



Willows Planning Commission Regular Meeting

May 20, 2020
Willows City Hall
7:00 p.m.

Agenda

PLANNING COMMISSION

Robert Griffith, Chair
Jose Hansen, Vice Chair
Dana Owens, Commissioner
Candis Woods, Commissioner
Hilgard Muller, Commissioner

CITY PLANNER

Karen Mantele

MINUTE CLERK

Maria Ehorn

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. **PUBLIC COMMENT/WRITTEN COMMUNICATIONS**

a. **Public Comments:**

Pursuant to N-25-20 issued by Governor Gavin Newsom, this Planning Commission meeting will be CLOSED to the public to prevent the transmission of the COVID-19 virus. Members of the public may attend the meeting telephonically by following the instructions below. Members of the public wishing to address the Commission on any item(s) not on the agenda may do so at this time by stating your name and address. Then please wait until you are recognized by the Chairman or Vice Chairman. No formal action will be taken unless the matter is placed on a future agenda. Each caller will be limited to three (3) minutes.

Dial in Number: (605) 313-5611

Access Number: 404150

5. **CONSENT AGENDA**

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

- a. Approval of minutes of the Regular Planning Commission Meeting held on April 15, 2020.

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

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

- a. Staff recommends Commission receive the staff report, attachments, discuss and upon conclusion, determine the status of extending the Use Permit for Wrong Way Home Saloon Use Permit-One Year Review, business located at 222 W. Walnut Street/APN: 002-161-006.
- b. Staff recommends Commission receive the staff report, discuss and upon conclusion, consider the adoption of the attached resolution for Variance File # V-20-01.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS APPROVING A VARIANCE REQUEST (#V-20-01) FOR JUNE SMITH TO ALLOW FOR AN EIGHTEEN FOOT FRONT YARD SETBACK FOR PROPERTY LOCATED AT 640 HOLLY STREET, ASSESSORS PARCEL NUMBER 003-173-016.

- c. Staff recommends Commission receive the staff report, discuss and upon conclusion, consider the adoption of the attached resolution recommending the City Council approve zoning text amendments.

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

7. COMMISSION/STAFF REPORTS/COMMENTS

- a. Staff Reports/Comments:

8. ADJOURNMENT

This agenda was posted on May 15, 2020



Maria Ehorn, Minute Clerk

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

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

The City of Willows is an Equal Opportunity Provider



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

Meeting audio is available at the City of Willows website. This is not a live feature. Audio recordings are posted the succeeding business day following the scheduled Planning Commission Meeting.

Please visit www.cityofwillows.org for free PodBean recordings.

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

3. **Roll Call:**

Commissioners Present: Griffith, Hansen, Woods, Owens, Muller

Absent:

Staff Present: Maria Ehorn, Minute Clerk; Wayne Peabody, Interim City Manager,

Public Comment/ Written Communications: No public comments or written communications.

4. **Consent Agenda:**

- a. Approval of minutes of the Regular Planning Commission meeting held on March 18, 2020.

Action:

Motion: Commissioner Woods/Second: Commissioner Owens

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

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

AYES: Griffith, Hansen, Woods, Owens, Muller

NOES:

ABSENT:

ABSTAIN:

5. **PUBLIC HEARING(S)**

- a. Staff recommends Commission receive the staff report, discuss and upon conclusion, consider the adoption of the attached resolution for Use Permit, File #UP-20-03.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS APPROVING A USE PERMIT APPLICATION (#UP-20-03) FOR ALAN SINCLAIR TO ESTABLISH AN EXERCISE BUSINESS (NORCAL SPORTS) OCCUPYING A 2800 SF AREA WITHIN AN EXISTING COMMERCIAL BUILDING FOR PROPERTY LOCATED AT 112 W. WOOD STREET, ASSESSORS PARCEL NUMBER 003-021-004.

7:05 pm Chair Griffith opened the public hearing.

7:06 pm Chair Griffith closed the public hearing.

Motion: Vice Chair Hansen/Second: Commissioner Muller

Moved by motion to approve the next resolution in line entitled, a resolution of the Planning Commission of The City of Willows approving a use permit application (#up-20-03) for Alan Sinclair to establish an exercise business (Norcal Sports) occupying a 2800 sf area within an existing commercial building for property located at 112 W. Wood Street, Assessor's Parcel Number 003-021-004.

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

AYES: Griffith, Hansen, Woods, Owens, Muller

NOES:

ABSENT:

ABSTAIN:

6. COMMISSION/STAFF REPORTS/COMMENTS:

- a. Staff Reports/Comments: Interim City Manager, Wayne Peabody, gave brief update/status of upcoming and ongoing projects.
- b. Commission Reports/Comments: Commissioners gave comments/reports on activities and various meetings they attended.

7. ADJOURNMENT:

The meeting was adjourned at 7:15 p.m.

Robert Griffith – Chair

Maria Ehorn – Minute Clerk

DRAFT

Planning Commission Agenda Report:**May 20, 2020**

| | |
|-------------------|---|
| Project/Business | Use Permit (File #UP-19-03) One-year review/Wrong Way Home Saloon |
| Applicant/Owner: | Gabriel Gentile/Mark & Diane Amaro |
| Project location: | 222 W. Walnut Street, Willows, CA |
| Parcel No: | 002-162-006 |
| Zoning: | Central Commercial (CC) |
| General Plan | General Commercial |

Background:

A bar & cocktail lounge business was originally granted at this location by way of a Use Permit by the Commission in 2001 and modified in 2002 with conditions of approval requiring subsequent two-year reviews thereafter. A review was done in 2004 and 2006, however, it was discovered that no review in front of the Commission had taken place since 2006. Therefore, beginning on December 19, 2012, and subsequently thereafter on January 16, 2013, January 15, 2014 and January 20, 2016 at regular Planning Commission meetings, Staff brought before the Planning Commission a Use Permit review for the Long Way Home Saloon.

At the December 2012 meeting, the Commission heard staffs' report and public comment however, continued the item until the January 16, 2013 meeting in order to garner additional information for the Commission. The concerns the Commission had were, whether the business operation was causing night disruption to the nearby neighbors and whether the business was complying with the ABC conditions placed upon their license. At the January 16th meeting the Commission reviewed the additional information and subsequently granted the extension of a Use Permit to operate the business with the condition that the *"Term of the CUP will be limited to five years from the date of approval with a review in one year from the date of approval and thereafter Commission review every two years"*.

At the January 15, 2014 meeting, the Commission heard staff's report, reviewed the police logs for the past year and unanimously voted to allow the continuation of the Use Permit for another two years (until January 2016), which at that time a two-year review shall take place. A two-year review took place on January 20, 2016, however no 2018 review occurred. When the applicant (Mr. Gentile) contacted staff about the name change in 2019, he was directed to apply for a new use permit, as the original five-year term had ended in 2018.

In May of 2019, the Commission heard the new Use Permit for this business, which resulted in approval to establish the bar and cocktail lounge under the name change from Bubba's place to the Long Way Home Saloon, as had been the name for the business in previous years. However, prior to the hearing, Staff was made aware that the name could not be the same as previous years, therefore the name of the business was changed to the "Wrong Way Home Saloon".

