



Willows Planning Commission Special Meeting

August 28, 2024
Willows City Hall
6:00 PM

City Council
Pedro Bobadilla, Chair
Maria Ehorn, Vice Chair
Holly Myers, Commissioner
Llanira Valencia, Commissioner
Sherry Brott, Commissioner

City Planner
Byron Turner

City Clerk
Amos Hoover

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

Agenda

Watch online via Zoom (Passcode 95988):

<https://us06web.zoom.us/j/87397038977?pwd=bNA6qGLXwmwAygClliW85lOEwkAuv3.1>

Remote viewing of the Planning Commission meeting for members of the public is provided for convenience only. In the event that the remote viewing connection malfunctions for any reason, the Planning Commission reserves the right to conduct the meeting without remote viewing.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **CHANGES TO THE AGENDA**

5. **PUBLIC COMMENT & CONSENT CALENDAR FORUM**

All matters on the Consent Calendar are considered routine and are approved by one motion and vote unless Commission Members or the City Planner first requests that a matter be removed for separate discussion and action. Individuals wishing to address the Commission concerning Consent Calendar items or regarding matters that are not already on the agenda are invited to make oral comments of up to three minutes at this time.

Please address your comments to the Chairman and Commission members, and not to staff and/or the audience. By State law, the Commission is not permitted to undertake any action or discussion on any item not appearing on the posted agenda. If you have any documentation that you would like distributed to the Commission, please mail it to the City Planner at 201 North Lassen Street, Willows, CA 95988 or email it to:

bturner@cityofwillows.org.

a. **Minutes Approval**

Recommended Action: Approve minutes of the July 17, 2024, Planning Commission Meeting.

Contact: Amos Hoover, City Clerk, ahoover@cityofwillows.org

6. **PUBLIC HEARING**

All matters in this section of the agenda are formal public hearings and will be acted on individually. Once the Chair opens the public hearing, members of the public may request to speak. When you are called on by the Chair, please state your name clearly for the audio recording. If you have any documentation that you would like to be distributed to the Commission, please give it to the City Planner for distribution.

a. **Minor Use Permit/ File #UP-24-02/W. Sycamore Street @ N. Plumas**

Recommended Action: Staff recommends the Commission receive the Staff Report, attachments, discuss, hold a public hearing, and upon conclusion, consider adoption the attached resolution.

Contact: Byron Turner, City Planner, bturner@cityofwillows.org

7. COMMENTS & REPORTS

- a. Commission Comments & Reports
- b. Staff Comments & Reports

8. ADJOURNMENT

This agenda was posted on August 22, 2024.

Amos Hoover

Amos Hoover, City 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. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132). 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



PUBLIC COMMENT & CONSENT CALENDAR FORUM



Willows Planning Commission Action Meeting Minutes July 17, 2024

Agenda Item #5a.

Planning Commission
Pedro Bobadilla, Chair
Maria Ehorn, Vice Chair
Llanira Valencia, Commissioner
Holly Myers, Commissioner
Sherry Brott, Commissioner

1. CALL TO ORDER– 6:00 PM

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Commissioners Present: Commissioners Meyers, Brott and Valencia.

Commissioners Absent: Chair Bobadilla, Vice Chair Ehorn.

4. CHANGES TO THE AGENDA

None

5. PUBLIC COMMENT & CONSENT CALENDAR FORUM

a. Minutes Approval

Action: Minutes approved with amendments for the May 15, 2024, Planning Commission Meeting.

Moved/Seconded: Commissioner Valencia/Commissioner Brott

Yes: Commissioners Meyers, Brott and Valencia

No: None

Absent: Chair Bobadilla, Vice Chair Ehorn

6. PUBLIC HEARING

a. Minor Use Permit/ File #UP-24-02/W. Sycamore Street @ N. Plumas

Hearing Open: 6:14PM, Closed: 6:27PM

Public Comment

Jan Smith

Brian Thomas

Lorri Pride

Action: Denied Minor Use Permit.

Moved/Seconded: Commissioner Brott/Commissioner Meyers

Yes: Commissioners Brott and Meyers

No: Commissioner Valencia

Absent: Chair Bobadilla, Vice Chair Ehorn

7. DISCUSSION & ACTION CALENDAR

a. Retail/Dispensary Cannabis Businesses – Zoning Review

Action: Declined to recommend any changes to current zoning rules regarding retail/dispensary cannabis businesses.

Public Comment

Doug Ross

Lorri Pride

Jan Smith

b. Revising Architectural Board of Review Municipal Code- Colors

Action: Discussed options for expanded color options to be pre-approved in the municipal code. Continued to a later date for further discussion and action.

Public Comment

Doug Ross

Moved/Seconded: Commissioner Valencia/Commissioner Brott

Yes: Commissioners Brott, Meyers, and Valencia

No: None

Absent: Chair Bobadilla, Vice Chair Ehorn

c. Commission Direction: Mobile Food Trailers in Entryway (E) Zone

Action: Determined that a mobile food trailer is not a compatible use in the Entryway (E) Zone.

