



Willows Planning Commission

Special Meeting Agenda

June 30, 2021

Willows City Hall

3:00 p.m.

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

CITY PLANNER
Karen Mantele

MINUTE CLERK
Maria Ehorn

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

1. CALL TO ORDER – 3:00 p.m.
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. PUBLIC COMMENT/WRITTEN COMMUNICATIONS

a. Public Comments:

Members of the public wishing to address the Commission on any item(s) not on the agenda may do so at this time 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)

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.

5. REGULAR BUSINESS AGENDA/PUBLIC HEARING(S)

a. Staff recommends Commission receive the staff report, attachments, discuss and upon conclusion, consider the adoption of the attached resolution **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS GRANTING USE PERMIT APPROVAL (FILE # UP-21-02) ALLOWING THE ESTABLISHMENT OF A MOBILE FOOD UNIT AND DESIGN REVIEW APPROVAL OF THE CARPORT (FILE#DR-21-03) TO KALE GIESBRECHT (K&J BBQ) FOR PROPERTY LOCATED AT 244 E. CEDAR STREET, WITHIN THE CG ZONING DISTRICT ASSESSORS PARCEL NUMBER 002-302-005.**

b. Staff recommends Commission receive the staff report, attachments, discuss and upon conclusion, consider the adoption of the attached resolution **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS GRANTING MAJOR USE PERMIT APPROVAL (FILE # MUP-20-05) TO GARY EVANS ALLOWING A CHANGE OF USE FROM COMMERCIAL USE AS AN EXTENDED STAY MOTEL TO A 14 UNIT-MULTI-FAMILY RESIDENTIAL APARTMENT COMPLEX WITH NO CARPORTS FOR THE PROJECT LOCATED AT 601 N TEHAMA STREET ASSESSORS PARCEL NUMBER 005-283-015.**

6. COMMISSION/STAFF REPORTS/COMMENTS

- a. Commission reports/Comments.
- b. Staff Reports/Comments.

7. ADJOURNMENT

This agenda was posted on June 24, 2021

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

Planning Commission Agenda Report:**June 30, 2021**

Project:	Conditional Use Permit (File #UP-21-02) Establish a mobile food service business & Design Review (File#DR-21-03) site improvements for business (aka K&J BBQ))
Applicant(s)/Owner:	Kale Giesbrecht/Ronald Glassgow
Project Location:	255 E. Cedar Street
Parcel No:	002-302-005
Zoning:	CG (General Commercial)
General Plan	General Commercial

Project Description:

The applicant, Kale Giesbrecht, has submitted planning applications to the City of Willows for a Conditional Use Permit, to allow the establishment of a mobile food service unit (*aka K&J BBQ*) on a commercial lot; and a Design Review request for the mobile unit, and canopy area for the business. The mobile unit size is 8'x30'. The metal canopy shade structure is 18'x35'. Tables will be placed under the canopy for users. The proposed hours of operation will be Wednesday through Friday from 10:30 am to 2:30 pm. There will be 5 employees. A portable restroom and wash station will be provided on the site for users. The applicant has obtained a food license facility permit from the County of Glenn for the mobile unit.

Review Process:

This matter is before the Planning Commission pursuant to Section(s) 18.60.030(9), 18.135 and 2.45 of the City of Willows Municipal Code (WMC)

Zoning:

The project site is zoned CG (General Commercial). The surrounding zoning is zoned CG to the north, south and east. West of the site are the railroad tracks which beyond that the zoning is ML (Light Manufacturing).

General Plan Consistency:

The General Plan Land Use designation for this site is General Commercial which allows for a variety of general retail businesses and services. General Plan goal *DPS-18 –Commercial Development* – states under the policy that the City shall not approve new commercial development unless they demonstrate that they will not have significant negative impact on the downtown area. The objective for this goal states that new commercial development shall contribute to, not detract from the community, revitalizes the downtown area, and meets specific need for new commercial services.

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 environmental review pursuant to CEQA Section 15311, Accessory Structures. A finding has been incorporated into the draft resolution.

Project Discussion:

The proposed business began operations and began construction of a carport without the benefit of a use permit or building permit approval. The applicant was made aware that a use permit is required to establish a new mobile business, and subsequently an application was submitted for processing. The

request is to establish a mobile BBQ food business on the southern portion of a lot in the General Commercial district. The zoning district for the CG district does not list a mobile food unit as a permitted use or a conditionally permitted use; however, there is a section under the CG zoning district which allows for the Commission to determine whether this use is similar-to those listed within the code. The purpose of the GC district is *intended to be applied in areas where commercial facilities are necessary for public service and convenience* . Note: The CC district allows for outside sales and transient or mobile business operations with an approved use permit.

Entrance to the subject lot is obtained by way of Cedar Street. No driveway exists off Tehama Street. There is an area to park vehicles on the lot; however, one handicap parking space will be required for the project. A portable restroom and washing station will be provided on the western end of the lot within 200 feet of the business. The mobile business has met all the requirements of the Glenn County Environmental Health Department. A business license has been obtained from the Finance Department.

Background on Mobile Food Units:

In November of 2000, the Planning Commission heard and approved a Use Permit application for a mobile food truck at the corner of N. Tehama Street and W. Willow (*CC zoning district*)

In April of 2003 the Commission responded negatively to an advisory request for a mobile food truck in the Highway Commercial (*CH zoning district*) District.

In February of 2006 the Planning Commission heard an advisory request to consider placement of a mobile food unit on a vacant parcel on Sycamore Street (*CC zoning district*). The Commission denied this request.

In July of 2006, the Planning Commission approved a Use Permit to operate a mobile food unit at a vacant lot on the corner of S. Tehama and E. Walnut. (*RP zoning district*). This Use Permit was not acted upon as the applicant could not meet the Rail Road conditions of the lease.

In February of 2007, the Planning Commission approved a Use Permit to operate a mobile food unit on a vacant lot on the corner of Willows and Tehama Street (adjacent to the Ink Well) (*CC zoning district*) This unit has ceased operations.

In September of 2014, the Planning Commission approved a Use Permit to operate a mobile mexican food unit on a commercial lot at 410 N. Tehama Street, corner of Wood Street and Tehama. (*CG zoning district*). This unit has ceased operations.

There is one existing mobile food truck (Crazy Taco) which operates daily on the parcel located at the NW corner of Tehama and Oak Street (*located in the CC district*) which has been operating at this location for many years and was not subject to any type of review by the City prior to placement. Staff has considered this to be a nonconforming “grandfathered” use. This business recently came before the Commission for approval of a new walk-up restaurant at this location.

