



City of Woodland

Meeting Agenda - Final

Planning Commission

City of Woodland Planning
Commission
c/o Community
Development Department
300 First Street
Woodland, CA 95695

530-661-5820

Thursday, October 6, 2016

6:30 PM

Council Chambers

A. Call to Order

B. Roll Call

C. Pledge of Allegiance

D. Staff and Commissioner Comments

This is an opportunity for the Planning Commission members and staff to make comments and announcements to express concerns, or to request Commission's consideration of any items a Commission member would like to have discussed at a future Commission meeting..

E. Subcommittee Reports

F. Communications from the Public

This is an opportunity for the public to speak to the Commission on any item other than those listed for public hearing on the agenda. Speakers are requested to use the microphone in front of the Commission and to begin by stating their name, whether they reside in Woodland and the name of the organization they represent if any. The Commission may impose a time limit on any speaker depending on the number of people wanting to speak and time available for the rest of the agenda. In the event comments are related to an item scheduled on the agenda, speakers may be required to wait to make their comments until that item is considered.

G. Approval of Minutes

[16-758](#)

SUBJECT: Planning Commission Minutes

RECOMMENDATION: Staff recommends that the Planning Commission adopt the minutes of the Planning Commission meeting of September 1, 2016.

Attachments: [A - September 1, 2016 Meeting Minutes](#)

H. Public Hearing

I. Business Items

Items for Planning Commission discussion and/or action that do not require public hearing.

[16-756](#)

SUBJECT: Appeal of Zoning Interpretation for 352 and 360 West Kentucky Avenue

DATE: October 6, 2016

RECOMMENDATION:

Staff recommends that the Planning Commission set the date of November 17, 2016 to conduct a public hearing to consider the appeal of a zoning interpretation made by the Zoning Administrator regarding a non-conforming industrial use at 352 and 360 West Kentucky Avenue ("Property"), in a Single Family Residential (R-1) zoning district.

Attachments: [1 - Zoning Interpretation](#)

[2 - Appeal](#)

[16-753](#)

SUBJECT: Long Range Calendar

DATE: October 6, 2016

RECOMMENDATION:

Staff recommends that the Planning Commission receive the Long Range Calendar for informational purposes only.

Attachments: [A - PC Long Range Calendar 9-27-16](#)

[16-740](#)

SUBJECT: Election of Officers for Chair and Vice-Chair of the Planning Commission

DATE: October 6, 2016

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Hold Elections; and
2. Vote and select among current membership, the appointments of Chair and Vice-Chair of the Planning Commission

Attachments: [A - Planning Commission Rules and Regulations excerpt.pdf](#)

J. Staff or Commissioner Comments

Continued as needed.

Receive Absence Requests.

K. Adjournment

The Planning Commission of the City of Woodland encourages all parties interested in a matter scheduled to be reviewed, discussed and acted on at a meeting, to participate in the public discourse, which may include the submission of written comments and materials. The Planning Commission notifies the public that those materials received less than 24 hours before a meeting date and time may not be able to be considered completely. Further, the Planning Commission encourages interested parties to attend the meeting to discuss any matter of concern and to explain their comments more fully.



Legislation Details (With Text)

File #: 16-758 **Version:** 1 **Name:**
Type: Minutes **Status:** Agenda Ready
File created: 9/29/2016 **In control:** Planning Commission
On agenda: 10/6/2016 **Final action:**
Title: SUBJECT: Planning Commission Minutes

RECOMMENDATION: Staff recommends that the Planning Commission adopt the minutes of the Planning Commission meeting of September 1, 2016.

Sponsors:

Indexes:

Code sections:

Attachments: [A - September 1, 2016 Meeting Minutes](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Planning Commission Minutes

TO: Members of the Woodland Planning Commission

DATE: October 6, 2016

SUBJECT: Planning Commission Minutes

RECOMMENDATION: Staff recommends that the Planning Commission adopt the minutes of the Planning Commission meeting of September 1, 2016.

STAFF CONTACT: Debbie Flemmer, Administrative Clerk, Community Development Department

ATTACHMENTS:

Attachment A - September 1, 2016 Meeting Minutes



City of Woodland

Meeting Minutes - Draft

Planning Commission

City of Woodland Planning
Commission
c/o Community
Development Department
300 First Street
Woodland, CA 95695
530-661-5820

Thursday, September 1, 2016

6:30 PM

Council Chambers

A. Call to Order

Meeting was called to order at 6:30 pm.