Public Comment

Lorri Pride

Jan Smith

Moved/Seconded: Commissioner Brott/Commissioner Valencia

Yes: Commissioners Brott, Meyers, and Valencia

No: None

Absent: Chair Bobadilla, Vice Chair Ehorn

8. COMMENTS & REPORTS

a. Commission Comments & Reports

b. Staff Comments & Reports

9. ADJOURNMENT – 7:51 PM



PUBLIC HEARING



Date: August 28, 2024

To: Planning Commission

From: Joe Bettencourt, Community Development & Service Director
Byron Turner, City Planner

Subject: Appeal: File #UP-24-02/West Sycamore at North Plumas Streets

Recommendation:

Conduct a Public Hearing to consider an Appeal (File#AP-24-02) submitted by Cristina Ocampo for Major Use Permit (File#UP-24-02) regarding a mobile food trailer located at the northeastern corner of West Sycamore and North Plumas Streets, identified by Accessor Parcel Number (APN): 002-161-001; and give direction to staff.

Rationale for Recommendation:

Per Willows Municipal Code (WMC) 18.55.030(09) *Outside Sales and transient or mobile business operations are allowed with an approved use permit from the Planning Commission.* Per WMC 18.135.060 *Appeal from any decision of the planning commission may be made in writing to the City Council within 10 days from the date of the commission's action. All decisions made by the City Council are final.*

Background:

The Planning Commission originally heard this item on May 15, 2024, and continued the item to allow the applicant to provide additional information, add conditions of approval, and ensure that the project was noticed properly. The following conditions (#15-#24) were added by the Planning Commission at this meeting:

15. To the extent feasible, applicant will comply with downtown design guidelines.
16. Trash/refuse shall be removed daily.
17. Project will return to the Planning Commission after one year for an annual review. Commission may require additional reviews.
18. All structures shall be removed within 30 days of business closure.
19. Facility shall operate in accordance with local laws.
20. Any ADA requirements shall be enforced at the building permit stage.
21. Changes in hours, days, or operating procedures must be reported to the Community Development Department.

22. Any subconsultants and contractors shall have valid business licenses.
23. The generator shall meet Air Quality Standards and Noise Standards.
24. Restrooms shall be maintained in a clean manner and screened from public view.

On July 17, 2024, the Planning Commission determined that Conditional Use Permit #UP-24-02 did not meet the specific criteria outlined in the City's Zoning Ordinance for a Conditional Use Permit. The findings considered were as follows:

1. That the use is consistent with the purposes of the district in which the site is located; and
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; and
3. That the proposed use is in conformance with the general plan. [Ord. 632-91 § 26.05, 10-22-91].

While mobile food facilities are a permitted use in the Central Commercial District with a Conditional Use Permit, the Planning Commission determined that the use was inconsistent with the purposes of the district in which the site is located.

The applicant submitted an appeal with additional supporting documentation to the Community Development & Services Department on July 19, 2024.

On August 13, the item was brought to the City Council on Appeal. The City Council chose to not hear the item but instead remanded it back to the Planning Commission for reconsideration.

Discussion & Analysis:

The applicant proposes to use the existing vacant lot to place a mobile food trailer, which is a conditionally permitted use in the Central Commercial District.

The General Commercial designation provides for a variety of general retail businesses including, but not necessarily limited to banks, business offices, food, hardware, variety, department, drug, and clothing stores. The applicant has obtained the necessary permits from the County's Environmental Health Department.

The surrounding zoning is the same as the site with commercial uses to the west and east. Residential Professional uses to the north and south.

Findings of Fact for use permit approval is required per WMC Chapter 18.135.050. These findings are included in the Draft Resolution and are as follows:

1. That the use is consistent with the purposes of the district in which the site is located; and
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; and

3. That the proposed use is in conformance with the general plan. [Ord. 632-91 § 26.05, 10-22-91].

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 300 feet of the subject property were sent notice of the hearing. As of the date of preparation of this report no written or verbal public comments have been received by this office.

Consistency with Council Priorities and Goals:

The recommended action is consistent with Priority #2: Economic Development by considering the possibility of a new business in Willows, as well as Priority #4: Community Engagement which allows for due process and the Planning Commission, Applicant, public, and Council to engage in constructive dialogue about the future of the proposed business application and the community's economic development vision for the city.

Fiscal Impact:

Applicant has provided a deposit for the planning portion of the project.

