

111 E. COMMERCIAL STREET
WILLITS, CALIFORNIA 95490
(707) 459-4601 TEL
(707) 459-1562 FAX

**WILLITS CITY COUNCIL
AGENDA
MAY 11, 2016 ♦ 6:30 P.M. ♦ COUNCIL CHAMBERS**

1. **OPENING MATTERS** – a) Call to Order; b) Pledge to Flag; c) Roll Call
2. **PUBLIC COMMUNICATIONS**
Council welcomes participation in its meetings. Comments shall be limited to three (3) minutes per person so that everyone may be given an opportunity to be heard. To expedite matters and avoid repetition, whenever any group of persons wishes to address the Council on the same subject matter, the Mayor may request that a spokesperson be chosen by the group. This item is limited to matters under the jurisdiction of the City Council which are not on the posted agenda. Public criticism of the City Council, Commission, Boards and Agencies will not be prohibited. No action shall be taken.
3. **PUBLIC MATTERS**
 - a. Willits Chamber of Commerce Quarterly Update Report
 - b. Presentation, Discussion and Possible Action to Approve a Proposed Plan to Use and Develop the Former Main Remco Hydraulics Site (*Tentative*)
4. **CONSENT CALENDAR**
Matters listed under the Consent Calendar are considered to be routine by the City Council and will be enacted by a single motion and roll call vote by the City Council. Items may be removed from the Consent Calendar upon request of a Councilmember and acted upon separately by the City Council.
The following items are recommended for approval, as follows:
 - a. City Council Minutes:
 - April 13, 2016
 - April 27, 2016
5. **INFORMATIONAL REPORTS**
Matters that do not require action by the City Council but are of public interest.
 - a. Disbursements Journal(s):
 - Warrant Nos. 28411-28477, Totaling \$140,764.79
 - b. Building Inspection Activity Report(s) – April 2016
 - c. Water Consumption/Revenue Chart – April 2016
 - d. Authorize City Manager to Finalize and Execute an Early Retirement Waiver and Release Agreement for JC England
6. **RIGHT TO APPEAL**
Persons who are dissatisfied with the decisions of the City Council may have the right to a review of that decision by a court. The City has adopted Section 1094.6 of the Code of Civil Procedure, which generally limits to 90 days the time within which the decisions of the City boards and agencies may be judicially challenged.
7. **COMMISSIONS, AGENCIES AND AUTHORITIES**
The Willits City Council meets concurrently as the City of Willits Planning Commission and City of Willits Successor Agency.
 - a. **SITTING AS THE PLANNING COMMISSION** – Discussion and Possible Action on Conditional Use Permit No. U-16-01 for Daniel W. and Jeanne Chesser
8. **CITY MANAGER REPORTS AND RECOMMENDATIONS**
 - a. Verbal Reports – No Action

9. DEPARTMENT RECOMMENDATIONS

- a. Administration (*City Clerk, Finance, Human Resources, Legal*)
- b. Public Safety
- c. Community Development (*including Planning, Building, and Code Enforcement*)
- d. Public Works & Engineering (*Including Engineering, Water and Wastewater Systems*)
 - 1) Adopt a Resolution Awarding a Contract to Rapid Construction, Inc., in an Amount Not to Exceed \$746,647, for the Construction of the Main Street Water Main Replacement Project, Phase III (Project No.2016-01), and Authorize the City Manager to Execute the Contract and Approve Construction Change Orders up to a Cumulative Total of 10% of the Total Contract Amount

10. CITY COUNCIL AND COMMITTEE REPORTS

- a. Mendocino Council of Governments (MCOG)
- b. Local Agency Formation Commission (LAFCO)
- c. Mendocino Transit Authority (MTA)
- d. Mendocino Solid Waste Management Authority-Joint Powers Authority (MSWMA-JPA)
- e. League of California Cities
- f. Water & Wastewater Systems Committee
- g. Revit-ED Committee
- h. Finance Committee
- i. Ad Hoc Committees:
 - JPA Feasibility Study for Wastewater Treatment Facility
 - Caltrans Relinquishment Project
- j. Other Committee Reports:
 - Economic Development and Financing Corporation (EDFC)
 - North Coast Railroad Authority (NCRA)

11. COUNCIL MEMBER REPORTS AND RECOMMENDATIONS

12. ENACTMENT OF ORDINANCES

13. GOOD & WELFARE

14. CLOSED SESSION NOTICE

- a. Conference with Legal Counsel Pursuant to Government Code §54956.9b – Anticipated Litigation

15. ADJOURNMENT

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the bulletin board at the main entrance of the City of Willits City Hall, located at 111 East Commercial Street, Willits, California, not less than 72 hours prior to the meeting set forth on this agenda.

*Dated this 6th day of May, 2016.
Cathy Moorhead, City Clerk*

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
GENERAL CHECK FORM								
28411	04/29/16	AMERITROL INC	5041 ELEC FLOW SWITCH	1,322.56	526172	44578		P N W 503.5033.2041.000
28412	04/29/16	AT&T	4615 WATER	176.59	526171	160419		P N W 503.5030.2015.000
28413	04/29/16	AUTO MART AUTO REPAI	4791 VEHICLE MAINT UNIT	10 385.88	526173	20019		P M W 501.5011.2044.000
28413	04/29/16	AUTO MART AUTO REPAI	4791 VEHICLE MAINT UNIT	24 209.58	526174	19280		P M W 100.1022.2044.000
28413	04/29/16	AUTO MART AUTO REPAI	4791 VEHICLE MAINT UNIT	22 479.65	526175	20090		P M W 100.1022.2044.000
28413	04/29/16	AUTO MART AUTO REPAI	4791 VEHICLE MAINT UNIT	1,389.71	526176	19582		P M W 100.1022.2044.000
				2,464.82	*CHECK TOTAL			
28414	04/29/16	BANK OF AMERICA	10 ORGANIZER	16.30	526177	160418		P N W 100.1003.2055.000
28414	04/29/16	BANK OF AMERICA	10 OFFICE SUPPLIES	31.06	526177	160418		P N W 100.1002.2055.000
28414	04/29/16	BANK OF AMERICA	10 LODGING FOR TRAINING	218.50	526177	160418		P N W 100.1001.2105.000
28414	04/29/16	BANK OF AMERICA	10 MISC PARTS/TOOLS	665.16	526177	160418		P N W 501.5011.2041.000
28414	04/29/16	BANK OF AMERICA	10 WATER PLANT INTERNET	49.99	526177	160418		P N W 503.5030.2015.000
28414	04/29/16	BANK OF AMERICA	10 LODGING/TRAINING	1,411.64	526177	160418		P N W 503.5031.2105.000
28414	04/29/16	BANK OF AMERICA	10 DOMAIN REGISTRATION	8.17	526177	160418		P N W 100.1002.2081.030
28414	04/29/16	BANK OF AMERICA	10 SECURITY	294.62	526177	160418		P N W 100.1020.2081.030
28414	04/29/16	BANK OF AMERICA	10 ADOBE ACROBAT	14.99	526177	160418		P N W 100.1003.2041.000
28414	04/29/16	BANK OF AMERICA	10 DISPATCHER APPRECIATI	281.57	526177	160418		P N W 651.6510.2199.000
				2,992.00	*CHECK TOTAL			
28415	04/29/16	BOWERS/JOSH	4239 WEBSITE MAINT	448.50	526178	160		P M W 100.1002.2081.030
28416	04/29/16	CB&I ENVIRONMENTAL	4257 GROUNDWATER REPORTS	3,302.00	526187	166911-RI00631		P N W 213.2133.2081.030
28417	04/29/16	CED-SANTA ROSA	5043 AC STD PWR SPLY	98.69	526185	7956-521731		P N W 501.5013.2041.000
28418	04/29/16	CESSCO INC	5042 TENSIONER	23.29	526186	49314		P N W 501.5011.2041.000
28419	04/29/16	CLEARLY MENDOCINO WA	4221 WATER APRIL 2016	90.00	526182	160430		P M W 100.1020.2199.000
28420	04/29/16	COLLEGE OF THE REDWO	5007 SPRING 2016 POLICE	2,016.00	526183	16-2080		P N W 651.6510.2199.000
28421	04/29/16	COUNTY OF MENDOCINO	4133 MO SVC AGREE MARCH	20 660.00	526184	20163-2		P N W 100.1020.2081.030
28421	04/29/16	COUNTY OF MENDOCINO	4133 HOURLY SUPPORT MARCH	428.25	526184	20163-2		P N W 100.1020.2081.030
28421	04/29/16	COUNTY OF MENDOCINO	4133 SERVICE CREDIT	250.00CR	526184	20163-2		P N W 100.1020.2081.030
				838.25	*CHECK TOTAL			
28422	04/29/16	COUNTY OF MENDOCINO	5004 IT SERVICES	3,054.88	526179	20163-6		P N W 100.1003.2081.030
28423	04/29/16	CURRY'S DISCOUNT INC	4198 OFFICE SUPPLIES	771.01	526180	160331		P N W 100.1002.2055.000
28423	04/29/16	CURRY'S DISCOUNT INC	4198 OFFICE SUPPLIES	15.81	526180	160331		P N W 100.1015.2055.000
				786.82	*CHECK TOTAL			
28424	04/29/16	D'ORAZIO/RENAULD	4928 PER DIEM	80.00	526190	160427		P N W 100.1020.2105.000
28425	04/29/16	DELL MARKETING L.P.	4485 COMPUTER	1,274.72	526191	XJX3TMRK8		P M W 501.5013.2041.000
28425	04/29/16	DELL MARKETING L.P.	4485 COMPUTER	1,274.72	526191	XJX3TMRK8		P M W 503.5033.2041.000
				2,549.44	*CHECK TOTAL			

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WARRANT DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
GENERAL CHECK FORM							
28426 04/29/16	DEPARTMENT OF TRANSP	581 SIGNALS & LIGHTING	236.52	526188	SL160649		P N W 200.2003.2081.023
28427 04/29/16	DEROSA/HEATHER	5025 HR CONSULTING SERVI	1,000.00	526181	160415		P M W 100.1005.2081.030
28428 04/29/16	DRIPWORKS INC	4082 CONTROLLER	97.26	526189	518920		P N W 100.1050.2045.000
28429 04/29/16	EEL RIVER FUELS	28 DIESEL	239.10	526192	486473		P N W 100.126
28429 04/29/16	EEL RIVER FUELS	28 FUEL	839.04	526193	486478		P N W 100.125
28429 04/29/16	EEL RIVER FUELS	28 FUEL	1,069.93	526194	487446		P N W 100.125
28429 04/29/16	EEL RIVER FUELS	28 FAUCETS GATE 2" LOCKIN	54.65	526195	488029		P N W 201.2011.2041.000
28429 04/29/16	EEL RIVER FUELS	28 FUEL	833.45	526196	488371		P N W 100.125
28429 04/29/16	EEL RIVER FUELS	28 DIESEL FUEL	411.34	526197	488372		P N W 100.126
			3,447.51	*CHECK TOTAL			
28430 04/29/16	EUREKA OXYGEN CO.	4492 FIRE EXT. MAINTENANCE	567.71	526198	428791		P N W 100.1020.2041.000
28431 04/29/16	FISHER WIRELESS	4105 SMART UPS FO BASE B	1,315.85	526200	226195		P N W 100.1020.2041.000
28432 04/29/16	FORD MOTOR CREDIT CO	316 2016 FORD F250 LEAS	7,440.69	526199	3950508		P N W 100.1050.4002.000
28433 04/29/16	GCS ENVIRONMENTAL	4370 SWEEPER MAINT	880.16	526203	13466		P N W 201.2011.2041.000
28434 04/29/16	GOLDEN GATE K9 LLC	5008 K9 PROFICIENCY TRAINI	300.00	526201	WPD04302016		P N W 661.6610.2199.000
28434 04/29/16	GOLDEN GATE K9 LLC	5008 AGITATORS COURSE	300.00	526202	WPD04122016		P N W 661.6610.2199.000
			600.00	*CHECK TOTAL			
28435 04/29/16	GRAINGER	173 CHISEL	34.55CR	526204	833150337		P M W 201.2011.2041.000
28435 04/29/16	GRAINGER	173 CHISEL	40.10	526205	833150337		P M W 201.2011.2041.000
			5.55	*CHECK TOTAL			
28436 04/29/16	HARDDOG'S REQUISITES	5044 K-9 TRAINING TOOLS	2,235.20	526207	06205	003765	P N W 661.6610.2199.000
28437 04/29/16	HF SCIENTIFIC, INC.	4823 MEMBRANE SWITCH MICROT	43.22	526208	203684		P N W 501.5011.2041.000
28438 04/29/16	HOWARD HOSPITAL	78 SART EXAM	1,500.00	526206	75635199		P M W 100.1020.6001.000
28439 04/29/16	I B E W	255 EMPLOYEE CONTRIBUTION	551.94	526210	160420		P N W 690.235
28440 04/29/16	INTEGRITY SHRED LLC	4932 DOCUMENT SHREDDING	50.00	526209	58008		P N W 100.1002.2055.000
28441 04/29/16	KILLION/FRED	4607 CITY HALL JANITORIAL	800.00	526211	160421		P M W 100.1016.2061.020
28441 04/29/16	KILLION/FRED	4607 PW JANITORIAL	130.00	526212	PW&ENG15/16-10		P M W 100.1040.2081.030
28441 04/29/16	KILLION/FRED	4607 ENG JANITORIAL	130.00	526212	PW&ENG15/16-10		P M W 100.1042.2081.030
			1,060.00	*CHECK TOTAL			
28442 04/29/16	LANCE/JAMES H.	4054 LEGAL SERVICES	6,685.00	526214	3155		P M W 100.1004.2081.030
28443 04/29/16	LAW TECH PUBLISHING	4715 2016 QUICK-CODE PENAL	526.39	526213	63507		P N W 651.6510.2199.000

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
GENERAL CHECK FORM								
28444	04/29/16	MASON/CODY	4929 PER DIEM 4/11-12/2016	80.00	526216	160427		P N W 100.1020.2105.000
28445	04/29/16	MEAD & HUNT INC	4031 AIRPORT MAPPING	296.11	526217	260110		P N W 500.5001.2081.030
28446	04/29/16	MENDOCINO JANITORIAL	4255 JANITORIAL SERVICES	1,350.00	526215	706178		P M W 100.1016.2061.020
28447	04/29/16	NATIONAL METER & AUT	4196 WATER METER SUPPLIE	1,528.50	526218	S1071077.001		P N W 503.5031.2041.000
28448	04/29/16	OGRAM'S LOCKSMITH	5045 DEADBOLT REPAIR	138.00	526219	575976		P M W 100.1050.2045.000
28449	04/29/16	OUR DAILY BREAD	651 4TH QTR PAYMENT	750.00	526220	160430		P N W 100.1070.3042.000
28450	04/29/16	P G & E COMPANY	114 EMERG WTR LINE	286.37	526223	160417		P N W 503.5031.4003.038
28450	04/29/16	P G & E COMPANY	114 ENGINEERING	77.11	526223	160417		P N W 100.1042.2110.000
28450	04/29/16	P G & E COMPANY	114 PARKS	147.76	526223	160417		P N W 100.1050.2110.000
28450	04/29/16	P G & E COMPANY	114 SEWER	8.12	526223	160417		P N W 501.5013.2110.000
28450	04/29/16	P G & E COMPANY	114 WATER	19.81	526223	160417		P N W 503.5033.2110.000
28450	04/29/16	P G & E COMPANY	114 PUBLIC WORKS	77.11	526223	160417		P N W 100.1040.2110.000
				616.28	*CHECK TOTAL			
28451	04/29/16	PACE SUPPLY CORP	12 MISC PARTS/SUPPLIES	1,598.93	526221	023231140		P N W 501.5013.2041.000
28451	04/29/16	PACE SUPPLY CORP	12 MOTOR/PUMP END	910.41	526222	023256043		P N W 501.5011.2041.000
				2,509.34	*CHECK TOTAL			
28452	04/29/16	PAYNE/SEAN	4937 MILEAGE 340 X .54	183.60	526225	160418		P N W 503.5031.2105.000
28452	04/29/16	PAYNE/SEAN	4937 PER DIEM 4/4-8/2016	112.00	526225	160418		P N W 503.5031.2105.000
				295.60	*CHECK TOTAL			
28453	04/29/16	PETERSEN/PETE	4896 BOOT ALLOWANCE	89.20	526226	160425		P N W 501.5011.2010.000
28453	04/29/16	PETERSEN/PETE	4896 BOOT ALLOWANCE	89.20	526226	160425		P N W 501.5013.2010.000
				178.40	*CHECK TOTAL			
28454	04/29/16	PITNEY BOWES	4507 POSTAGE	2,192.04	526224	160411		P N W 100.1002.2055.000
28455	04/29/16	RAY ALLEN MFG., LLC	4799 K-9 TRAINING SUPPLIES	298.95	526229	RINV001073		P N W 661.6610.2199.000
28456	04/29/16	RENTAL GUYS CHICO	4495 MOWER PARTS	408.25	526227	581612-1		P N W 100.1050.2044.000
28456	04/29/16	RENTAL GUYS CHICO	4495 MOWER PARTS	161.97	526228	584103-1		P N W 100.1050.2041.000
				570.22	*CHECK TOTAL			
28457	04/29/16	S & S AUTO	1434 VEHICLE MAINT	260.68	526234	32375		P M W 100.1042.2044.000
28458	04/29/16	SANTO/THERESA	.09573 WATER OVERPAYMENT	68.01	526230	10102050007		P N W 503.0503.6600.000
28459	04/29/16	SCOTT'S APPLIANCE	707 GRIPPER PLUG W/WINGNU	183.19	526232	34084		P M W 501.5013.2041.000
28459	04/29/16	SCOTT'S APPLIANCE	707 HEX BUSHING	18.26	526233	34157		P M W 501.5011.2041.000
				201.45	*CHECK TOTAL			