Current Status:

Per the final conditions adopted as part of Use Permit #19-03, was condition (#4) which granted the Use Permit for a period of five years from the date of approval subject to a one-year review. Other conditions included ABC compliance, Fire Dept. inspections, and sign permit approval.

*Staff has contacted the Redding ABC (Alcoholic and Beverage Control) office to find out if there were any issues or disciplinary actions against the ABC license (#48) which the Wrong Way Home Saloon holds. Staff was informed there were no violations or actions to report.

*Staff contacted the Glenn County Sheriffs' department to obtain call log reports for the past year (2019-2020) for the business at 222 W. Walnut Street. The reports are included for the Commission's review.

*Per the Fire Department, an annual inspection of the business took place on July 1, 2019.

*A sign permit for the new business signage has been applied for from the Planning Department.



Zoning/ General Plan

The subject parcel is located within the downtown area of Willows, on Walnut Street with the closest cross street being Butte. Surrounding parcels are all the same, Central Commercial, to the north, south, east, and west. The zoning code allows for cocktail lounges with a use permit per Section 18.55.030(3).

The General Plan Land Use designation for the subject parcel is General Commercial pursuant to the City's General Plan Land Use Map, which allows for several commercial business and services.

Environmental Review and Analysis

This re-review of a project which has already been reviewed pursuant to the California Environmental Quality Act (CEQA), and which determined that the proposal was exempt from further CEQA pursuant to CEQA Section 15301, Class 1, Existing Facilities, and therefore needs no further analysis.

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 that the Commission review the attached Sheriff call logs, determine the status of extending the Use Permit, and determine the periodic reviews as listed in adopted conditions.

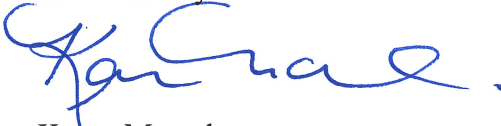
PLANNING COMMISSION OPTIONS:

- 1) Review the current status and recommend continuation of the Use Permit with periodic reviews
- 2) Deny the continuation of the Use Permit with appropriate findings for denial.

Attachments:

1. Approved Conditions of Approval
2. Glenn County Sheriff Call Log

Submitted by:



Karen Mantele
Principal Planner

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

Adopted Conditions of Approval
For Wrong Way Home Saloon Use Permit

222 W. Walnut St./APN: 002-162-006

PC approval date: May 15, 2019

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 of this development.
2. The approval of this project shall be subject to the latest adopted Ordinances, Resolutions, Policies, and fees of the City of Willows.
3. The applicant/business owner shall comply with all requirements of their ABC license.
4. Term of the CUP: The CUP will be limited to five years from the date of approval with a review in one-year from date of approval and thereafter Commission review every two years.
5. Regular Fire Department safety inspections shall occur annually.
6. The applicant shall apply for and obtain Sign Permit approval from the Planning Department prior to replacing the sign with the new business name.

GLENN COUNTY SHERIFFS OFFICE

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11 CAD CALL RECORDS

√ '01/01/2019' AND '04/28/2020' AND AGENCY = 'GCSO WILLOWS CONTRACT' AND ADDRESS NUMBER CONTAINS '222' AND ADDRESS STREET(OR 2ND LINE) CONTAINS 'WALNUT' AND ADDRESS CITY

| REPORT TY NUMBER | DATE | CALL TYPE | AGENCY | LOCATION | UNIT/OFFICER |
|------------------|--------------|------------------------|---|-----------------------|---|
| CAD CALL REPORT | 202003010001 | 03/01/2020 01:12:26 | DISTURBANCE/VERBAL/PHYSICAL: 415PC PHYSICAL SYNOPSIS: 415PC PHYSICAL IN FRONT OF THE BAR | GCSO WILLOWS CONTRACT | [NAME] WRONG WAY HOME [ADDRESS] 222 W WALNUT ST WILLOWS, CA 95988 [UNIT] P18 [1] CORDOVA, V 2458 [UNIT] P17 [1] GARCIA, R 2426 [UNIT] P6 [1] DRAPER, B 2237 |
| CAD CALL REPORT | 201912160002 | 12/16/2019 01:25:14 | ACCIDENT: 11-82 SYNOPSIS: HBD FEMALE IN 4DR SILVER CAR BACKED INTO HIS CAR NOW REFUSING TO GIVE HIM HER INFO | GCSO WILLOWS CONTRACT | [NAME] WRONG WAY HOME SALOON [ADDRESS] 222 W WALNUT ST WILLOWS, CA 95988 [UNIT] P14 [1] TURNER, C 2179 [UNIT] P17 [1] GARCIA, R 2426 [UNIT] P7 [1] RAMIREZ, R 2163 |
| CAD CALL REPORT | 201912150003 | 12/15/2019 00:09:28 | TRAFFIC VIOLATION: 20002 SYNOPSIS: WHT PK HIT RP'S PARKED VEH APPROX 10 AGO UNK DOT PK HAD A 28 FROM EITHER NEW MEX OR AZ | GCSO WILLOWS CONTRACT | [ADDRESS] 222 W WALNUT AV WILLOWS, CA 95988 [UNIT] P14 [1] TURNER, C 2179 [UNIT] P7 [1] RAMIREZ, R 2163 |
| CAD CALL REPORT | 201911170039 | 11/17/2019 23:51:31 | MISCELLANEOUS: FLAGGED DOWN SYNOPSIS: FLAGGED DOWN WHILE ON PATROL | GCSO WILLOWS CONTRACT | [NAME] WRONG WAY HOME SALOON [ADDRESS] 222 W WALNUT ST WILLOWS, CA 95988 [UNIT] P13 [1] ZARATE, G 2132 [UNIT] P15 [1] GOODWIN, T 2182 |
| CAD CALL REPORT | 201908220053 | 08/22/2019 20:36:21 | GENERIC INCIDENT TYPE SYNOPSIS: WMA WHO IS HBD IN HIS 40S BALD DARK GREY SHIRT & SHORTS REQ MOVE ALONG WAS INSIDE CAUSING DST | GCSO WILLOWS CONTRACT | [NAME] THE LONG WAY HOME [ADDRESS] 222 W WALNUT ST LONG WAY HOME WILLOWS, CA 95988 [UNIT] P13 [1] ZARATE, G 2132 [UNIT] P14 [1] BRANSON, M 2323 |

