

**CITY OF WINTERS**

**RESOLUTION NO. 92-13**

**RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF WINTERS CERTIFYING THE FINAL EIR, ADOPTING  
THE GENERAL PLAN, AND ADOPTING THE MASTER PLANS  
FOR ITS CIRCULATION, SEWER, WATER, AND DRAINAGE SYSTEMS**

WHEREAS, in March 1989, the Winters City Council appointed a nine-member Plan Advisory Committee (PAC) to develop a new General Plan to replace the existing plan, and

WHEREAS, after a series of meetings and public workshops, the PAC produced a draft General Plan in February 1990, and

WHEREAS, the Planning Commission conducted a review of the PAC plan and held numerous workshops between March and October of 1990 which extensively reviewed each element of the plan and each of the five planning areas designated in the plan, and

WHEREAS, following this review, the City Council gave planning staff and its consultants direction on policy issues in the general plan which were incorporated into a Draft General Plan, a draft environmental impact report, draft public facility master plans, and financing analysis, and

WHEREAS, between early November 1991 and January 1992, the Planning Commission and the City Council held six public hearings on these documents, and

WHEREAS, the Planning Commission and the City Council thereafter held eight joint meetings and one separate meeting each, to formulate their final recommendations for the General Plan, and

WHEREAS, the final EIR consists of the draft EIR, comments and recommendations received on the Draft EIR, a list of persons, organizations, and public agencies commenting on the draft EIR, the responses to significant environmental points raised during the public review period, and other information concerning the impacts of adopting the plan and recommended mitigations, and

WHEREAS, these recommendations have been incorporated and the Planning Commission has reviewed the Draft Final General Plan, final environmental impact report, financing plan and public facility plans for circulation, sewer, water and drainage systems dated May 8, 1992, prepared by CH2M Hill, and a financing plan prepared by Economic and Planning Systems, and,

WHEREAS, the Planning Commission held a public hearing on these documents on May 14, 1992, and



WHEREAS, the Winters Planning Commission has recommended that the City Council certify the Final EIR, and adopt the General Plan and each of the master plans and Financing Plan, and

WHEREAS, the Winters City Council held a public hearing on the final EIR, the Draft Final General Plan, and the master plans for its circulation, sewer, water, and drainage systems and Financing Plan on May 19, 1992, and

WHEREAS, at the May 19, 1992, City Council meeting, Policy VII.C.5. was revised to read as follows:

"To minimize the dependence of new developments on City fire fighting personnel and equipment, the City may require installation of built-in fire suppression equipment in all new development," and

WHEREAS, at the May 19, 1992, City Council meeting implementation Program VII.5. was revised to read as follows:

"The City may adopt requirements for built-in fire suppression equipment in all new development.

Responsibility:       City Council  
                          Planning Department  
                          Fire Protection District

Time Frame:            FY 92-93," and

NOW, THEREFORE, BE IT RESOLVED, that the Winters City Council certifies the following:

- 1) the Final EIR has been completed in compliance with CEQA and the State CEQA Guidelines, and
- 2) the Final EIR has been presented to the City Council, and the City Council has reviewed and considered the information contained in the Final EIR prior to approving the General Plan and the Master Facility Plans, and

BE IT FURTHER RESOLVED, that the City Council hereby adopts the Findings and Statement of Overriding Considerations, and the Mitigation Monitoring Program prepared for the General Plan, and

BE IT FURTHER RESOLVED, that the City Council hereby adopts the Draft Final General Plan as presented to it in final form at the public hearing on May 19, 1992, as modified by the Council with regards to its built in fire suppression equipment policy as the City's General Plan,

BE IT FURTHER RESOLVED, the City Council also approves the master plan for circulation, dated April 24, 1992, prepared by Wilbur Smith and Associates, and master plans for sewer, water, and drainage dated May 8, 1992, prepared by CH2M Hill, and the



Financing Plan dated May 8, 1992, prepared by Economic and Planning Systems and presented to the City Council in final form at the public hearing held May 19, 1992.

