

Planning Commission

Dave McCullough, District 1
Barry Morrell, District 2, Chair
John Troughton, Jr., District 3
Kirk Pendleton, District 4,
Vice-Chair
Gail Beduhn, District 5



Community Development Department

Greg Plucker,
Secretary to the Planning Commission
220 12th Street, Colusa, CA 95932
Phone: (530)458-0480
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COLUSA COUNTY Planning Commission Agenda January 5, 2022

**Board Chambers
546 Jay Street, Suite 108
Colusa, CA 95932**

Welcome to a meeting of the Colusa County Planning Commission. If you are scheduled to address the Commission, please state your full name for the record. Regularly numbered items may be considered at any time during the meeting. All items are listed in accordance with the Ralph M. Brown Act. We invite all members of the public to attend.

9:00 a.m. CALL TO ORDER
 ▪ Pledge of Allegiance

I. APPROVAL OF MINUTES
 1. Minutes Approval
 Planning Commission – Regular Meetings – December 1, 2021.

II. PUBLIC COMMENT

III. PUBLIC HEARINGS
 COMMUNITY DEVELOPMENT DEPARTMENT/WILLIAM SCHWARTZ
 1. Public Hearing and approval of a Resolution adopting a Categorical Exemption and approving Use Permit (PD-21-27), for a change or expansion of a legal non-conforming use.

COMMUNITY DEVELOPMENT DEPARTMENT/JOE CHENEY (WILSON)
 2. Public Hearing and adoption of a Resolution approving a variance to reduce the attached residential accessory building side yard setback from 3 Feet to 0 Feet.

IV. PLANNING DIRECTOR COMMENTS/REPORTS

V. PLANNING COMMISSIONER'S COMMENTS/REPORTS**ADJOURN**

PERIOD OF PUBLIC COMMENT: Any person may speak about any subject of concern, provided it is within the purview of the Planning Commission and is not already on today's agenda. The total amount of time allotted for receiving such public communication shall be limited to a total of **15 minutes per issue** and each individual or group will be limited to no more than **5 minutes each**. **Note:** No Commission action shall be taken on comments received.

ADA COMPLIANCE: Upon request, Agendas will be made available in alternative formats to accommodate persons with disabilities. In addition, any person with a disability who requires a modification or accommodation to participate or attend this meeting may request necessary accommodation. Please make your request to the County Board Clerk, specifying your disability, the format in which you would like to receive this Agenda, and any other accommodation required no later than 24 hours prior to the start of the meeting.

Anyone wishing to appeal a decision of the Planning Commission may do so within 10 calendar days after the decision. Anyone wishing to appeal a decision must submit a letter of appeal and pay the required fee of \$750.00 to the Clerk of the Board of Supervisors at 547 Market Street, Ste. 102, Colusa, CA, 95932

All supporting documentation is available for public inspection and review in the Office of the Board Clerk, 547 Market Street, Suite 102, Colusa, CA 95932 during regular business hours 8:30 a.m. to 5:00 p.m., Monday through Friday.
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COLUSA COUNTY Planning Commission

Minutes

December 1, 2021

Board Chambers
546 Jay Street, Suite 108
Colusa, CA 95932

The Colusa County Planning Commission meets in Regular Session this 1st day of December 2021 at the hour of 9:00 a.m. Present: Commissioners John Troughton Jr., Dave McCullough and Kirk Pendleton. Absent: Commissioners Barry Morrell and Gail Beduhn.

Present: Jennifer Sutton, County Counsel's Office.
Patricia Rodriguez, Board Clerk.
Greg Plucker, Kent Johanns, Community Development
Department.
James Mennel, Michelle Wilson, Grant Scheve, Don Greif
and Clayton Lynch, CRC-Agra Marketing.
Jim Burk, JEB Consulting.

Pledge of Allegiance

I. APPROVAL OF MINUTES

1. Minutes Approval

Planning Commission – Regular Meetings – November 3, 2021.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Troughton Jr.
SECONDER:	McCullough
AYES:	Troughton Jr., Pendleton, McCullough
ABSENT:	Morrell, Beduhn

II. PUBLIC COMMENT

None.

III. PUBLIC HEARINGS

Vice-Chair Pendleton makes time for a Public Hearing and adoption of a Resolution Recommending the Board of Supervisors adopt statutory exemptions and

Minutes Acceptance: Minutes of Dec 1, 2021 9:00 AM (APPROVAL OF MINUTES)

approve a General Plan Map Amendment (PD-21-14) and Zoning Map Amendment (PD-21-14).

Comments received by Mr. Johanns.

9:09 a.m. Vice-Chair Pendleton opens the Public Hearing and calls for public comment. Hearing none, Vice-Chair Pendleton closes the Public Hearing.

COMMUNITY DEVELOPMENT DEPARTMENT/MARIO GALVAN

1. Adopt **Resolution No. 21-018** recommending the Board of Supervisors adopt statutory exemptions and approve a General Plan Map Amendment (PD-21-14) and Zoning Map Amendment (PD-21-14).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Troughton Jr.
SECONDER:	McCullough
AYES:	Troughton Jr., Pendleton, McCullough
ABSENT:	Morrell, Beduhn

Vice-Chair Pendleton makes time for a Public Hearing and adoption of a Resolution approving a variance to reduce the residential building rear yard setback from 20 feet to 4.3 feet and the side yard setback to from 6 feet to 4.3 feet.

Comments received by Mr. Johanns.

9:14 a.m. Vice-Chair Pendleton opens the Public Hearing and calls for public comment. Hearing none, Vice-Chair Pendleton closes the Public Hearing.

COMMUNITY DEVELOPMENT DEPARTMENT/GERARDO OCAMPO (CHAVEZ)

2. Adopt **Resolution No. 21-019** approving a variance to reduce the residential building rear yard setback from 20 Feet to 4.3 Feet and the side yard setback to from 6 feet to 4.3 feet.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	McCullough
SECONDER:	Pendleton
AYES:	Troughton Jr., Pendleton, McCullough
ABSENT:	Morrell, Beduhn

Vice-Chair Pendleton makes time for a Public Hearing and approval of a Resolution adopting a Mitigated Negative Declaration, Mitigation and Monitoring and Reporting Program, and approving a Use Permit (PD 21-19) for the construction and operations of carbon and Products production and biomass energy production facility as corrected.

Comments received by Mr. Plucker, Mr. Mennel and Ms. Wilson.

9:28 a.m. Vice-Chair Pendleton opens the Public Hearing and calls for public comment.

Comments received by Mr. Burk.

9:42 a.m. Vice-Chair Pendleton calls for additional public comments. Hearing none, Vice-Chair Pendleton closes the Public Hearing.

COMMUNITY DEVELOPMENT DEPARTMENT/CALIFORNIA RENEWABLE CARBON

3. Adopt **Resolution No. 21-020** adopting a Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, and approving a Use Permit (PD-21-19) for the construction and operation of carbon products production and biomass energy production facility.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	McCullough
SECONDER:	Pendleton
AYES:	Troughton Jr., Pendleton, McCullough
ABSENT:	Morrell, Beduhn

IV. PLANNING DIRECTOR COMMENTS/REPORTS

Mr. Plucker updates the Commissioners on Agricultural Processing.

V. PLANNING COMMISSIONER'S COMMENTS/REPORTS

None.

Vice-Chair Pendleton adjourned the meeting at 9:44 a.m. to reconvene in Regular Session on January 5, 2022 at the hour of 9:00 a.m.

Respectfully submitted,
Greg Plucker, Secretary to the
Planning Commission

By: _____
Patricia Rodriguez, Deputy Clerk

Kirk Pendleton, Vice-Chair

Minutes Acceptance: Minutes of Dec 1, 2021 9:00 AM (APPROVAL OF MINUTES)



Planning Commission

546 Jay Street, Suite 108
Colusa, CA 95932

Meeting: 01/05/22 09:00 AM
Department: Community Development Department
Category: Public Hearing
Prepared By: Kent Johanns

Initiator: Kent Johanns

Sponsors:

SCHEDULED

PLANNING COMMISSION (ID # 7005)

DOC ID: 7005 B

Detail

Applicant: William Schwartz
General Plan: Resource Conservation (RC)
File: PD-21-27
Zoning: Resource Management (R-M)

Formal Title / Summary

Resolution Adopting a Categorical Exemption and Approving a Use Permit for William Schwartz

Action Requested

Public Hearing and approval of a Resolution adopting a Categorical Exemption and approving Use Permit (PD-21-27), for a change or expansion of a legal non-conforming use.

DETAILED DESCRIPTION/BACKGROUND OF REQUEST

The applicant is requesting approval of a Use Permit (PD-21-27) which would allow the expansion of legal non-conforming use.

APN:

011-280-028

LOCATION:

The project site is located at 4330 Old Highway 99 West approximately 2,700 feet east of the intersection of Wadleigh Road and Old Highway 99 West.

PROJECT AND SITE DESCRIPTION:

This application is to obtain compliance with the current zoning requirements to allow for the connection of two utility pedestals capable of serving four Recreational Vehicles (RVs) with electricity and water. Physically installing utilities for RV connections has triggered the need to obtain a use permit as required by the Zoning Code. Any future expansion of the facilities will require approval of an Amendment to this Use Permit (PD-21-27).

The project site is located to the east of Old Highway 99 West and Interstate 5 in area utilized for water fowl habitat and rice farming activities. The developed area is an elevated pad area approximately 1 acre in size. According to the applicant electrical

power was first brought to project site in 1972 to serve the agricultural/domestic well and RVs that were kept on site for water fowl hunting. The property is subject to a Conservation Easement held by the United States Fish and Wildlife Service since 1987 and has been converted to habitat. The 1-acre pad area was not a part of the easement agreement as it was planned for development. There is a 2,100 square foot modular home that was recently installed under a Minor Use Permit (MUP #20-01) for a caretaker's unit and a garage under building permit (BP-20539), which is currently undergoing inspections. A new electrical panel and sub-panel have also been installed under permit (BP-20463), but have not been finalized. Additionally, when staff approved the caretaker's unit (MUP #21-01) it was staff's understanding that the caretaker's unit would take the place of one of the RV's. Based upon the information provided for this application, the applicant is seeking approval for the installation of electrical service (which has already been installed) to four RV's.

ANALYSIS:

General Plan and Zoning

The project site has a General Plan land use designation of Resource Conservation (RC). The project is considered to be consistent with the Colusa County General Plan policies that provide for the development of natural resources and recreational activities in the County For example:

Policy OSR 2-9; Ensure private landowners continue to have the right to offer hunters access to their land during hunting seasons.