GLENN COUNTY SHERIFFS OFFICE

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11 CAD CALL RECORDS

√ '01/01/2019' AND '04/28/2020' AND AGENCY = 'GCSO WILLOWS CONTRACT' AND ADDRESS NUMBER CONTAINS '222' AND ADDRESS STREET(OR 2ND LINE) CONTAINS 'WALNUT' AND ADDRESS CITY

| REPORT TY NUMBER | DATE | CALL TYPE | AGENCY | LOCATION | UNIT/OFFICER |
|------------------|--------------|------------------------|--|--------------------------|--|
| CAD CALL REPORT | 201905110002 | 05/11/2019 01:59:40 | ADULTS: PASSED OUT SYNOPSIS: MALE SUBJECT IS PASSED OUT IN THE BATHROOM | GCSO WILLOWS CONTRACT | [NAME] BUBBA'S PLACE [ADDRESS] 222 W WALNUT ST WILLOWS, CA 95988 [UNIT] P19 [1] GARCIA, R 2426 [2] MCINTYRE, T 2296 [UNIT] P13 [1] ZARATE, G 2132 |
| CAD CALL REPORT | 201905030051 | 05/03/2019 22:24:44 | DISTURBANCE/VERBAL/PHYSI CAL: 415PC PHYSICAL SYNOPSIS: 415PC PHYSICAL BETWEEN 2 MALES | GCSO WILLOWS CONTRACT | [NAME] BUBBA'S PLACE [ADDRESS] 222 W WALNUT ST WILLOWS, CA 95988 [UNIT] P19 [1] GARCIA, R 2426 [2] MCINTYRE, T 2296 [UNIT] P13 [1] ZARATE, G 2132 [UNIT] S2 [1] OWENS, J 1746 |
| CAD CALL REPORT | 201905010049 | 05/01/2019 21:11:33 | SUSP. PERSON/VEHICLE: PERSON SYNOPSIS: REQ A WALK THRU FOR SUS PERSON | GCSO WILLOWS CONTRACT | [NAME] BUBBAS PLACE [ADDRESS] 222 W WALNUT ST WILLOWS, CA 95988 [UNIT] P14 [1] BRANSON, M 2323 |
| CAD CALL REPORT | 201903170011 | 03/17/2019 10:58:43 | MAL MISCHIEF/VANDALISM: COLD SYNOPSIS: COLD 594 TO BUSINESS OCCURED FRIDAY NIGHT | GCSO WILLOWS CONTRACT | [NAME] BUBBAS PLACE [ADDRESS] 222 W WALNUT ST WILLOWS, CA 95988 [UNIT] P9 [1] ALVES, T 2306 |
| CAD CALL REPORT | 201903160001 | 03/16/2019 00:37:44 | TRAFFIC VIOLATION: 23152VC SYNOPSIS: MALE SUBJECT LEFT BAR WITH BUD LIGHT ALUMINUM CAN LEFT AREA IN WHITE CHEVY TAHOE 4MBA858 | GCSO WILLOWS CONTRACT | [NAME] BUBBA'S PLACE [ADDRESS] 222 W WALNUT ST WILLOWS, CA 95988 [UNIT] P8 [1] RAMIREZ, R 2163 |

GLENN COUNTY SHERIFFS OFFICE

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11 CAD CALL RECORDS

√ '01/01/2019' AND '04/28/2020' AND AGENCY = 'GCSO WILLOWS CONTRACT' AND ADDRESS NUMBER CONTAINS '222' AND ADDRESS STREET(OR 2ND LINE) CONTAINS 'WALNUT' AND ADDRESS CITY

| REPORT TY NUMBER | DATE | CALL TYPE | AGENCY | LOCATION | UNIT/OFFICER |
|--------------------|--------------|------------------------|--|--------------------------|---|
| CAD CALL REPORT | 201902240001 | 02/24/2019 00:21:37 | DISTURBANCE/VERBAL/PHYSI CAL: 415PC SYNOPSIS: 9-1-1 OPEN LINE FEMALE IN BACKGROUND STATING SHE IS GOING TO PEPPER SPRAY SOMEONE | GCSO WILLOWS CONTRACT | [NAME] BUBBA'S PLACE [ADDRESS] 222 W WALNUT ST WILLOWS, CA 95988 |
| | | | | | [UNIT] P10 [1] MCINTYRE, T 2296 [UNIT] S2 [1] OWENS, J 1746 [UNIT] CHP [UNIT] AMBULANCE [1] AMBULANCE, [UNIT] FIRE [1] FIRE, [UNIT] P15 [1] GOODWIN, T 2182 [UNIT] P8 [1] RAMIREZ, R 2163 |

Planning Commission Agenda Report:**May 20, 2020**

| | |
|-------------------|--|
| Project/Business | Variance Application (File #V-20-0) Request to vary from FSB |
| Applicant/Owner: | Mathew Amaro/June Smith |
| Project location: | 640 Holly Street, Willows, CA |
| Parcel No: | 003-173-016 |
| Zoning: | R-1 (Single Family Residential Housing) |
| General Plan | Low Density Residential |

Project Description

An application was submitted by Mr. Amaro on behalf of the property owner, requesting a seven (7) foot reduction in the front set back regulations in order to construct an open porch which will wrap around the house on the west side.

There is an existing non-conforming carport that extends into the front setback approximately 17 feet. The property owner desires to remove this carport and replace it with a new front porch that will only extend into the setback seven feet. The porch will match the existing roof in color and style, will be open air and not enclosed, and will have wood columns.

Review Process

This matter is before the Planning Commission pursuant to Section(s) 18.140 of the City of Willows Municipal Code.

Zoning/ General Plan

The subject parcel is located on the corner of Holly and Ventura Streets and is approximately 8,170 square feet. Holly Street is a short street with only three parcels with single family dwellings located on all the lots. All lots surrounding the subject property are in the R-1 zoning district.

The General Plan Land Use designation for the subject parcel is Low Density pursuant to the City's General Plan Land Use Map, which allows for residential use.

Variance Analysis:

The existing 1,332 square foot single-family dwelling to which the existing carport is attached to, was built in approximately 1950 and did not include a carport. Located behind the house to the south is a 784 square foot garage built in 1983, which is the same time frame that the Assessors records show that a carport was included in assessing the property. Lot coverage is 26% with house and garage. Even with the construction of a porch the lot coverage will not exceed the zoning regulations.

Adjacent to the west of the subject parcel is 636 Holly Street, which in 1967 was granted a Variance request to construct a service porch, and garage. The attached site plan shows the current layout of the three properties along Holly Street, showing the front setbacks of all three parcels.

Staff surveyed the surrounding streets to see where other intrusions into the front yard setback have taken place with or without the benefit of an approval/building permit. There appeared to be several parcels with front setbacks that do not conform to the code.

Non-conforming Section 18.110.090(7) states *Any nonconforming use or building may be permitted to be enlarged, extended, reconstructed, or structurally altered in cases where an application for a use permit is first approved, as provided in Chapter [18.135](#) WMC, Use Permits.* It is the intent of the code to allow

non-conforming uses or buildings to be enlarged or reconstructed; however Staff had determined that this code section could apply to a request for a Variance in lieu of a Use Permit application; and if approved by the Commission would require adopting conditions of approval, similar to how a Use Permit is adopted.



Environmental Review and Analysis

This re-review of a project which has already been reviewed pursuant to the California Environmental Quality Act (CEQA), which determined that the proposal was exempt from further CEQA pursuant to CEQA Section 15305, Class 5, Minor Alterations in Land Use Limitations, needs no further analysis.

In accordance with Section 18.140.030 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.

Findings of Fact

Per WMC Section 18.140.050, the Planning Commission may approve or conditionally approve an application for a variance only if all the following findings are made:

- (1) That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to the property or class or use in the same zone in the vicinity.
- (2) The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship and would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.

