/owner shall take all reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas and areas surrounding the premises and adjoining properties during business hours of directly related to the patrons of the bar.”* Since granting the Use Permit there have been several reported calls to the Sheriffs’ Department with complaints about a noise nuisance during the Saturday night music events. These noise complaints violate this condition. Additionally WMC Section 8.10 is applicable and states *“Nuisance” means anything which is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin, or any public park, square, street or highway.”*

Pursuant to Section 18.135.090 of the City of Willows Municipal Code which states that *“In any case where the conditions of the granting of a use permit have not been or are not complied with, the planning commission shall give notice to the permittee of intention to revoke such permit at least 10 days prior to a hearing thereon. Following such hearing, the planning commission may revoke such permit.* Staff has sent the permittee (Ana Camacho) a letter at least ten days prior to this hearing, advising her of the intention to revoke the Use Permit at the December 19th Planning Commission meeting.

Staff was contacted by Ms. Camacho via an email on November 14th, wherein she stated she is no longer going to operate the business and wanted to cancel her business license. She provided me the phone numbers of her two brothers who had been operating the business in her absence in taking care of her personal situation. Attempts by Staff to go inside during the posted hours of operation or speaking with the brothers has been unsuccessful. On November 20th staff went by the property and saw that the property owner (Aida Corpuz) had posted a notice stating payment was due by the end of November. Ms Corpuz has contacted the City regarding this notice and is aware of the Planning Commission hearing. Additionally the property owner was sent notice of the Commission hearing.

STAFF RECOMMENDATION:

Staff recommends the Commission review the Staff report, hear from the applicant, and provide Staff direction regarding revocation of the Use Permit.

PLANNING COMMISSION OPTIONS:

- 1) Recommend continuance of the Use Permit and subject to final Conditions of Approval as described in Attachment 1
- 2) Revoke the Use Permit with appropriate findings for revocation

Attachments:

1. Adopted Conditions of Approval
2. Draft Resolution

Submitted by:



Karen Mantele
Principal Planner

**THE APPLICANT IS REMINDED THAT THERE IS A 10 (TEN) DAY APPEAL PERIOD FOLLOWING
THE PLANNING COMMISSION DECISION**

**USE PERMIT & DESIGN REVIEW CONDITIONS OF APPROVAL
FOR ANA CAMACHO/WILLOWS ROAD HOUSE
FOR PROPERTY LOCATED AT 610 S TEHAMA STREET
ASSESSORS PARCEL NUMBER: 002-312-002**

PC approval date: June 20, 2018

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 bar and cocktail lounge) is not made on the project subject to the permit within one (1) year after the date of granting the permit, then without further action, the permit shall be null and void and such use shall not be made of the property except upon the granting of a new permit.
3. This use permit is void one (1) year after the use permitted by such permit is discontinued.
4. The Use Permit approval is valid for six months from the date of approval, with a review in front of the Planning Commission thereafter.
5. The applicant shall secure sign permit approval from the Planning Department to approve business signage for the use(s).
6. Applicant/owner shall take all reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas and areas surrounding the premises and adjoining properties during business hours of directly related to the patrons of the bar.
7. The operator shall ensure that the hours of operation shall not be a detriment to the surrounding area.
8. The operator shall post on the inside of the premises stating that drinking on the premises or in public is prohibited by law.
9. The operator shall comply with all provisions of all local, state, or federal laws, regulations or orders, including those of the ABC (Alcohol and Beverage Control).
10. The operator shall keep clear the premises of any debris and trash.
11. No person under 21 years of age is allowed on public premises of the bar.

Building Department

12. Should any proposed work require a permit, applicant shall obtain all required building permits.
13. All work shall comply with the current applicable Federal, State and local codes and ordinances.

Fire Department

14. A fire pre-plan safety inspection shall be required by the Fire Department at the site. Contact the Fire Department at 530-934-3323 to schedule an inspection.
15. The building addressing shall be properly addressed per WMC Section 15.15.100. The building address shall meet all WMC criteria and be reviewed by the Fire Department for approval prior to installation.
16. Provide fire extinguishers per 2016 CFC and shall be mounted per Fire Chief's approval.
17. The applicant shall provide a scaled floor plan in order to identify load capacity of rooms prior to use.

Public Works

18. If there is to be any food preparation applicant shall install an operable grease trap.

County Sheriff Department

19. All ABC licensing needs to be current and correct.

DRAFT RESOLUTION

PC RESOLUTION NO. __-2018

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WILLOWS REVOKING USE PERMIT (FILE #UP-18-03) WHICH WAS
GRANTED TO ANA CAMACHO FOR PROPERTY LOCATED AT 610 S.
TEHAMA STREET, ASSESSORS PARCEL 002-312-002**

WHEREAS, the applicant Ana Camachao, had filed a Conditional Use Permit application to establish a bar and cocktail lounge within an existing commercial building per WMC Section 18.60.030(3); and,

WHEREAS, on June 20, 2018 the Planning Commission heard the Use Permit request and granted it to Ana Camacho with conditions of approval; and

WHEREAS, several conditions of approval have not been complied with regarding lack of the restaurant being open for food sales and noise complaints from the bar music events; and

WHEREAS, Section 18.135.090 of the WMC states that in any case where the conditions of a use permit have not been or are not complied with, the planning commission shall give notice to the permittee of intention to revoke such permit at least 10 days prior to a hearing; and

WHEREAS, notice was sent to the permittee at least ten days prior to a hearing informing her of the intention to revoke the Use Permit; and

WHEREAS, the Planning Commission did, on December 19, 2018, 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 does find that the conditions under which the Use Permit to Ana Camacho was granted have not been complied as;

- a) The restaurant has not been open for food sales as required by the ABC liquor license
- b) Noise complaints causing a nuisance have occurred several times within the past six months.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the Use Permit for the Willows Roadhouse which was granted by the Commission to establish a bar and cocktail lounge business within an existing commercial building, is hereby revoked.

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 19th day of December 2018 by the following vote, to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED: _____
Peggy White, Chairperson

ATTEST: _____
Maria Ehorn, Recording Secretary