The Zoning classification of the project site is Resource Management (R-M). The Colusa County Zoning Ordinance provides for the proposed use under Section 44-2.60.30. This section allows for the establishment of hunting club facilities provided a Use Permit is obtained. However, based upon information provided by the applicant the RVs are utilized by family and friends who are not charged for the use, although duck blinds had been rented in the past. As such, the project would not meet the definition of a hunting club, which describes the use as follows:

Any establishment that provides outdoor hunting and fishing activities or services for a fee, admission charge, or common interest share. *The establishment may include day use facilities, such as a clubhouse, and/or overnight accommodations in the form of seasonal residences. Facilities must be connected to an approved sewage disposal system. Seasonal residential unit densities may not exceed the standards established in this zoning code. On-site residency is limited to not more than a total of six months of a year.*

The applicant has provided written information (see Attachment #1) stating that the RV use was established in the 1970s with three being kept on site year round and one that

does not belong to the applicant, which is typically removed when not in use. Staff has google earth satellite imagery showing that three or four RVs have been kept on site since a least 2008 (see Attachment #2), which was prior to adoption of the current zoning code, which established the current hunting club definition. The previous zoning code allowed for hunting clubs with approval of a Use Permit but did not specifically define a hunting club. As such, staff has determined that the use of the RV's on site for water fowl hunting is legal non-conforming use. However, the recent improvements (providing permanent connection to electrical and water supply) as well as maintaining the 4th RV, is considered to be an expansion of a legal non-conforming use and requires approval of a Use Permit under Zoning Code Section 44-1.120.050.

During the final inspection for the electrical permit issued under BP-20463, it was noticed by the building inspector that the RV pedestals which had been installed were not part of the approved electrical permit. These electrical improvements (along with the water lines) had been inspected by former County staff under the assumption that they were part of that approved electrical permit (see Attachment #3). As a result, panel lock-outs have been installed in the electrical panel for pedestal connections. In addition, it was also discovered that a 1,200 square foot metal building was also recently installed without a permit. This has been rectified by the issuance a building permit (BP-20897) for the structure, which has been inspected and Certificate of Occupancy has been issued.

As previously discussed, the physical connection of RV's to utility infrastructure (electrical and water supply) has triggered the use permit process. Since the RV's are not being rented, the installation of this type of infrastructure has not triggered a permit approval requirement by California Department of Housing and Community Development.

Issue and Concerns

The project is in FEMA Flood Zone A and all current and future development is subject Chapter 33, Flood Damage Prevention of the Colusa County Code. Elevations Certificates have been provided for the Modular and Garage. A condition of approval has been included to address this issue.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The application, PD-21-27, is an effort to obtain a use permit approval for an expansion of a legal non-conforming use. Any future expansion will require an application for an amendment to this use permit and potential impacts will be evaluated during that process. At this time no environmental impacts are expected to occur. The project is considered exempt from California Environmental Quality Act (CEQA) under Section 15301, existing facilities.

SUMMARY

The proposed use permit is consistent with the General Plan and Zoning requirements. No significant impacts to the environment will result from the project and implementation of the conditions of approval will prevent impacts from occurring in the future. The proposed resolution would allow the Commission to approve the proposed project.

RESOLUTION NO. 22-____

**RESOLUTION OF THE COLUSA COUNTY PLANNING COMMISSION
ADOPTING A CATEGORICAL EXEMPTION
AND APPROVING USE PERMIT (PD-21-27) FOR WILLIAM SCHWARTZ**

WHEREAS, The William Schwartz has applied for a Use Permit to obtain zoning compliance for the project described in Exhibit “A”;

WHEREAS, the County of Colusa is considered a Lead Agency under the California Environmental Quality Act (CEQA) for this proposed project and it has determined that a Categorical Exemption is appropriate pursuant to CEQA for the proposed Use Permit;

WHEREAS, a Notice of Public Hearing for consideration of the proposed Use Permit was published in accordance with all applicable requirements; and

WHEREAS, the Planning Commission held a Public Hearing regarding the proposed Environmental Documents and Use Permit on January 5, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Colusa County Planning Commission based on facts in the Staff Report, and the written and oral testimony, and exhibits presented at the public hearing, takes the following action:

- I. Adopts a Categorical Exemption, specifically the project is considered exempt from CEQA under pursuant to Section 15301(c) Existing Facilities
 - A. Find that the proposed Categorical Exemption is adequate and reflects the independent judgment and analysis of the County, which is the lead agency.
- II. Approves the Use Permit subject to the conditions of approval as attached in Exhibit “B”, for the project described in Exhibit “A” and makes the following findings:
 - A. The proposed project will not impair the integrity and character of the zone in which the land lies, and that the use would not be injurious or detrimental to the health, safety and general welfare of the persons residing or working in the neighborhood, or to the general health, welfare and safety of the County.
 - 1. The project would not be incompatible with surrounding land uses with the incorporation of conditions identified in Agenda Report.
 - 2. The project is in a zoning classification conditionally, suitable for the proposed use.

3. The configuration of the parcels and improvement of the property will not conflict with easements, access through or use of the property.
 4. Approval of this project will not be detrimental to the public health, safety and welfare with compliance of the required conditions.
- B. The project is consistent with the Colusa County General Plan Land Use Element goals and policies for the Resource Conservation (RC) land use designation.
 - C. The project is consistent with the Colusa County Zoning Ordinance Resource Management (R-M) zoning designation.
 - D. The project is consistent with the Colusa County Zoning Ordinance Section 44-1.120.050 Use Permit (PD-21-27) with approval of Use Permit PD-21-27.

PASSED AND ADOPTED this 5th day of January, 2021 by the following vote:

AYES:

NOES:

ABSENT:

Barry Morrel, Chair, Planning Commission

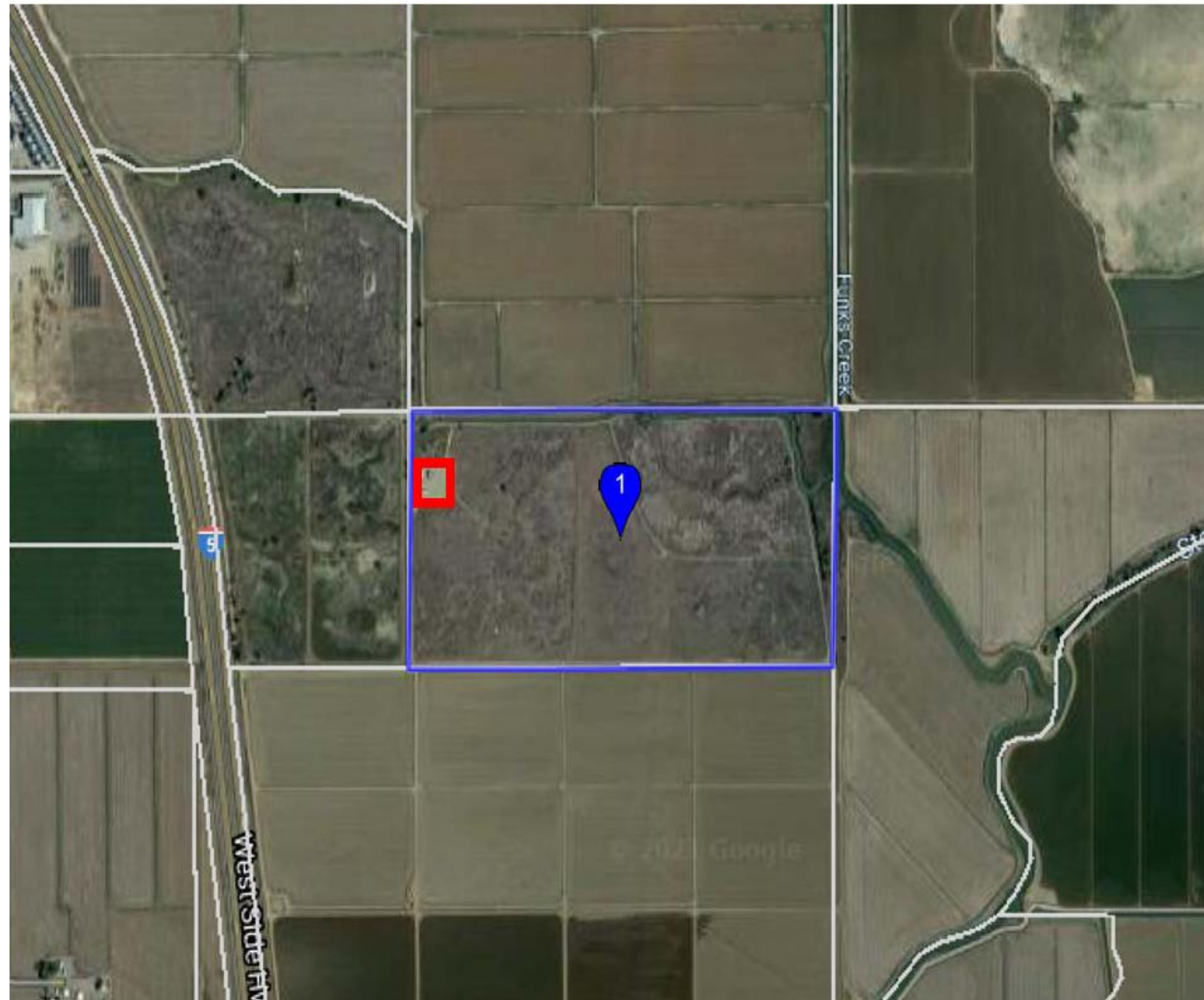
ATTEST: Greg Plucker, Secretary to the
Colusa County Planning Commission

Melissa Kitts, Deputy Board Clerk

APPROVED AS TO FORM

Jennifer Sutton, Sr. Deputy County Counsel

EXHIBIT "A"
WILLIAM SCHWARTZ USE PERMIT (PD-21-27)
COLUSA COUNTY PLANNING COMMISSION
DECEMBER 1, 2021



Project Site

EXHIBIT "A"
WILLIAM SCHWARTZ USE PERMIT (PD-21-27)
COLUSA COUNTY PLANNING COMMISSION
DECEMBER 1, 2021



Site Plan

This application is to obtain compliance with the current zoning requirements for a Use Permit to allow for connection of two utility pedestals capable of connecting four Recreational Vehicles (RVs) to electricity and water. Physically installing utilities for four RV connections has triggered the need to obtain a use permit as per Zoning Code Section 44-1.1200.050, Expansion of a Legal Non-Conforming Use. Any future expansion of the facilities will require approval of an Amendment to this Use Permit (PD-21-27).

**EXHIBIT “B”
WILLIAM SCHWARTZ USE PERMIT (PD-21-27)
COLUSA COUNTY PLANNING COMMISSION**

January 5, 2022

DATE

PD-21-27

PERMIT NO.

011-280-028

ASSESSORS PARCEL NO.

Pursuant to the provisions of the Zoning Ordinance of the County of Colusa and the special conditions set forth below, William Schwartz is hereby granted Use Permit PD-21-27 in accordance with the application filed to obtain zoning compliance for an existing hunting club on APN 011-280-028 subject to all of the following Conditions of Approval.