- (3) That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district; and
- (4) That granting the variance, or its modification will not be materially detrimental to the public health, safety, or welfare

STAFF RECOMMENDATION:

Staff recommends adoption of the attached resolution recommending approval for a variance from front set back requirements, subject to the conditions of approval as shown in Attachment #2.

PLANNING COMMISSION OPTIONS:

The Planning Commission may approve or deny the variance and may require changes and/or impose any conditions of approval as are necessary to carry out the purpose of this title.

- 1) Recommend approval of the Variance proposal and subject to Conditions of Approval as described in Attachment 2
- 2) Deny the application with appropriate findings for denial

Attachments:

1. Draft Planning Commission Resolution
2. Proposed Conditions of Approval
3. Site/ Neighborhood/Porch/Roof Plan
4. APN map

Submitted by:

Karen Mantele
Principal Planner

Per 18.140.060 THE APPLICANT IS REMINDED THAT THERE IS A 10 (TEN) DAY APPEAL PERIOD FOLLOWING THE PLANNING COMMISSION DECISION

PC RESOLUTION NO. _____-2020

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WILLOWS APPROVING A VARIANCE REQUEST (#V-20-01) FOR JUNE
SMITH TO ALLOW FOR AN EIGHTEEN FOOT FRONT YARD SETBACK FOR
PROPERTY LOCATED AT 640 HOLLY STREET, ASSESSORS PARCEL
NUMBER 003-173-016**

WHEREAS, the applicant Mathew Amaro on behalf of the property owner June Smith, has filed a Variance application to allow a seven-foot reduction in front set-back regulations on said property to construct a front porch, and,

WHEREAS, a Variance may be granted by the Planning Commission as provided in Chapter 18.140 where practical difficulties, unnecessary hardships, or results inconsistent with the purposes and intent of this title may result from the strict application of certain area, height, yard, and space requirements thereof, and

WHEREAS, per WMC Section 18.140.030 notices of the Planning Commission meeting held on May 20, 2020, were published in a newspaper of general circulation in the City in accordance with law, and mailing to property owners within 400 feet were sent at least ten (10) days prior; and,

WHEREAS, the Planning Commission did, on May 20, 2020, hold a public hearing to consider all public oral and written comments, letters and documents, staff reports, and all other documents and evidence which are a part of the Record; and,

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

WHEREAS, the Planning Commission finds that the proposal is considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305, Class 5; and

WHEREAS, the Planning Commission does find that there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to the property or class or use in the same zone in the vicinity, as the existing non-conforming front porch extends seventeen feet into the front setback which will be removed for a new porch which will extend seven feet into the required 25 foot front yard setback; and

WHEREAS, the Planning Commission does find that the strict or literal interpretation and enforcement of the specified regulation (of the R-1 zone regarding front set back requirements) would result in practical difficulty or unnecessary physical hardship and would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district, as the adjacent parcel west of the subject property has a front setback variance which was granted by the City; and

WHEREAS, the Planning Commission does find that the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district, as the adjacent parcel west of the subject property has a front setback variance which

was granted by the City; and several parcels in the vicinity have non-conforming, front yard setbacks that do not conform to code; and

WHEREAS, the Planning Commission does find that granting the variance, or its modification will not be materially detrimental to the public health, safety, or welfare; as conditions of approval adopted for the project will not cause detriment to the public health, safety or welfare.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the Variance proposal to reduce the required front yard setback by seven feet from zoning regulations is consistent with the City of Willows General Plan, the City of Willows Municipal Code, and hereby approves Variance file#V-20-01, subject to the attached conditions of approval set forth in Attachment #2.

IT IS HEREBY CERTIFIED that the foregoing Resolution was duly adopted at a regular meeting of the Planning Commission of the City of Willows on Wednesday, the 20th day of May 2020, by the following vote, to wit:

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____

APPROVED: _____
Robert Griffith, Chairperson

ATTEST: _____
Marina Ehorn, Recording Secretary

**Variance CONDITIONS OF APPROVAL FOR
June Smith
FOR PROPERTY LOCATED AT 640 Holly STREET
ASSESSORS PARCEL NUMBER 003-173-016**