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
		GENERAL CHECK FORM						
28460	04/29/16	STATE OF CALIFORNIA	843 DUI ANALYSIS	35.00	526231	161553		P N W 100.1020.2061.014
28461	04/29/16	THOMSON REUTERS - WE	4122 PENAL CODE BOOKS 2016	846.83	526235	6107415970		P N W 100.1020.2050.000
28462	04/29/16	UKIAH VALLEY MEDICAL	332 OSHEA/MATTSON HEP V 1,	235.90	526237	410		P M W 100.1005.2061.013
28462	04/29/16	UKIAH VALLEY MEDICAL	332 DULEY/HART TEST/VAC 1,	147.77	526238	411		P M W 100.1005.2061.013
28462	04/29/16	UKIAH VALLEY MEDICAL	332 CAMPBELL/LABUS TEST 1,	957.43	526239	412		P M W 100.1005.2061.013
			4,341.10		*CHECK TOTAL			
28463	04/29/16	UNITED PARCEL SERVIC	165 SHIPPING CHARGES	10.85	526246	958793176		P N W 100.1002.2055.000
28463	04/29/16	UNITED PARCEL SERVIC	165 SHIPPING CHARGES	9.22	526246	958793176		P N W 503.5031.4003.003
28463	04/29/16	UNITED PARCEL SERVIC	165 SHIPPING CHARGES	15.01	526246	958793176		P N W 503.5033.2055.000
			35.08		*CHECK TOTAL			
28464	04/29/16	UNIVAR USA INC	655 FERRIC CHLORIDE	8,353.69	526236	SJ741067		P N W 503.5033.2101.034
28465	04/29/16	UTILITY SUPPLY OF AM	3997 ASCORBIC ACID POWDER	93.55	526240	918160		P N W 503.5033.2101.034
28465	04/29/16	UTILITY SUPPLY OF AM	3997 CREDIT	14.63CR	526241	0A0655-0		P N W 501.5013.2041.000
28465	04/29/16	UTILITY SUPPLY OF AM	3997 GLOVES/STRAINER/FIL 1,	168.37	526242	852274		P N W 501.5013.2101.033
28465	04/29/16	UTILITY SUPPLY OF AM	3997 GLOVES	181.54	526243	852172		P N W 501.5013.2101.033
28465	04/29/16	UTILITY SUPPLY OF AM	3997 DRAIN FLUSHER	166.21	526244	920745		P N W 501.5013.2041.000
28465	04/29/16	UTILITY SUPPLY OF AM	3997 SEWER PLANT SUPPLIES	247.06	526245	921945		P N W 501.5013.2041.000
			1,842.10		*CHECK TOTAL			
28466	04/29/16	VERIZON WIRELESS	4828 PUBLIC WORKS	17.89	526247	160415		P N W 100.1040.2015.000
28466	04/29/16	VERIZON WIRELESS	4828 CODE ENFORCEMENT	6.81	526247	160415		P N W 100.1011.2015.000
28466	04/29/16	VERIZON WIRELESS	4828 SEWER	27.53	526247	160415		P N W 501.5013.2015.000
28466	04/29/16	VERIZON WIRELESS	4828 EMERG WTR LINE MODEM	135.45	526247	160415		P N W 503.5031.4003.038
28466	04/29/16	VERIZON WIRELESS	4828 WIFI HOTSPOT	54.26	526247	160415		P N W 100.1040.2015.000
28466	04/29/16	VERIZON WIRELESS	4828 POLICE	26.88	526247	160415		P N W 100.1020.2015.000
			268.82		*CHECK TOTAL			
28467	04/29/16	W P O A	262 EMPLOYEE CONTRIBUTION	717.64	526250	160420		P N W 690.234
28468	04/29/16	WARNOCK/SCOTT	4498 CAPE DUES REIMBURSEMEN	45.00	526257	04002		P M W 100.1020.2050.000
28469	04/29/16	WECO INDUSTRIES LLC	4044 CABLE ADAPTER	366.25	526255	36304-IN		P N W 501.5011.2041.000
28469	04/29/16	WECO INDUSTRIES LLC	4044 CAMERA REPAIR	539.26	526256	36302-IN		P N W 501.5011.2041.000
			905.51		*CHECK TOTAL			
28470	04/29/16	WELLS FARGO EQUIPMEN	4677 INTEREST	86.04	526248	11149190		P N W 501.5011.3002.000
28470	04/29/16	WELLS FARGO EQUIPMEN	4677 PRINCIPAL	4,478.44	526248	11149190		P N W 501.5011.3001.000
			4,564.48		*CHECK TOTAL			
28471	04/29/16	WESTERN ALLIANCE BAN	5038 INTEREST	46,823.87	526259	161015		P N W 501.5018.3002.000
28472	04/29/16	WILLIAMS CHAMBER OF C	300 SHRAE OF TOT TAX	8,610.25	526252	160430		P N W 100.1070.3030.000

WARRANT	DATE	VENDOR	DESCRIPTION	AMOUNT	CLAIM	INVOICE	PO#	F 9 S ACCOUNT
GENERAL CHECK FORM								
28473	04/29/16	WILLITS COMMUNITY SE	656 4TH QTR PAYMENT	1,500.00	526254	160430		P N W 100.1070.3040.000
28474	04/29/16	WILLITS ELEMENTARY	4901 CLEANING DEPOSIT REFU	100.00	526251	160425		P N W 100.1050.4211.000
28475	04/29/16	WILLITS KIDS CLUB	3981 PAYROLL DEDUCTION	20.00	526249	160420		P N W 690.248
28476	04/29/16	WILLITS SENIORS INC	301 4TH QTR PAYMENT	1,875.00	526253	160430		P N W 100.1070.3031.000
28477	04/29/16	WILLITS TIRE CENTER	183 TIRE MOUNT & BALANCE	60.00	526258	4395		P M W 201.2011.2044.000

TOTAL 140,764.79

GENERAL CHECK FORM

**CITY OF WILLITS
BUILDING INSPECTION ACTIVITY REPORT**

5b

FOR THE MONTH OF: April 2016

NEW CONSTRUCTION	LIVING UNITS	BLDG. PERMITS	VALUATION
1) Single Family Dwellings			
2) Two Family Dwelling			
3) Three and Four Family Dwelling			
4) Five or More Family Dwelling			
5) Moved Dwellings and Modular Units			
6) Hotels and Motels			
7) Amusement and Recreation Buildings			
8) Churches and Religious Buildings			
9) Industrial Buildings			
10) Private Garages and Carports			
11) Service Station and Repair Garages			
12) Office, Bank and Professional Buildings			
13) Stores and Similar Buildings			
14) Warehouse and Agriculture Buildings			
MISCELLANEOUS CONSTRUCTION			
15) Reroof, Siding, Windows, Etc.		5	\$ 18,000.00
16) Heating and Air Conditioning		1	\$ 180,000.00
17) Electric, Mechanical, Plumbing		4	\$ 6,100.00
18) Demolition		2	\$ 1,000.00
STRUCTURES OTHER THAN BUILDINGS			
19) Foundations, Pools, Walls, Signs, etc.	Pylon sign, cell tower	2	\$ 92,500.00
CONVERSIONS			
20) Non-Residential to Residential			
21) Residential to Non-Residential			
ADDITIONS AND ALTERATIONS			
22) Residential Buildings		2	\$ 34,643.00
23) Non-Residential Buildings		2	\$ 128,500.00
TOTALS		18	\$ 460,743.00

	COMPARISON	TYPE OF PERMIT AND OTHER REVENUE		
			#'s	FEE'S
Valuation This Month	\$ 460,743.00	Building	13	\$ 2,955.75
Same Month Last Year	\$ 261,000.00	Electrical	7	\$ 609.00
		Mechanical	3	\$ 1,963.00
Revenue This Month	\$ 9,406.99	Plumbing	5	\$ 270.00
Same Month Las Year	\$ 5,620.75	Grading		
		Demolition	2	\$ 108.00
Permits This Month	18	Plan Check	7	\$ 2,697.09
Same Month Last Year	15	SMIP	17	\$ 135.90
		BSF	17	\$ 38.05
		GPM	16	\$ 630.20
TOTALS TO DATE THIS FISCAL YEAR		TOTALS:	*87	\$ 9,406.99

Construction Valuation	\$ 7,606,514.00		
Fees Collected	\$ 89,611.36		
No. of Permits	147		
TOTALS TO SAME DATE LAST YEAR			
Construction Valuation	\$ 3,466,265.00		
Fees Collected	\$ 32,693.75		
No. of Permits	111		

Respectfully Submitted:

John Sherman, Building Inspector

* Permit totals don't match because system permits, (Plbg. Elect. Mech, etc. etc.) are imbedded in Building permits above.

CITY OF WILLITS
BUILDING AND SAFETY
 111 E. Commercial St. Willits, Ca. 95490
 (707) 459-7122

DATE: 5/02/2016

TO:

Mendocino County Assessor
 Att: Joe
 501 Low Gap Rd., 1020
 Ukiah, CA. 95482

FROM: Building Department, City of Willits

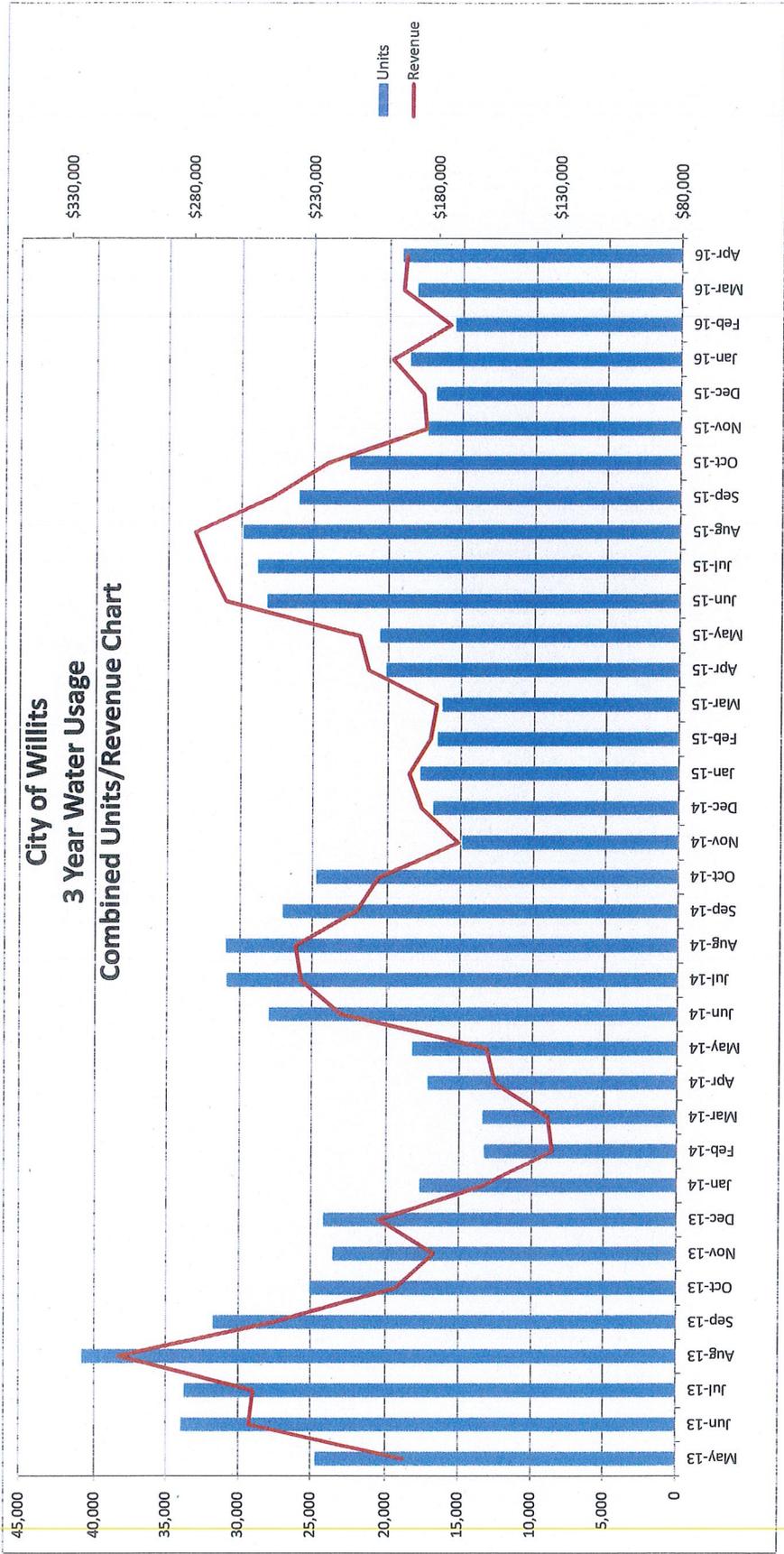
RE: Permit Completion for Month of April 2016

PARCEL#	WORK DONE	ADDRESS	VALUE	DATE	PERMIT #
The following permits were issued.					
006-051-13	Demo 300 sq. ft. outbuilding	293 E. Valley St.	\$500	4/01/16	8515
006-030-08	Overlay reroof	107 Pine St.	3,000	4/06/16	8516
006-221-04	Tearoff reroof	1150 Magnolia Ave.	4,444	4/06/16	8517
007-130-04	Free standing sign	1590 S. Main St.	7,500	4/06/16	8518
006-046-42	Commercial remodel	383 S. Main St.	120,000	4/13/16	8519
006-091-31	Replace water service	484 Mill St.	600	4/14/16	8520
007-160-09	Industrial HVAC system	300 E. Hill Rd.	180,000	4/14/16	8521
006-046-42	Tenant improvements	377 S. Main St.	8,500	4/15/16	8522
005-242-06	Const. 120 sq. ft. garden shed	364 Redwood Ave.	2,500	4/15/16	8523
006-224-10	Replace site sewer	69 Madrone St.	1,500	4/18/16	8524
006-224-10	Bathroom addition	69 Madrone St.	32,143	4/18/16	8525
007-280-36	Demo part of accessory bldg.	111 Sandy Lane	500	4/19/16	8526
005-091-46	Replace elect. service panel	134 Mill Creek Dr.	1,500	4/20/16	8527
005-150-47	Tearoff reroof	36 Hillside Dr.	3,000	4/22/16	8528
005-201-13	Overlay reroof	160 S. Lenore Ave.	7,000	4/22/16	8529
005-130-22	Remove industrial transformers	300 E. Commercial St.	2,500	4/25/16	8530
006-142-29	Const. 75' cell phone tower	850 Railroad Ave.	85,000	4/27/16	8531

006-051-13	Tearoff reroof garage	293 E. Valley St.	1,000	4/29/16	8532
COMPLETED PROJECTS					
006-044-09	Replace HVAC system	179 E. Valley St.	\$5,000	3/23/16	8508
006-221-04	Tearoff reroof	1150 Magnolia Ave.	4,000	4/5/46	8517
007-232-16	Const. 1880 sq. ft. SFD	250 Haehl Creek Ct.	257,920	10/23/15	8449
007-130-04	Const. 6750 sq. ft. retail store	1590 S. Main St.	607,500	9/30/15	8428
007-130-04	Fire alarm system	1590 S. Main St.	3,500	3/22/16	8506
005-091-46	Replace elect. service panel	134 Mill Creek Dr.	1,500	4/20/16	8527