CONDITIONS OF APPROVAL

I. General

- A. Failure to comply with the conditions specified herein as the basis for approval of application and issuance of the Permit, constitutes cause for the revocation of said permit in accordance with the procedures set forth in the Colusa County Zoning Ordinance, including Colusa County Code Sec. 7.29.
- B. Unless otherwise provided for in a special condition to this use permit, all conditions must be completed prior to or concurrently with the establishment of the granted use.
- C. The use shall be limited to the project described in Exhibit “A” as approved by the Planning Commission. Minor changes may be approved by the Planning Director/Zoning Administrator pursuant to Section 44-1.080.030 of the County Code. Changes deemed to be major or significant in nature shall require a formal application or amendment as determined by the Community Development Director.
- D. The use granted by this permit must be established within 24 months per the County Code. Upon written request by the applicant, the original review authority for the permit may extend the time limit for the permit per the County Code.
- E. The terms and conditions of this permit shall run with the land and shall be binding upon and be to the benefit of the heirs, legal representatives, successors and assigns of the Permittee.

I. CONDITIONS OF APPROVAL**II. Planning and Building:**

- A. The applicant agrees, as a condition of issuance and use of this entitlement, to indemnify and defend the County, at applicant's sole cost and expense, in any claim, action, or proceeding brought against the County within 180-days after the issuance of this entitlement because of, or resulting from, any preliminary approval or actual issuance of this entitlement, or, in the alternative, to relinquish such entitlement. Applicant will reimburse the County for any damages, court costs and attorney fees which the County may be required by a court to pay as a result of such claim, action or proceeding. The County shall promptly notify the applicant of any such claim, action, or proceeding and will cooperate in its defense. The County may also, at its sole discretion, participate in the defense of any such claim, action, or proceeding but such participation shall not relieve applicant of its obligations under this condition.
- B. The applicant shall comply with all other applicable federal, state, and local laws, statutes, ordinances and regulations.
- C. Any reconstruction, expansion of the facilities, or any additional construction shall be allowed unit an application for an Amendment to this Use Permit (PD-21-27) is first approved.
- D. None of the facilities or property (including but not limited to the care-takers unit, recreational vehicles, and/or recreational vehicle space) shall be rented, nor shall any activities or services on the property be charged a fee or admission charge, nor shall a common interest share in the property be sold. Should the property owner wish to use the property as a hunting club as defined by the Colusa County Code, a use permit shall first be obtained.

III. Public Works

- D. All current and future development shall comply with Chapter 33, Flood Damage Prevention, of the Colusa County Code.

November 8th, 2021

**COUNTY OF COLUSA
DEPARTMENT OF PLANNING & BUILDING
220 12TH STREET
COLUSA, CA 95932**

Attn: Kent Johanns

Subject: 4330 Old Hwy 99W, Maxwell, 95955
Universal Planning Application Form #PD-21-27

Hi Kent,

Per our conversations and emails, I want to clarify the use of the RV electrical connections on Electrical Permit #20463 and to give some history of the property's usage for the last.

History:

This property has been in my family since approximately 1958. My father and partners purchased the property. It consisted of grazing wild lands and wetlands and was purchased for the sole purpose of waterfowl hunting. Hunting activity was the sole purpose of this property.

- The property operated a hunting club by renting duck blinds to hunters continuously until approximately 1994.
- Approximately 1972 - PG&E brought electrical service to the property for the purpose of supplying electricity for a water well and trailer hookups for both personal permanent trailer dwellings and for seasonal trailer hookups for the hunters that rented duck hunting blinds on the property. Power was supplied via one main 200amp distribution metered panel to multiple distribution points – two for the hunter trailers, one for the water well and one for my family's semi-permanent trailer site. There are no septic facilities for trailer hookups. Potable water was supplied as well. All black/grey water discharges were into portable carriers and were dumped into rented toilet facilities holding tanks for weekly removal.
- The property was converted to rice lands for commercial farming in 1976. Farming activity continued until 1986.
- The property entered into a U.S. Fish and Wildlife Service easement agreement September 2nd, 1987 for 79 of the 80 acre parcel. One acre more or less was held

Attachment: Attachment #1 Bill Schwartz Letter 11-8-21 (7005 : Schwartz Use Permit (PD-21-27))

out for the purpose of a building site for hunting club facilities, water well and future caretakers' facilities.

- A 50% share of the property was transferred to me from my father, Stanley Schwartz, in 1994 and the other 50% share was purchased by my Brother-in-Law, William Grone from my father's partners. It is currently held jointly.
- Leased hunting blinds for profit were discontinued approximately in the year 2008 and the property ceased any commercial hunting activities. It has remained that way until present and is strictly used for families and friends. No fees are charged.
- I personally keep 3 trailers on the property year-round and they all are mobile.
- We allow seasonal trailer hookups for power and water to family/friends during the waterfowl hunting season. These trailers are removed after the hunting season ends by February of each year.

Present Use:

- After many years, the electrical facilities required an upgrade to bring up to code and safely operate.
- In August of 2020 I filed an ON-SITE SEWAGE DISPOSAL application and this was granted in September of 2020 by Colusa Environmental Health for the caretakers dwelling on future Permit #20539. It was designed for a 4 bedroom facility.
- In September of 2020 I filed for a Minor Use Permit. The MUP 20-01 was granted November 23, 2020.
- November 2020 – Electrical Permit #20463 was issued by Colusa County for this upgrade of service.
- Electrical engineering was done and submitted in April of 2021 and construction was started for both applications.
- PG&E engineering was completed in May of 2021 for the service/transformer upgrade for both the caretakers dwelling on Permit #20539 and the RV electrical upgrade on Permit #20463.

Proposed Future Use:

- Our family has strived to upgrade all of the facilities and to build a dwelling for semi-retirement use of the property during the waterfowl season.

- The use of the property is strictly for our personal joy and happiness for family and friends and the conservatorship/protection of wildlife.
- There are no commercial activities on the property nor will there ever be.
- Trailer hookups are for the enjoyment of family and friends and do not have any waste removal facilities. Any/All black/grey water discharges are to be into portable carriers and are to be dumped into rented toilet facilities holding tanks for weekly removal during the hunting season. Any remaining trailers are for my personal use and are generally not even connected to power during the summer months.

Please reach out to me with any questions or concerns.

Best Regards,



Bill Schwartz

Bill@osborneco-inc.com

Cell: (510)867-5558

Attachment: Attachment #1 Bill Schwartz Letter 11-8-21 (7005 : Schwartz Use Permit (PD-21-27))

Schwartz Site 2008

RVs Present on Site

3.1.e

Legend

Attachment: Attachment #2 Schwartz Site 2008 (7005 : Schwartz Use Permit (PD-21-27))