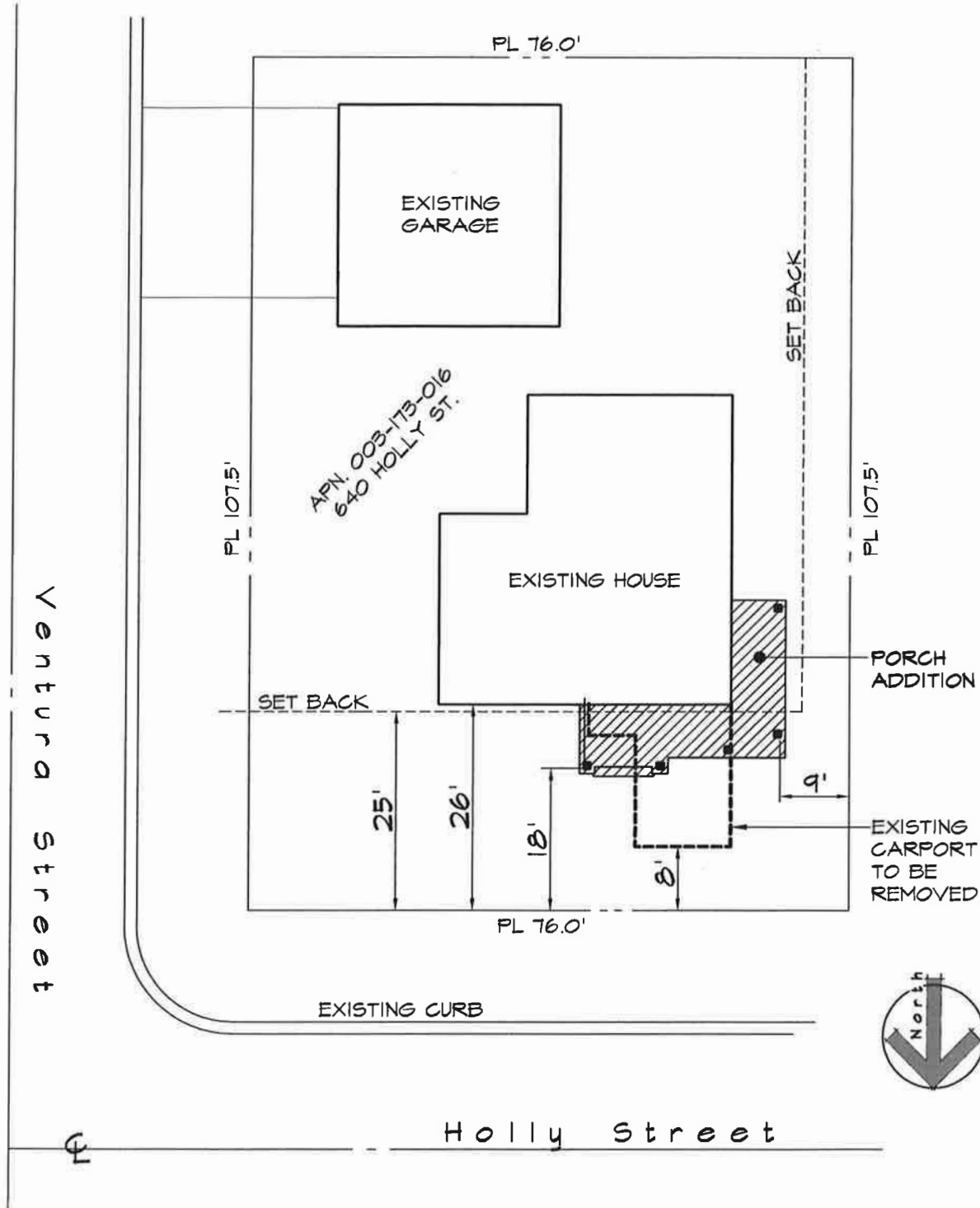
PC approval date: _____, 2020

General

1. That the applicant/developer shall enter into a Pass-Through Agreement with the City of Willows to pay the cost of all planning review, plan checking and field inspection of this development.
2. In any case where a use, permitted by a variance permit, is not made on the property subject to the variance permit within the time specified in the permit or within one year after the date of granting thereof, then without further action the permit shall be null and void, and such use shall not be made of the property except on the granting of a new variance permit.
3. 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.

Building Department

4. The applicant shall submit a completed building permit application with a detailed scope of work and 3 complete sets of plans, calculations, specifications, etc. for review. Appropriate plan review fees shall be paid at the time of submittal.
5. All work shall comply with current Federal, State, and local codes and ordinances and be shown on the plans submitted for review.
6. Conditions of approval shall be shown on the plans submitted for review.



Site Plan

1" = 20'

PORCH ADDITION

for

JUNE SMITH

Mathew Amaro Designs

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

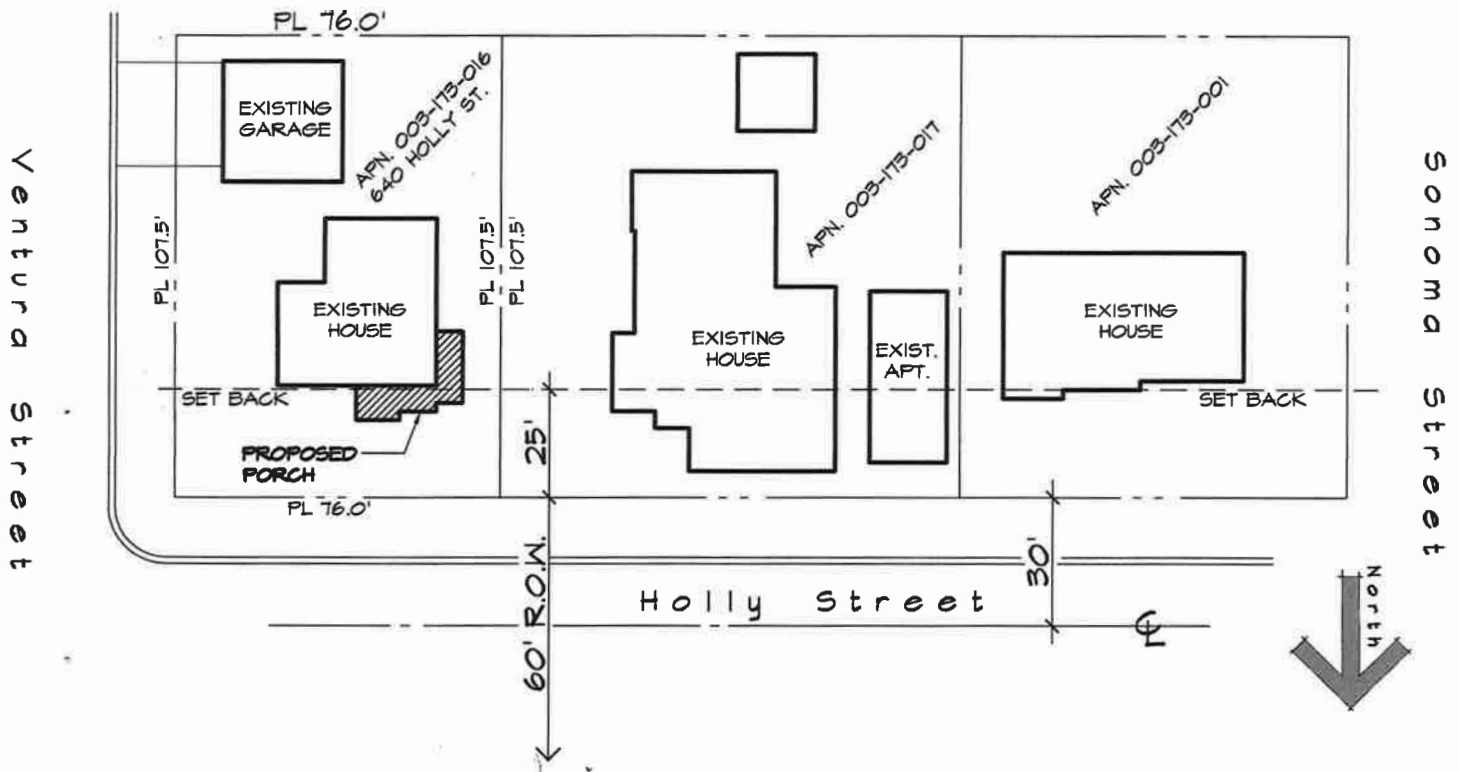
640 HOLLY STREET

AP# 003-173-016-0

1

of 5

Date: 4/18/20



Neighborhood Plan

N.T.S.