Staff Present

Ken Hiatt, Director

Cindy Norris, Principal Planner

Heidi Tschudin, General Plan Consultant

B. Roll Call

Present 6:

Vice Chairman Chris Holt, Commissioner Steve Harris, Commissioner Marco Lizarraga, Commissioner Fred Lopez, Commissioner John Murphy and Commissioner Elodia Ortega-Lampkin

Absent 1:

Chairman Kirby Wells

C. Pledge of Allegiance

D. Staff and Commissioner Comments

E. Subcommittee Reports

F. Communications from the Public

G. Approval of Minutes

[16-692](#)

SUBJECT: Planning Commission Minutes

RECOMMENDATION: Staff recommends that the Planning Commission adopt the minutes of the Planning Commission meetings of August 4, 2016 and August 18, 2016.

Attachments: [A - August 4, 2016 Meeting Minutes](#)
[B - August 18, 2016 Meeting Minutes](#)

*A motion was made by Commissioner Ortega-Lampkin and seconded by Commissioner Lopez to approve the Planning Commission Meeting minutes of August 4, 2016. The motion was carried by the following vote:
Ayes: Vice Chairman Holt and Commissioners Harris, Lopez and Ortega-Lampkin
Abstentions: Commissioners Lizarraga and Murphy*

*A motion was made by Commissioner Ortega-Lampkin and seconded by Commissioner Lopez to approve the Planning Commission Meeting minutes of August 18, 2016. The motion was carried by the following vote:
Ayes: Vice Chairman Holt and Commissioners Harris, Lizarraga, Lopez, Murphy and Ortega-Lampkin*

H. Public Hearing

[16-688](#)

SUBJECT: Public Review of the Draft 2035 General Plan Update

DATE: September 1, 2016

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Open the Public Hearing; and
2. Receive comments on the Draft 2035 General Plan Update

Attachments: [A - Joint CC & PC Staff Report 8.24.16](#)
 [B - Copy of Comments Received to date on the Public Review Draft 2035 GP](#)
 [C - Copy of the Public Hearing Notice for 9.1.16 PC Meeting](#)

Vice Chairman Holt opened the public hearing to accept comments on the Draft 2035 General Plan Update. A suggestion was made by Vice Chairman Holt to provide comments in writing to Cindy, Ken and Heidi.

I. Business Items

[16-690](#)

SUBJECT: Election of Officers for Chair and Vice-Chair of the Planning Commission

DATE: September 1, 2016

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Hold Elections; and
2. Vote and select among current membership, the appointments of Chair and Vice-Chair of the Planning Commission

Attachments: [A - Planning Commission Rules and Regulations excerpt.pdf](#)

*A motion was made by Commissioner Lizarraga and seconded by Vice Chairman Holt to continue the Election of Officers for Chair and Vice Chair to meeting attended by all Commission Members. The motion was carried by the following vote:
Ayes: Vice Chairman Holt and Commissioners Harris, Lizarraga, Lopez, Murphy and*

Ortega-Lampkin.

J. Staff or Commissioner Comments

Commission received request from Commissioner Lizarraga to have an excused absence from the Planning Commission meeting of September 15, 2016 (currently discussed as a canceled meeting). Commission excused.

K. Adjournment

Meeting was adjourned at 9:59 pm.

The Planning Commission of the City of Woodland encourages all parties interested in a matter scheduled to be reviewed, discussed and acted on at a meeting, to participate in the public discourse, which may include the submission of written comments and materials. The Planning Commission notifies the public that those materials received less than 24 hours before a meeting date and time may not be able to be considered completely. Further, the Planning Commission encourages interested parties to attend the meeting to discuss any matter of concern and to explain their comments more fully.



Legislation Details (With Text)

File #: 16-756 Version: 1 Name:
Type: Staff Report Status: Agenda Ready
File created: 9/28/2016 In control: Planning Commission
On agenda: 10/6/2016 Final action:
Title: SUBJECT: Appeal of Zoning Interpretation for 352 and 360 West Kentucky Avenue

DATE: October 6, 2016

RECOMMENDATION:

Staff recommends that the Planning Commission set the date of November 17, 2016 to conduct a public hearing to consider the appeal of a zoning interpretation made by the Zoning Administrator regarding a non-conforming industrial use at 352 and 360 West Kentucky Avenue ("Property"), in a Single Family Residential (R-1) zoning district.