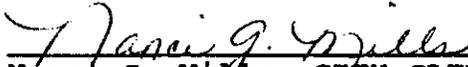
Approved and Adopted the 19th day of May, 1992. I, the undersigned, hereby certify that the foregoing Resolution Number 92-13 was adopted by the City Council following Roll Call vote:

AYES:	Curry, Fridae, Mosier, Pfanner, Mayor Chapman
NOES:	None
ABSENT:	None
ABSTAINED:	None



\_\_\_\_\_  
J. Robert Chapman, Mayor

ATTEST:

  
\_\_\_\_\_  
Nanci G. Mills, CITY CLERK



City of Winters

Resolution 92-13A

RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF WINTERS CERTIFYING THE FINAL EIR AND ADOPTING  
THE GENERAL PLAN, PUBLIC FACILITY MASTER PLANS  
FOR CIRCULATION, SEWER, WATER, AND DRAINAGE SYSTEMS,  
AND THE FINANCING PLAN

WHEREAS, on May 19, 1992, the Winters City Council certified the Final EIR, adopted the Mitigation Monitoring Program and Statement of Overriding Considerations for the City General Plan and related plans and studies, adopted the General Plan and master plans for circulation, sewer, water, and drainage systems, and adopted the Financing Plan, and

WHEREAS, an incomplete copy of the proposed resolution certifying and adopting these documents was inadvertently included in the City Council's hearing package, and

WHEREAS, the City Council wishes to correct this clerical error,

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby adopts this Resolution as an amended version of Resolution 92-13, and states that the amended resolution (Resolution 92-13A) correctly describes the City Council's actions taken on May 19, 1992, and

WHEREAS, in March 1989, the Winters City Council appointed a nine-member Plan Advisory Committee (PAC) to develop a new General Plan to replace the existing plan, and

WHEREAS, after a series of meetings and public workshops, the PAC produced a draft General Plan in February 1990, and

WHEREAS, the Planning Commission conducted a review of the PAC plan and held numerous workshops between March and October of 1990, during which the Planning Commission extensively reviewed each element of the plan, and

WHEREAS, following this review, the City Council gave planning staff and its consultants direction on policy issues in the general plan which were incorporated into a Draft General Plan, a Draft Environmental Impact Report, draft public facility master plans for circulation, water, sewer and storm drainage systems, and a Draft Financing Plan, and

WHEREAS, between early November 1991 and January 1992, the Planning Commission and the City Council held six public hearings on these documents, and



WHEREAS, the Planning Commission and the City Council thereafter held eight joint meetings and one separate meeting each, to formulate their final recommendations for the General Plan, and

WHEREAS, the Final EIR consists of the Draft EIR, comments and recommendations received on the Draft EIR, a list of the persons, organizations, and public agencies commenting on the Draft EIR, responses to significant environmental points raised during the public review period, and other information concerning the impacts of adopting the General Plan, the public facility master plans, and the Financing Plan, and recommended mitigations, and

WHEREAS, the City staff has independently reviewed, evaluated and participated in drafting the Draft and Final EIRs, and

WHEREAS, the Final Draft General Plan consists of a Policy Document, which includes goals, policies, and implementation programs, and a Background Report, which contains data and analysis for each element of the plan, and

WHEREAS, the Planning Commission held a public hearing on May 14, 1992, and reviewed the Final Draft General Plan, Final Draft Circulation Master Plan, the Final Draft Water System Master Plan, the Final Draft Sewer System Master Plan, the Final Draft Storm Drainage Master Plan, the Financing Plan, and the Final EIR, each dated May 8, 1992, and

WHEREAS, the City Council has reviewed the Draft Final General Plan, the Final EIR, final draft public facility master plans for circulation, water, sewer, and storm drainage systems, and the Financing Plan, and

WHEREAS, the City Council held a public hearing on these documents on May 19, 1992, and

WHEREAS, at the May 19, 1992, City Council meeting, Policy VII.C.5. was revised to read as follows:

"To minimize the dependence of new developments on City firefighting personnel and equipment, the City may require installation of built-in fire suppression equipment in all new development," and

WHEREAS, at the May 19, 1992, City Council meeting, Implementation Program VII.5. was revised to read as follows:

"The City may adopt requirements for built-in fire suppression equipment in all new development.



Responsibility: City Council  
 Planning Department  
 Fire Protection District

Time Frame: FY 92-93," and

WHEREAS, the City Council considers these documents to have been prepared in compliance with State law and to be complete and adequate,

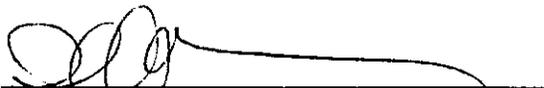
NOW, THEREFORE, BE IT RESOLVED, that the Winters City Council certifies the following:

- 1) the Final EIR has been completed in compliance with CEQA and the State CEQA Guidelines, and
- 2) the Final EIR has been presented to the City Council, and the City Council has reviewed and considered the information contained in the Final EIR prior to approving the General Plan, public facility master plans, and Financing Plan, and
- 3) The Final EIR reflects the independent judgment of the City of Winters, and