The Planning Commission in the past has determined that requests of this nature would be considered on an individual basis through the Conditional Use Permit process. As a condition of use permit approval, the Commission has a past practice of designating a specific duration for use permits, requiring interim review. The Commission had concerns in the past on permitting mobile food trucks only in areas where permanent restaurants were not immediately available. The subject site is located across the street from the Sanifood Market.

The Crazy Taco mobile food unit is located 1740 feet north from this proposed business, and the Willows downtown business area, where permanent eating establishments are located, is approximately 2300 feet north from this proposed business site.

Design Review/Project Analysis:

Competent Design: The applicant proposes a metal carport shade structure for the use of its customers, to be located adjacent to the mobile unit. The proposed plan submitted with the application is a standard type set of plans, and if approved, would have to meet building code for continued construction. Currently the shell of the structure is in place, however, will have to comply with Building Department conditions before being completed.

Relationship between Structures within the Development and between Structures and Site: There are other structures on the site, located north of the location of the proposed mobile business. The surrounding area has commercial buildings and or vacant lots.

Materials and Colors Used: The proposal is to construct a metal shade structure, unknown color which will cover the tables/chairs.

Utility Service: Utility service for this business is unknown at this time. The applicant has not stated how service will be obtained for the mobile unit.

Signage: No new signage is proposed with the project, as the BBQ truck has the name on the mobile unit.

Lighting: No new lighting has been proposed for the project. Hours of operation do not extend into the night hours; therefore, lighting may not be an issue. There is lighting on Tehama Street.

Parking: The applicants' site plan for the project shows a parking area. A handicap parking space will be required for the business.

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

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:

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.

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.

Environmental Review and Analysis

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA). City staff has determined that the proposal is exempt from further CEQA pursuant to Section 15301, Existing Facilities, Class 1.

PLANNING COMMISSION OPTIONS

1. Approve the Use Permit proposal subject to Conditions of Approval as described in Attachment 2.
2. Deny the Use Permit application with appropriate findings for denial.

STAFF RECOMMENDATION:

Staff recommends the Commission review and determine whether this use is applicable in this district under the code section of “other commercial uses in the opinion of the planning commission which are of similar nature to those uses listed” within the CG code section, and to determine that the carport design is acceptable.

Staff has drafted a resolution for the Commission if appropriate to consider, subject to the conditions of approval as shown in Attachment #2.

Attachments:

1. Draft Planning Commission Resolution
2. Proposed Conditions of Approval
3. Applicants Site Plan
4. Applicants Statement
5. Applicants Aerial photo
6. Photo of mobile unit
7. Photo of proposed carport
8. APN Map

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
PURSUANT TO Chapter 18.135.060**



Looking west



Looking north

DRAFT

PC RESOLUTION NO. _____-2021

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WILLOWS GRANTING USE PERMIT APPROVAL (FILE # UP-21-02)
ALLOWING THE ESTABLISHMENT OF A MOBILE FOOD UNIT AND
DESIGN REVIEW APPROVAL OF THE CARPORT (FILE#DR-21-03) TO
KALE GIESBRECHT (K&J BBQ) FOR PROPERTY LOCATED AT 244 E.
CEDAR STREET, WITHIN THE CG ZONING DISTRICT ASSESSORS
PARCEL NUMBER 002-302-005**

WHEREAS, the applicant, Kale Giesbrecht, has filed a Conditional Use Permit planning application to allow establishment of a mobile food unit on a commercial lot which is located within the CG zoning district, and,

WHEREAS, the City of Willows Municipal Code, Section 18.60.030(9) allows for other commercial uses in the opinion of the Planning Commission which are of similar nature upon first securing Use Permit approval from the Planning Commission, and

WHEREAS, the applicant, Kale Giesbrecht, has filed a Design Review application for approval of a metal carport design to augment the mobile food business; and,

WHEREAS, notice of the Planning Commission special meeting held on June 30, 2021, was published in a newspaper of general circulation in the City in accordance with law; and,

WHEREAS, the Planning Commission did, on June 30, 2021, 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 15311, Class 11; and,

WHEREAS, the Planning Commission finds that the proposed use is consistent with the purposes of the district in which the site is located, as Section 18.60.030(9) allows for other commercial uses with an approved use permit, and,

WHEREAS, the Planning Commission finds 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 finds that the proposed use is in conformance with the General Plan, as the property is located within the General Commercial designation, which allows for retail business and services.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the Use Permit proposal to establish a mobile food service unit on a portion of a lot within the CG zone is consistent with the City of Willows General Plan, the WMC, and does find that the Design Review proposal for the carport is consistent with the City of Willows General Plan, and WMC, and hereby approves Use Permit and Design Review applications (File#UP-21-02 and DR-21-03) 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 special meeting of the Planning Commission of the City of Willows on Wednesday, the 30th day of June, 2021, by the following vote, to wit:

AYES _____

NOES _____

ABSTAIN _____

ABSENT _____

APPROVED: _____
Hilgard Muller, Chairperson

ATTEST: _____
Maria Ehorn, Recording Secretary

ATTACHMENT 2

USE PERMIT & DESIGN REVIEW CONDITIONS OF APPROVAL FOR K&J BBQ MOBILE FOOD UNIT For property located at 244 E Cedar Street /APN; 002-302-005

PC approval date: _____, 2021

GENERAL

1. That the applicant/developer shall enter into a Pass-Through Agreement with the City of Willows to pay the cost of all planning review, plan checking and field inspection of this development.
2. If the use (establishment of a mobile food service unit) is not made on the project subject to the permit within one (1) year after the date of granting the permit, then without further action, the permit shall be null and void and such use shall not be made of the property except upon the granting of a new permit.
3. All plans for additional uses, and or changes to approved use which are not covered by this review shall be submitted to the City Manager/Planning Commission for review and approval prior to use.
4. The approval of this project shall be subject to the latest adopted Ordinances, Resolutions, Policies and fees of the City of Willows.
5. The applicant shall remove daily any trash associated with the use of the lot for a mobile food unit.
6. Upon cessation of the mobile food business, the carport and any structures associated with the business shall be removed within 30 days.
7. The applicant shall provide one surfaced handicap parking space on site.
8. Term of Use Permit shall be for one year from date of approval, with a review thereafter by the Commission.
9. The developer shall adhere to the design and specification of the Architectural Design Review approval which granted the construction of a new 18'x35' metal carport shade structure, as submitted with application.
10. All contractors/sub-contractors doing work on the project shall obtain a City business license prior to commencing operation.