Attachments:

- Attachment 1: Resolution XX-2024
- Attachment 2: Conditions of Approval



**City of Willows
Resolution xx-2024**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS APPROVING USE PERMIT (FILE # UP-24-02) TO ALLOW ESTABLISHMENT OF A MOBILE FOOD TRAILER FOR PROPERTY LOCATED AT W SYCAMORE STREET ASSESSORS PARCEL NUMBER 002-161-001 WITHIN THE CENTRAL COMMERCIAL ZONE

WHEREAS, the applicant, Juan Carlos Ocampo and Christina Ocampo has made application for Use Permit approval to allow establishment of a Mobile Food Trailer; and

WHEREAS, WMC Chapter 18.55.030(9) allows for Outside Sales and transient or mobile business operations are allowed within the Central Commercial zone with a Use Permit approved by the Planning Commission; and

WHEREAS, the Planning Commission did, on May 15, 2024, 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 directed staff to return to the Planning Commission with additional information and Conditions of Approval, and

WHEREAS, notice of the Planning Commission meeting held on July 17th, 2024, was published in a newspaper of general circulation in the City in accordance with law, and mailing to property owners within 300 feet were sent; and

WHEREAS, the Planning Commission did, on July 17th, 2024, hold a public hearing to consider all public oral and written comments, letters and documents, staff reports, and all other documents and evidence which are a part of the Record; and

WHEREAS, the Planning Commission did, on July 17th, 2024, deny the approval of Major Use Permit (File#UP-24-02) on the basis that the use is inconsistent with the purposes of the district in which the site is located; and

WHEREAS, the decision of the Planning Commission was appealed to the City Council by the applicant in a timely manner; and

WHEREAS, notice of the City Council meeting held on August 13th, 2024, was published in a newspaper of general circulation in the City in accordance with law, and mailing to property owners within 300 feet were sent; and

WHEREAS, the City Council did, on August 13th, 2024, remand the application back to the Planning Commission; and

WHEREAS, notice of the Planning Commission special meeting held on August 28, 2024, was published in a newspaper of general circulation in the City in accordance with law, and mailing to property owners within 300 feet were sent; and

WHEREAS, the Planning Commission did, on August 28, 2024, 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 does find that the proposed project qualifies as a Categorical Exemption under Sections 15301 & 15303; and

WHEREAS, pursuant to Section 18.135.050 of the Zoning Ordinance, the following findings are made:

- 1) That the use is consistent with the purposes of the district in which the site is located.
WMC Chapter 18.55.030(9) allows for Outside Sales and transient or mobile business operations are allowed within the Central Commercial zone with a Use Permit approved by the Planning Commission
- 2) That the proposed location of the use and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
The location of the new use will be located on land that is currently vacant and underutilized, and conditions of approval have been placed upon the use ensuring that it will not be detrimental to the public health, safety, or welfare or materially injurious to properties.
- 3) That the proposed use is in conformance with the General Plan.
Commercial businesses are allowed within the land use designation of General Commercial.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the request to locate a mobile food trailer is consistent with the General Plan, and the City of Willows Municipal Code; and hereby approves Conditional Use Permit (file # UP-24-02), subject to the attached conditions of approval.

PASSED AND ADOPTED by the City Council of the City of Willows this 28th day of August 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

Pedro Bobadilla, Chair

Amos Hoover, City Clerk

Use Permit (UP-24-02) Conditions of Approval
For new Mobile Food Trailer
W Sycamore Street/APN: 002-161-001
Planning Commission approval date: _____2024

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 project.
2. The approval of this project shall be subject to the latest adopted Ordinances, Resolutions, Policies, and Fees of the City of Willows.
3. In any case where a use, permitted by a use permit, is not made on the project subject to the 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 upon the granting of a new permit.
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. Any new signage to advertise the business shall obtain sign permit approval from the city prior to installation.
6. The business shall obtain a city business license prior to operation.

GLENN COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

7. The applicant will need to apply for and obtain a Food Facility Permit from the County Health Department prior to opening for business.
8. The applicant must submit plans to the Department for review and approval per the food facility plan check requirements on the county website. Contact Jay Bhakta at 530-934-6102.
9. The mobile food trailer shall be removed from the site and kept at an approved commissary nightly.

FIRE DEPARTMENT

10. All applicable fire fees shall be paid prior to the issuance of any building permit.
11. All fire and alarm systems must meet the approval of the Fire Chief.
12. The business shall provide fire extinguishers in accordance with the 2022 CFC.
13. A Pre-Fire Plan and Inspection will need to be completed before occupancy of the building.
14. Regular Fire Department safety inspections shall occur annually.

ADDITIONAL CONDITIONS:

15. To the extent feasible, applicants will comply with downtown design guidelines.
16. Trash/refuse shall be removed daily.
17. Project will return to the Planning Commission after 1-year for an annual review. Commission may require additional reviews.
18. All structures shall be removed within 30-days of business closure.
19. Facility shall operate in accordance with local laws.
20. Any ADA requirements shall be enforced at building permit stage.
21. Changes in hours, days, or operating procedures must be reported to the Community Development Department.
22. Any sub-consultants and contractors shall have valid business licenses.
23. The generator shall meet Air Quality Standards and Noise Standards.
24. Restroom shall be maintained in a clean manner and screened from public view.



COMMENTS AND REPORTS