Sponsors:

Indexes:

Code sections:

Attachments: [1 - Zoning Interpretation](#)
[2 - Appeal](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------



City of Woodland

MEMORANDUM

TO: Members of the Woodland Planning Commission
FROM: Jeff Ballantine, Associate Planner
SUBJECT: Appeal of Zoning Interpretation for 352 and 360 West Kentucky Avenue
DATE: October 6, 2016

RECOMMENDATION:

Staff recommends that the Planning Commission set the date of November 17, 2016 to conduct a public hearing to consider the appeal of a zoning interpretation made by the Zoning Administrator regarding a non-conforming industrial use at 352 and 360 West Kentucky Avenue ("Property"), in a Single Family Residential (R-1) zoning district.

BACKGROUND:

The City annexed the property at 352 and 360 West Kentucky on April 16, 1991. At the time of annexation, the property was rezoned as Single Family Residential (R-1), and there was an existing industrial use operating on the Property. Based on a review of the Local Agency Formation Commission (LAFCO) staff report for this annexation, the owner's intention was for this Property, along with adjacent properties, to be developed with single family residences. Annexation and the resultant R-1 zoning resulted in the industrial use becoming a legal non-conforming use. The Property currently has a Medium Density General Plan land use designation. Since the Property was annexed into the City, several industrial businesses have utilized the Property and other properties on West Kentucky have similarly remained in industrial uses. Recently, Staff has received complaints from an adjacent residential neighbor whose backyard abuts the Property that this Property is not in compliance with the City's nonconforming use requirements and generates noise.

PROJECT PROPOSAL:

On September 20, 2016, Ken Hiatt, the City's Community Development Director, acting as the Zoning Administrator, made a zoning interpretation regarding the legal nonconforming industrial use of 352 and 360 West Kentucky Avenue. This zoning interpretation was requested by the Property owner who is in escrow to sell the Property. Mr. Hiatt made that interpretation in writing and sent a letter to the current Property owner, with copies mailed to the adjacent property owners notifying them of this interpretation (see Attachment 1, Zoning Interpretation).

On September 26, 2016, Lewis and Nicole Dennis, who own a single family house with a backyard abutting the Property, filed an appeal of the Zoning Administrator's interpretation (see Attachment 2, Appeal). Per Section 25-28-40 of the City's Zoning Ordinance, Mr. and Mrs. Dennis appealed within ten days of the action. The Municipal Code provides that if an appeal is filed, the Planning Commission shall, at its next regular meeting after the filing of an appeal, set a date for a public hearing for the appeal. To allow time to put the necessary materials together for a public hearing, Staff recommends that the Planning Commission set the public hearing for November 17, 2016.

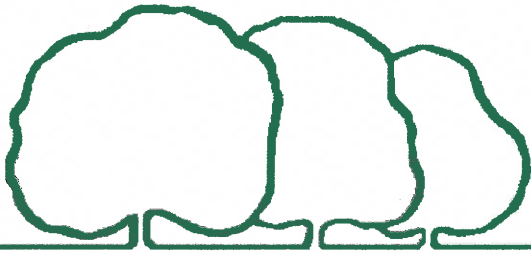
RECOMMENDED ACTION:

Staff recommends that the Planning Commission set the date of November 17, 2016 to conduct a public hearing to consider the appeal of the Zoning Administrator's zoning interpretation regarding a non-conforming industrial use at 352 and 360 West Kentucky Avenue ("Property"), in a Single Family Residential (R-1) zoning district.