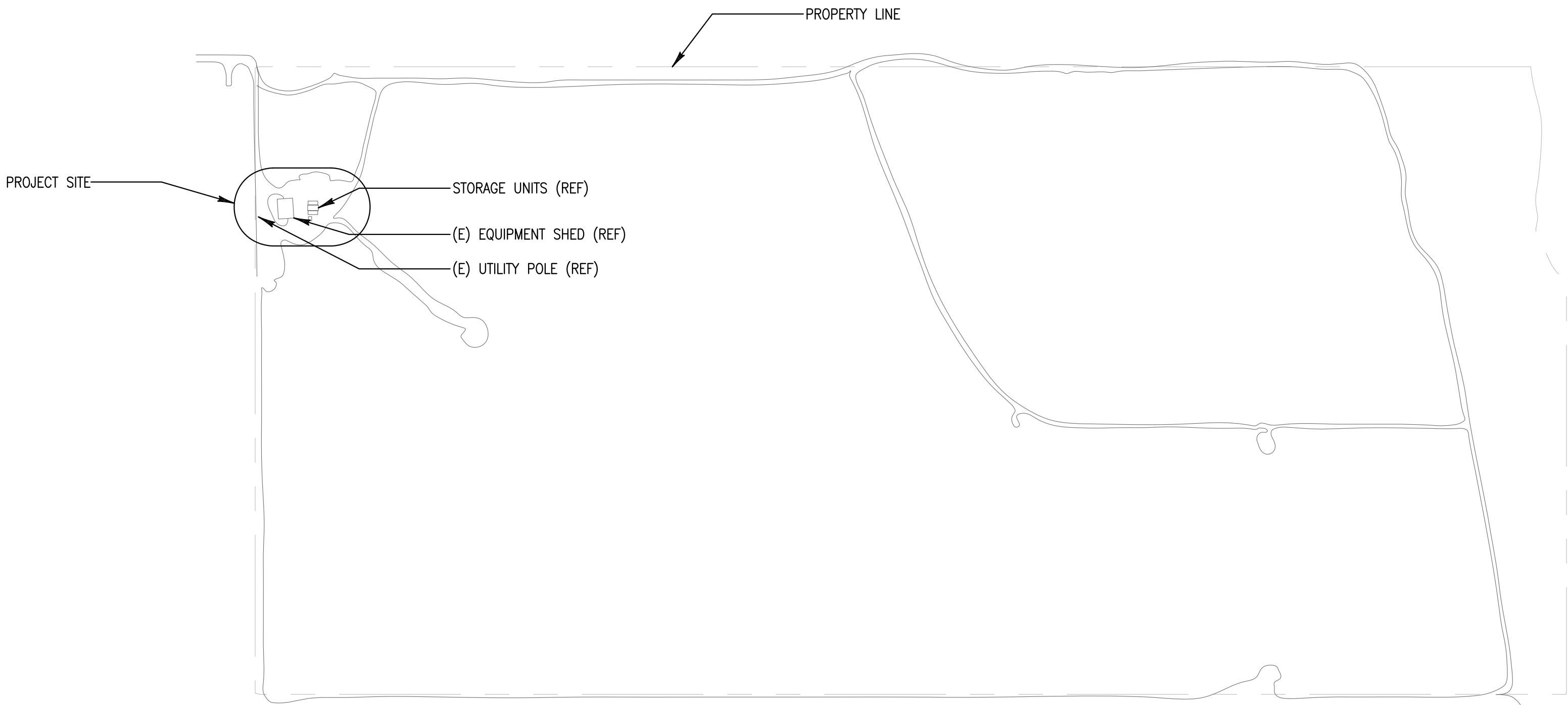
Google Earth

Image © 2021 Maxar Technologies



SCHWARTZ PROPERTY POWER DISTRIBUTION

MAXWELL, CA
A.P. NUMBER: 011-280-028-000

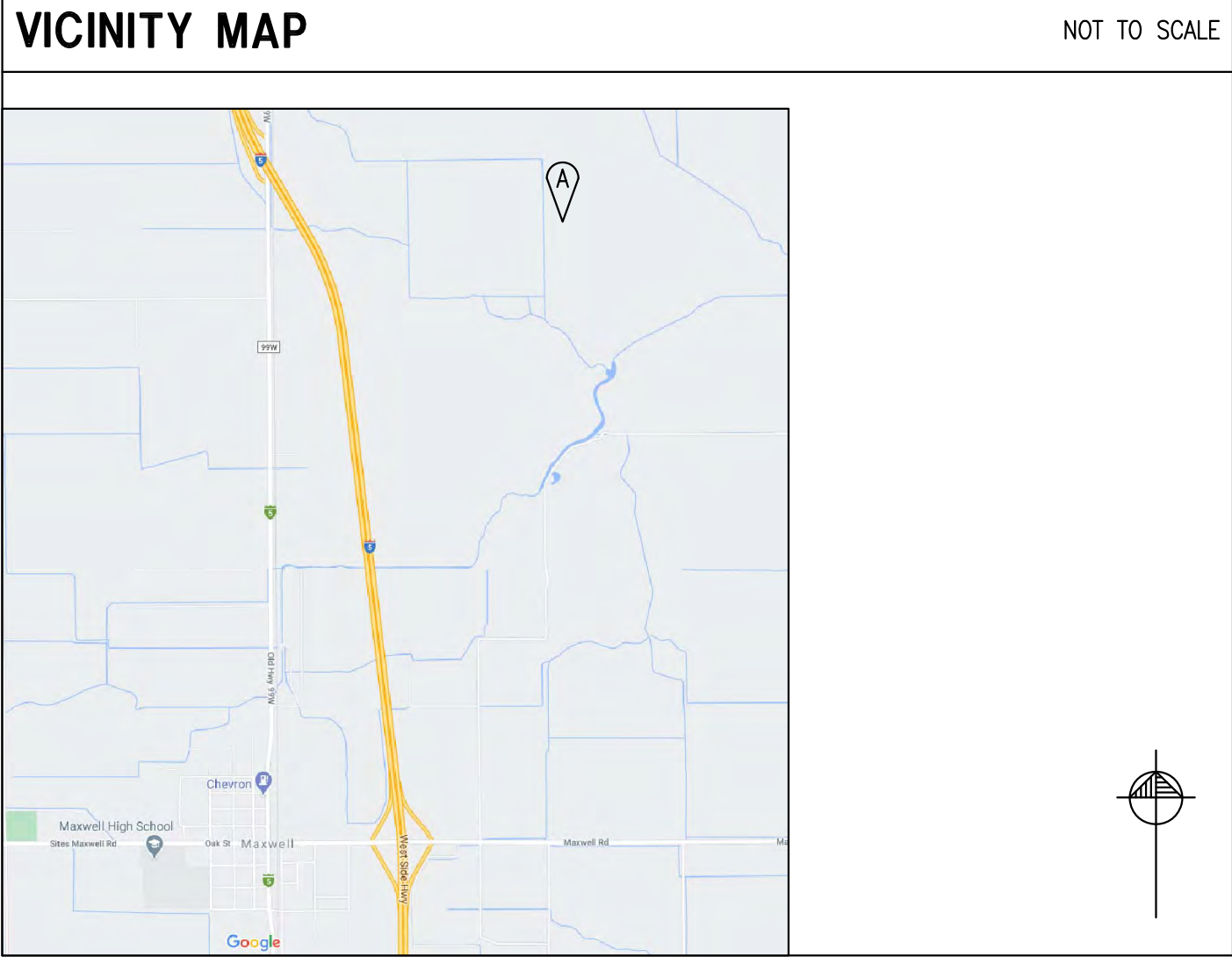


OVERALL SITE PLAN

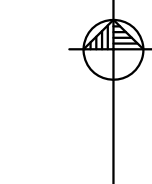
SCALE: 1" = 200'-0"

ELECTRICAL SYMBOLS	
SYMBOL	DESCRIPTION
	LIGHTING FIXTURE CEILING OR PENDANT
	LIGHTING FIXTURE, RECESSED
	LIGHTING FIXTURE, WALL MOUNTED
	LED OR FLUORESCENT LIGHTING FIXTURE- RECESSED
	LED OR FLUORESCENT LIGHTING FIXTURE- SUSPENDED OR SURFACE MOUNTED
	LED OR FLUORESCENT LIGHTING FIXTURE SURFACE STRIP
	BATTERY EMERGENCY LIGHT, CEILING MTD EXIT LIGHT, WALL MTD EXIT LIGHT - MIN HT 80" NOTE: SHADE IS FACE OF SIGN.
	DUPLEX RECEPTACLE OUTLET 20A, 125V, +15" TO BOTTOM OF BOX (B.O.B.)
	FOURPLEX RECEPTACLE OUTLET 20A, 125V, HEIGHT AS NOTED (MIN +15" B.O.B.)
	MOUNT OUTLET ABOVE COUNTER OR BACKSPLASH
	DUPLEX RECEPTACLE IN CEILING ABOVE WINDOW
	TELEPHONE, DATA, COMBINATION OUTLET (WITH 1#12 PULL WIRE TO ABV CLG)(MIN 15" BOB)
	JUNCTION BOX
	FIXTURE TAG-"A" DENOTES FIXTURE TYPE
	SINGLE POLE TOGGLE SWITCH, 20A, 120-277V AT +48" CL OF TOGGLE
	SUBSCRIPT DENOTES OUTLET OR FIXTURE CONTROLLED @ +48" CL OF TOGGLE
	THREE WAY TOGGLE SWITCH 20A, 120-277V AT +48" CL OF TOGGLE
	CEILING MOUNTED OCCUPANCY SENSOR
	WALL MOUNTED SINGLE CONTACT OCCUPANCY SENSOR AT +48" CL OF SENSOR
	WALL MOUNTED DUAL CONTACT OCCUPANCY SENSOR AT +48" CL OF SENSOR
	TIME SWITCH, PHOTOCELL
	MAIN SWITCHBOARD
	LIGHTING OR DISTRIBUTION PANELBOARD
	TERMINAL CABINET
	SAFETY SWITCH - HP RATED - FUSED - NON-FUSED
	MOTOR - M P & S
	EXHAUST FAN - M P & S
	MECHANICAL EQUIPMENT I.D. TAG - M P & S
	DUCT TYPE SMOKE DETECTOR, COORDINATE WITH MP&S.
	CIRCUIT CONCEALED IN CEILING OR WALL, EXPOSED IN SERVICE AREAS
	CIRCUIT CONCEALED IN FLOOR OR UNDERGROUND
	HOMERUN TO PANELBOARD
	DENOTES # OF #12 WIRES, NO MARKS= 2#12, 1/2"C,
	INDICATES FLEX CONDUIT
	BOTTOM OF J-BOX
	CONDUIT
	CIRCUIT BREAKER
	CENTER LINE
	EMERGENCY BATTERY BACKUP
	GROUND
	GROUND FAULT CIRCUIT INTERRUPTER
	SEE MECHANICAL PLANS & SPECIFICATIONS
	OVERCURRENT PROTECTION [DEVICE]
	TELEPHONE TERMINAL BOARD
	MAIN SWITCHBOARD
	NIGHT LIGHT - UNSWITCHED
	NOT TO SCALE
	PANELBOARD
	GALVANIZED RIGID STEEL CONDUIT
	EXISTING
	NEW
	EXISTING TO BE REMOVED OR RELOCATED
	UNLESS OTHERWISE NOTED
	EMPTY CONDUIT WITH 1#12 PULL WIRE
	WEATHERPROOF - WHILE IN USE IN WET LOCATIONS WHERE APPLIED TO RECEPTACLES

SHEET LIST	
SHEET NUMBER	SHEET TITLE
C1.0	COVER SHEET- SYMBOLS, CODE REFERENCES, SCOPE, GENERAL NOTES
E0.1	ONE-LINE DIAGRAM, PANEL SCHEDULES, & LOAD CALCULATIONS
E0.2	DETAIL SHEET
E1.1	SITE ELECTRICAL PLAN