John Sherman
Building Official
City of Willits



CITY OF WILMINGTON
WATER USAGE COMPARISONS

WATER BILLING UNITS	Apr-15	Mar-15	Feb-15	Jan-15	Dec-14	Nov-14	Oct-14	Sep-14	Aug-14	Jul-14	Jun-14	May-14
Apartment MF	2112	1716	1943	1867	1802	1544	2652	2732	2835	2859	2739	1,904
Large Business	452	173	236	342	212	280	453	699	573	499	550	298
Churches	161	155	82	54	60	78	198	251	294	338	389	132
Restaurants & Bar	645	503	567	609	572	527	877	790	953	857	857	655
Grocery	288	243	273	284	248	187	259	201	219	232	195	177
Hospital	1238	865	691	712	656	659	1517	1551	1916	1631	1481	723
Industrial	618	522	499	539	709	524	1028	909	880	1309	810	598
Laundry	351	395	367	393	357	324	444	317	305	328	310	281
Motels	594	418	594	536	482	444	757	680	806	940	810	541
Public Facility	1348	1019	619	528	608	604	1774	3085	4435	2917	3095	1,278
Residential SF	9901	7782	8058	9101	8516	7227	10992	11748	13166	12537	12553	8,604
Small Business	1400	1109	1116	1171	1077	1048	1439	1439	1603	1672	1458	1,166
Mobile Hm/Trailers	1194	1062	1281	1353	1345	1095	1510	1443	1776	2010	1633	1,174
City Accounts	401	326	280	327	236	237	812	1165	1167	1461	1165	681
TOTAL UNITS	20,103	16,240	16,566	17,766	16,860	14,841	24,723	27,010	30,958	30,865	27,982	18,212
% of prev yr	117%	121%	125%	100%	70%	68%	99%	85%	76%	91%	82%	76%
% of two year prior	98%	95%	81%	96%	93%	68%	76%	75%	79%	96%	81%	76%

WATER BILLING MONTHLY

USAGE REVENUE	Apr-15	Mar-15	Feb-15	Jan-15	Dec-14	Nov-14	Oct-14	Sep-14	Aug-14	Jul-14	Jun-14	May-14
Apartment MF	15,315	12,259	13,922	13,422	13,029	10,844	16,008	16,465.65	17,041.65	17,369.60	16,416.00	11,318.10
Large Business	3,251	1,242	1,689	2,456	1,523	2,013	2,715	4,194.00	3,435.15	2,997.15	3,297.15	1,788.00
Churches	1,159	1,116	590	389	432	562	1,188	1,506.00	1,764.00	2,028.00	2,034.00	792.00
Restaurants & Bar	4,641	3,768	4,071	4,373	4,107	3,783	5,252	4,735.45	5,715.25	6,185.65	5,132.05	3,920.25
Grocery	2,074	1,750	1,956	1,685	1,786	1,346	1,554	1,206.00	1,314.00	1,392.00	1,170.00	1,062.00
Hospital	9,044	6,168	4,955	5,051	4,572	4,662	9,279	9,551.65	11,728.45	10,847.65	8,756.45	4,568.45
Industrial	4,450	3,758	3,593	3,981	5,105	3,775	6,166	5,940.00	5,400.00	7,854.00	4,860.00	3,588.00
Laundry	2,527	2,412	2,786	2,830	2,570	2,776	2,864	1,902.00	1,830.00	1,968.00	1,686.00	1,686.00
Motels	4,277	3,010	3,845	3,859	3,470	3,485	4,542	4,080.00	4,836.00	5,640.00	4,626.00	3,246.00
Public Facility	9,590	7,301	4,421	3,758	4,320	4,298	10,608	17,802.00	25,836.00	16,392.00	17,838.00	6,642.00
Residential SF	51,691	40,829	42,628	50,835	46,673	37,548	57,708	60,640.15	70,017.20	73,490.30	66,193.45	39,054.95
Small Business	10,072	7,963	8,027	7,770	7,770	7,550	8,680	8,615.90	9,603.10	10,006.75	8,741.35	6,981.10
Mobile Hm/Trailers	8,597	7,646	9,223	9,742	9,684	7,596	9,060	8,658.00	10,656.00	12,060.00	9,738.00	7,044.00
City Accounts	126,686.76	99,215.64	101,725.02	110,708.10	105,041.76	90,245.92	135,426.50	144,810.80	169,114.80	167,425.10	150,662.45	91,700.85
TOTAL USAGE REVENUE	126,686.76	99,215.64	101,725.02	110,708.10	105,041.76	90,245.92	135,426.50	144,810.80	169,114.80	167,425.10	150,662.45	91,700.85

METER REVENUE

METER REVENUE	Apr-15	Mar-15	Feb-15	Jan-15	Dec-14	Nov-14	Oct-14	Sep-14	Aug-14	Jul-14	Jun-14	May-14
Apartment MF	5,064.52	5,064.52	5,073.83	5,064.52	5,064.52	5,057.86	4,254.10	4,254.10	4,260.72	4,254.10	4,228.20	4,254.10
Large Business	1,358.34	1,358.34	1,358.34	1,358.34	1,358.34	1,358.34	1,135.95	1,135.95	1,135.95	1,135.95	1,135.95	1,135.21
Churches	779.16	779.16	779.16	779.16	779.16	779.16	665.97	662.30	662.30	662.30	662.30	684.35
Restaurants & Bar	1,332.22	1,332.22	1,332.22	1,332.22	1,332.22	1,332.22	1,190.19	1,192.34	1,189.40	1,189.40	1,189.40	1,189.40
Grocery	429.36	429.36	429.36	429.36	429.36	429.36	380.85	380.85	380.85	380.85	380.85	380.85
Hospital	1,645.78	1,645.78	1,645.78	1,645.78	1,645.78	1,645.78	1,399.15	1,399.15	1,399.15	1,399.15	1,399.15	1,233.15
Industrial	3,159.00	3,159.00	3,159.00	3,159.00	3,159.00	3,159.00	2,698.50	2,698.50	2,698.50	2,698.50	2,698.50	2,522.50
Laundry	409.80	409.80	409.80	409.80	409.80	409.80	341.50	341.50	341.50	341.50	341.50	341.50
Motels	1,900.98	1,900.98	1,900.98	1,900.98	1,900.98	1,900.98	1,588.15	1,588.15	1,588.15	1,588.15	1,588.15	1,588.15
Public Facility	5,778.70	5,778.70	5,778.70	5,778.70	5,778.70	5,791.94	4,890.30	4,890.30	4,890.30	4,890.30	4,866.03	4,890.30
Residential SF	50,164.26	49,959.65	49,937.46	49,942.61	50,044.20	49,976.08	43,812.43	43,664.79	43,855.48	43,765.34	41,468.09	41,468.09
Small Business	6,365.29	6,364.41	6,360.87	6,350.75	6,350.75	6,119.88	5,168.77	5,159.95	5,159.95	5,159.95	5,145.62	5,182.00
Mobile Hm/Trailers	2,643.72	2,643.72	2,643.72	2,643.72	2,643.72	2,643.72	2,203.10	2,203.10	2,203.10	2,203.10	2,203.10	2,203.10
City Accounts	81,031.13	80,825.64	80,810.98	80,594.84	81,123.39	80,675.10	67,828.96	67,570.98	67,765.35	67,125.22	67,262.04	67,052.70
TOTAL METER REVENUE	81,031.13	80,825.64	80,810.98	80,594.84	81,123.39	80,675.10	67,828.96	67,570.98	67,765.35	67,125.22	67,262.04	67,052.70

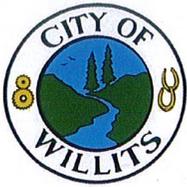
TOTAL BILLED	207,717.89	182,596.00	182,596.00	191,302.94	186,165.15	170,921.02	203,255.46	212,381.78	236,880.15	234,554.32	217,924.49	158,753.55
% of prev yr usage rev	149%	149%	158%	119%	76%	80%	105%	81%	70%	89%	80%	72%
% of prev yr ttl rev	124%	117%	105%	114%	113%	91%	75%	78%	78%	83%	80%	79%

CITY OF WILLIAMS
WATER USAGE COMPARISONS

WATER BILLING UNITS	Apr-14	Mar-14	Feb-14	Jan-14	Dec-13	Nov-13	Oct-13	Sep-13	Aug-13	Jul-13	Jun-13	May-13
Apartment MF	1,857	1,458	1,451	1,949	2,054	2,042	2,526	428	4,131	3,577	3,587	3,392
Large Business	204	156	189	306	399	345	339	403	706	468	414	506
Churches	82	61	57	76	116	160	220	309	573	433	381	254
Restaurants & Bar	665	522	586	684	879	770	387	945	1,286	1,052	1,067	932
Grocery	195	190	205	258	370	294	387	277	425	327	333	303
Hospital	618	478	612	490	555	535	953	1,336	1,720	1,387	1,155	923
Industrial	372	194	188	424	605	671	705	1,062	943	1,006	1,135	747
Laundry	390	332	333	376	396	381	349	326	351	306	339	356
Motels	549	400	393	549	630	678	821	851	1,125	891	860	772
Public Facility	872	471	486	464	1,410	3,634	1,719	2,992	2,914	3,246	3,291	2,391
Residential SF	8,463	6,864	6,603	9,328	13,404	10,320	11,626	14,978	20,595	16,297	16,621	9,557
Small Business	1,196	986	886	1,071	1,636	1,466	1,458	1,929	2,087	1,788	1,873	1,745
Mobile Hm/Trailers	1,357	1,035	931	1,357	1,139	1,659	1,724	2,185	2,782	2,315	2,143	2,071
City Accounts	332	220	375	209	362	356	388	794	825	1,029	815	785
TOTAL UNITS	17,142	13,577	13,246	17,689	24,155	23,491	25,067	31,715	40,821	33,740	33,969	24,684
% of prev year	84%	78%	65%	95%	138%	108%	77%	93%	105%	94%	98%	103%
% of two year prior	90%	70%	71%	84%	117%	112%	114%	80%	113%	105%	121%	108%

WATER BILLING MONTHLY USAGE REVENUE	Apr-14	Mar-14	Feb-14	Jan-14	Dec-13	Nov-13	Oct-13	Sep-13	Aug-13	Jul-13	Jun-13	May-13
Apartment MF	11,409.25	8,737.55	8,589.80	11,683.55	12,179.35	12,179.35	15,168.30	19,957.60	25,324.80	21,508.40	21,793.60	20,579.80
Large Business	1,221.15	933.15	1,128.30	1,833.15	2,901.15	2,070.00	2,031.15	2,568.00	4,233.15	2,808.00	2,481.15	3,027.45
Churches	492.00	366.00	342.00	456.00	696.00	860.00	1,320.00	1,854.00	3,438.00	2,596.00	2,286.00	1,524.00
Restaurants & Bar	3,980.25	3,138.25	3,026.25	4,094.05	5,276.65	4,615.45	5,114.65	5,670.85	7,832.45	6,325.85	6,996.30	5,986.30
Grocery	1,170.00	1,140.00	1,230.00	1,548.00	2,220.00	1,764.00	2,222.00	1,662.00	2,550.00	1,962.00	1,998.00	1,818.00
Hospital	3,712.45	2,859.25	3,159.15	2,931.45	3,321.05	3,162.65	5,574.25	8,312.65	10,320.00	8,322.00	6,990.00	5,538.00
Industrial	2,232.00	1,164.00	1,128.00	2,544.00	3,690.00	4,026.00	4,230.00	6,372.00	6,658.00	6,036.00	6,810.00	4,482.00
Laundry	2,340.00	1,992.00	1,998.00	2,256.00	2,286.00	2,286.00	2,094.00	1,956.00	2,106.00	2,036.00	2,034.00	2,136.00
Motels	3,294.00	2,400.00	2,364.00	3,150.00	3,780.00	4,068.00	4,926.00	5,106.00	6,750.00	5,346.00	5,160.00	4,332.00
Public Facility	4,872.00	2,622.00	2,756.00	2,784.00	8,364.00	8,304.00	8,304.00	16,530.00	19,632.00	13,728.00	14,538.00	10,908.00
Residential SF	37,954.80	29,271.75	27,810.20	44,524.15	75,619.90	50,734.95	56,587.10	83,000.85	125,892.35	92,037.45	94,001.70	43,905.05
Small Business	7,169.35	5,957.90	5,300.35	6,438.90	8,786.85	8,794.90	11,580.25	11,580.25	12,520.65	10,714.90	11,238.65	10,449.45
Mobile Hm/Trailers	8,142.00	6,210.00	5,566.00	9,174.00	6,834.00	9,834.00	10,344.90	13,110.00	16,692.00	13,890.00	12,858.00	12,426.00
City Accounts	87,989.25	66,791.85	64,578.05	93,420.25	137,358.70	113,217.25	128,751.25	177,666.20	242,949.40	187,112.60	186,925.40	126,712.05
TOTAL USAGE REVENUE	155,216.25	133,645.62	131,645.62	159,888.34	202,812.12	180,492.47	196,035.13	245,186.79	310,093.79	253,875.63	255,684.61	199,019.80
% of prev yr usage rev	87%	76%	60%	93%	142%	95%	68%	80%	103%	88%	93%	96%
% of prev yr rti rev	92%	78%	78%	87%	112%	99%	103%	80%	110%	102%	119%	111%

METER REVENUE	Apr-14	Mar-14	Feb-14	Jan-14	Dec-13	Nov-13	Oct-13	Sep-13	Aug-13	Jul-13	Jun-13	May-13
Apartment MF	4,254.10	4,255.57	4,231.57	4,230.10	3,734.10	4,230.10	4,230.10	4,230.10	4,230.10	4,222.27	4,221.10	4,165.60
Large Business	1,135.95	1,135.95	1,124.21	1,135.95	1,143.30	1,135.95	1,135.95	1,135.95	1,135.95	1,135.95	1,135.95	1,135.95
Churches	684.35	684.35	684.35	684.35	684.35	684.35	684.35	684.35	684.35	684.35	684.35	684.35
Restaurants & Bar	1,198.65	1,143.83	1,145.30	1,145.30	1,150.44	1,167.35	1,167.35	1,167.35	1,176.60	1,179.17	1,188.40	1,188.40
Grocery	380.85	371.85	380.85	380.85	380.85	380.85	380.85	380.85	380.85	380.85	380.85	380.85
Hospital	1,233.15	1,233.15	1,209.15	1,199.15	1,139.15	1,209.15	1,199.15	1,209.15	1,199.15	1,199.15	1,199.15	1,199.15
Industrial	2,522.50	2,522.50	2,522.50	2,522.50	2,522.50	2,522.50	2,522.50	2,522.50	2,522.50	2,522.50	2,522.50	2,522.50
Laundry	341.50	341.50	341.50	341.50	341.50	341.50	341.50	341.50	341.50	341.50	341.50	341.50
Motels	1,588.15	1,588.15	1,588.15	1,588.15	1,588.15	1,588.15	1,588.15	1,588.15	1,588.15	1,588.15	1,588.15	1,588.15
Public Facility	4,590.30	4,537.30	4,590.30	4,590.30	4,590.30	4,590.30	4,590.30	4,590.30	4,590.30	4,590.30	4,590.30	4,537.30
Residential SF	41,603.58	41,525.72	41,596.64	41,531.49	41,920.28	41,789.50	41,753.45	41,460.72	41,891.67	41,653.80	41,671.37	41,635.35
Small Business	5,190.82	5,158.47	5,159.95	5,121.35	5,222.42	5,187.13	5,199.63	5,203.32	5,213.60	5,203.32	5,184.94	5,226.10
Mobile Hm/Trailers	2,203.10	2,203.10	2,203.10	2,203.10	2,203.10	2,203.10	2,203.10	2,203.10	2,203.10	2,203.10	2,203.10	2,203.10
City Accounts	67,227.00	66,701.44	67,067.57	66,478.09	65,453.42	67,365.22	67,283.88	67,500.59	67,144.39	66,763.03	66,759.21	66,307.75
TOTAL METER REVENUE	155,216.25	133,645.62	131,645.62	159,888.34	202,812.12	180,492.47	196,035.13	245,186.79	310,093.79	253,875.63	255,684.61	199,019.80
% of prev yr usage rev	87%	76%	60%	93%	142%	95%	68%	80%	103%	88%	93%	96%
% of prev yr rti rev	92%	78%	78%	87%	112%	99%	103%	80%	110%	102%	119%	111%



AGENDA SUMMARY REPORT

To: Planning Commission

From: Dusty Duley, City Planner

Agenda Title: DISCUSSION AND POSSIBLE ACTION ON CONDITIONAL USE PERMIT APPLICATION #U-16-01 FOR DANIEL W. AND JEANNE CHESSER

Type: Presentation Consent Regular Agenda Public Hearing Urgent Time: 30 min.