ATTACHMENTS:

Attachment 1 - Zoning Interpretation

Attachment 2 - Appeal



City of Woodland

Community Development Department 300 First Street Woodland CA 95695 (530) 661-5820 (530) 406-0832 Fax

September 22, 2016

RE: 352 & 360 West Kentucky Avenue, Zoning Compliance

Dear Property Owner,

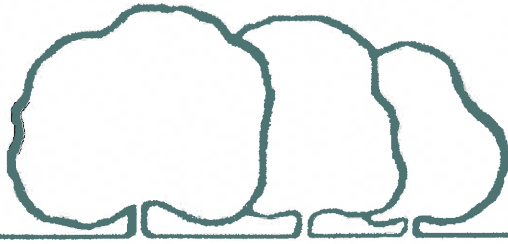
This letter is to inform you of a zoning interpretation that has been made pertaining to 352 and 360 West Kentucky Avenue. This zoning interpretation pertains to the legal nonconforming industrial use of this property. Please see the attached zoning interpretation letter addressed to the owner of these properties, for specifics regarding this interpretation.

Pursuant to Section 25-28-40 of the City of Woodland Zoning Ordinance, zoning interpretations by the Zoning Administrator are subject to a 10-day appeal period. Appeals must be submitted in writing along with the filing fee to the City's Community Development Department, located at 300 First Street on or before September 7, 2017.

If you have any questions, please do not hesitate to contact myself at Ken.Hiatt@cityofwoodland.org or (530) 661-5820.

Sincerely,

Ken Hiatt
Community Development Director



City of Woodland

Community Development Department 300 First Street Woodland CA 95695 (530) 661-5820 (530) 406-0832 Fax

September 20, 2016

Brenda Siemering
352 West Kentucky Avenue
Woodland, CA 95695

RE: 352 & 360 West Kentucky Avenue, Zoning Compliance

Dear Ms. Siemering,

Per your request, this letter serves as an interpretation of the City of Woodland Zoning Code with regard to Non-Conforming Uses, Industrial Uses, and the Industrial Performance Standards for the property located at 352 and 360 West Kentucky Avenue (the "Property"). The City has reviewed the Zoning Code as well as the history and use of the Property and determined that the existing industrial use is a legal nonconforming use in the Single Family Residential Zone (R-1). At the time Yolo County LAFCO approved the annexation of the Property on April 16, 1991, an industrial use was in operation. However, the R-1 residential zone also applied upon annexation. Thus, an industrial use was operating in a residential zone when the Property was annexed to the City.

Based on our review of City records, we believe that the Property has been in continuous, or near continuous use, as an industrial use since its annexation to the City. Consequently, it is our conclusion that the existing buildings and land can be used for industrial uses in their entirety as long as such use is consistent with or less intense than the existing industrial use and such use complies with all City requirements and policies, including all Industrial Performance Standards (Section 25-18-50) and nonconforming use requirements (Section 25-21-55).

The City's performance standards for industrial uses includes, among other requirements, that fencing and landscaping must be adequate to screen development from adjacent residential zones along the rear and side property lines and that light sources shall be directed and shielded so as to not illuminate neighboring residential areas. A copy of Section 25-18-50 is enclosed with this letter.

As stated above, due to the industrial use and the R-1 zoning, the industrial buildings and industrial use of the Property are considered legal non-conforming. As such, pursuant to Section 25-21-55, new structures or the physical expansion of existing structures for industrial use is not allowed on the Property. Any reuse of the building(s) must be similar to the use in existence at the time the Property was rezoned to R-1. The yard area may be used as long as required industrial performance standards are met. A change of use may be permitted provided the Zoning Administrator can find that the new use is of the same or of a more restrictive nature (Sec. 25-21-

55(c)(2)). However, the evaluation of whether a new or modified industrial use satisfies both the performance standards and non-conforming use criteria requires a fact-specific determination that would be made on an individual, case by case basis.

Due to the Property's immediate adjacency to existing single-family residential uses, the City encourages you and any potential future owner or tenant of the Property to communicate with and work with the adjacent residential neighbors to implement measures to reduce dust, fumes, glare, noise, vibration, aesthetic, and/or other potential impacts.

This letter serves as an interpretation by the Zoning Administrator, consistent with Article 31 of the City's Zoning Code. Any person dissatisfied with any decision of the Zoning Administrator may appeal the decision to the Planning Commission at any time within ten days after the rendition of the decision by the Zoning Administrator. Said appeal shall be conducted pursuant to procedures set forth in Section 25-28-40 of the City's Municipal Code.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ken Hiatt', with a long horizontal line extending to the right.

Ken Hiatt
Community Development Director

Sec. 25-18-50. - Performance standards.