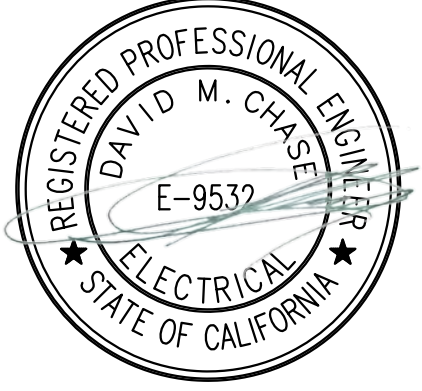
VICINITY MAP



REVISIONS	BY

CALTECH ENVIRONMENTAL CONSTRUCTION
(530) 559-0098

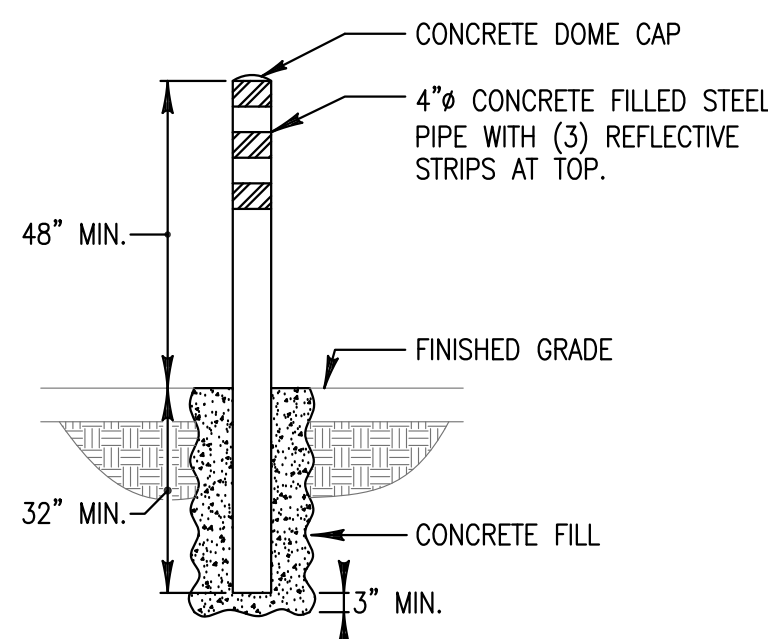
CHASE ELECTRICAL ENGINEERING



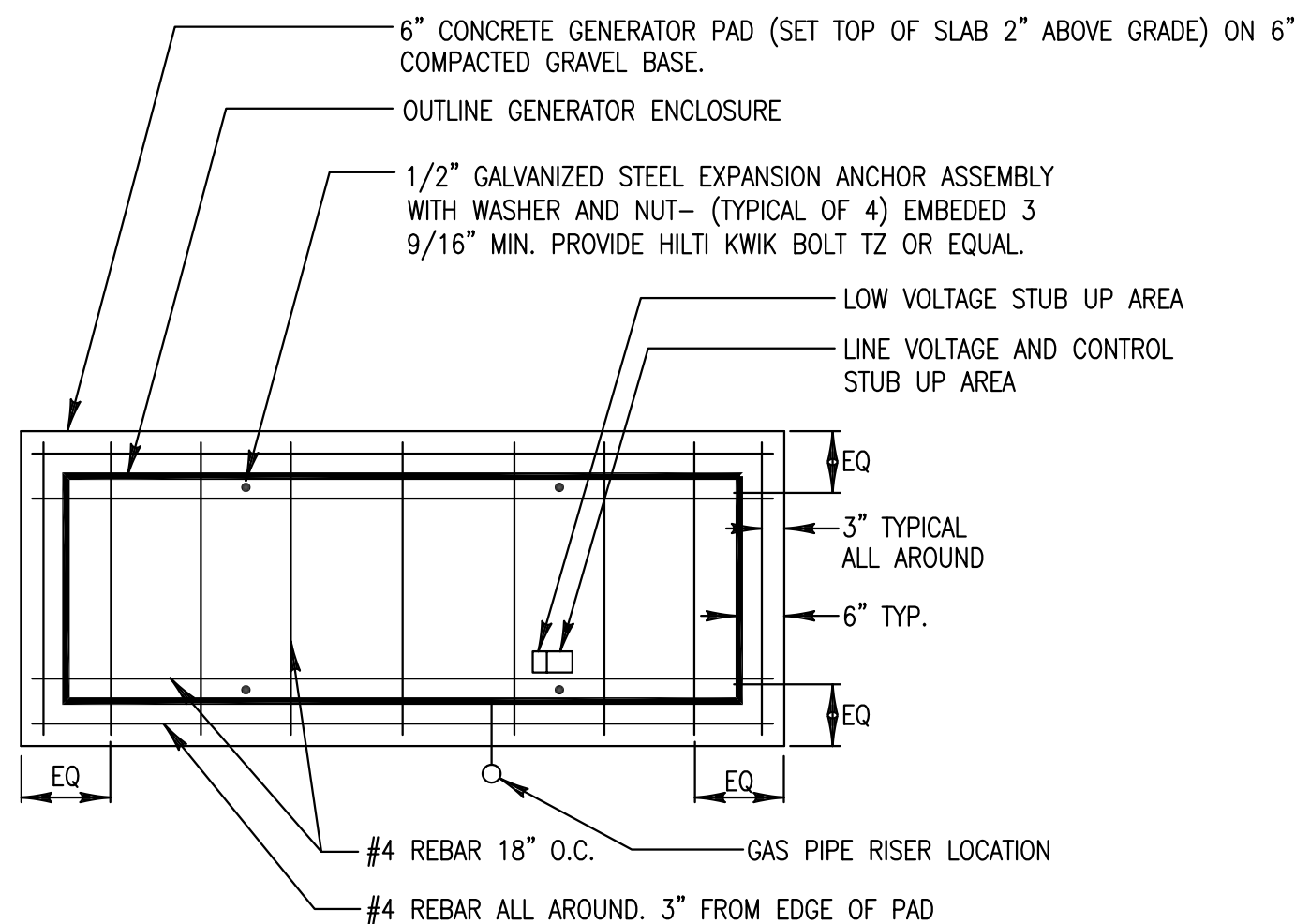
RENEWAL DATE: 9-30-22
5710 GARFIELD AVE. SUITE C
SACRAMENTO, CA 95841
(916) 344-4878

**SCHWARTZ PROPERTY
POWER DISTRIBUTION**
MAXWELL, CA 95955

Date	04/23/21
Scale	AS NOTED
Drawn	DMC/CET
Job No.	2213661
Sheet	C1.0
Of	4 Sheets



NO SCALE



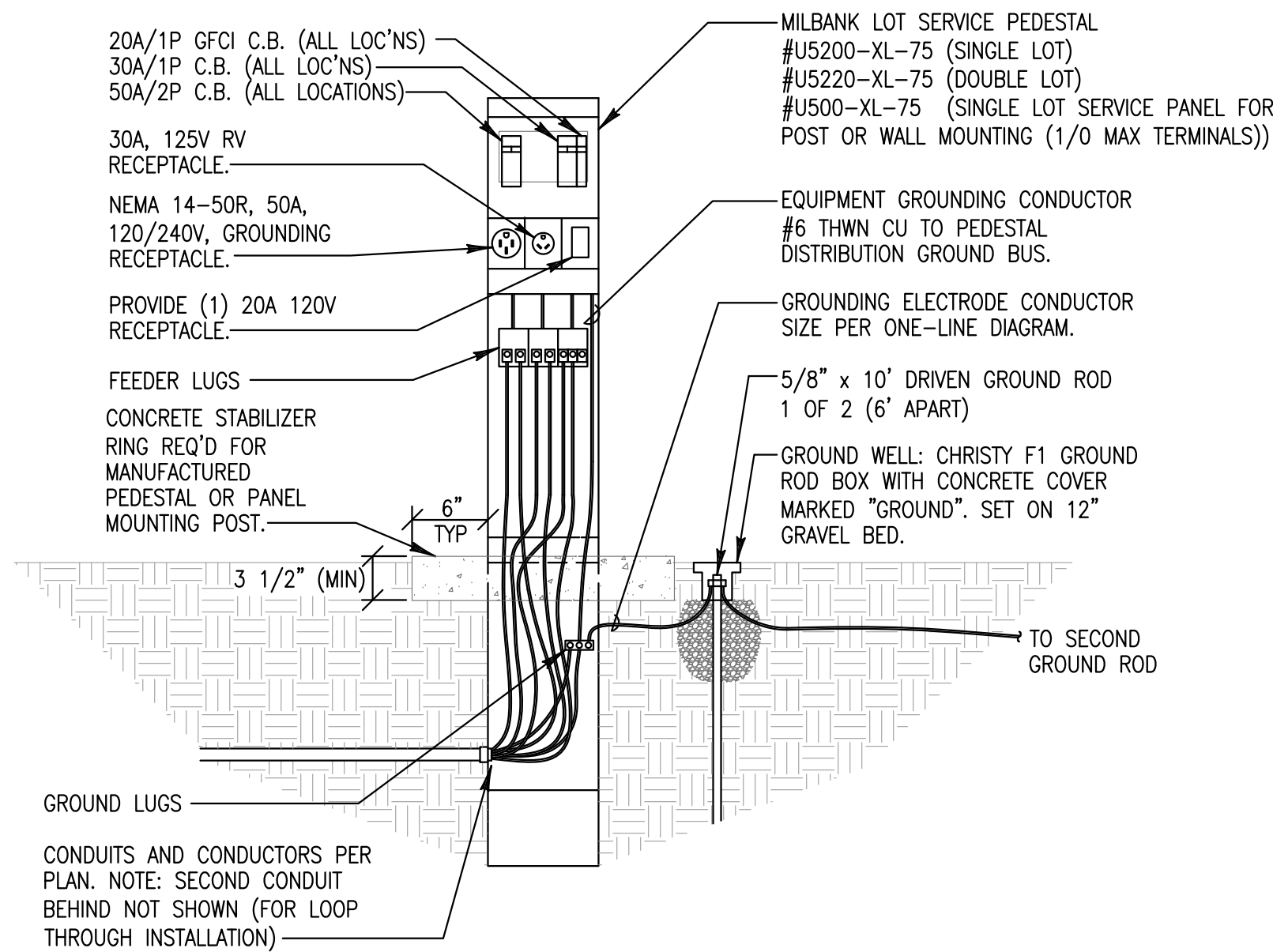
ALL REBAR PLACED IN CENTER OF SLAB.
EQ= EQUALLY SPACED

DETAIL SHOWN TYPICAL FOR THE TYPE OF GENERATOR SPECIFIED. COORDINATE
ACTUAL FABRICATION TO MANUFACTURER'S INSTALLATION
INSTRUCTIONS/ILLUSTRATIONS.

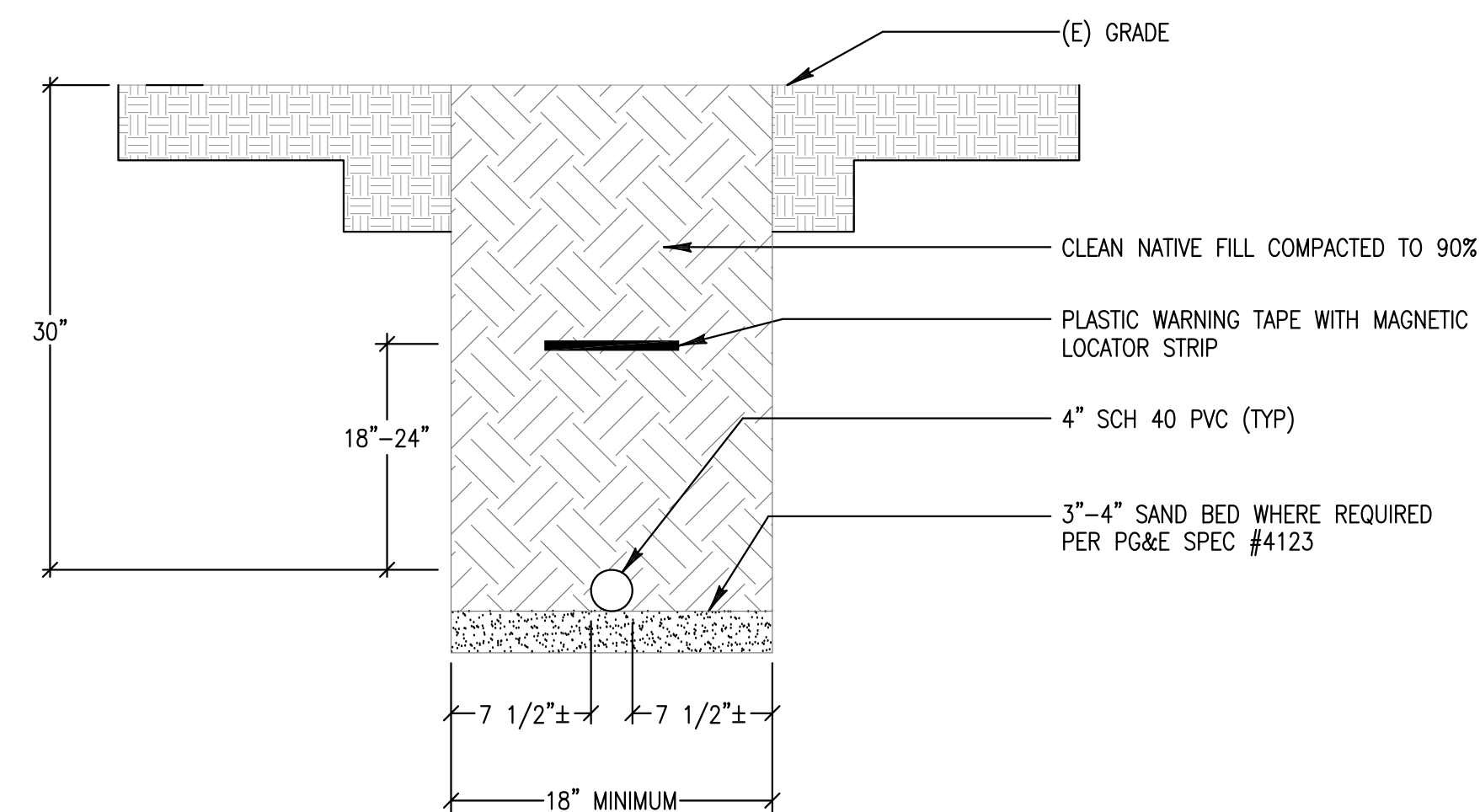
NO SCALE

NOTE: DO NOT BOND NEUTRAL TO GROUND IN THESE LOCATIONS

DIRECT BURIAL PEDISTAL IS SHOWN.
A PAD MOUNTED PEDISTAL IS
ACCEPTABLE IF PREFERRED DUE TO
SOIL CONDITIONS.