Summary of Request: The applicants, Daniel and Jeanne Chesser, are proposing to operate a full service bar, to include the on-site sale, service and consumption of alcoholic beverages, within an approximately 765 square foot commercial space on a 0.92 acres property located on the east of U.S. Highway 101 (Main Street), at its intersection with East San Francisco Avenue. Hours of operation are requested between 9:00 a.m. and 2:00 a.m. each day.

The applicant previously operated a full service bar known as "John's Place" which was located at 555 Commercial Street, approximately 0.3 mile northeast of the subject property. The building that previously supported the bar was destroyed by a fire in November of 2014 resulting in the applicants' need to find an alternative location for their business. The applicants had previously received a conditional Use Permit #U-15-01 to operate the bar at 151 North Main Street, however the applicant has since chosen to pursue this new location at 377 South Main Street. According to the applicants, they are still planning on moving back to their original location at 555 Commercial Street once construction of new building(s) is finished.

The property is zoned Community Commercial (C-1) and operation of a "Drinking Place" is subject to obtaining a Use Permit in the C1 zoning district.

Recommended Action: Conduct a public hearing and adopt a Resolution certifying the Mitigated Negative Declaration and approving Use Permit #U-16-01 subject to the conditions of approval recommended by staff.

Alternative(s): Should the Planning Commission find significant issues with the project, staff recommends that the item be continued to a future hearing date to allow staff time to develop findings for project denial.

The Planning Commission may also choose to delete, modify or add conditions of approval to the Use Permit provided they do not affect the adoption of the Mitigated Negative Declaration.

Fiscal Impact: Project may result in additional costs to City Police Department from increased calls for police services (i.e. assaults, noise complaints).

Personnel Impact: Minimal staff time to process building permits and ensure compliance with Use Permit conditions.

Reviewed by: City Manager City Attorney Finance Director Human Resources Risk

Council Action: Approved Denied Other: _____

Records: Agreement Resolution # _____ Ordinance # _____ Other _____

RESOLUTION 2016-

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLITS
APPROVING CONDITIONAL USE PERMIT #U-16-01**

WHEREAS, Daniel W. and Jeanne Chesser has made application to the Willits Planning Commission for a Conditional Use Permit in accordance with the Willits Zoning Ordinance (No. 82-4, and as amended), Chapter 17.74, to operate a full service bar on property which is in a Community Commercial (C1) zoning district located at 377 South Main Street, more specifically described as Assessor Parcel Number 006-046-42, in the City of Willits, County of Mendocino, State of California; and,

WHEREAS, a Mitigated Negative Declaration was prepared for the Project and noticed and made available for agency and public review for the proposed project in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, The Willits Planning Commission, at its regular meeting held on the 11th of May, 2016, carefully reviewed the application materials before them and received public testimony on the matter; and,

WHEREAS, the Willits Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the Mitigated Negative Declaration and the Project.

NOW, THEREFORE BE IT RESOLVED, that the Willits Planning Commission makes the following findings;

Environmental Finding:

- A. The Planning Commission finds that no significant environmental impacts would result from the proposed projects which are not adequately mitigated through the conditions of approval or features of the project design; therefore, a Mitigated Negative Declaration is adopted.

General Plan Finding:

- A. The proposed project is consistent with the property General Plan designation of Commercial-General (C-G) and with applicable goals and policies of the General Plan as subject to the Conditions of Approval found in Exhibit A of the resolution.

Project Findings:

- A. That the site for the proposed use is adequate in size and shape to accommodate the use of all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this title to adjust the use with land and uses in the neighborhood;

The applicant is utilizing an existing building and parking lot to support the project. No new construction or variance to standards is proposed or required to support the project. Findings can be made.

- B. That the site for the proposed use relates to street and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;

Access to the site is provided from existing driveways off U.S. Highway 101 and East San Francisco Avenue which solely serves the subject property. The California Department of Transportation and City Public Works Department reviewed the project request and are not requiring any changes to the roads or driveways. The existing roads are in adequate condition to support the project. Findings can be made.

- C. That the proposed use will have no adverse effect upon adjoining or other properties. In making this determination, the commission shall consider the proposed locations of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; height of buildings; walls; and fences; landscaping; outdoor lighting; signs, such other characteristics as will affect surrounding property;

As discussed in the Initial Study and staff report, the project does have the potential to adversely affect nearby properties due to excessive noise. Mitigation measures have been identified in Condition Numbers 3 and 4 to mitigate these potentially significant impacts to a less than significant level. Findings can be made.

- D. That the proposed use is consistent with the objectives and policies of the general plan;

As discussed throughout the Initial Study, the project is consistent with the General Plan, provided the applicant adheres to the conditions of approval. Findings can be made.

- E. That the conditions established by the commission for the conditional use permit are deemed necessary to protect the public health, safety and general welfare. . .”

All the conditions of approval established are necessary to mitigate potentially significant impacts and/or bring the project into conformance with the General Plan, Zoning Ordinance and applicable regulations as noted throughout the Initial Study and staff report. Findings can be made.

BE IT FURTHER RESOLVED that the Willits Planning Commission hereby certifies the Mitigated Negative Declaration and the Mitigation Monitoring Program set forth in the Conditions of Approval. The Planning Commission certifies that the Mitigated Negative Declaration has been completed, reviewed, and considered, together with the comments received during the public review process, in compliance with CEQA, and finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission.

BE IT FURTHER RESOLVED that the Willits Planning Commission hereby grants the requested Use Permit #U-16-01, subject to the Conditions of Approval in Exhibit “A”, attached hereto.

The above and foregoing Resolution was introduced by Commissioner _____ seconded by Commissioner _____, and passed and adopted at a regular meeting of the Planning Commission of the City of Willits, held on the 11th day of May, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ATTEST:

BRUCE BURTON, Chair
Planning Commission of the City of Willits

CATHY MOORHEAD, City Clerk

EXHIBIT A

CONDITIONS OF APPROVAL USE PERMIT #U-16-01 May 11, 2016

APPROVED PROJECT DESCRIPTION:

Use Permit to allow for on-site sale, service and consumption of alcoholic beverages (full service bar) within an approximately 765 square foot commercial space.

CONDITIONS OF APPROVAL:

Aesthetics

1. All future external lighting, whether installed for security, safety or landscape design purposes, shall be shielded, downcast or shall be positioned in a manner which will prevent direct glare onto adjacent parcels or streets.

Geology and Soils

2. All grading and site preparation, at a minimum, shall adhere to the following "Best Management Practices": The applicant shall submit to the Community Development Department an acknowledgement of these grading and site preparation standards.
 - a. That adequate drainage controls be constructed and maintained in such a manner as to prevent contamination of surface and/or ground water, and to prevent erosion.
 - b. The applicant shall endeavor to protect and maintain as much vegetation on the site as possible, removing only as much as required to conduct the operation.
 - c. All concentrated water flows, shall be discharged into a functioning storm drain system or into a natural drainage area well away from the top of banks.
 - d. Temporary erosion control measures shall be in place at the end of each day's work, and shall be maintained until permanent protection is established.
 - e. Erosion control measures shall include but are not limited to: seeding and mulching exposed soil on hill slopes, strategic placement of hay bales below areas subject to sheet and rill erosion, and installation of bioengineering.

Noise

- **3. Windows and doors shall not be left open during the operation of the bar where noise impacts the surrounding area. Adequate ventilation shall be provided so that openings to the outside can be closed when the bar or club is at full capacity.
 - **4. Amplification for music or speakers shall be permitted between the hours of 5:00 p.m. to 10:00 p.m. each day. This condition is not intended to be applied to jukeboxes or similar devices that are typically associated with a bar.
-

5. The applicant shall supply a list of voluntary measures that the applicant may take should verified noise complaints be received by the City of Willits Police Department or the Community Development Department.

Fire Protection

6. All buildings shall meet all pertinent building and fire codes for fire sprinkler systems, adequate water for fire flows, and provisions for fire prevention and suppression to the satisfaction of the City of Willits Building Inspector and Little Lake Fire Protection District Fire Chief. All connections to water utilities shall be completed to the satisfaction of the City of Willits Water Department.

Police Protection

- **7. The Chief of Police shall be notified a minimum of ten (10) days in advance of special events that may attract larger than normal crowds. The Chief of Police may require the owner/operator to provide additional licensed security personnel on site to provide adequate crowd control. Any measures identified by the Chief of Police shall become part of this entitlement.
- **8. The applicant shall implement a video camera safety plan which includes, at a minimum:
 - a. Digital video camera system which records activity of patrons and employees at building entrances and exits as well as in the parking lot.
 - b. Video recordings must be stored and retrievable for a minimum period of seven days from the time of recording.
 - c. Video clarity must be such that a person's facial features can be identified from the video.
 - d. The video system must be engaged, and recording at all times, while the establishment is open to the public. The system must be maintained in working order at all times.
 - e. The video system must be approved by the Willits Police Department before it is installed to ensure compliance with these requirements, and approved again after the system is operational.

Transportation/Traffic

9. Applicant shall install and maintain markings for all parking spaces to the satisfaction of the Community Development Department.
10. Applicant shall provide off-street parking consistent with Chapter 17.52 of the Willits Zoning Code.
11. Applicant shall install a bike rack to accommodate a minimum of two bicycles.

Solid Waste/Recycling

12. Prior to occupancy of any buildings, the applicant shall submit a plan to the Community Development Department identifying adequate area for storage of garbage and recyclable materials/receptacles. The storage area shall be accessible to the city's franchise waste hauler with containers designed to be consistent with current methods of collection. Prior to occupancy of any buildings, the applicant shall submit to the Community Development Department written verification that the plan for garbage and recyclables has been reviewed and accepted by the city's franchise hauler.

Alcoholic Beverage Control

13. The applicant shall comply with Alcoholic Beverage Control (ABC) laws and regulations. Suspension of the applicant's license by the ABC may constitute sufficient cause or basis for review and possible revocation of a conditional use permit.
14. Prior to the sale of alcoholic beverages, a copy of the Alcoholic Beverage Control Board (ABC) license, along with any special conditions imposed by ABC, shall be submitted to the Community Development Department for the file. Any conditions that are more restrictive than those set forth in this approval shall be adhered to.

Hours of Operation

15. Total sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 9:00 a.m. and 2:00 a.m. each day of the week.

Standard Conditions

16. The applicant shall obtain all necessary permits and fully comply with all the requirements of the Fire, Health, Water, Sewer, Building and Public Works Departments of the City of Willits.
17. The application and supplementary information submitted by the applicant shall be come entitlements of this permit and compliance therewith shall be mandatory.
18. The City, its officers, agents and employees may inspect this property at any time and the applicant agrees not to deny or impede access to the subject property for the City.
19. This permit may be revoked by the City of Willits at any time for violation of any of the terms and conditions of this permit by the owner or applicant.
20. The permit shall have no force or effect unless, and until, accepted and the terms thereof agreed to, in writing, by the applicant.

Fish and Wildlife Fee

21. This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Wildlife filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. Said fee of \$2260.25 (OR CURRENT FEE) shall be made payable to the Mendocino County Clerk and submitted to the City of Willits Community Development Department within 5 days of the end of any appeal period. Any waiver of the fee shall be on a form issued by the Department of Fish and Wildlife upon their finding that the project has "no effect" on the environment. If the project is appealed, the payment will be held by the City of Willits Community Development Department until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. **The applicant has the sole responsibility to insure timely compliance with this condition**

*** Indicates conditions relating to Environmental Considerations - deletion of these conditions may affect the issuance of a Mitigated Negative Declaration.*

ATTACHMENT A

ENVIRONMENTAL REVIEW GUIDELINES

DATE: April 5, 2016

CASE#: U-16-01

DATE FILED: 2/4/2016

OWNER: 383 S.M. HOLDING

APPLICANT: DANIEL W. AND JEANNE CHESSER

REQUEST: Use Permit to allow for on-site sale, service and consumption of alcoholic beverages (full service bar) within an approximately 765 square foot commercial space.

LOCATION: In the City of Willits, lying on the east side of U.S. Highway 101, also known as Main Street, at its intersection with East San Francisco Avenue, located at 377 South Main Street; APN 006-046-42.

PROJECT COORDINATOR: DUSTY DULEY

Environmental Checklist.

"Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change, may be considered in determining whether the physical change is significant (CEQA Guidelines, Section 15382).

Accompanying this form is a list of discussion statements for all questions, or categories of questions, on the Environmental Checklist (See Section III). This includes explanations of "no" responses.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology /Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality
<input checked="" type="checkbox"/> Land Use / Planning	<input type="checkbox"/> Mineral Resources	<input checked="" type="checkbox"/> Noise
<input type="checkbox"/> Population / Housing	<input checked="" type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Utilities / Service Systems	<input type="checkbox"/> Mandatory Findings of Significance

An explanation for all checklist responses is included, and all answers take into account the whole action involved, including off-site as well as on-site; cumulative as well as project-level; indirect as well as direct; and construction as well as operational impacts. The explanation of each issue identifies (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. In the checklist the following definitions are used:

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant.

"Potentially Significant Unless Mitigation Incorporated" means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

"Less Than Significant Impact" means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

"No Impact" means that the effect does not apply to the Project, or clearly will not impact nor be impacted by the Project.

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

INITIAL STUDY/ENVIRONMENTAL REVIEW: This section assesses the potential environmental impacts which may result from the project. Questions in the Initial Study Checklist are stated and answers are provided based on analysis undertaken.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a) *Have a substantial adverse effect on a scenic vista?* **No Impact**

A scenic vista can be defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. The property has been previously developed. There are no publicly accessible vista points in the vicinity of the project that would be impacted by the project.

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?* **No Impact**

The portion of U.S. Highway 101 that borders the property has not been designated by the California Department of Transportation as a State Scenic Highway (Caltrans,2014). The applicant is proposing to utilize an existing 765 square foot commercial space to support the project. No new buildings are proposed or necessary to support the project. The project would not damage any scenic resources.

c) *Substantially degrade the existing visual character or quality of the site and its surroundings?* **No Impact**

No new buildings are proposed or necessary to support the project. The project would not substantially degrade the existing visual character or quality of the site or its surroundings.

d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?* **Less than Significant Impact**

The applicant is not proposing to install any additional exterior lighting. Should additional lighting be installed in the future, Condition Number 1 requires exterior light fixtures to be designed or located so that only reflected, non-glaring light is visible from beyond the immediate vicinity of the site.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURE AND FORESTRY RESOURCES. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non- agricultural use?* **No Impact**

According to maps provided by the California Department of Conservation, the property is categorized as Urban and Built-up land and does not include important farmland or other designated farmland types (California Department of Conservation 2012a). The property was previously developed and will not convert any "Farmland".

b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?* **No Impact**

The property has a General Plan designation of Commercial-General (C-G) and a zoning designation of Community Commercial (C1). The property is not enrolled in the Williamson Act. The project would not conflict with any agricultural zoning or Williamson Act lands.

c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*
No Impact

The property has a General Plan designation of Commercial-General (C-G) and a zoning designation of Community Commercial (C1). The project will not result in the rezoning of any forest land or Timberland Production zoned property.

d) *Result in the loss of forest land or conversion of forest land to non-forest use?* **No Impact**

The property is improved with a paved parking lot and two structures including an approximately 6,500 square foot commercial building with a second story single-family residence and an approximately 7,500 square foot commercial building. The applicant is not proposing to remove any trees nor will the project require the removal of any trees.

e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*
No Impact

The property has been previously developed and has been used to support various commercial businesses. The project will not convert any farming or forestland uses on this property.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of any applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) Conflict with or obstruct implementation of the applicable air quality plan? **No Impact**

The project is located within a part of the North Coast Air Basin. The Mendocino County Air Quality Management District (AQMD) is responsible for enforcing the State and Federal Clean Air Acts as well as local air quality protection regulations. The project will be located within an existing commercial space. No construction or earthmoving is proposed with the exception of minor work to bring the entry way into compliance with American Disability Act standards and possibly interior remodeling. The project will not conflict with or obstruct implementation of any air quality plan.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? **No Impact**

The applicant is proposing to utilize an existing 765 square foot commercial space to support the bar. No construction or earthmoving is proposed with the exception of minor work to bring the entry way into compliance with American Disability Act standards and possibly interior remodeling. The project will not violate any air quality standard or contribute substantially to an existing or projected air quality violation.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? **No Impact**

According to AQMD, the District is in attainment for all Federal criteria air pollutants and is also in attainment for all State standards except Particulate Matter less than 10 microns in size (PM10).