BUILDING DEPARTMENT

11. If you intend to construct, enlarge, alter, repair, move, demolish, or change the occupancy of the building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace

any electrical, gas, mechanical or plumbing system, the installation of which is regulated by code, or to cause any such work to be done, you shall first make application for a building permit and obtain the required permit.

12. Applicant shall submit a completed building permit application with detailed scope of work, 3 complete sets of plans, calculations, specifications, etc. for review. Appropriate plan review fees shall be paid at time of submittal.
13. All work shall comply with current Federal, State, local codes & ordinances & be shown on the plans submitted for building permit review.
14. The Conditions of Approval shall be shown or attached on the plans submitted for building permit review.
15. Show the proposed electrical and water service for the mobile business.
16. Accessible restroom facilities shall be available on site, at all times the mobile food unit is in operation.
17. If using a generator for the mobile unit, provide County Air Quality clearance for unit and unit shall comply with applicable codes.
18. Show all required handicap accessible features.
19. Indicate where and how waste products from use of the mobile food unit as well as the public will be collected and disposed of.
20. The applicant shall at all times operate the mobile food unit in accordance with the California Uniform Facilities Law.
21. The mobile unit shall have periodic County of Environmental Health Department inspections on an annual basis for the food unit.

APPLICANT SITE PLAN

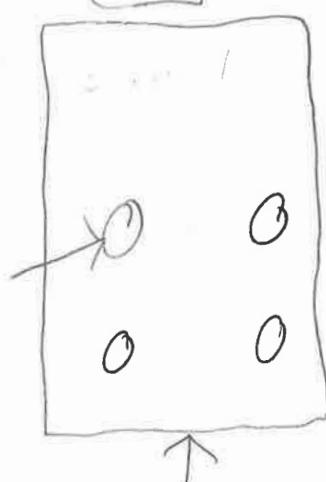
ATTACHMENT #3

Drive way

Food Trailer

Deck

Picnic Tables



Covered
seating

N ↑

Porta potty

Porta potty

Holiday
wash

S technician St

Parking

E cedar St.

Driveaway



Applicants Statement

ATTACHMENT 4

To whom it may concern:

K&J Barbeque has an agreement with Ron Glassgow for the use of his property at 504 South Tehama St and E Cedar St. Our intent is to do business with our food trailer on this location Wednesday through Friday during lunch hours.

We have cleaned up the lot and added gravel to make the ground surface usable. We have purchased a carport for the purpose of covered, shaded seating and ordered 4 picnic tables for people to use if they want to stay and eat on site. We have garbage cans to be provided.

We have a lockable portable restroom and handwash sink on the property. It is provided and maintained by Lannie's Septic Service.

Thank-you for your consideration,

Kale Giesbrecht
K&J Barbeque

504 S Tehama St

Location of K&J Barbeque
Mobile food trailer.

ATTACHMENT 5

Legend

Untitled Path



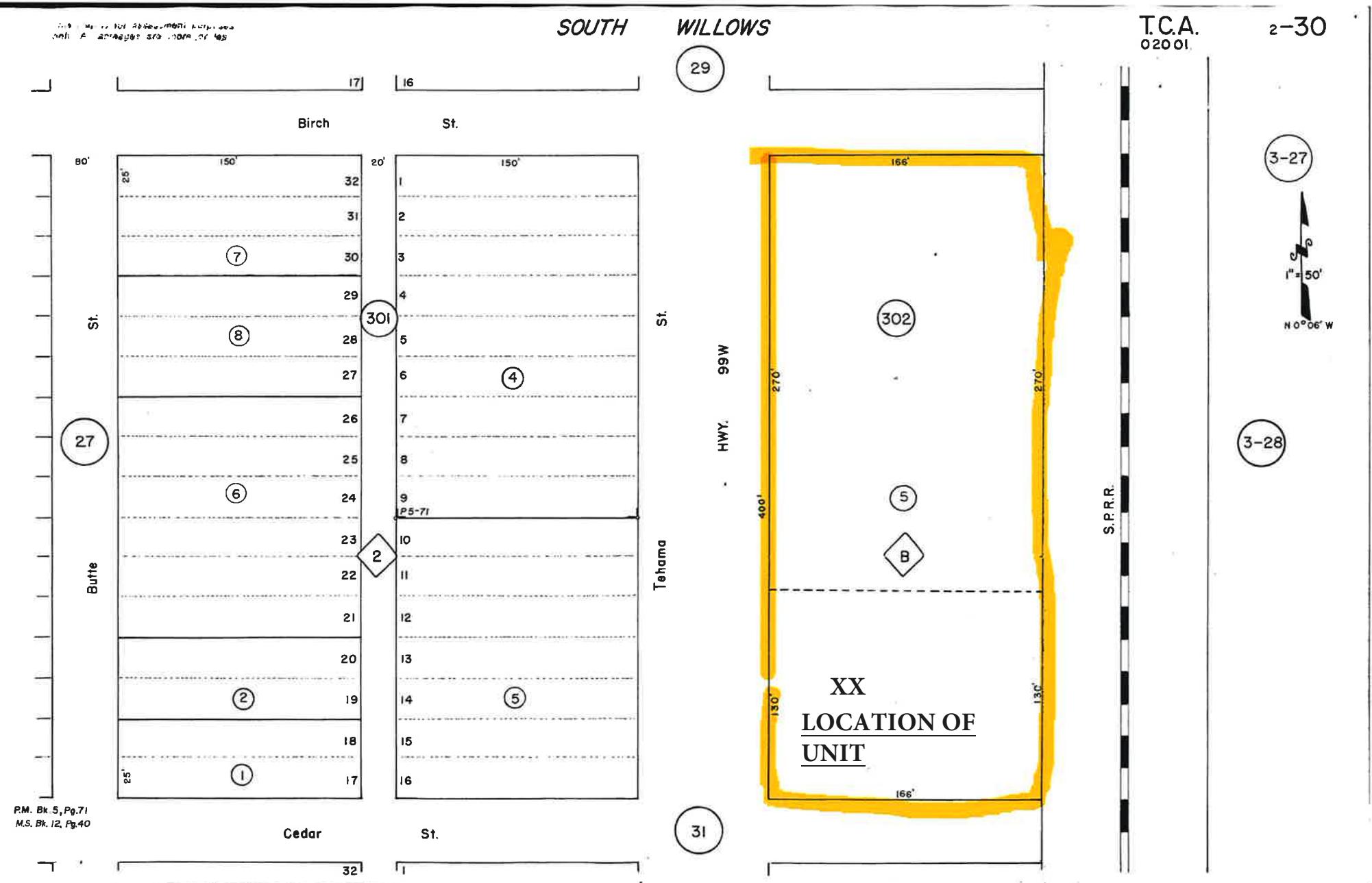
PHOTO OF MOBILE UNIT



PHOTO OF PROPOSED CARPORT

ATTACHMENT 7



APN MAP

Planning Commission Agenda Report:**June 30, 2021**

Project:	Use Permit (File #MUP-20-05) Request for Change of Use from Motel to Multi-family Apartments
Applicant(s)/Owner:	Gary Evans/same
Project Location:	601 N. Tehama Street
Parcel No:	005-283-015
Zoning:	General Commercial (GC)
General Plan	General Commercial