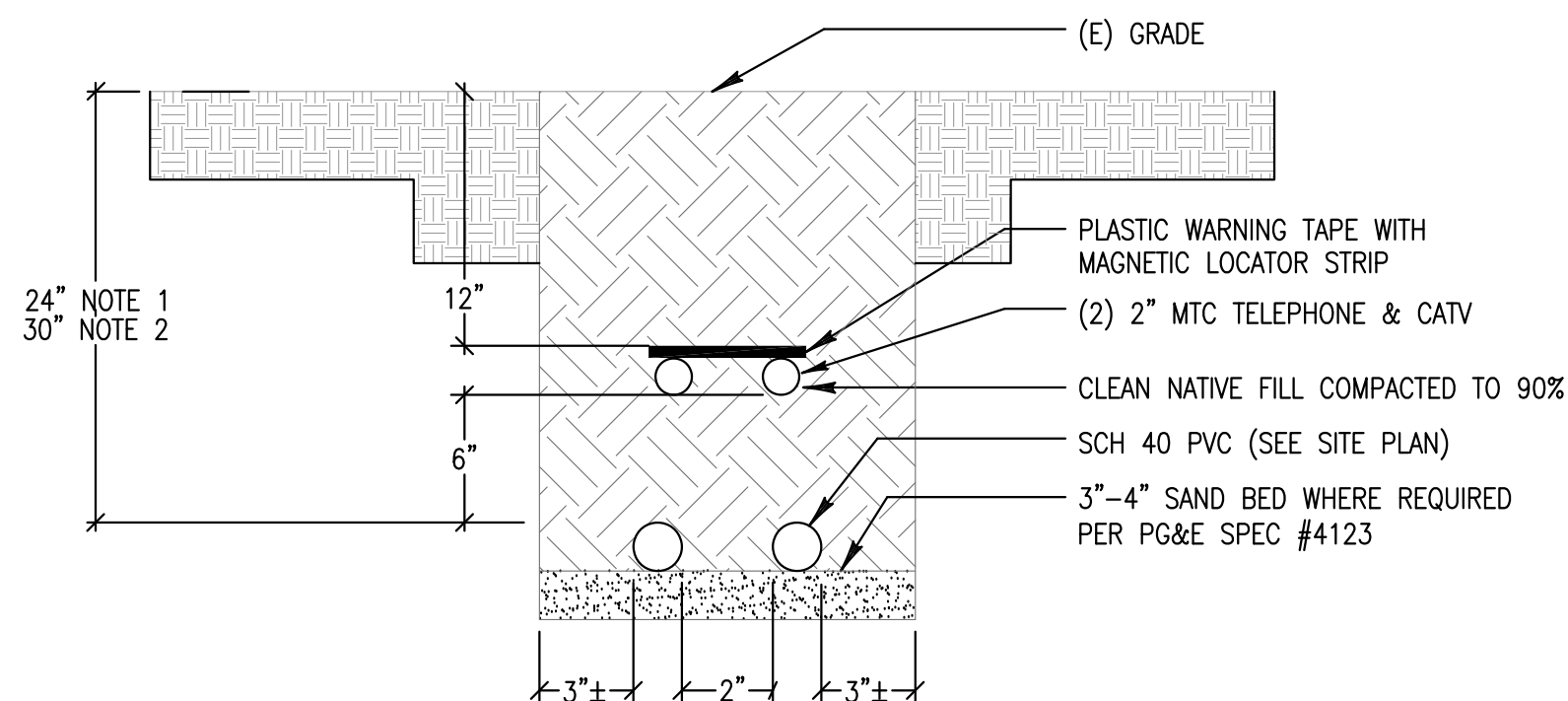


NOT TO SCALE



PG&E TRENCHES SHALL BE IN COMPLIANCE
WITH GREEN BOOK APPENDIX C, DWG #062288

NOT TO SCALE

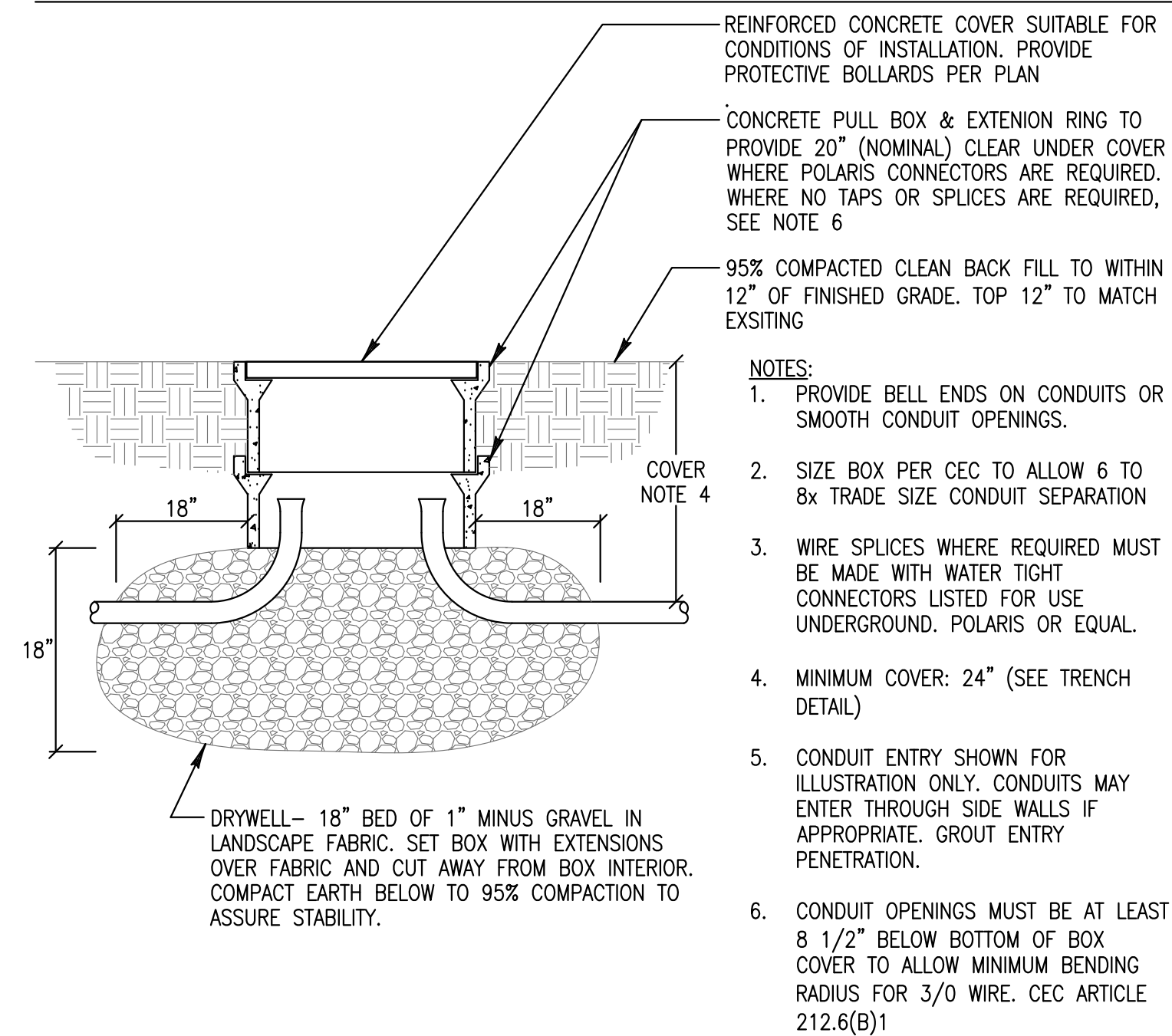


CONDUIT COVER SHALL BE CLEAN NATIVE MATERIAL COMPACTED TO 90% TO WITHIN 6" OF GRADE OF GRADE. MATCH GRADE CONDITIONS FOR TOP 6" OF BACKFILL.

NOTE #1: 24" MINIMUM COVER ALL LOCATIONS U.O.N.

NOTE #2: 30" COVER WHERE LOW VOLTAGE CONDUITS ARE INSTALLED ABOVE (24" MIN COVER ON TOP ROW)

NO SCALE

[illegible]

**CALTECH
ENVIRONMENTAL
CONSTRUCTION**
(530) 559-0098

CHASE
ELECTRICAL
ENGINEERING



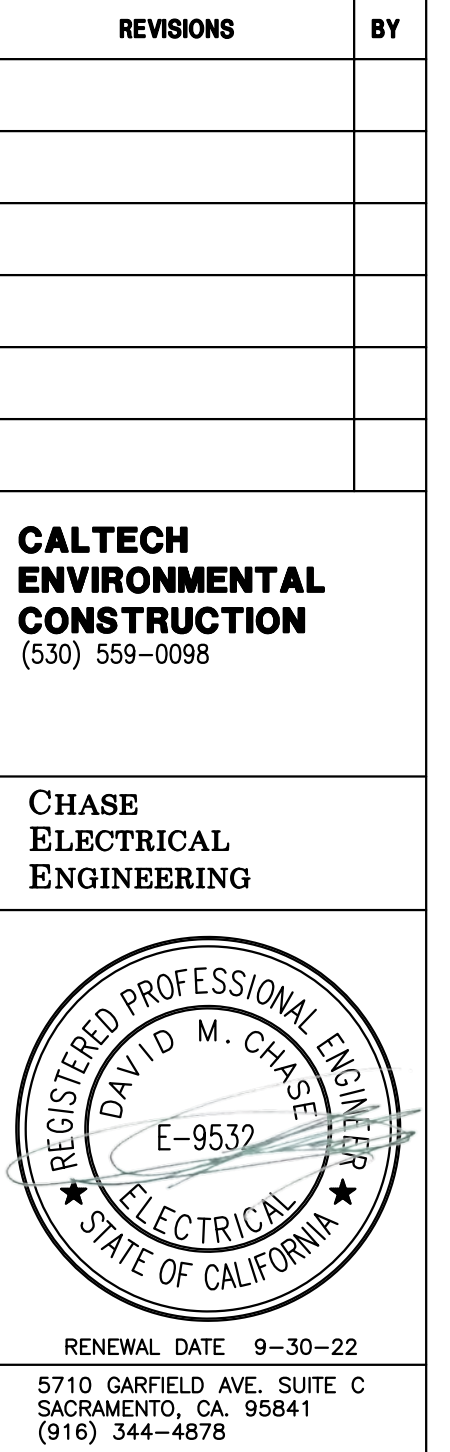
RENEWAL DATE 9-30-22

5710 GARFIELD AVE. SUITE C
SACRAMENTO, CA. 95841
(916) 344-4878

SCHWARTZ PROPERTY POWER DISTRIBUTION

MAXWELL, CA 95955

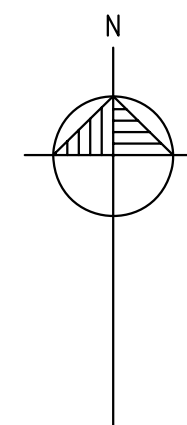
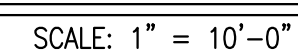
Date	04/23/21
Scale	AS NOTED
Drawn	DMC/CET
Job No.	2213661
Sheet	
	E0.2
Of	4 Sheets