The most common source of this pollutant is wood smoke from home heating or brush fires, and dust generated by vehicles traveling over unpaved roads. A PM-10 attainment plan was finalized in 2005 that provides mitigation measures for construction and grading activities and unpaved roads (Air Quality, 2005). The applicant is utilizing an existing building and paved parking lot to support the project. The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.

d) *Expose sensitive receptors to substantial pollutant concentrations?* **No Impact**

Sensitive receptors can include schools, parks, playgrounds, day care centers, nursing homes, hospitals, and residential dwellings. The operation of the bar will not result in substantial pollutant concentrations nor expose sensitive receptors to substantial pollutant concentrations.

e) *Create objectionable odors affecting a substantial number of people?* **No Impact**

The applicant is proposing to utilize an existing commercial space to support the bar. City sewer is available to serve the project. The proposed project does not include activities that would create significant objectionable odors.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES: Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.* **No Impact**

The California Natural Diversity Database (CNDDDB) does not indicate the presence of any sensitive plant or animal species to be located on the subject property. The project will be supported by existing site development. The applicant is not proposing to remove any vegetation. The project will not result in any significant impact on plants or wildlife; however the project is subject to the Department of Fish and Game Code Section 711.4 wildlife habitat loss mitigation fee. See Condition Number 21.

b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations and or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?* **No Impact**

The property is relatively flat and is improved with two structures, an approximately 6,500 square foot commercial building divided into 4 separate commercial spaces with a second story single-family residence and an approximately 7,500 square foot commercial building divided into 7 separate commercial spaces. Area surrounding the site is not identified in any regional plans, or subject to special policies and regulations of the local government. The California Department of Fish and Wildlife (CDFW), and the US Fish and Wildlife Service (USFWS) do not have any specific plans or policies that apply to this project site. The property has been previously developed and is not composed of pristine habitat. There are no sensitive natural communities identified in any local or regional plans, or regulated by the CDFW or the USFWS. There will not be a significant impact to riparian or sensitive communities as a result of the proposed project.

c) *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?* **No Impact**

There are no identified wetlands on the site. The property has been previously developed. There would be no impact to federally protected wetlands as a result of the proposed project.

d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?* **No Impact**

The property has been previously developed and currently supports a variety of commercial uses. Given the character of the surrounding landscape, with residential and commercial buildings as well as Highway 101 in place, it is unlikely that local wildlife is utilizing the site as a nursery given the existing level of development and lack of significant vegetation. The project will not significantly interfere with the

movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?* **No Impact**

The proposed project would not conflict with local ordinances or policies protecting biological resources.

- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan?* **No Impact**

There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans for the site of the proposed project.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. Cultural Resources a) through e) No Impact

No earthmoving is proposed or necessary to support the project. There are no historical resources on site. The project is not located in a geologic formation that commonly contains paleontological resources, nor does the site contain unique geologic features. The property has been previously developed, and there are no visible unique geologic features on site. There are no formal cemeteries in the vicinity of the project site. It is very unlikely that human remains will be encountered at the site during construction. However, if remains are encountered, California Health and Safety Code 7050.5 require that the County Coroner be contacted immediately. If the county Coroner determines the remains to be Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to Public Resource Code 5097.98.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS. Would the project:				

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:* i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.* ii) *Strong seismic ground shaking?* iii) *Seismic-related ground failure, including liquefaction?* iv) *Landslides?* **Less than Significant Impact**

According to the City of Willits Zoning Map, the project site is in a fault zone due to its proximity to the Alquist-Priolo fault line. The site is located in Northern California which does have the potential to be exposed to strong earthquakes. Any project in the area could be subjected to a strong earthquake affecting the region. Any future structures or remodeling of existing structures would need to be built to modern construction standards and would be designed to withstand earthquakes that can be expected in the region.

The flat character of the site indicates that a landslide would be very unlikely. The site and project itself would not destabilize the property in a way that would subject surrounding land uses to an increased risk from landslides.

- b) *Result in substantial soil erosion or the loss of topsoil?* **No Impact**

No grading is proposed. Should grading be required, Condition Number 2 will address immediate and short-term impacts from grading activities and ensure that adequate drainage is provided.

- c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?* **No Impact**

Due to the relatively high amount of development and lack of open ground in the area, the soil unit for the property is categorized as Urban Land. Underlying soils near creekbeds in the area typically consist of Talmage soils (USDA Web Soil Survey, 2014). The soil on site is not subject to lateral spreading, liquefaction, or collapse. Given that no new construction is proposed and the relatively flat site, the project indicates that the site would not become unstable as a result of the proposed project. There are no landslides visible in a review of aerial imagery in the area, and it is unlikely, given the soil type, vegetation, and topography of the site that the project would result in on- or off-site landslide as a result of the proposed project.

- d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?* **No Impact**

Due to the relatively high amount of development and lack of open ground in the area, the soil unit for the property is categorized as Urban land. Underlying soils near creekbeds in the area typically consist of Talmage soils (USDA Web Soil Survey, 2014). The soil on site is not considered to be an expansive soil as defined in Table 18-1-B of the Uniform Building Code (1994).

- e) *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?* **No Impact**

No on-site septic or waste water disposal systems are proposed or required to accommodate the project. The property is currently served by City of Willits sewer and water services.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS.				
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?* **Less Than Significant Impact**

This property has been previously developed and is used to support a number of commercial businesses. Emissions as a result of any grading or construction will be short term and minimized by the use of modern construction equipment and methods. Emissions as a result of regular operations will be the result of power usage. Traffic to the site will vary depending on the number of customers, similar to vehicle traffic resulting from the bar at its previous location in the City. The proposed project will not occur

at a scale or scope with potential to contribute substantially or cumulatively to the generation of GHG, either directly or indirectly.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? **No Impact**

There are no adopted local plans for reducing the emission of greenhouse gasses.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				
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- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?* **No Impact**

The project will not require the routine transport, use, or disposal of hazardous materials.

- b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?* **No Impact**

The project does not require hazardous materials to be stored on site.

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?* **No Impact**

The project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste.

- d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?* **No Impact**

The project is not located on a hazardous materials site listed in the EnviroStor database maintained by the California Department of Toxic Substance Control (California Department of Toxic Substance Control, 2014).

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?* **No Impact**

The Willits Municipal Airport is the closest airport which is open to the public, and is located approximately 2.9 miles northwest of the project site. The project will not result in a safety hazard to those working at or around the project area.

- f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?* **No Impact**

There are no private airstrips in the project vicinity.

- g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?* **No Impact**

The City has identified U.S. Highway 101 as an evacuation route on the Community Safety Map included with the General Plan. Traffic levels resulting from the project will be similar to those levels resulting from the bar at its previous location on East Commercial Street. The project will not result in significant increased traffic levels that would impede an evacuation.

- h) *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?* **No Impact**

The project does not occur where residences are intermixed with wildlands. The project will not expose people or structures to significant risk due to wildland fires.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

involving flooding, including flooding as a result of the failure of a levee or dam?				
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
k) Result in an increase in pollutant discharges to receiving waters considering water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g. heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
l) Have a potentially significant impact on groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
m) Impact aquatic, wetland or riparian habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. Hydrology and Water Quality a) through m) No Impact

The property has been previously developed and no new construction or grading is proposed except minor work to upgrade the building entrance to ADA standards.. The northern portion of the property is within the 100 year flood plain as determined by the Federal Emergency Management Agency (FEMA) due to its proximity to Broaddus Creek. No development is proposed or necessary within the 100 year flood plain to support the project. City water and sewer services are available to support the project. The project will not violate any water quality standards or waste discharge requirements. The project is not within a dam inundation zone, and would not create an impoundment, reservoir, or levee that could threaten surrounding residences. The property is relatively flat and is not subject to Inundation by seiche, tsunami, or mudflow. No riparian vegetation removal is proposed or necessary to support the project. Should grading be required, Condition Numbers 2 will help prevent erosion and its potential impact to water quality. The project will not have a significant impact to water quality.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>X. LAND USE AND PLANNING.</u> Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Physically divide an established community?* **No Impact**

The project will not result in any physical improvements or barriers that would divide an established community.

b) *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?* **Less than Significant Impact with Mitigation Incorporated**

A discussion of applicable regulations and policies is found throughout the Initial Study and staff report. The project does have the potential to exceed noise level standards found in the City General Plan. Staff has identified Condition Numbers 3, 4 and 5 to help ensure compliance with applicable noise standards by limiting the hours of amplified music, requiring windows and doors to be closed when noise may impact the neighborhood as well as identifying additional measures that can be implemented by the applicant should noise conflicts arise. Further discussion found below in Initial Study Item XII Noise. Provided the applicant adheres to the mitigation measures identified by staff, the project will not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.

c) *Conflict with any applicable habitat conservation plan or natural community conservation plan?* **No Impact**

The project is not located within any habitat conservation or natural community conservation plan areas.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?* **No Impact**

There are no known mineral resources on the site that would be of value to the region or the residents of the state.

b) *Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?* **No Impact**

The property does not include a mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

	Potentially	Less Than	Less Than	No
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	Significant Impact	Significant with Mitigation Incorporated	Significant Impact	Impact
XII. <u>NOISE</u> -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?* **Less than Significant Impact with Mitigation Incorporated**

The City had adopted noise standards to avoid noise conflicts between various land uses. General Plan Noise Policy 4.210 states,

The City seeks to maintain ambient noise levels of 55 dBA (CNEL) in existing residential areas.

Further, General Plan Noise Policy 4.250 states,

Noise from all sources should be maintained at levels that will not adversely affect adjacent properties or the community, especially during the evening and early morning hours.

The applicant is requesting to operate the bar between the hours of 9:00 a.m. and 2:00 a.m. each day. The potential to generate noise levels at nearby residences in excess of the above noted standards is likely to occur during nighttime hours. The most sensitive receptors to noise in the area are single-family

residents. Commercial and civic uses in the area are typically not in use during late night hours and typically generate more noise relative to residential uses. As activities will occur inside the building and with the closest off-site residence being approximately 200 feet north of the bar location, normal activities associated with the bar are unlikely to create noise levels in excess of noise standards established in the General Plan.

The applicant has informed staff that they will occasionally offer entertainment such as hosting live bands, karaoke and dj's for the enjoyment of their customers. These types of associated activities have the potential to exceed established noise levels standards and adversely affect the neighborhood both from amplified music as well as from the gathering of a large number of people outside.

Staff has identified the following conditions be placed on the project to minimize potentially significant impacts related to noise and ensure the project conforms to the General Plan Noise Policies. Staff recognizes that a juke box of similar device includes amplified music, however it is not staff's intent that these conditions apply to such a device. Rather these conditions are offered to minimize noise impacts from special events. The applicant is expected to control juke box types device volumes to normally accepted levels.

Condition Number 3 requires the applicant to keep windows and doors closed when noise impacts the surrounding community. Adequate ventilation should be provided so that openings to the outside can be closed even when the bar is at full capacity.

Condition Number 4 prohibits amplified music beyond those devices typically associated with a bar such as jukeboxes.

Condition Number 5 requires the applicant to supply a list of voluntary measures that the applicant may take should verified noise complaints be received by the City of Willits Police Department or the Community Development Department. This may include such precautions as discouraging large numbers of people from gathering outside, limiting the hours of special events, etc...

Additional measures may be placed on the permit should the applicant fail to adequately minimize noise impacts to off-site receptors. Failure of the applicant to adequately respond to verified noise complaints may result in a restriction on special events or as a final measure, revocation of this permit.

b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?* **No Impact**

There are no activities associated with the project that would generate excessive groundborne vibration or groundborne noise levels.

c) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?* **No Impact**

The project will not result in any permanent increase in ambient noise levels in the project vicinity.

d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?* **Less than Significant Impact with Mitigation Incorporated**

The project has the potential to cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity. Background noise levels at the site and nearby receptors fluctuate depending on surrounding activity. The primary noise generator in the area is U.S. Highway 101 traffic.

The applicant is requesting to operate the bar between the hours of 9:00 a.m. and 2:00 a.m. each day. Normal operations during daytime hours are not expected to significantly increase ambient noise levels in

the project vicinity. Customers congregating outside and special events will be the largest sources of noise as a result of the project.

Staff is recommending Condition Numbers 3, 4 and 5 to minimize noise levels that could cause a potentially significant impact to off-site receptors. Condition Number 3 requires the applicant to keep doors and windows shut when noise impacts the surrounding community. Condition Number 4 prohibits amplified music beyond those devices typically associated with a bar such as karaoke machines and jukeboxes. Condition Number 5 requires the applicant to supply a list of voluntary measures that the applicant may take should verified noise complaints be received by the City of Willits Police Department or the Community Development Department

Further restrictions may be placed on the permit should the applicant fail to adequately minimize noise impacts to off-site receptors. Failure of the applicant to adequately respond to verified noise complaints may result in a restriction on special events or as a final measure, revocation of this permit.

e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?* **No Impact**

There are no airports located within 2 miles of the project site.

f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?* **No Impact**

There are no private airstrips within the vicinity of the project site.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII Population and Housing a) thru c) **No Impact**

The project will not induce population growth and create a demand for new housing nor will existing residences be displaced or removed as a result of the project.

	Potentially Significant	Less Than Significant with	Less Than Significant Impact	No Impact

	Impact	Mitigation Incorporated		
XIV. PUBLIC SERVICES.				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Medical Services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection, police protection, schools, parks, other public facilities?* **Less than Significant Impact with Mitigation Incorporated**

The project is within the local responsibility area of the Little Lake Fire Department (LLFD). The LLFD reviewed the request and did not find issue with the project. Demand for fire protection services will not significantly increase as a result of the project

Establishment of a bar can result in a significant increase in the demand for police services. The City of Willits Police Department (WPD) is the first responder to any call for service that may stem from the property. Project concerns notes by WPD include issue of conflicting accounts when responding to potential illegal activities occurring on-site as well as security concerns during special events. To address WPD concerns and minimize the potentially significantly increase in the need for police services, staff has identified the following mitigation measures.

To ensure that adequate security is being provided to support each special event, the applicant will be responsible for ensuring that the Chief of Police is notified a minimum of ten (10) days in advance of special events that may attract larger than normal crowds. The Chief of Police may require the owner/operator to provide additional licensed security personnel on site to provide adequate crowd control (see Condition Number 7).

Condition Number 8 requires the applicant to implement a video camera safety plan which includes, at a minimum:

- a. Digital video camera system which records activity of patrons and employees at entrances and exits and in parking lot.
- b. Video recordings must be stored and retrievable for a minimum period of seven days from the time of recording.

- c. Video clarity must be such that a person's facial features can be identified from the video.
- d. The video system must be engaged, and recording at all times, while the establishment is open to the public. The system must be maintained in working order at all times.
- e. The video system must be approved by the Willits Police Department before it is installed to ensure compliance with these requirements, and approved again after the system is operational.

These mitigation measures are being recommended to address WPD concerns and minimize activities that could potentially result in a significant increase in the need for police services.

The project will not increase population or demands for medical services, schools or parks. The project will have no direct impact on public facilities.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. RECREATION.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV Recreation a) and b) No Impact

(a & b) The project will not increase the use of recreational facilities. Nor will it generate demand for new or expanded recreational facilities.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC.				
Would the project:				
a) Generate substantial additional vehicular movement?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Effect existing parking facilities, or demand for new parking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially impact existing transportation systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Alter present patterns of circulation or movement of people and/or goods?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

f) Increase traffic hazards to motor vehicles, bicyclists or pedestrians.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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a) *Generation of substantial additional vehicular movement?* **Less than Significant Impact**

Access to the site is provided from existing driveways off U.S. Highway 101 and East San Francisco Avenue which solely serve the subject property. The project will generate similar levels of traffic to levels that resulted from "John's Place" at its previous location on Commercial Street as well as other drinking establishments in the City. The project will not result in the generation of substantial additional vehicular movement or traffic levels.

b) *Effect existing parking facilities, or demand for new parking?* **Less than Significant Impact**

Chapter 17.52.030(K) of the Zoning Code prescribes the number of off-street parking spaces that are required to support the project which is one (1) parking space for every 300 square feet of gross floor area within the building being used for the business. Recognizing that the commercial building being used to support the business is approximately 765 square feet (24.6 feet by 31 feet) in size, the applicant is required to provide three (3) parking spaces.

The property has ten separate commercial tenant spaces which all share the same general parking lot. The parking lot is improved with an asphalt surface and a number of parking spaces with faded markings. The property owner has submitted a site plan to remark the existing parking spaces as well as create 5 additional parking spaces for at total of 41 parking spaces (Condition Number 9).

Staff determined that adequate area existing to provide parking consistent with the City off-street parking standards (Chapter 17.52) and allow for adequate vehicular maneuverability. Staff notes that the required handicap space and its pathway to the businesses must be improved to meet American Disability Act standards. Condition Number 10 requires the applicant to provide parking consistent with Chapter 17.52 of the Zoning Code.