- (a) Front landscaping area shall extend to the valley gutter.
- (b) A conditional use permit shall be required for assembly, fabricating, manufacturing, processing or storage of goods, materials or products in buildings or enclosed yards which may create dust, fumes, noise, odors, smoke or vibration in volumes to be offensive or objectionable beyond the premises or for any use which put a significant demand on city services (e.g., water, sewer, etc.)
- (c) Fencing and landscaping adequate to screen development from adjacent residential zones along rear and side property lines.
- (d) Outside storage of solid wastes and containers for solid waste, containers, merchandise, or other items or goods awaiting pickup, sale, or other disposition shall be prohibited except when screened to the satisfaction of the planning commission or the zoning administrator.
- (e) Additional landscaping may be required in order to provide an aesthetically pleasing entrance to the city, if appropriate.
- (f) Light sources shall be directed and shielded so as to not illuminate neighboring residential areas.

(Amended during the March 2009 supplement.)

NOTICE OF APPEAL

To the Secretary of the Planning Commission of the City of Woodland:

I (we) wish to appeal the ~~Planning Commission~~ ^{Zoning Administrator} decision made 9.22.16 regarding the (approval) (denial) of the ZONING INTERPRETATION for the INDUSTRIAL/R-1 ZONED project located at 352 & 360 KENTUCKY in the R-1 Zone, for the following reasons:

NO NOTIFICATION OF PUBLIC HEARING OR OF FILED ZONING INTERPRETATION.
USE EXISTING NON-CONFORMING USE HAS NOT BEEN CONSISTANT AND WITH IT BEING VACANT FOR MORE THAN 12 MONTHS SHOULD HAVE LOST EXISTING NON-CONFORMING STATUS, ALLOWED TO EXPAND BY BUILDING ADDITIONAL NEW STRUCTURE, CANNOT INTENSIFY AN EXISTING NON-CONFORMING USE. RESTRICTIONS PLACED ON PROPERTY FOR THE RE-USE (10/4/12) SHOULD BE ADHERED TO AND FOLLOWED.
Appeal is made in accordance with Section 25.31.40 of the Zoning Ordinance of the City of Woodland is accompanied by the filing fee of \$ 251.00.

LEWIS & NICOLE DENNIS

Name(s)

332 MT. WHITNEY DR.

Address

WOODLAND, CA. 95695

City

Phone: (530) 312-1161

Date Received and Filing Fee Paid: _____

By: _____

RECEIVED

SEP 26 2016

City of Woodland
Community Development



Legislation Details (With Text)

File #: 16-753 Version: 1 Name:
Type: Staff Report Status: Agenda Ready
File created: 9/27/2016 In control: Planning Commission
On agenda: 10/6/2016 Final action:
Title: SUBJECT: Long Range Calendar

DATE: October 6, 2016

RECOMMENDATION:

Staff recommends that the Planning Commission receive the Long Range Calendar for informational purposes only.

Sponsors:

Indexes:

Code sections:

Attachments: [A - PC Long Range Calendar 9-27-16](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------



City of Woodland

MEMORANDUM

TO: Members of the Woodland Planning Commission

FROM: Cindy Norris, Principal Planner

SUBJECT: Long Range Calendar

DATE: October 6, 2016

RECOMMENDATION:

Staff recommends that the Planning Commission receive the Long Range Calendar for informational purposes only.

BACKGROUND:

This calendar is provided for planning and discussion purposes only and is intended to keep the Commission

appraised of upcoming agenda items. Items shown on the calendar are subject to removal or rescheduling.

ATTACHMENTS:

Attachment A - Planning Commission Long Range Calendar prepared September 27, 2016

PLANNING COMMISSION LONG RANGE CALENDAR

Items subject to removal and/or rescheduling

Prepared September 27, 2016

October 6, 2016

Notice

Vote for Chair and Vice Chair	Business
Country Oaks TM Extension	Business
Notice of an Appeal to a Zoning Interpretation	Business

October 20, 2016

Notice

Public Comment Meeting on the General Plan DEIR

October 27, 2016 (Possible Special Meeting)

Notice

Pallet Storage CUP	PH
Oyang N and S (GPA/SPA/TM/DA)	PH

November 3, 2016 (Possible Cancellation)

November 17, 2016

Dutch Brothers CUP	PH
Appeal of Zoning Interpretation Public Hearing	PH

FUTURE AGENDA ITEMS – DATE TO BE DETERMINED:

Project Applications Long Range:

Specific Plan 1A
Public Art
Marijuana Ord

SUBCOMMITTEES

General Plan

Zoning Subcommittee

Public Art

Design Liaison

CITY COUNCIL

September 6, 2016 – Prudler Subdivision Project
September 13, 2016 - General Plan Comment Meeting
Affordable Housing Workshop #2 (tbd – Sept/Oct?)