PORCH ADDITION

for

JUNE SMITH

640 HOLLY STREET

AP# 003-173-016-0

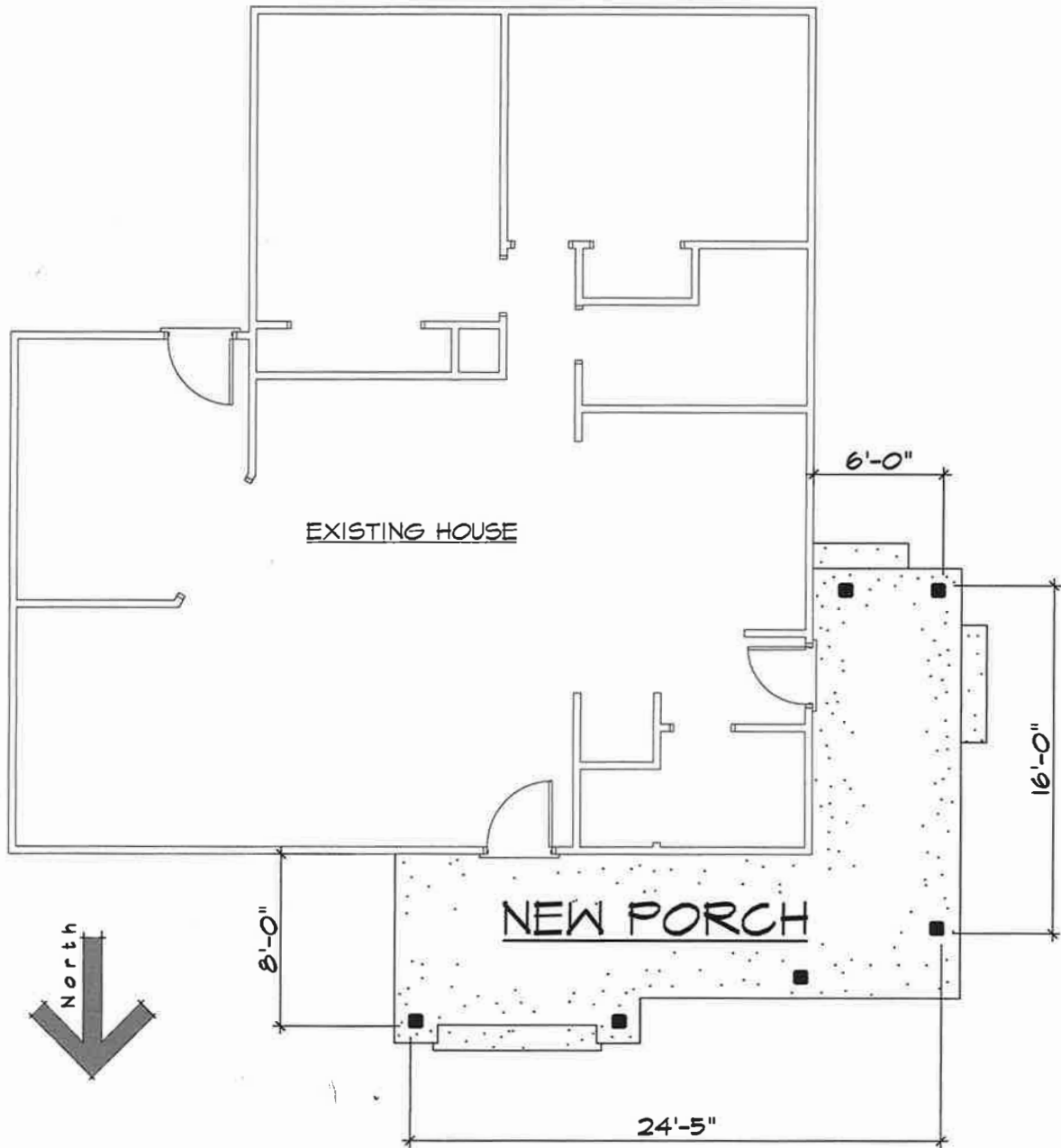
2

of 5

Date: 4/18/20

Mathew Amaro Designs

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



Plan
1/8" = 1'-0"

PORCH ADDITION

for

JUNE SMITH

Mathew Amaro Designs

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

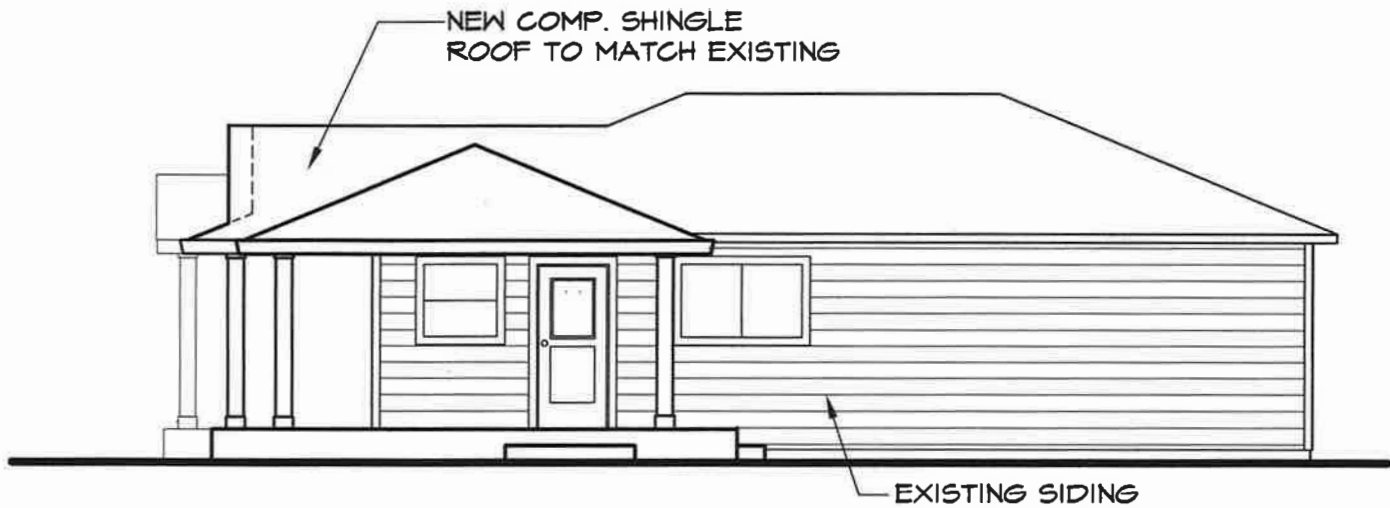
640 HOLLY STREET

AP# 003-173-016-0

3

of 5

Date: 4/18/20



WEST SIDE YARD ELEVATION



HOLLY STREET ELEVATION

Elevations

1/8" = 1'-0"