SCALE: APPROX 1" = 1'-0"



Packet Pg. 23



LEGAL NOTICE

3.1.g

COUNTY OF COLUSA

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Colusa County Planning Commission will conduct a Public Hearing January 5, 2022 at 9:00 a.m. in the Board of Supervisors Chambers located at 546 Jay Street, Suite 108, Colusa, CA, to consider the following:

Use Permit for William Schwartz PD-21-27 – A proposed Resolution of the Planning Commission to adopt a CEQA Exemption and approve a Use Permit for a change or expansion of legal non-conforming use for William Schwartz - Proposed Categorical Exemption to obtain zoning clearance for a hunting facility which will be utilizing four recreational vehicle spaces with developed utility (electrical and water) connections. The property is zoned Resource Management (R-M). The project site is located at 4330 Old Highway 99 West, approximately 2,700 feet east of the intersection of Wadleigh Road and Old Highway 99.

The Planning Commission will consider an exemption from CEQA pursuant to Title 14, Article 19 of the California Code of Regulations and Adopt a Categorical Exemption, because the project is considered exempt from CEQA pursuant to Section 15301, Existing Facilities because the project consists of obtain zoning clearance for existing facilities.

Documentation and information regarding the project may be obtained at the Community Development Department, 220 12th Street, Colusa, CA (530) 458-0480. If you have questions or concerns regarding this matter, or would like to submit comments you may do so to the following: Secretary to the Planning Commission, 220 12th Street, Colusa, CA (530)458-0480, or by e-mail at kjohanns@countyofcolusa.org. Additional documentation is available for review in accordance with Agenda Scheduling Deadlines at the Office of the Clerk of the Board, 547 Market Street, Ste. 102, Colusa, CA (530)458-0508. All persons are invited to attend and be heard.

If you challenge the proposed project or environmental determination in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered at, or prior to, the public hearing.

Dated: December 10, 2021

/s/ Melissa Kitts, Deputy Clerk

12/16/2021 - CCPR #2021-5370

Attachment: 01-05-22 Notice of Public Hearing - Schwartz (7005 : Schwartz Use Permit (PD-21-27))



Planning Commission

546 Jay Street, Suite 108
Colusa, CA 95932

SCHEDULED

PLANNING COMMISSION (ID # 8071)

Meeting: 01/05/22 09:00 AM

Department: Community Development Department

Category: Public Hearing

Prepared By: Kent Johanns

Initiator: Kent Johanns

Sponsors:

DOC ID: 8071 A

Detail

Applicant: Joe Cheney (Wilson)
General Plan: Urban Residential (UR)

File: PD-21-31
Zoning: Residential Single Family (R-1-6)

Formal Title / Summary

Joe Cheney (Wilson) Variance, PD-21-31

Action Requested

Public Hearing and adoption of a Resolution approving a variance to reduce the attached residential accessory building side yard setback from 3 Feet to 0 Feet.

DETAILED DESCRIPTION/BACKGROUND OF REQUEST

The adoption of the proposed resolution would approve a Variance to reduce the accessory building side yard setback from 3 feet to 0 feet. This would allow for the applicant to obtain a building permit to construct an aluminum deck cover where the roof would extend to the side property line.

APNs:

013-016-011

LOCATION

The project site is located at 256 Vine Street in the community of Maxwell approximately 100 feet east of the intersection of Vine Street and North Pacific Street.

PROJECT AND SITE DESCRIPTION:

The proposed variance would reduce the 3 foot required side yard setback to 0 feet to allow for the issuance of a building permit for a deck cover measuring 15 feet by 22 feet (330 square feet in area). The proposed deck cover will be constructed of aluminum with supporting poles and a roof. The proposed construction is located on the northeast corner of the existing residence which is 1,872 square feet in size on the back half of the lot (see Exhibit "A"). The deck is of wood construction and currently covered by a temporary shade structure. The County does not have a building permit on file so the age of the deck is unknown. It appears to be at least 20 years. Approval of the Variance would allow the entirety of the improved deck which extends to the property line to be covered. The purpose of the deck cover is to provide shade and protect the wood from the elements.

ANALYSIS:**General Plan and Zoning**

The project site has a General Plan land use designation of Urban Residential (UR). The UR land use designation has multiple policies that would support approval of the project, for example:

LU 1-14 Promote infill development by encouraging higher densities and more intense uses on vacant and underdeveloped lots within existing communities that are compatible with the physical and cultural character of the particular community.

As a result, approval of the Variance is considered consistent with the General Plan.

The project site has a zoning classification of Residential Single Family (R-1-6). The R-1-6 zone requires a 20 foot front yard, a 5 foot rear yard, and 3 to 5 foot side yard setbacks for accessory buildings dependent upon the structure's location on the property; 5 feet on the front half of the lot and 3 feet on the back half. Based on the location of the structure, the 3 foot setback would apply.

In this older neighborhood of Maxwell, there are other accessory structures that encroach into the required accessory setbacks. For example, immediately adjacent to this property, the neighboring property to the east has an existing shed with a metal roof which also is placed along the side and rear property lines. In addition, there are several accessory buildings in the vicinity that are placed along the side property lines. These structures appear to predate the previous two zoning code updates 2014 and 1991 and are considered legal non-conforming structures.

Variance Findings:

According to state law and the County code several factors are examined when approving a variance and findings related to those factors have to be made. The following are the required factors and potential findings:

- 1.) *That there are special circumstances applicable to the property, including size, shape, topography, location or surroundings, such that the strict application of this title deprives such property of privileges enjoyed by other property in the vicinity and under identical land use zoning classifications.*

The property is slightly smaller than the 6,000 square foot minimum building site at approximately 5,662 square feet. The Commission can consider the property to be constrained by the relatively small lot size and approximately 52 foot of width. The width does not meet the current standard of 60 feet, which would allow

compliance with the setback in this case.

- 2.) *That granting the variance does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and zoning classification in which such property is located.*

The project is located within an older neighborhood of Maxwell and there are numerous structures in the neighborhood that do not meet the current setbacks of the R-1-6 zone. In Exhibit "B", attached to the resolution, is a map that shows that a number of lots in this area have structures that do not meet current setback requirements. The Commission can consider these factors in determining that the variance would not constitute a special privilege.

- 3.) *That granting the variance will not adversely affect the interests of the public or the interests of residents and property owners in the vicinity of the premises in question.*

The proposed structure would be located along the side property line similar to the shed immediately to the east and not dissimilar to a number of other structures in the area. Due to the location of the existing home, the patio/deck cover would generally be screened from view. A public hearing notice was mailed to the adjacent property owners and posted in the newspaper and no objections have been received to date. The Commission can consider these factors in determining that the granting of the variance will not adversely affect the interests of the public or the interests of residents and property owners in the vicinity.

- 4.) *That granting the variance is consistent with the objectives of the General Plan and this chapter.*

As stated in the General Plan and Zoning Analysis section of this report, the granting of the variance can be considered consistent with General Policy LU 1-14 and others. Zoning code consistency will be achieved upon Variance approval.

Surrounding Land Use and Compatibility

Surrounding land uses consist of residential uses and accessory structures. Considering the nature of the Community of Maxwell and the surrounding land uses the project is considered to be compatible.

Issues and Concerns

The California Building Code has setback requirements for certain occupancy types. Considering the location and type of construction (roof only supported by two poles)

building code setbacks to the property lines do not apply. Staff conducted a site visit to the project site and noted that the proposed deck cover was within 1± foot of the previously mentioned shed building with a metal roof located to the east. Considering the type of construction, non-flammable aluminum, the proximity of the shed is not considered a health and safety issue. Staff consulted with Kenny Cohen, Maxwell Fire Chief, and discussed the project. Chief Cohen did not identify any fire safety concerns that would result from the project.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The project consists of approving a Variance eliminating the accessory building side yard setbacks to allow the construction of a metal deck cover. As such, the Variance is Categorically Exempt from CEQA pursuant to Section 15305(a), Minor Alteration to Land Use Limitations because the project consists of a Variance to side yard setback.

SUMMARY

The proposed project is to allow for a building permit to be issued for the proposed cover. Based on the analysis in the staff report, staff has prepared the attached resolution with the necessary findings that the Commission can adopt to approve the proposed Variance (PD-21-31).

RESOLUTION NO. 22-____**RESOLUTION OF THE COLUSA COUNTY PLANNING COMMISSION
ADOPTING A CATEGORICAL EXEMPTION AND APPROVING
VARIANCE (PD-21-31) FOR THE CHENEY (WILSON)**

WHEREAS, Joe Cheney (Randy Wilson) has applied for a Variance for the project described in Exhibit “A”;

WHEREAS, the County of Colusa is considered a Lead Agency under the California Environmental Quality Act (CEQA) for this proposed project and it has determined that a Categorical Exemption is appropriate pursuant to CEQA for the proposed Variance;

WHEREAS, a Notice of Public Hearing for consideration of the proposed Variance was published in accordance with all applicable requirements; and

WHEREAS, the Planning Commission held a Public Hearing regarding the proposed Environmental Documents and Variance on January 5, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Colusa County Planning Commission based on facts in the Staff Report, and the written and oral testimony, and exhibits presented at the public hearing, takes the following action:

- I. Adopts a Categorical Exemption, specifically the project is considered exempt from CEQA pursuant to Section 15305(a) Minor Alteration to Land Use Limitations because the project consists of a Variance to the side yard setbacks.
 - A. Find that the proposed Categorical Exemption is adequate and reflects the independent judgment and analysis of the County, which is the lead agency.
- II. Approves the Variance subject to the conditions of approval attached in Exhibit “B”, for the project described in Exhibit “A” and makes the following findings:
 - A. The proposed project will not impair the integrity and character of the zone in which the land lies, and that the use would not be injurious or detrimental to the health, safety and general welfare of the persons residing or working in the neighborhood, or to the general health, welfare and safety of the County.
 1. The project would not be incompatible with surrounding land uses with the incorporation of conditions identified in Agenda Report.
 2. The project is in a zoning classification conditionally, suitable for the proposed use.