HISTORIC PRESERVATION

WORKSHOPS

tbd

Legislation Details (With Text)

File #: 16-740 Version: 1 Name:
Type: Consent Item(s) Status: Agenda Ready
File created: 9/26/2016 In control: City Council
On agenda: 10/6/2016 Final action:
Title: SUBJECT: Election of Officers for Chair and Vice-Chair of the Planning Commission
DATE: October 6, 2016
RECOMMENDATION:
Staff recommends that the Planning Commission:
1. Hold Elections; and
2. Vote and select among current membership, the appointments of Chair and Vice-Chair of the Planning Commission

Sponsors:

Indexes:

Code sections:

Attachments: [A - Planning Commission Rules and Regulations excerpt.pdf](#)

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------



City of Woodland

MEMORANDUM

TO: Members of the Woodland Planning Commission
FROM: Cindy Norris, Principal Planner
SUBJECT: Election of Officers for Chair and Vice-Chair of the Planning Commission
DATE: October 6, 2016

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Hold Elections; and
2. Vote and select among current membership, the appointments of Chair and Vice-Chair of the Planning Commission

BACKGROUND:

The positions of Chair and Vice-Chair are to be elected annually and typically this is done the first meeting in September as stated in the Planning Commission Rules and Regulations, Sections 401, 402 and 403 (Attachment 1). This item was continued to the October 6, 2016 meeting to allow all members to be present for voting.

ATTACHMENTS:

Attachment 1 - Excerpt from the City of Woodland Planning Commission Rules and Regulations for the election of officers.

It is recommended that Commission members be ready a minimum of five minutes prior to the meeting time.

The Planning Commission conducts the business of the City with regard to land use and Zoning matters and as an advisory agency to the City Council. Actions of the Commission can have an impact on the City as well as on those coming before this body for review and determination. It is necessary for meetings to be conducted in a timely and efficient manner.

IV. OFFICERS

- 401. The officers of the Commission shall consist of a Chairperson and Vice-Chairperson. The Chairperson and Vice-Chairperson shall be elected annually at the first meeting in September by a majority of the Commission.
- 402. The Chairperson and Vice-Chairperson shall hold their respective offices until the next annual meeting after election and until their successors are elected. Their terms of office are limited to two (2) consecutive years.
- 403. Vacancies in the office of Chairperson and Vice-Chairperson shall be filled from the membership of the Commission by an election held at any meeting.

V. DUTIES OF OFFICERS

- 501. The Chairperson shall preside at all meetings. He or she shall appoint all standing committees each year following the election of officers and such special committees as from time to time may be authorized by the Commission. He or she may present to the Commission such matters as in his or her judgment require attention; and he or she need not vacate his or her chair for the purpose of actively discussing (as a member of the Commission) an item on the agenda or a subject for review, discussion and recommendation by the Commission.
- 502. The Chairperson (and the Commission) shall be guided by the Roberts Rules of Order, latest revision, on all questions of procedure and parliamentary law not covered by these rules and regulations.
- 503. At the request of any member of the Commission, the Chairperson shall direct that a written record be made and entered on any questions before the Commission.
- 504. The Chairperson shall exercise firm control and direction during the course of any Commission meeting or hearing. (No member of the Commission or of the general public shall address the Commission until recognized by the Chairperson.)
- 505. The Community Development Director shall exercise general supervision over the business papers and property of the Commission.
- 506. On the absence of the Chairperson, the Vice-Chairperson shall perform all duties of the Chairperson.
- 507. The Commission shall elect a temporary Chairperson from the members present in the event that both the Chairperson and Vice-Chairperson are absent.
- 508. The Commission may designate any of its members to represent its views with respect