PORCH ADDITION

for

JUNE SMITH

640 HOLLY STREET

AP# 003-173-016-0

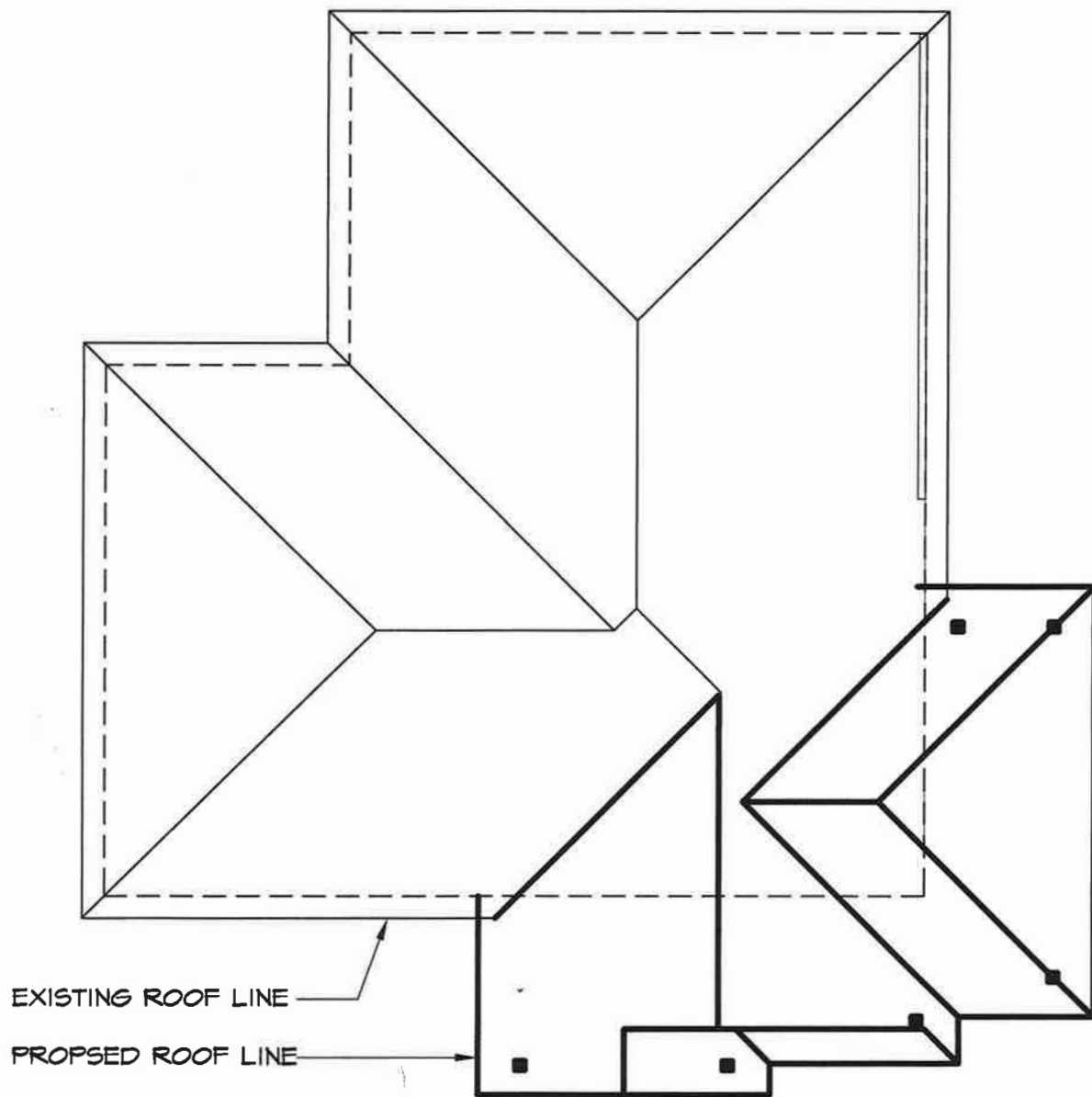
Mathew Amaro Designs

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

4

of 5

Date: 4/18/20



Roof Plan

$1/8" = 1'-0"$

PORCH ADDITION

for

JUNE SMITH

Mathew Amaro Designs

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

640 HOLLY STREET

AP# 003-173-016-0

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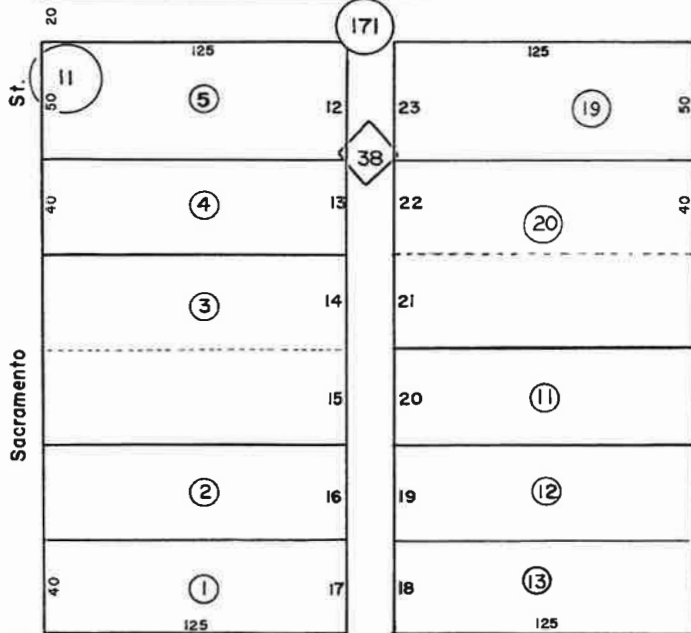
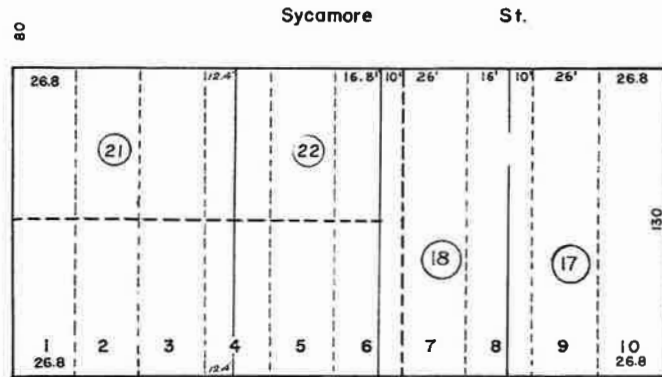
of 5

Date: 4/18/20

PITTSBURGH ADDITION

T.C.A. 3-17
02001

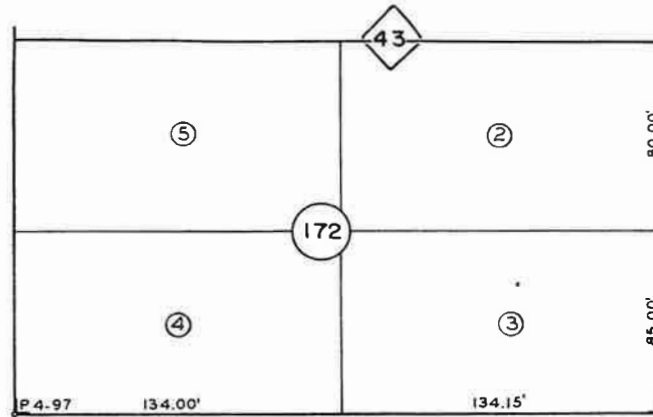
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BK. 4 PG. 97 PARCEL MAPS

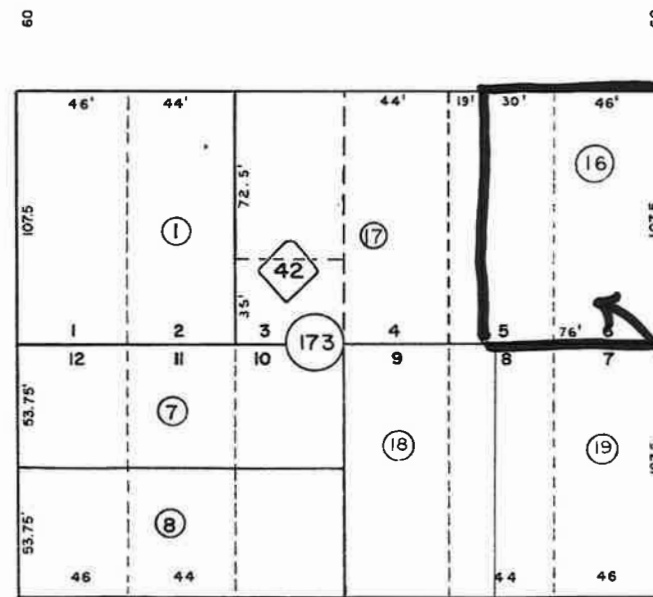
Oak

16



St.

Sonoma

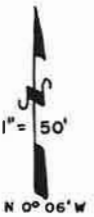


St.