Project Description

The applicant has submitted a Use Permit planning application for review and consideration by the Commission, requesting to allow a change of use, from an extended stay motel use to a multi-family residential use (apartments). The 14 apartment-style units, consist of 6 studios (*which size qualifies as efficiency units*), 5 one-bedroom units, and 3 two-bedroom units. There will be an on-site manager at the apartment complex. The parking area has been re-coated and stripped to accommodate for 17 parking spaces, including one handicap space. Mr. Evans has requested relief from the parking code requirement to install covered parking. Each unit is equipped with mini split heating/cooling systems. The building has been painted in the past couple of years, with the base color of gray with white trim. At the extended stay hearing the applicant proposed to paint the existing building Earthtone colors of a tan color. On site amenities include a laundry room. Mr. Evans has stated that the units are being rented out currently as monthly rentals.

Review Process

This matter is before the Planning Commission pursuant to Willows Municipal Code Section 18.135, and 18.60.030(1).

Zoning

The 23,000 SF parcel is located on the corner of French and Tehama Streets which is CG zoning, allows for various permitted uses including residential uses. Zoning to the west and directly east is R-1. The property is a single-family dwelling with similar uses within this block and westward. A Truck N Auto repair business use is north of the subject parcel; west is a vacant building with the Mercado Meat Distribution business southeast of the site. Directly south of the site is a vacant commercial building (formerly known as Save More Market) with a vacant adjacent lot to the west.

BACKGROUND:

The subject property was originally developed in 1953 with the construction of a 7,695 SF structure to be used as a motel, named the Hwy 99 Lodge. This use had ceased many years ago.

On May 23, 2018, Mr. Evans came before the Commission with a Use Permit request to rehabilitate the place as an Extended Stay Motel. This Use Permit was granted to Mr. Evans as well as Design Review approval. Mr. Evans presented board exhibits to the Commission on his plans to rehabilitate the dilapidated structure. A finding that was made in the adopted resolution for the extended stay approval stated that the Commission found that an Extended Stay Motel as defined to allow stays up to 30 days, is consistent with the purpose of this zoning district with conditions of approval applied. The adopted conditions of approval for this motel use and design review are attached for the Commission.

On October 11, 2018, a building permit was obtained for the remodeling of the existing motel to change 19 units into 12 motel units. The remodel included adding kitchens with a refrigerator, stovetop, and sink. Inspections took place over the course of 2019/2020, and on July 6, 2020, a Certificate of Occupancy was issued for the extended stay motel.

Change of Use Discussion:

Per WMC Section 18.60.030(1) *Uses permitted with a conditional use permit*, which states; The following uses and structures may be permitted in the CG district only if a conditional use permit has first been secured:(1) *All uses permitted in any residential zones*.

Section 18.060.020 states that residential units and quarters occupy only the second story or higher of structures whose first stories contain nonresidential uses, either permitted or permitted by conditional use permits in the CG district, except as authorized by WMC [18.110.090\(8\)](#).

In July/August of 2020, Staff took a text amendment to first the Commission and then to the Council for adoption. This amendment proposed changes to WMC 18.110.090(8). See below the changes (red wording was the text amendment changes)

18.110.090(8) Nonconforming uses = Residential Use Exemption for Existing Structure(s).
*Existing single-story structure(s) located within the CC (central commercial) or CG (general commercial) zoning districts **originally constructed as a single-family dwelling**, may be allowed for use as a **single-family** residential unit(s) by way of a conditional use permit from the Planning Commission. No enlargement, extension, reconstruction, or structural alteration may be permitted to the structure. The planning commission is authorized to approve, conditionally approve or deny a request subject to appeal provisions of WMC 18.135.060*

Mr. Evans applied for the Use Permit to allow the change of use on July 15, 2020, prior to the adoption of the referenced text amendment, when the non-conforming code section read that existing single story structures may be allowed for residential use with a use permit. This was the same day at the text amendment referenced above was brought before the Commission for review. Since the code section was amended to include the wording “**originally constructed as a single-family dwelling**”, this structure did not qualify to use the newly worded exemption. The Commission could make a finding that even though the structure was not a single-story structure, a change of use could be approved, as the units would benefit the City’s housing needs.

As stated, Mr. Evans applied to the City for a Use Permit to change the type of use from the extended stay motel to a 14-unit apartment complex. The building permit issued was for a 12-unit extended stay motel, the applicant was asked to provide a corrected floor plan, to which his submittal is attached. The City’s building department has determined that the two extra units constructed, do meet the efficiency code requirements of the California Building Code; however, a new Certificate of Occupancy shall be issued upon full compliance with the MF use permit conditions of approval to grant the change of use from a motel to a residential use.

The project site has new landscaping in the form of bark which was installed as part of the 2018 Design Review project. The extended stay motel proposal included removal of one conifer tree west of the pole sign with the proposal to keep all other trees and shrubs. The proposal at the extended stay hearing was to add additional landscaping in the future to include drought tolerant landscaping.

All existing utilities are in place for this project. No new electrical or gas upgrade is proposed for the project.

Parking per the Municipal Code the project would require 17 parking spaces (*one for each studio and one bedroom, and two each for the two-bedroom units*). One van accessible parking space shall be required. The 17 parking spaces as shown on the attached parking plan, include one handicap space. An ADA path shall be installed as part of the conditions of approval. No covered parking is being provided for the change of use project. As with a similar change of use project, the current building code requirement to place any carport structure, would require a five-foot setback from the building or be fire sprinkled. The placement of them would be in the middle of the parking lot, which would restrict access for emergency vehicles to maneuver around the site. Mr. Evans has requested that the parking code requirement for multi-family use not be placed upon this project as a result of the building codes.

Access to the proposed apt complex is via one of three driveways; two along French Street and one off of N. Tehama Street. Conditions of Approval require some improvements to this area and to the corner as conditioned by the Engineering Department.