3. The configuration of the parcels and/or improvement of the property will not conflict with easements, access through or use of the property.
 4. Approval of this project will not be detrimental to the public health, safety and welfare with compliance of the required conditions.
- B. The project is consistent with the Colusa County General Plan Land Use Element goals and policies for the Urban Residential (UR) land use designation.
 - C. The project is consistent with the Colusa County Zoning Ordinance Residential Single Family (R-1-8) zoning designation.
 - D. There are special circumstances applicable to the property, which cause a hardship to the owner. The property is slightly smaller than the 6,000 square foot minimum building site at approximately 5,662 square feet. The Commission can consider the property to be constrained by the relatively small lot size and approximately 52 foot of width. The width does not meet the current standard of 60 feet, which would allow compliance with the setback in this case.
 - E. The variance would not constitute a grant of special privilege inconsistent with the limitations placed upon other properties in the vicinity and zone in which the property is situated. The project site is located within the Maxwell community in an area and where many existing accessory structures do not comply with the existing zoning setbacks. As such, approval would not be a grant of a special privilege.
 - F. The granting of the variance would not adversely affect the interest of the public or the interest of residents or property owners in the vicinity. The proposed structure would be located along the side property line similar to the shed immediately to the east and not dissimilar to a number of other structures in the area. Due to the location of the existing home, the patio/deck cover would generally be screened from view.
 - G. The variance would be consistent with the objectives of the General Plan and the Zoning Ordinance. The Variance is consistent General Policy LU 1-14 and Zoning Code consistency would be achieved upon Variance approval.

PASSED AND ADOPTED this 5th day of January 5, 2022 by the following vote:

AYES:

NOES:

ABSENT:

Barry Morrell, Chair, Planning Commission

ATTEST: Greg Plucker, Secretary to the
Colusa County Planning Commission

Melissa Kitts, Deputy Clerk

APPROVED AS TO FORM

Jennifer Sutton, Sr. Deputy County Counsel

EXHIBIT "A"
CHENEY (WILSON) VARIANCE PD-21-31
COLUSA COUNTRY PLANNING COMMISSION
January 5, 2022



Project Location and Justification Map for the proposed Cheney (Wilson) Variance PD-21-31 reducing the residential accessory building side yard setback from 3 feet to 0 feet t to allow the construction of a 15 feet by 22 feet or 330 square foot patio/deck cover.

EXHIBIT "A"
CHENEY (WILSON) VARIANCE PD-21-31
COLUSA COUNTY PLANNING COMMISSION
January 5, 2022

Plot Plan

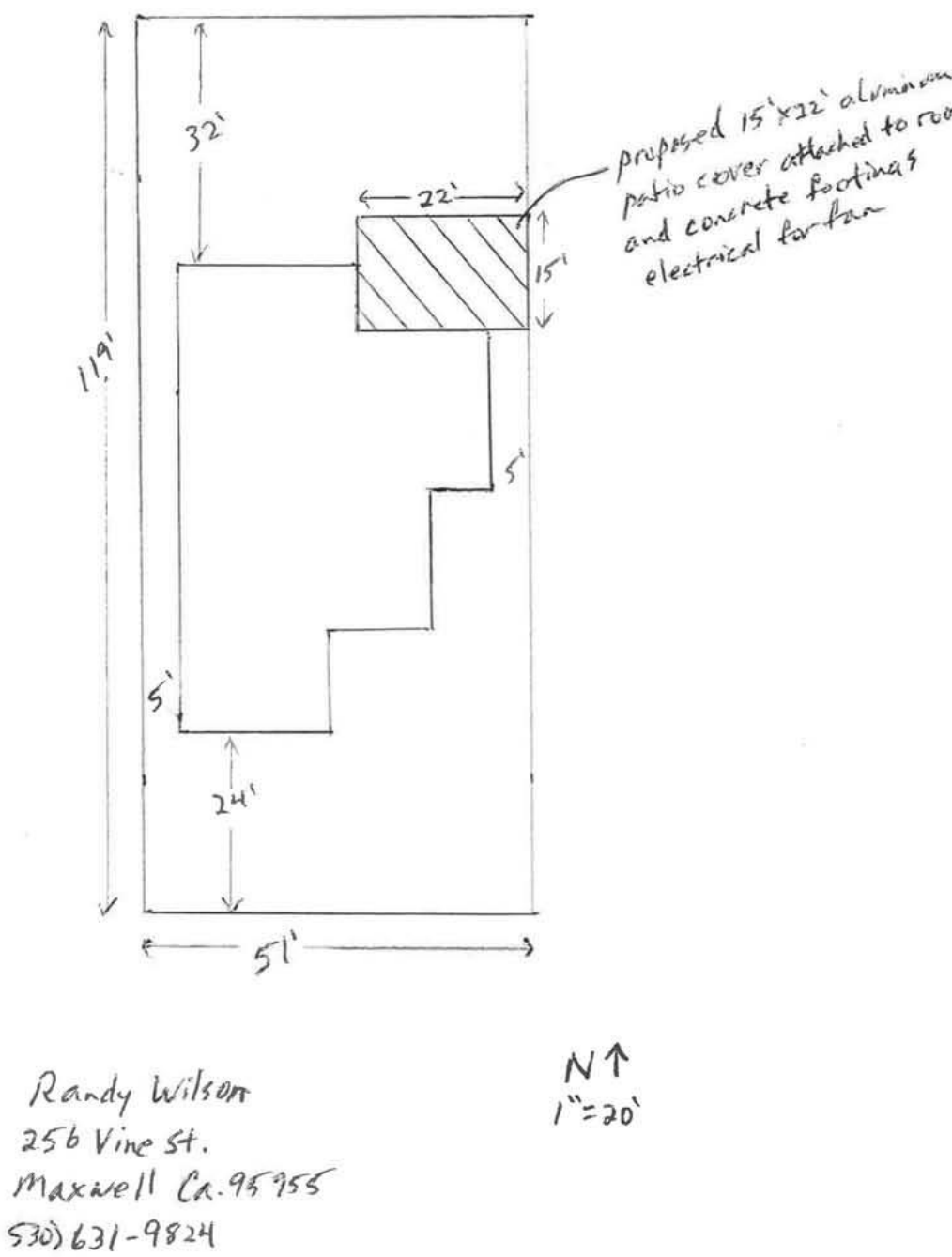


EXHIBIT "A"
CHENEY (WILSON) VARIANCE PD-21-31
COLUSA COUNTRY PLANNING COMMISSION
January 5, 2022

Picture of Proposed Patio/Deck



**EXHIBIT “B”
VARIANCE CHENEY (WILSON) PD-21-28
COLUSA COUNTY PLANNING COMMISSION
JANUARY 5, 2022**

Pursuant to the provisions of the Zoning Ordinance of the County of Colusa and the special conditions set forth below, Cheney (Wilson) is hereby granted Variance PD-21-31 in accordance with the application filed to reduce the residential accessory building setback 3 foot side yard 0 feet on APN 013-016-011 subject to all of the following Conditions of Approval:

CONDITIONS OF APPROVAL

I. General

- A. Failure to comply with the conditions specified herein as the basis for approval of application and issuance of this Variance, constitutes cause for the revocation of said Variance in accordance with the procedures set forth in the Colusa County Code Section 44-1.90.090.
- B. Unless otherwise provided for in a condition to this Variance, all conditions must be completed prior to or concurrently with the establishment of the granted use.
- C. Minor changes may be approved administratively by the Director of Community Development upon receipt of a written request by the applicant, or their respective designee. Prior to such approval, verification shall be made by the Director that the modification is consistent with the project approval and all conditions. Changes deemed to be major or significant in nature shall require a formal application or amendment.
- D. A building permit to authorize the construction of the deck cover must be obtained and all work completed within 24 months of the effective date of this variance or this permit shall become null.
- E. Prior to finalization of the deck cover building permit the Building Inspector shall make a determination if the existing deck requires an “as built” building permit.

II. Planning & Building

- A. The applicant agrees, as a condition of issuance and use of this entitlement, to indemnify and defend the County, at applicant's sole cost and expense, in any claim, action, or proceeding brought against the County after the issuance of this entitlement because of, or resulting from, any preliminary approval or actual issuance of this entitlement, or, in the alternative, to relinquish such entitlement. Applicant will reimburse the County for any damages, court costs and attorney fees which the County may be required by a court to pay as a result of such claim, action or proceeding. The County shall promptly notify the applicant of any such claim, action, or proceeding and will cooperate in its defense. The County may also, at its sole discretion, participate in the defense of any such claim, action, or proceeding but such participation shall not relieve applicant of its obligations under this condition.
- B. The applicant shall comply with all federal, state and local statutes, ordinances and regulations.
- C. All future applications for building permits shall comply with all R-1-6 zone development standards in Section 44-2.30.20
- D. This variance becomes effective on the eleventh (11th) calendar day following the Planning Commission approval unless appealed pursuant to Zoning Code Section 44-1.80.080.

LEGAL NOTICE**COUNTY OF COLUSA****NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT the Colusa County Planning Commission will conduct a Public Hearing January 5, 2022 at 9:00 a.m. in the Board of Supervisors Chambers located at 546 Jay Street, Suite 108, Colusa, CA, to consider the following:

Joe Cheney PD-21-31 – A proposed Resolution of the Planning Commission to adopt a CEQA Exemption and approve a variance to reduce the residential accessory building side yard setback from 3 feet to 0 feet. This would allow for the applicant to obtain a building permit to construct an attached patio/deck cover 15 feet by 22 feet or 330 square feet. The project site is zoned Residential Single Family (R-1-6). The project site is located at 256 Vine Street in the community of Maxwell, identified as APN 013-016-011.

The Planning Commission will consider an exemption from CEQA pursuant to Title 14, Article 19 of the California Code of Regulations and Adopt a Categorical Exemption, because the project is considered exempt from CEQA pursuant to Section 15305(a) Minor Alterations to Land Use Limitations, because the project consists of a Variance to the side yard setbacks for accessory buildings.

Documentation and information regarding the project may be obtained at the Community Development Department, 220 12th Street, Colusa, CA (530) 458-0480. If you have questions or concerns regarding this matter, or would like to submit comments you may do so to the following: Secretary to the Planning Commission, 220 12th Street, Colusa, CA (530)458-0480, or by e-mail at kjohanns@countyofcolusa.org. Additional documentation is available for review in accordance with Agenda Scheduling Deadlines at the Office of the Clerk of the Board, 547 Market Street, Ste. 102, Colusa, CA (530)458-0508. All persons are invited to attend and be heard.

If you challenge the proposed project or environmental determination in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered at, or prior to, the public hearing.

Dated: December 10, 2021

/s/ Melissa Kitts, Deputy Clerk

12/16/2021 - CCPR #2021-5369

Attachment: 01-05-22 Notice of Public Hearing - Cheney (8071 : Joe Cheney (Wilson) Variance PD-21-31)