The project will not utilize off-site parking facilities or create a demand for additional off-site parking spaces.

c) *Substantial impact upon existing transportation systems?* **Less than Significant Impact**

The project will generate similar traffic levels to what resulted from "John's Place" at its previous location on Commercial Street as well as from other drinking establishment in the City. Access is provided from existing driveways off U.S. Highway 101 and East San Francisco Avenue. The City Public Works Department and the California Department of Transportation (Caltrans) did not find issue with the project

The project will not result in traffic levels that will have a significant impact upon existing transportation systems. No improvements are required.

d) *Alter present patterns of circulation or movement of people and/or goods?* **Less than Significant Impact**

Existing transportation system provides adequate access to the property. The project will not result in a substantial increase in traffic levels that would alter present traffic patterns. Further discussion found under Item XVI a) and c) of the Initial Study.

e) *Result in inadequate emergency access?* **Less than Significant Impact**

Access to the site is provided from existing driveways off U.S. Highway 101 and East San Francisco Avenue that solely serve the subject property. LLFD and WPD reviewed the project and did not find any issues related to emergency access.

f) *Increase in traffic hazards to motor vehicles, bicyclists or pedestrians.* **Less than Significant Impact**

General Plan Circulation Implementation Measure 2.350 states in part

Require bicycle storage facilities as a condition of approval ... for all commercial development proposals.

Consistent with this measure, Condition Number 11 requires the applicant to install a bike rack to accommodate a minimum of two bicycles.

The project will not result in a significant increase in traffic along U.S. Highway 101 or traffic hazards to motor vehicles, bicyclist or pedestrians. Further discussion found under Item XVI a) and c) of the Initial Study.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>XVII. UTILITIES AND SERVICE SYSTEMS.</u>				
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

needs?				
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII Utilities and Service Systems a through g) No Impact

The property is served by City water and sewer services. The property has previously been developed and the applicant is utilizing an existing building and parking lot to support the project. Property drainage patterns will not be significantly altered as a result of the project. Condition Number 12 requires the applicant to identify adequate area and location for the storage of garbage and recyclable materials/receptacles which is acceptable to the city's franchise hauler.

<u>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.</u>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVIII Mandatory Findings of Significance a) through c) No Impact

As discussed throughout the Initial Study, the project does not have the potential to substantially degrade the quality of the environment or substantially reduce habitat of sensitive species. The project does not have impacts that are individually limited but cumulatively considerable. Nor will the project cause significant environmental effects that adversely affect human beings. There are no impacts associated with the current project that become significant when considered in conjunction with other existing or

planned facilities in the vicinity. The project poses no significant impacts related to the mandatory findings of significance.

April 5, 2016

DATE

SIGNATURE ON FILE

DUSTY DULEY
CITY PLANNER

REFERENCES

- CA Department of Conservation. (2012). *Williamson Act Maps*. Retrieved from ftp://ftp.consrv.ca.gov/pub/dlrp/wa/mendocino_no_10_11_WA.pdf
- California Department of Toxic Substance Control. (2014). *EnviroStor*. Retrieved from EnviroStor.dtsc.ca.gov
- Caltrans. (2014). *Scenic Highways*. Retrieved from http://www.dot.ca.gov/hq/LandArch/scenic_highways/
- Mendocino County Air Quality Management District. (2005.). Retrieved from Particulate Matter Attainment Plan: <http://www.co.mendocino.ca.us/aqmd/AttainmentPlan.htm>
- USDA Web Soil Survey. (2014). Retrieved from <http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>

STAFF REPORT TO WILLITS PLANNING COMMISSION FOR
CONDITIONAL USE PERMIT NO. U-16-01, DANIEL W. and JEANNE CHESSER

MAY 11, 2016

APPLICANT: DANIEL W. and JEANNE CHESSER

OWNER: 383 S.M. HOLDING

REQUEST: Use Permit to allow for on-site sale, service and consumption of alcoholic beverages (full service bar) within an approximately 765 square foot commercial space.

LOCATION: In the City of Willits, lying on the east side of U.S. Highway 101, also known as Main Street, at its intersection with East San Francisco Avenue, located at 377 South Main Street; APN 006-046-42.

TOTAL ACREAGE: 0.92± Acre

GENERAL PLAN: Commercial-General (C-G)

ZONING: Community Commercial (C1) + Floodplain Combining Zone (FP) + Seismic Study Combining Zone (SS).

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

RECOMMENDATION: Approve the request

BACKGROUND

PROJECT DESCRIPTION: The applicant is requesting a Use Permit to re-locate a bar "John's Place" to a property at 377 South Main Street. The bar had previously been located at 555 Commercial Street, approximately 0.3 mile northeast of the subject property. The building that previously supported the bar was destroyed by a fire on November 14, 2014 resulting in the applicant's need to find an alternative location for his business. The following is excerpted from the applicant's project description in part,

Relocate John's Place, bar, to temporary location while decisions are made regarding rebuilding of burned building on Commercial Street, This is an empty building to which I will add a bar plus shelving and furnishing, all removable, to accommodate the business... This building has been used for several businesses in the past and has water, electric, and restrooms which I will upgrade if needed.

The applicant is requesting public hours of operation from 9:00 a.m. to 2:00 a.m. each day. The applicant will occasionally offer entertainment to include amplified music.

According to the applicant, the relocated bar will be operated similar to when it resided at the previous 255 East Commercial Street location.

RELATED APPLICATIONS:

Use Permit #U-14-03 and the request to operate a full service bar at 151 North Main Street was denied by the Planning Commission at the July 22, 2015 meeting due to concerns related to excessive noise, and land use compatibility.

Use Permit #U-15-01 was approved by the Planning Commission at the October 28, 2015 meeting allowing the applicants to operate a full service bar at 151 North Main Street. The project had been

modified from previous #U-14-03 by: 1) foregoing having live music at the bar to alleviate potential noise impacts to the surrounding community; 2) restricting exterior signage that refers directly to alcohol sales so as to help disguise the true use of the property; 3) limiting the duration of the permit to two (2) years to capture the applicant's intention to operate their business at this location for a temporary period while an alternative location is sought.

Having obtained a conditional Use Permit #U-15-01 from the City, the applicant was eligible to request a transfer of their alcohol license from the California Department of Alcoholic Beverage Control (ABC) from their previous establishment at 555 Commercial Street to 151 North Main Street. The applicant's verbally stated to staff that they did not anticipate ABC approving the license transfer due to the new locations proximity to Willits High School and San Hedrin High School.

PROJECT SETTING

SITE CHARACTERISTICS: The property is approximately 0.92 acre and is bordered by U.S. Highway 101 to the west, East San Francisco Street to the south, Broaddus Creek to the north and a Commercial zoned property to the east. The property is relatively flat and is improved with two structures, an approximately 6,500 square foot commercial building divided into 4 separate commercial spaces with a second story single-family residence and an approximately 7,500 square foot commercial building divided into 7 separate commercial spaces. The property currently support a number of commercial endeavors including retail shops, personal and business support services, a restaurant and a laundromat. There is also a single-family residence above the laundromat.

ADJACENT LAND USE AND ZONING:

	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	C-G and R-L	C1and R1	0.25 – 0.73± acre	Broaddus Creek/Commercial/Residential
EAST	C-G	C1	0.85± acre	Commercial
SOUTH	C-G	C1	0.35± acre	City Street/Vacant/Residential
WEST	C-G	C1	0.20± acre	Highway 101(Main St.)/Commercial

SERVICES:

Access: Driveways off U.S. Highway 101 (Main Street) and East San Francisco Avenue
 Fire District: Little Lake Valley Fire District
 Water: City of Willits
 Sewer: City of Willits
 School District: Willits Unified School District

REFERRAL AGENCY COMMENTS

Agency comments relevant to this application are listed within the Initial Study, Issues Section of this report and are noted within the Conditions of Approval. Otherwise, most of the reviewing agencies had no comment regarding the proposed project.

REFERRAL AGENCIES	NOT RETURNED	"NO COMMENT"	COMMENTS
City Manager		X	
City Attorney	X		
City Building Official			X
City Public Works Dept.	X		
City Sewer/Water Dept.	X		
City Police Dept.	X		
Willits Unified School District	X		
Little Lake Fire District		X	
Caltrans	X		
California Highway Patrol	X		
Mendocino Co. Sheriff's Office			X
Dept. of Alcoholic Beverage Control	X		

TECHNICAL ADVISORY COMMITTEE COMMENTS

The Technical Advisory Committee (TAC) reviewed this application on February 4, 2016 and made the following recommendations.

- The parking lot needed to be marked to facilitate traffic circulation as well as maximize the number of on-site parking spaces.
- The entry to the proposed commercial space needs to be upgraded to be compliant with the American Disabilities Act.
- Conditions should be placed on the Permit to address security concerns and minimize the need for police services.

The TAC agreed that this property was favorable to previously proposed locations for John's Place as it will not result in a potential land use conflict with a school and it provides a safer ingress/egress to and from both Highway 101 and East San Francisco Street.

Further discussion of project concerns and potential impacts is found in the Initial Study and Key Issues Section of this report.

KEY ISSUES:

Key Issue #1 General Plan and Zoning Consistency: The property has a General Plan designation of Commercial-General (CG) and a zoning designation of Community Commercial (C1). According to Section 17.22.010 of the Zoning Code,

The community commercial (C1) zone is intended to provide services and meet the general commercial needs of the community.

The applicant is requesting a conditional use permit to allow a "bar" which is classified as Use Group 14b, "Drinking Places" in Section 17.06.020 of the Willits Zoning Code. This Use Group is a conditional use in the C1 zoning district. This permit is being processed under the Use Permit provisions of Chapter 17.74 of the Zoning Code. The project is consistent with its General Plan designation and the zoning restrictions for the property. A discussion of applicable General Plan policies is discussed throughout the report and Initial Study.

Key Issue #2 Land Use Compatibility: Bars can play an important role in a community as they are traditionally among the chief social gathering places for some communities. They can also adversely affect nearby commercial, civic and residential uses and can create substantial demands for police services. Land uses in the immediate area primarily consist of various commercial uses including offices restaurants and retail businesses as well as residential uses. The nearest off-site residence is approximately 200 feet north of the project site. Closest business that sells liquor is Safeway, approximately 0.3 mile to the southeast. The two closest locations in the City that have a license to serve liquor are "Diggers" and "Al's Redwood Room" located approximately 840 feet and 1,350 feet north of the project site.

Unusual variety can be found in local attitudes on the proper place of bars in the community with some believing that they should be buffered away from locations where kids and young adults congregate such as schools and parks as well as from other civic uses such as churches and hospitals. The property is not located near a school or a park. The nearest church is located approximately 450 feet west of the project site.

City Code does not prescribe a minimum separation between bars and other land uses; however the State has established distance requirements between bars and other uses such as schools, playgrounds, hospitals, etc..., as administered by the Department of Alcoholic Beverage Control (ABC). The applicant

will need to request ABC approval to transfer their current liquor license to this location. State liquor licenses may only be issued after all zoning permits are in order and ABC will not make a determination until the City has taken action to approve this permit. The applicant is aware that approval of this Use Permit does not guarantee that ABC will issue the transfer of their alcohol license.

Noise

General Plan Noise Policy 4.210 states,

The City seeks to maintain ambient noise levels of 55 dBA (CNEL) in existing residential areas.

Further, General Plan Noise Policy 4.250 states,

Noise from all sources should be maintained at levels that will not adversely affect adjacent properties or the community, especially during the evening and early morning hours.

The applicant is requesting to operate the bar between the hours of 9:00 a.m. and 2:00 a.m. each day (Condition Number 15). The potential to create a nuisance to nearby residences from excessive noise levels is likely to occur during nighttime hours. As activities will occur inside the building and with the closest residence being approximately 200 feet away, normal activities associated with the bar are unlikely to create noise levels in excess of noise standards established in the General Plan. Staff understands that the applicant will occasionally offer entertainment such as hosting live bands, karaoke and dj's for the enjoyment of their customers. These types of associated activities are more likely to exceed established noise levels both from the amplified music as well as from the gathering of a large number of people outside.

Staff recommends that the applicant identify appropriate measures to minimize potential noise impacts to nearby residences during these types of activities. This may include such precautions as keeping doors and windows closed, discouraging large numbers of people from loitering outside, limiting the hours of amplified music, etc.....

Condition Number 3 requires the applicant to keep windows and doors closed when noise impacts the surrounding community. Adequate ventilation should be provided so that openings to the outside can be closed when the bar is at full capacity.

Condition Number 4 limits the hours of amplified music between the hours of 5:00 p.m. and 10:00 p.m. each day.

Condition Number 5 requires the applicant to supply a list of voluntary measures that the applicant may take should verified noise complaints be received by the City of Willits Police Department or the Community Development Department.

Additional measures may be placed on the permit should the applicant fail to adequately minimize noise impacts to off-site receptors. Failure of the applicant to adequately respond to verified noise complaints may result in a restriction on special events which include amplified music or as a last measure, revocation of this permit.

Key Issue #3 Police Services: Establishment of a bar can result in a significant increase in the demand for police services. The City of Willits Police Department (WPD) reviewed the project and is recommending the project incorporate a number of measures to deter illegal activities and help minimize WPD calls for services.

Project concerns identified by WPD include the issue of conflicting accounts when responding to potential illegal activities occurring on-site as well as security concerns during special events. To address WPD concerns and minimize the potentially significantly increase in the need for police services, staff has identified the following mitigation measures.

To ensure that adequate security is being provided to support each special event, the applicant will be responsible for ensuring that the Chief of Police is notified a minimum of ten (10) days in advance of special events that may attract larger than normal crowds. The Chief of Police may require the owner/operator to provide additional licensed security personnel on site to provide adequate crowd control (see Condition Number 7).

Condition Number 8 requires the applicant to implement a video camera safety plan which includes, at a minimum:

- a. Digital video camera system which records activity of patrons and employees at entrances and exits and in parking lot.
- b. Video recordings must be stored and retrievable for a minimum period of seven days from the time of recording.
- c. Video clarity must be such that a person's facial features can be identified from the video.
- d. The video system must be engaged, and recording at all times, while the establishment is open to the public. The system must be maintained in working order at all times.
- e. The video system must be approved by the Willits Police Department before it is installed to ensure compliance with these requirements, and approved again after the system is operational.

These mitigation measures are listed to help protect the safety of the patrons/public and minimize the calls for WPD services.

Key Issue #4 Parking:

Off-street Parking

Chapter 17.52.030(K) of the Zoning Code prescribes the number of off-street parking spaces that are required to support the project which is one (1) parking space for every 300 square feet of gross floor area within the building being used for the business. Recognizing that the commercial building being used to support the business is approximately 765 square feet (24.6 feet by 31 feet) in size, the applicant is required to provide three (3) parking spaces.

The property has ten separate commercial tenant spaces which all share the same general parking lot. The parking lot is improved with an asphalt surface and a number of parking spaces with faded markings. The property owner has submitted a site plan to remark the existing parking spaces as well as create 5 additional parking spaces for a total of 41 parking spaces (Condition Number 9).

Staff determined that adequate area exists to provide parking consistent with the City off-street parking standards (Chapter 17.52) and allow for adequate vehicular maneuverability.

Condition Number 10 requires the applicant to provide parking consistent with Chapter 17.52 of the Zoning Code including that all parking spaces be marked.

Bicycle parking

General Plan Circulation Implementation Measure 2.350 states in part

Require bicycle storage facilities as a condition of approval ... for all commercial development proposals.

Consistent with this measure, Condition Number 11 requires the applicant to install a bike rack to accommodate a minimum of two bicycles.

Key Issue #5 ABC License

City Code does not prescribe a minimum separation between bars and other land uses; however the State has established distance requirements between bars and other uses such as schools, playgrounds, hospitals, etc..., as administered by the Department of Alcoholic Beverage Control (ABC). State liquor licenses may only be issued after all zoning permits are in order. The applicant is aware that the Use Permit entitlement does not guarantee that ABC will issue the transfer of his liquor license. ABC may identify additional restrictions on the business as a condition of their issuance of the liquor license transfer.

Condition Number 13 notes that the applicant shall comply with Alcoholic Beverage Control (ABC) laws and regulations and suspension of the applicant's license by the ABC may constitute sufficient cause or basis for review and possible revocation of this conditional Use Permit.

Prior to the sale of alcoholic beverages, a copy of the Alcoholic Beverage Control Board (ABC) license, along with any special conditions imposed by ABC, shall be submitted to the Community Development Department for the file. Any conditions that are more restrictive than those set forth in this approval shall be adhered to. See Condition Number 14.

RECOMMENDATION

By resolution, adopt a Mitigated Negative Declaration and approve the request for Use Permit #U-16-01 based on the following findings, and subject to the recommended conditions of approval.