Garbage proposal is to allow a 40'x72'x 42' dumpster along N. Tehama Street, just south of the driveway but out of the right of way and on the property. At the extended stay hearing the proposal was to construct a trash enclosure that will be constructed on the lot with trash hauled off by the Waste Management Company.

No new signage is being proposed with this project. Should this change in the future, a sign permit approval will be required prior to installation.

No fencing is proposed on the site, however there is a chain link fence along the west property boundary which sits adjacent to a single-family residential use. At the extended stay use permit hearing the property owner of that residence inquired about a privacy fence to separate the two uses, and was a condition of approval.

Staff requested a copy of a business license from the Finance Dept. for the Extended Stay motel; however no license has been applied for.

The project was reviewed internally by City departments and outside agencies for comments/conditions which draft conditions are attached.

Environmental Review and Analysis

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA). City staff has determined that the proposal is exempt from further CEQA pursuant to Section 15301, Existing Facilities, Class 1.

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 to allow the change of use:

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

In accordance with Section 18.135.030 notice of this special public hearing was published in the local newspaper ten (10) days prior to the public hearing.

STAFF RECOMMENDATION:

Staff recommends the Commission review the change of use proposal and if appropriate adopt the attached draft resolution recommending Major Use Permit approval for a change of use project, subject to the conditions of approval as shown in Attachment #2.

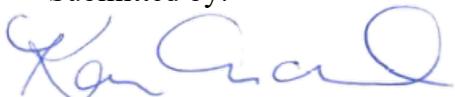
PLANNING COMMISSION OPTIONS:

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

Attachments:

1. Draft Planning Commission Resolution
2. Proposed Conditions of Approval for Apartment Use
3. Adopted Conditions of Approval for Extended Stay Motel
4. Applicants' Site/Floor Plan
5. Applicants' Parking Plan
6. Zoning & General Plan Map

Submitted by:



Karen Mantle
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 18.125.200(3)



2016



2017



Parking lot 2017



2018



2021



Fence area

DRAFT

PC RESOLUTION NO. _____-2021

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WILLOWS GRANTING MAJOR USE PERMIT APPROVAL (FILE # MUP-20-05)
TO GARY EVANS ALLOWING A CHANGE OF USE FROM COMMERCIAL
USE AS AN EXTENDED STAY MOTEL TO A 14 UNIT-MULTI-FAMILY
RESIDENTIAL APARTMENT COMPLEX WITH NO CARPORTS FOR THE
PROJECT LOCATED AT 601 N TEHAMA STREET ASSESSORS PARCEL
NUMBER 005-283-015**

WHEREAS, the applicant, Gary Evans has filed for Major Use Permit approval to allow a change of use from a commercial motel use to a multi-family residential apartment use; and,

WHEREAS, notice of the Planning Commission special meeting held on June 30, 2021, was published in a newspaper of general circulation in the City in accordance with law, and,

WHEREAS, the Planning Commission did, on June 30, 2021, 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 15301, Existing Facilities, Class 1; and,

WHEREAS; the applicant has made a request to eliminate the requirement to install carports; and,

WHEREAS, the Planning Commission finds that the request to remove the parking code requirement to install carports for the change of use project is valid as;

- a. CBC Section 406.3 limits the carport area to be less than 1000 SF, which the north section of the carports would exceed this limit.
- b. CBC Table 705.8 requires a minimum of 5-feet fire separation distance from the existing building, which if implemented would result in an unsafe ingress/egress for vehicles including emergency vehicles.

WHEREAS, the Planning Commission does finds that the proposed use is consistent with the purposes of the district (CG) in which the site is located,

- a. As Municipal Code Section 18.060.030(1) allows for a residential use by way of a conditional use permit.

- b. Approving a single-story commercial structure to be converted to a multi-family residential use would benefit the housing needs of the City.
- c. As Applicant applied for the use permit prior to a text amendment which changed the non-conforming wording of section 18.110.090(8) to include existing structures built as single-family residences; and

WHEREAS, the Planning Commission does find that the proposed use is consistent with the goals, objectives, policies and programs of the City of Willows general plan;

- a) as the General Plan Policy DPS-9 states the Planning Commission should evaluate residential development proposals based on their ability to provide housing opportunities consistent with this plan and the Housing Element; and,

WHEREAS, the Planning Commission does find that the proposed use conforms to applicable development standards and provisions of this title and will not be detrimental to the public health, safety and welfare, as conditions of approval shall provide for code compliance to the standards be adhered to; and,

WHEREAS, the Planning Commission does find that the physical location or placement of the use is compatible with the surrounding neighborhood and does not pose a safety risk as the structure is existing with no new additions proposed.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the Major Use Permit proposal to allow a change of use from commercial to multi-family residential use and remove the requirement to install carports, is consistent with the City of Willows Municipal Code and General Plan, and findings incorporated, and hereby approves Major Use Permit #UP-20-05, 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 special meeting of the Planning Commission of the City of Willows on Wednesday, the 30th day of June, 2021 by the following vote, to wit:

AYES _____

NOES _____

ABSTAIN _____

ABSENT _____

APPROVED: _____
Hilgard Muller, Chairperson

ATTEST: _____
Maria Ehorn, Recording Secretary

**File#MUP-20-05/CONDITIONS OF APPROVAL
FOR CHANGE OF USE TO MF RESIDENTIAL
FOR PROPERTY LOCATED AT 601 N TEHAMA STREET
APN; 005-283-015**

PC approval date: _____,2021

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 (*change of use from extended stay motel to multi-family apartments*) is not made on the project subject to the permit within the time specified in the permit or 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 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.
6. Any new business signage shall require sign permit approval from the Planning Department prior to installation.
7. The fence separating the apartments from the residential use to the west, shall be repaired.
8. The change of use from commercial to residential will require the sewer to be charged at the residential rate.
9. A business license shall be obtained for the new use.

Building Department.

10. The applicant shall submit 3 complete sets of plans to the building department for review.
11. The plans and the project shall comply with all Federal, State and Local codes and ordinances.
12. A new Certificate of Occupancy shall be issued upon full compliance with the conditions of approval to grant the change of use from a motel to a residential use.

Cal Water

13. The domestic water can be served by the existing 2" connection.

Fire Department

14. Shall provide fire extinguishers in accordance with the 2019 CFC.
15. A Fire Plan will be required to be submitted for review prior to occupancy.
16. Site shall be equipped with a Knox box holding a master key.