Ventura

Subject Parcel

10



23

Planning Commission Agenda Report:

May 20, 2020

To: City of Willows Planning Commission
From: Karen Mantele, Principal Planner
Applicant: City of Willows
Subject: Text Amendments to the City's Municipal Code/Zoning
Code Section(s) 18.110.090 and 18.50.030
File # ZTA-20-01

Project Description

Amend the Municipal Code in two sections by adding text that will allow an exemption to the code for single-family residential use within the Entryway zone with a Conditional Use Permit, subject to criteria of the exemption.

Background

The Entryway Zone was established in June of 2000 and encompasses 80 parcels on both sides of Wood Street. Prior to the Entryway zoning district, Wood Street was a combination of three separate zoning districts. The District runs on the north side of Wood Street from Pacific Avenue to Tehama, and on the south side of the street begins at the car wash and extends down to the alleyway just east of Shasta Street, with two breaks in between to accommodate the Glenn County Hospital and Willows High School, which are in the Public Facilities and Services District.

The purpose of the district reads; *The entryway or E district is intended to apply to arterial streets leading into downtown, where a mix of commercial, office, and residential uses is appropriate in an aesthetically appealing corridor, in which new developments and modifications to existing developments shall occur in accordance with design guidelines. Permitted uses and uses permitted with a conditional use permit are intended to be compatible with residential uses within and adjacent to the E district.*

This purpose statement does mention “residential uses” as being appropriate in this corridor, in accordance with design guidelines for the Entryway District. Any development is also subject to the Architectural Board of Review Code Section. It appears that the intent of creating this zoning district was to incorporate residential uses, as there are several existing residential structures within this zoning district that were built prior to this zone change, and the requirement for any new commercial buildings is to have a residential look to the design.

Section 18.50.030(1) states *Permitted uses in the R-2 district, as set forth in WMC [18.35.030](#)*. However, Section 18.35.030 does not list any residential uses. Furthermore, within Section 18.50.050(1) *Other regulations*, it states *Residential Uses. Minimum lot area, front, side, and rear setbacks, maximum building height, maximum lot coverage and parking requirements for residential uses shall be subject to the regulations of the residential zone(s) in which the use is considered a principally permitted use.* It appears the intent was to regulate residential uses; however, none are listed as either permitted or conditionally permitted.

Over the past several years Staff has been approached regarding use of vacant lots for residential uses. As was discussed prior, any proposals for such a use had to be turned down because of the lack of allowing such a use. Therefore, because of recent requests for residential uses in the Entryway zone, Staff has contemplated how to accommodate a request for residential use in the future. As a result, Staff is bringing forth two text amendments to the City's Municipal Code/Zoning Ordinance for the Commission to review as follows:

Zoning Text Amendments to include:

- Adding to Section 18.110.090 *Nonconforming uses* (10) text to include an exception to the Entryway District for single family residential use
- Adding to Section 18.50.030 *Uses permitted with a conditional use permit* (9) text to reference the allowed single-family residential use

In reviewing the current zoning map, it appears there are 39 parcels which sit behind Wood Street that could be affected, and four (4) are vacant parcels included within that figure.

In accordance with Section 18.20.030(1) notice of this public hearing was published in the local newspaper ten (10) days prior to the public hearing.

Environmental Review

Staff has determined that the project, Text Amendments to the Zoning Ordinance, is exempt from CEQA per Section 15061(3). A Notice Of Exemption will be filed upon City Council review and approval of text amendments.

Attachments:

1. Draft Resolution No. _____ (Recommending Approval of Zoning Text Amendments as shown on **Exhibit A**)
2. Overview of Entryway Zoning District Map

Staff Recommendation

Staff recommends that the Planning Commission adopt the Resolution recommending the City Council introduce ordinances amending certain sections of the text of the Municipal Code/Zoning Ordinance per Exhibit A.

The Planning Commission may take the following actions:

1. Recommend to the City Council that certain sections of the Municipal Code/Zoning Ordinance be amended.
2. Add/Amend language to proposed Municipal Code Sections and recommend to the City Council.
3. Recommend that the City Council take no action on the proposed Zoning Ordinance Amendments

Submitted by:

Karen Mantele
Principal Planner

PC RESOLUTION NO. _____-2020

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

WHEREAS, the City of Willows has initiated two zoning text amendments to the City's Municipal Code, specifically to Sections 18.50.030; 18.110.090; and,

WHEREAS, notices of the Planning Commission meeting held on May 20, 2020, were published in a newspaper of general circulation in the City in accordance with law, and,

WHEREAS, the Planning Commission did, on May 20, 2020, hold a public hearing review and consider all public oral and written comments, letters and documents, staff reports, and all other supporting documents, City codes and regulations which are a part of the Record; and,

WHEREAS, the Planning Commission finds that the Amendments to the Municipal Code/Zoning Ordinance, as proposed in attached Exhibit A are consistent with the General Plan; and

WHEREAS, the Planning Commission finds that the text amendment proposal is considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3).

NOW THEREFORE, THE PLANNING COMMISSION OF THE CITY OF WILLOWS RESOLVES AS FOLLOWS:

1. The above recitals are true and correct and constitute a part of the findings made by the Planning Commission in approving this Resolution.
2. The project (amendments to the Municipal Code/Zoning Ordinance) will not have a significant effect on the environment.
3. The Planning Commission finds that the project is exempt from the California Environmental Quality Act per Section 15061(b)(3).

IT IS HEREBY CERTIFIED that the foregoing Resolution was duly adopted at a regular meeting of the Planning Commission of the City of Willows on Wednesday, the 20th day of May 2020, by the following vote, to wit:

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____

APPROVED: _____
Robert Griffith, Chairperson

ATTEST: _____
Maria Ehorn, Recording Secretary

EXHIBIT A

Proposed Zoning Text Amendments

Areas in **RED** are draft proposed language

1.Entryway Zoning District

18.50.030 Uses permitted with a conditional use permit.

The following uses and structures are permitted in the E district only if a conditional use permit has first been secured. Uses and structures which, in the opinion of the planning commission, are similar to the following may be permitted if a conditional use permit has first been secured:

(1) Permitted uses in the R-2 district, as set forth in WMC [18.35.030](#).

(2) Pet shops and veterinary offices.

(3) Mortuaries and funeral parlors.

(4) Private schools.

(5) Bed and breakfast establishments with five or fewer guest quarters.

(6) Martial arts or exercise studios.

(7) Health clubs.

(8) Residential uses as authorized under WMC [18.110.090](#)(9). [Ord. 744-19 § 1, 2-26-19; Ord. 664-00 § 14B.03, 6-27-00; Ord. 632-91 § 14B.03, 10-22-91].

(9) Residential use as authorized under WMC 18.110.090(10)

2. 18.110.090 Nonconforming uses.

(10) Residential Use Exemption: Existing vacant property located within the Entryway zoning district may be allowed for use as a single-family residential unit by way of a conditional use permit from the planning commission; subject to the following criteria: (a) the parcel shall not abut Wood Street; (b) the parcel shall abut another residential use; (c) the parcel shall comply with WMC Section 18.50.050(1) The planning commission is authorized to approve, conditionally approve or deny a request subject to appeal provisions of WMC [18.135.060](#)



ZONING DESIGNATIONS

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