FINDINGS

Project Findings: The Planning Commission approves Use Permit #U-16-01 subject to the following conditions of approval and findings,

- A. That the site for the proposed use is adequate in size and shape to accommodate the use of all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this title to adjust the use with land and uses in the neighborhood;

The applicant is utilizing an existing building and parking lot to support the project. No new construction or variance to standards is proposed or required to support the project. Finding can be made.

- B. That the site for the proposed use relates to street and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;

Access to the site is provided from existing driveways off U.S. Highway 101 and East San Francisco Street which solely serve the subject property. The California Department of Transportation and City Public Works Department reviewed the project request and are not requiring any changes to the Highway or street. The Highway and city streets are in adequate condition to support the project. Finding can be made.

- C. That the proposed use will have no adverse effect upon adjoining or other properties. In making this determination, the commission shall consider the proposed locations of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; height of buildings; walls; and fences; landscaping; outdoor lighting; signs, such other characteristics as will affect surrounding property;

As discussed in the Initial Study and staff report, the project does have the potential to adversely affect nearby properties due to excessive noise. Mitigation measures have been identified in Condition Numbers 3 and 4 to mitigate these potentially significant impacts to a less than significant level. Finding can be made.

- D. That the proposed use is consistent with the objectives and policies of the general plan;

As discussed throughout the Initial Study and Staff Report, the project is consistent with the General Plan, provided the applicant adheres to the conditions of approval. Finding can be made.

- E. That the conditions established by the commission for the conditional use permit are deemed necessary to protect the public health, safety and general welfare. . .”

All the conditions of approval established are necessary to mitigate potentially significant impacts and/or bring the project into conformance with the General Plan and Zoning Ordinance as noted throughout the Initial Study and Staff Report. Finding can be made.

Environmental Findings: The Planning Commission finds that no significant environmental impacts would result from the proposed projects which are not adequately mitigated through the conditions of approval; therefore, a Mitigated Negative Declaration is adopted.

CONDITIONS OF APPROVAL:

Aesthetics

1. All future external lighting, whether installed for security, safety or landscape design purposes, shall be shielded, downcast or shall be positioned in a manner which will prevent direct glare onto adjacent parcels or streets.

Geology and Soils

2. All grading and site preparation, at a minimum, shall adhere to the following “Best Management Practices”: The applicant shall submit to the Community Development Department an acknowledgement of these grading and site preparation standards.
 - a. That adequate drainage controls be constructed and maintained in such a manner as to prevent contamination of surface and/or ground water, and to prevent erosion.
 - b. The applicant shall endeavor to protect and maintain as much vegetation on the site as possible, removing only as much as required to conduct the operation.
 - c. All concentrated water flows, shall be discharged into a functioning storm drain system or into a natural drainage area well away from the top of banks.
 - d. Temporary erosion control measures shall be in place at the end of each day’s work, and shall be maintained until permanent protection is established.
 - e. Erosion control measures shall include but are not limited to: seeding and mulching exposed soil on hill slopes, strategic placement of hay bales below areas subject to sheet and rill erosion, and installation of bioengineering.

Noise

- **3. Windows and doors shall not be left open during the operation of the bar where noise impacts the surrounding area. Adequate ventilation shall be provided so that openings to the outside can be closed when the bar or club is at full capacity.
- **4. Amplification for music or speakers shall be permitted between the hours of 5:00 p.m. to 10:00 p.m. each day. This condition is not intended to be applied to jukeboxes or similar devices that are typically associated with a bar.
5. The applicant shall supply a list of voluntary measures that the applicant may take should verified noise complaints be received by the City of Willits Police Department or the Community Development Department.

Fire Protection

6. All buildings shall meet all pertinent building and fire codes for fire sprinkler systems, adequate water for fire flows, and provisions for fire prevention and suppression to the satisfaction of the City of Willits Building Inspector and Little Lake Fire Protection District Fire Chief. All connections to water utilities shall be completed to the satisfaction of the City of Willits Water Department.

Police Protection

- **7. The Chief of Police shall be notified a minimum of ten (10) days in advance of special events that may attract larger than normal crowds. The Chief of Police may require the owner/operator to provide additional licensed security personnel on site to provide adequate crowd control. Any measures identified by the Chief of Police shall become part of this entitlement.
- **8. The applicant shall implement a video camera safety plan which includes, at a minimum:
 - a. Digital video camera system which records activity of patrons and employees at building entrances and exits as well as in the parking lot.
 - b. Video recordings must be stored and retrievable for a minimum period of seven days from the time of recording.
 - c. Video clarity must be such that a person's facial features can be identified from the video.
 - d. The video system must be engaged, and recording at all times, while the establishment is open to the public. The system must be maintained in working order at all times.
 - e. The video system must be approved by the Willits Police Department before it is installed to ensure compliance with these requirements, and approved again after the system is operational.

Transportation/Traffic

9. Applicant shall install and maintain markings for all parking spaces to the satisfaction of the Community Development Department.
10. Applicant shall provide off-street parking consistent with Chapter 17.52 of the Willits Zoning Code.
11. Applicant shall install a bike rack to accommodate a minimum of two bicycles.

Solid Waste/Recycling

12. Prior to occupancy of any buildings, the applicant shall submit a plan to the Community Development Department identifying adequate area for storage of garbage and recyclable materials/receptacles. The storage area shall be accessible to the city's franchise waste hauler with containers designed to be consistent with current methods of collection. Prior to occupancy of any buildings, the applicant shall submit to the Community Development Department written verification that the plan for garbage and recyclables has been reviewed and accepted by the city's franchise hauler.

Alcoholic Beverage Control

13. The applicant shall comply with Alcoholic Beverage Control (ABC) laws and regulations. Suspension of the applicant's license by the ABC may constitute sufficient cause or basis for review and possible revocation of a conditional use permit.
14. Prior to the sale of alcoholic beverages, a copy of the Alcoholic Beverage Control Board (ABC) license, along with any special conditions imposed by ABC, shall be submitted to the Community Development Department for the file. Any conditions that are more restrictive than those set forth in this approval shall be adhered to.

Hours of Operation

- 15. Total sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 9:00 a.m. and 2:00 a.m. each day of the week.

Standard Conditions

- 16. The applicant shall obtain all necessary permits and fully comply with all the requirements of the Fire, Health, Water, Sewer, Building and Public Works Departments of the City of Willits.
- 17. The application and supplementary information submitted by the applicant shall be come entitlements of this permit and compliance therewith shall be mandatory.
- 18. The City, its officers, agents and employees may inspect this property at any time and the applicant agrees not to deny or impede access to the subject property for the City.
- 19. This permit may be revoked by the City of Willits at any time for violation of any of the terms and conditions of this permit by the owner or applicant.
- 20. The permit shall have no force or effect unless, and until, accepted and the terms thereof agreed to, in writing, by the applicant.

Fish and Wildlife Fee

- 21. This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Wildlife filing fees required or authorized by Section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. Said fee of \$2260.25 (OR CURRENT FEE) shall be made payable to the Mendocino County Clerk and submitted to the City of Willits Community Development Department within 5 days of the end of any appeal period. Any waiver of the fee shall be on a form issued by the Department of Fish and Wildlife upon their finding that the project has "no effect" on the environment. If the project is appealed, the payment will be held by the City of Willits Community Development Department until the appeal is decided. Depending on the outcome of the appeal, the payment will either be filed with the County Clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void. **The applicant has the sole responsibility to insure timely compliance with this condition**

*** Indicates conditions relating to Environmental Considerations - deletion of these conditions may affect the issuance of a Mitigated Negative Declaration.*

April 5, 2017

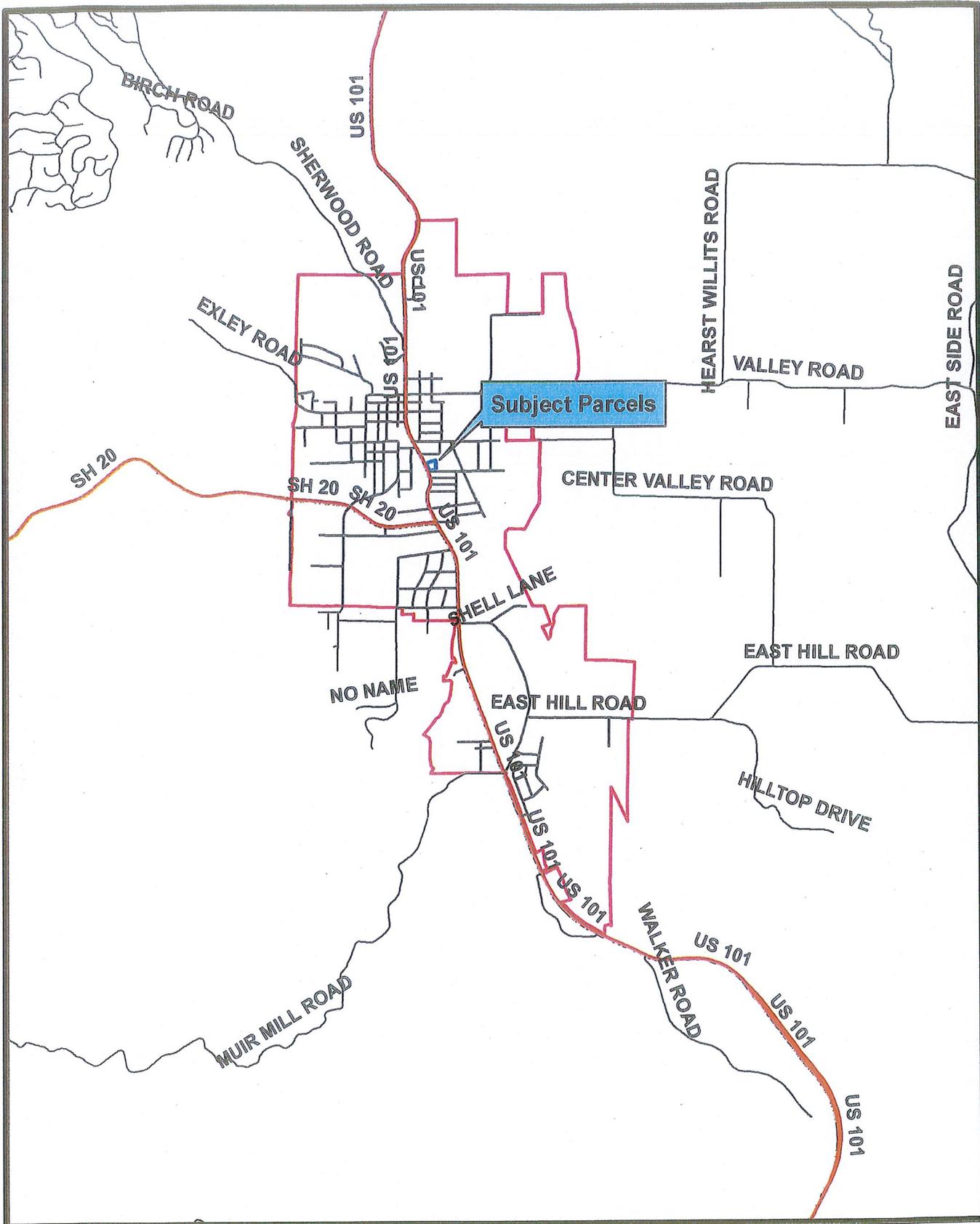
DATE

Signature on File

DUSTY DULEY
CITY PLANNER

LIST OF ATTACHMENTS:

- A – Initial Study
- B – Location Map
- C – Aerial Photo
- D – Fault Line Map
- E – Flood Zone Map
- F – Applicant's Site Map



PARCEL LOCATION

CASE: U-16-01
OWNER: 383 S.M. Holding
APN: 006-046-42
APLCT: Daniel W and Jeanne Chesser
ADDRESS: 377 S. Main St

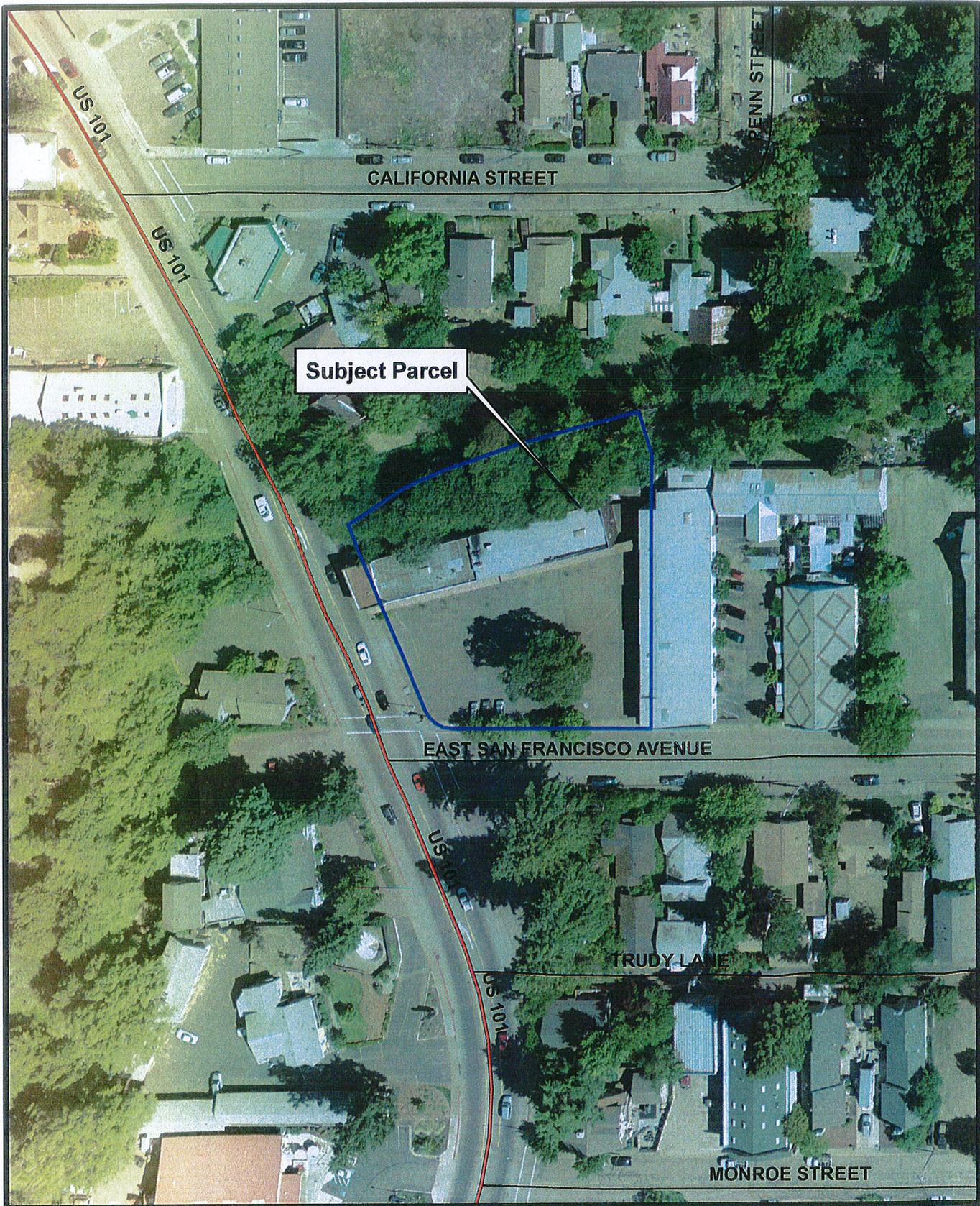


2/23/2016



1:40,000

This map contains information based on 2014 Mendocino County records. The boundaries and information shown here has not been verified or certified by the City of Willits.