Engineering Department:

General Conditions:

17. Developer shall design and construct all improvements and facilities in accordance with the Willows Municipal Code (WMC), and 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.
18. 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.
19. 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 sidewalks. All design and construction shall conform to the City of Willows Design and Construction Standards, as applicable.
20. All proposed sidewalk improvements shall meet the provisions of ADA. For the proposed sidewalk adjacent to N. Tehama Street, the applicant shall construct the sidewalk a minimum of 4-feet wide and the alignment of the sidewalk shall connect to the City's existing sidewalk on French Street.
21. On-site plans must demonstrate that all provisions of ADA are being met with respect to parking and paths of travel from the parking area to on-site sidewalks.
22. 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.
23. Dust control must be maintained to the City's satisfaction.
24. Working hours shall be restricted to the hours of 7:00 a.m. to 6 p.m., Monday through Friday

Adopted Conditions of Approval for Extended Stay Motel

PC approval date: May 23, 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 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 applicant shall secure sign permit approval from the Planning Department to approve business signage for the Extended Stay Motel business. Any and all signage for the business shall be approved by the Planning Department prior to installation.
5. Any and all exterior lighting shall be installed shall be designed and to meet safety requirements and minimize glare onto adjacent property or residential areas. All lighting must meet the City Standards. All building mounted and site lighting shall be shielded lights, down lights, and or full cut off lights so that the bulb is not visible from off-site and light does not create glare or hazard onto adjoining properties/streets.
6. Parking shall be provided per the WMC Parking regulations prior to use, including installation of a handicap parking space. At least 14 parking spaces are required for the Motel use.
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. Any further extension beyond one year shall require planning commission approval.
8. The developer shall adhere to the design and specification of the Architectural Design Review approval, including installing an asphalt surface to the parking lot, and restriping the parking spaces in accordance with code, and re-painting of the building earthtone colors, approved by the Planning Staff.
9. The applicant/owner shall install a privacy fence between the commercial and residential uses to the west. Fence plan shall be submitted for Planning Dept. review.

Building Department

10. Applicant shall provide a professional property appraisal detailing the market value of the existing structure.

11. Applicant shall provide a detailed scope of work listing all labor and material costs related to all building repairs or upgrades to the existing structure.
12. Applicant shall submit a completed building permit application, and three (3) complete sets of scaled plans, (along with any required calculations and specifications), for building department review. Appropriate plan review fees shall be paid at the time of submittal.
13. All work shall comply with the current applicable Federal, State and Local code and ordinances and be shown on the scaled plans.
14. The final conditions of approval shall be shown on the permit plans.

Fire Department

15. 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.
16. 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.
17. Provide fire extinguishers per 2016 CFC and shall be mounted per Fire Chief's approval.
18. Red painted curbing maybe required and will be analyzed at the time of permitting.

California Water Service Company

19. Service can be provided for project in accordance with Ca. Public Utility Tariffs.

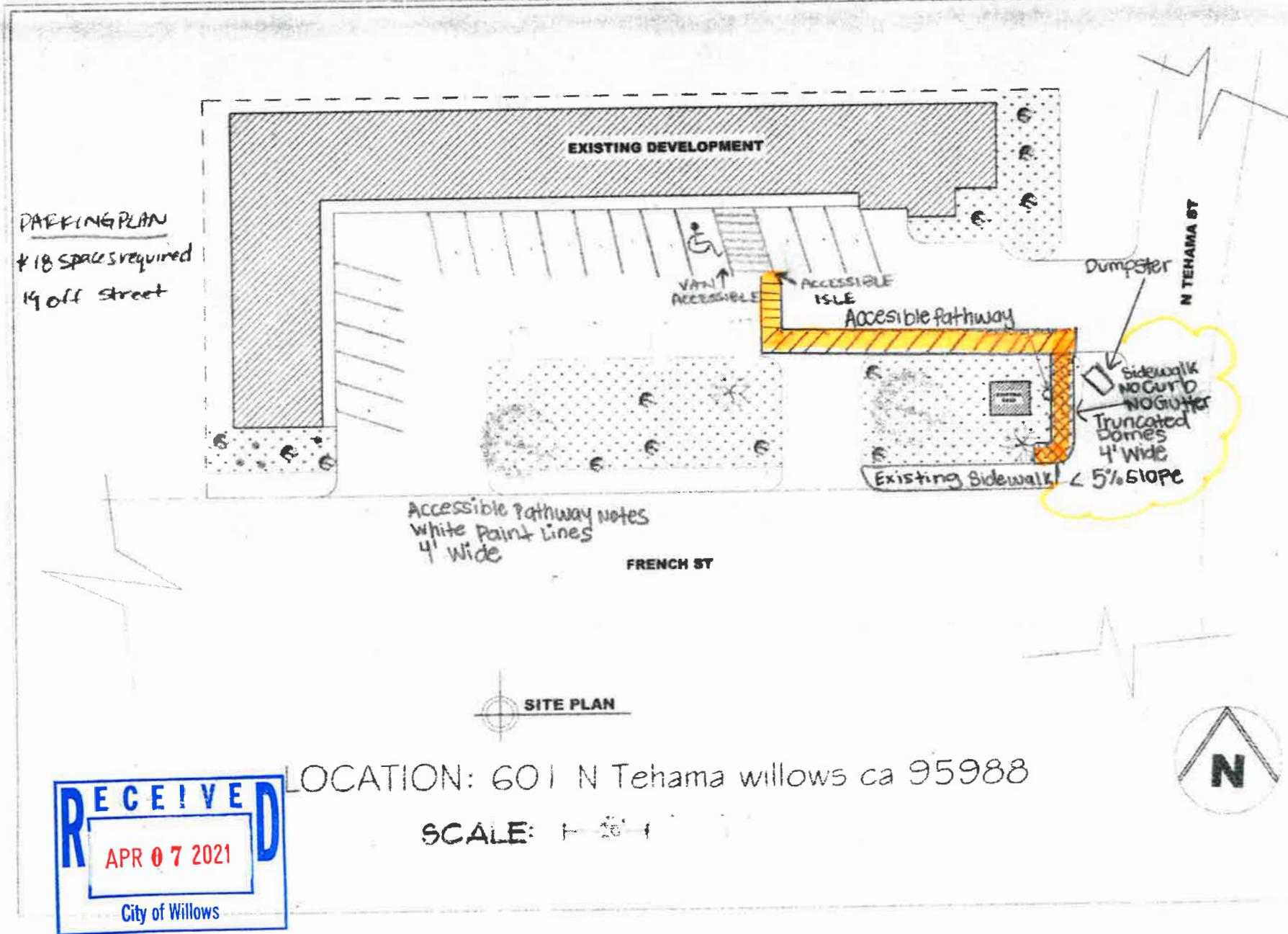
Finance Department

20. The Motel shall abide by, and adhere to, all aspects of the Willows Municipal Code Section 3.25 (Hotel Users Tax). Motel Manager shall contact the Finance Department regarding payment of TOT".
21. The applicant/owner shall obtain a business license from the Finance Department for the Motel use.

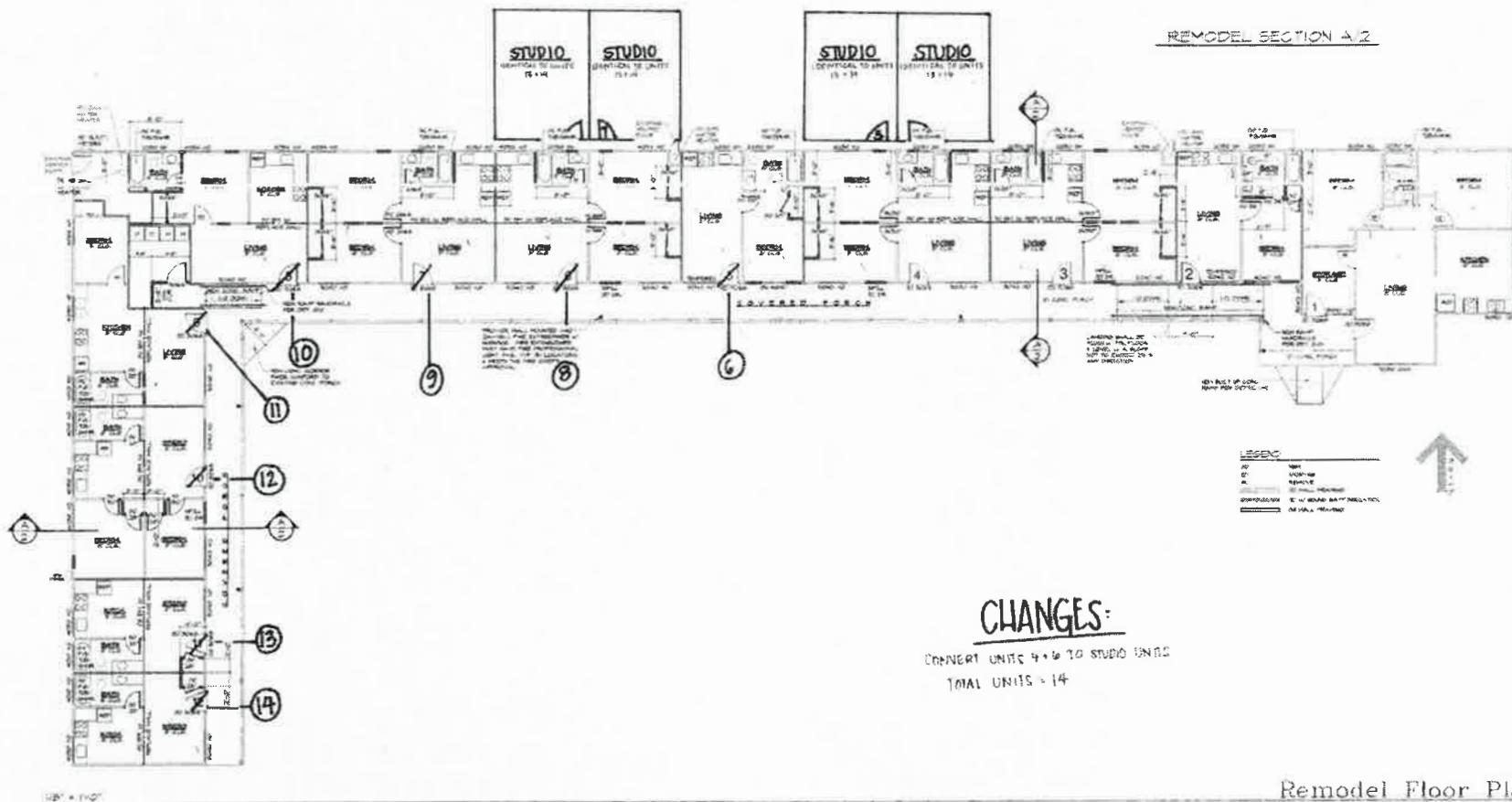
Applicants Site Plan

Attachment 4

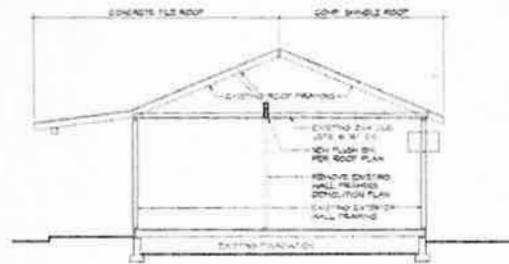
ALL SPACES A MINIMUM OF 9X18 FEET



Floor Plan



Remodel Floor Plan



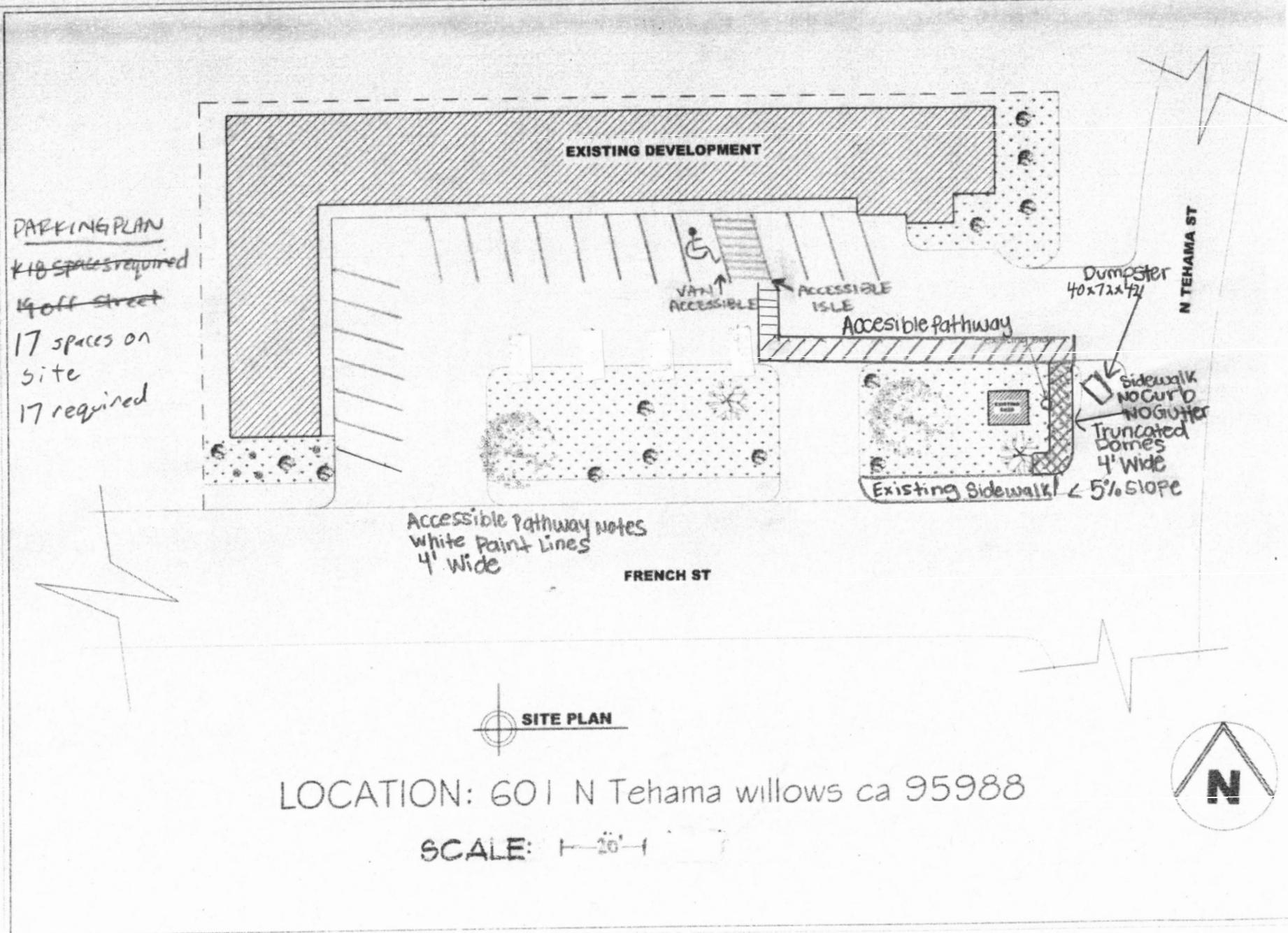
APARTMENT	for	REMODEL
GARY EVANS	601 N. TAHAMA STREET	APT.
	SACRAMENTO, CALIFORNIA	95814
2	5-15-20	SHOW
	5-15-20	MA

Mathew Amaro Designs
13080 Pines (330) 662-9012
453 N. Mattock St., Willows, Ca

Applicants Parking Plan

Attachment 5

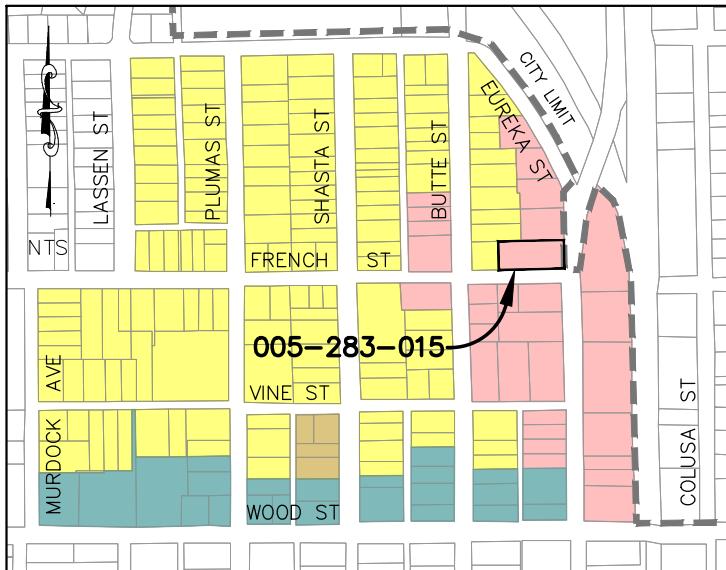
ALL SPACES A MINIMUM OF 9X18 FEET



Zoning/General Plan Map

Attachment 6

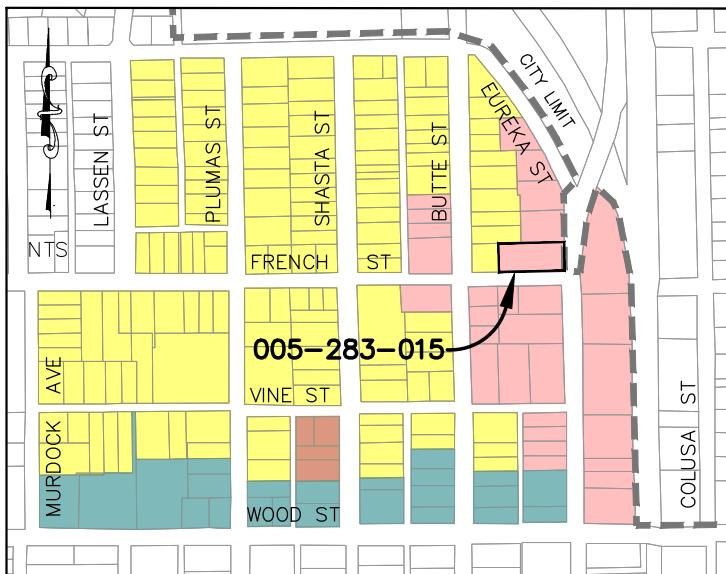
ORIGINAL PLOT DATE: 11-may-11



ZONING MAP

ZONING

- SINGLE FAMILY RESIDENTIAL
- RESIDENTIAL/PROFESSIONAL
- ENTRYWAY
- GENERAL COMMERCIAL



GENERAL PLAN MAP

GENERAL PLAN

- LOW DENSITY RESIDENTIAL
- OFFICE PROFESSIONAL
- ENTRYWAY
- GENERAL COMMERCIAL

Images: Willows.pgs Willows.beg Xrefs: Willows Base.dwg Path: F:\BMAP-STD\Willows\Zoning\601 N. Tehama Zoning & GP\Plan Exhib.dwg Layout Name: 8.5x11 nts Plot Date: May 16, 2018 at 10:08 am



Coastland Civil Engineering, Inc.

1400 Neotomas Avenue, Santa Rosa, CA 95405
707.571.8005 707.571.8037 Fax

CITY OF WILLOWS

LOCATION MAP
601 N. TEHAMA ST, PARCEL #005-283-015
ZONING AND GENERAL PLAN