PARCEL LOCATION AERIAL

CASE: U-16-01
OWNER: 383 S.M. Holding
APN: 006-046-42
APLCT: Daniel W and Jeanne Chesser
ADDRESS: 377 S. Main St

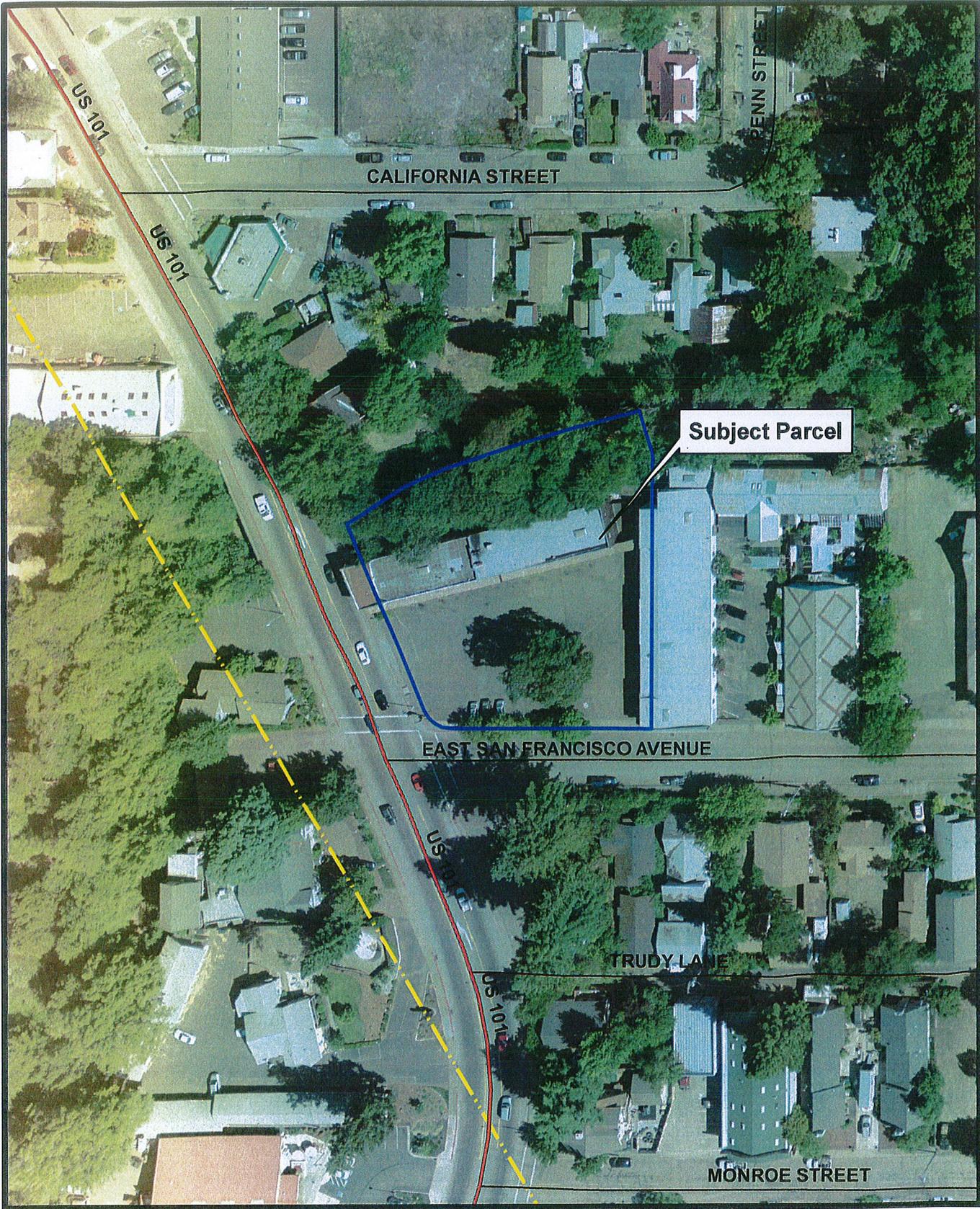


2/23/2016



1:1,200

This map contains information based on 2014 Mendocino County records. The boundaries and information shown here has not been verified or certified by the City of Willits.



EARTHQUAKE

CASE: U-16-01
OWNER: 383 S.M. Holding
APN: 006-046-42
APLCT: Daniel W and Jeanne Chesser
ADDRESS: 377 S. Main St

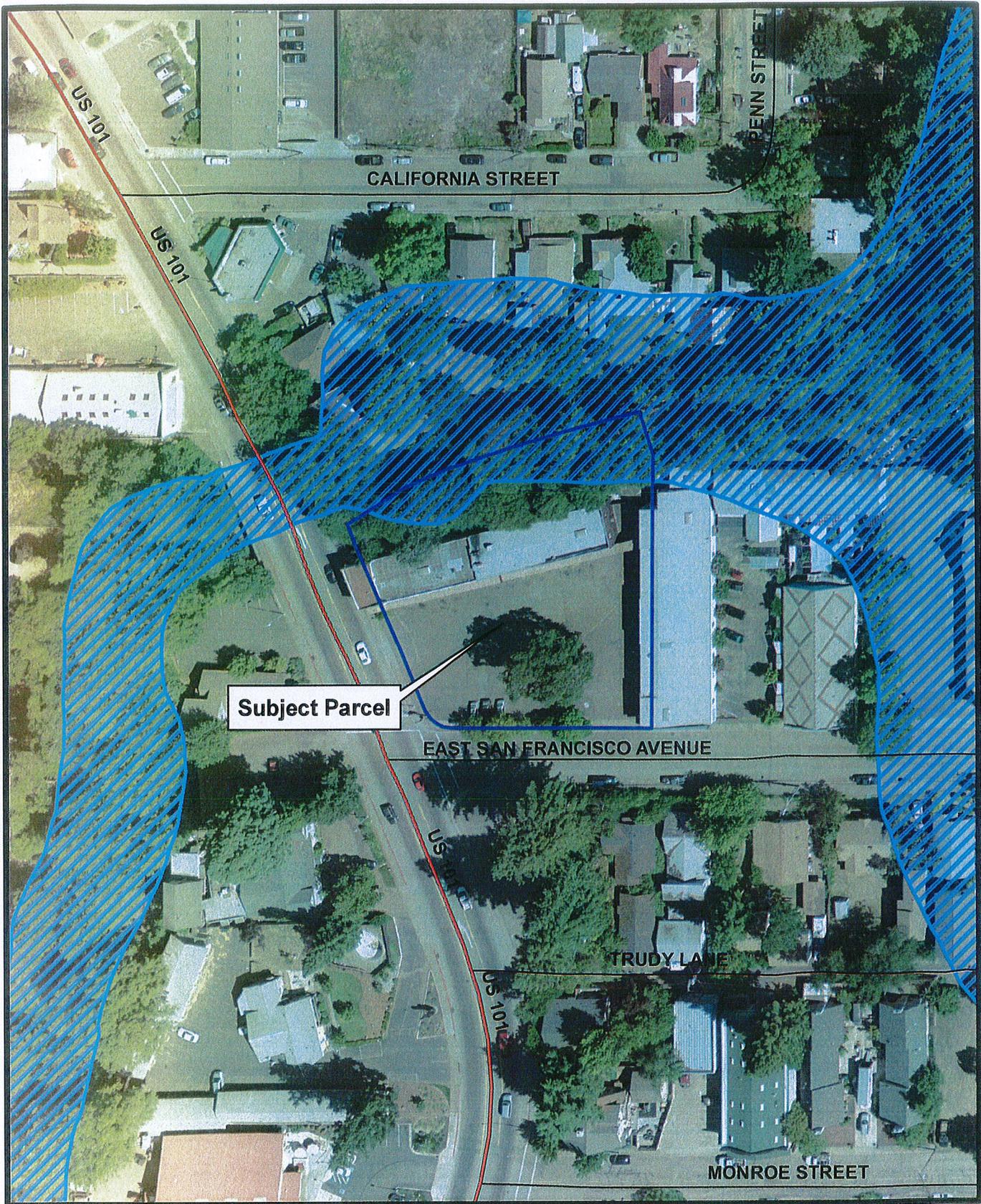


2/23/2016

— Fault Line



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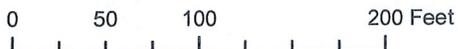
Subject Parcel

FEMA FLOOD ZONE

CASE: U-16-01
OWNER: 383 S.M. Holding
APN: 006-046-42
APLCT: Daniel W and Jeanne Chesser
ADDRESS: 377 S. Main St



 100 Year Flood

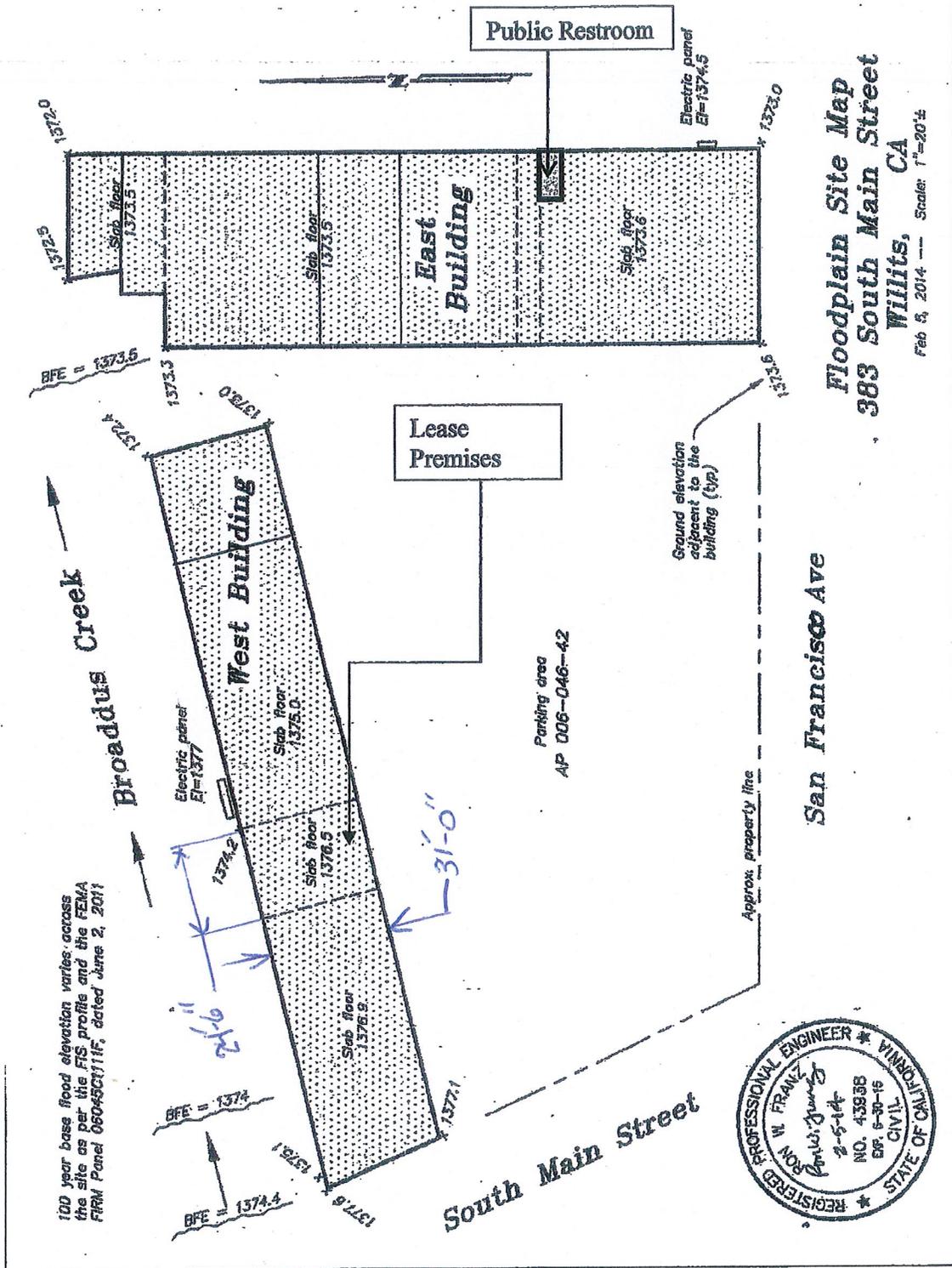


2/23/2016



This map contains information based on 2014 Mendocino County records.
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Schedule 'A'



Floodplain Site Map
383 South Main Street
Willits, CA

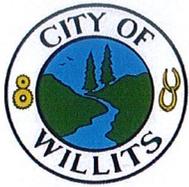
Feb 5, 2014 --- Scale: 1"=20'

San Francisco Ave

South Main Street

APPLICANT SITE MAP

Initial Initial Initial



AGENDA SUMMARY REPORT

To: Honorable Mayor and Council Members

From: Rod Wilburn, Public Works Director

Agenda Title: ADOPT A RESOLUTION AWARDDING A CONTRACT TO RAPID CONSTRUCTION, INC. IN AN AMOUNT NOT TO EXCEED \$ 746,647 FOR THE CONSTRUCTION OF THE MAIN STREET WATER MAIN REPLACEMENT PROJECT, PHASE III (PROJECT NO.2016-01) AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONTRACT AND APPROVE CONSTRUCTION CHANGE ORDERS UP TO A CUMULATIVE TOTAL OF 10% OF THE TOTAL CONTRACT AMOUNT

Type: Presentation Consent Regular Agenda Public Hearing Urgent Time: 5 min.

Summary of Request: At the regularly scheduled City Council meeting of February 10, 2016, Council accepted the design of the Main Street Water Main Replacement Project, Phase III (Project No. 2016-01) and authorized staff to enter into the public bidding process. The project was advertised for six weeks and on April 22, 2016, bids were publicly opened. A total of four bids were received and the following is a summary of said bids:

1	<u>Rapid Construction, Inc.</u>	<u>\$746,647.00</u>
2	<u>Wahlund Construction, Inc.</u>	<u>\$833,650.00</u>
3	<u>Argonaut Constructors</u>	<u>\$850,000.00</u>
4	<u>W.R. Forde</u>	<u>\$1,060,800.00</u>

Staff performed a complete evaluation of all bids received and concluded that Rapid Construction, Inc. is the lowest responsive, responsible bidder. Staff recommends that the City Council award a construction contract to Rapid Construction, Inc., in an amount not to exceed \$746,647.

The bid summary and resolution are attached.

Recommended Action: By resolution, award a contract to Rapid Construction, Inc., in an amount not to exceed \$746,647, for the construction of the Main Street Water Main Replacement Project, Phase III (Project No. 2016-01), and authorize the City Manager to execute the contract and upon recommendation from the Public Works Director, authorize the City Manager to approve construction change orders up to a cumulative total of 10% of the total contract amount.

Alternative(s): No alternatives are recommended at this time.

Fiscal Impact: Estimated cost of construction is \$746,647, plus \$12,000 for materials testing, which brings the total estimated cost of the project to \$758,647. \$980,000 was budgeted in FY15-16 Water System Maintenance Fund (No. 503-5031-4003-003).

Personnel Impact: Substantial staff time will be required to administer contracting, construction management, construction inspection, construction staking, and construction engineering.

Reviewed by: City Manager City Attorney Finance Director Human Resources Risk

Council Action: Approved Denied Other: _____

Records: Agreement Resolution # _____ Ordinance # _____ Other _____

RESOLUTION NO. 2016-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLITS AWARDING A CONSTRUCTION CONTRACT TO RAPID CONSTRUCTION, INC. OF CARSON CITY, NEVADA, FOR THE CONSTRUCTION OF THE MAIN STREET WATER MAIN REPLACEMENT PROJECT, PHASE III, PROJECT NO. 2016-01

WHEREAS, the scope of work for this project includes replacing approximately 1955 linear feet of existing water main with new 12" ductile iron pipe on Main Street/Highway 101, between the State Street and Casteel Lane intersections. Water services will be replaced where necessary. All fire hydrant assemblies will be replaced. The project also includes connections to existing water mains and temporary bypasses as needed. Soil will be removed and placed at the designated disposal site. All demolished asphalt and concrete will be replaced per applicable City or State Standards.

WHEREAS, the project was advertised for competitive bids on March 16, 2016 and four bids were received for the project and publicly opened on April 22, 2016 and

WHEREAS, Rapid Construction, Inc., of Carson City, Nevada, is the lowest responsive, responsible bidder, and

WHEREAS, the bid analysis indicates that the bid is responsive and competitive, the contractor has good references, and has completed similar projects, and

WHEREAS, Staff recommends that this contract for the Main Street Water Main Replacement Project, Phase III, Project No. 2016-01 be awarded to the lowest bidder, Rapid Construction, Inc., of Carson City, Nevada, for their bid amount of \$746,647.⁰⁰, and

WHEREAS, the total cost of the project is estimated at \$746,647.⁰⁰, the project will be paid for from the Water System Maintenance Fund, No. 503-5031-4003-003;

NOW, THEREFORE BE IT RESOLVED, that City Council awards a construction contract to Rapid Construction, Inc., in an amount not to exceed \$746,647.⁰⁰, for the Main Street Water Main Replacement Project, Phase III, Project No. 2016-01, and authorizes the City Manager to execute the contract;

BE IT FURTHER RESOLVED, that the City Council, upon recommendation from the Public Works Director, authorizes City Manager to approve and execute change orders up to a cumulative total of 10% of the total contract amount.

The above and foregoing Resolution was introduced by Councilmember _____ seconded by Councilmember _____, and passed and adopted at a regular meeting of the Willits City Council, held on the 11th day of May, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

BRUCE BURTON, Mayor

ATTEST:

CATHY MOORHEAD, City Clerk