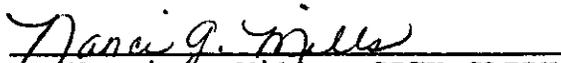
BE IT FURTHER RESOLVED, that the City Council hereby adopts the Findings, the Mitigation Monitoring Program, and the Statement of Overriding Considerations, attached as Exhibits A, B, and C, as modified by the Council with regard to its built-in fire suppression equipment policy, and

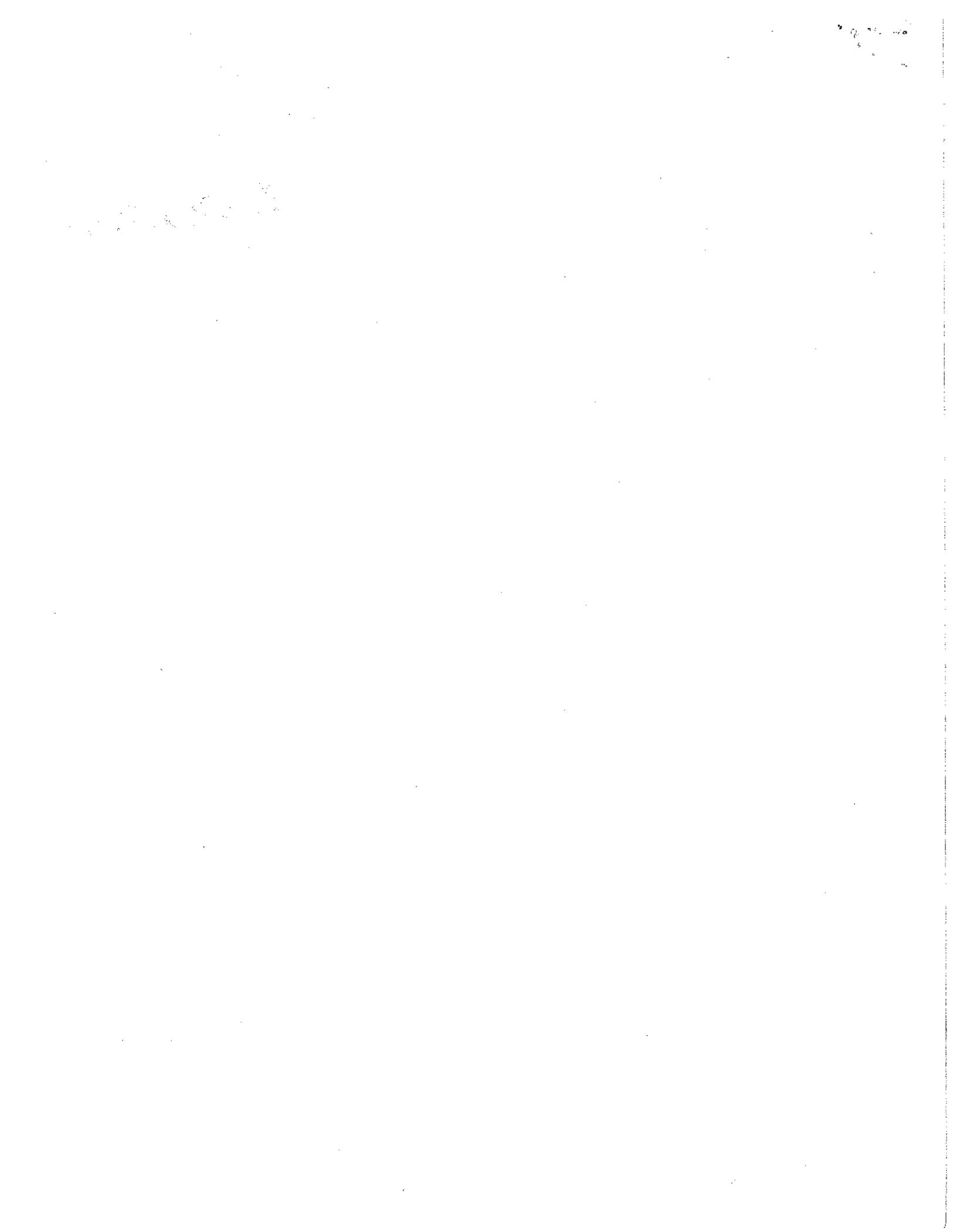
BE IT FURTHER RESOLVED, that the City Council hereby adopts the Draft Final General Plan presented to the City Council at the public hearing on May 19, 1992, as modified by the Council with regard to its built-in fire suppression equipment policy, as the City's General Plan, and

BE IT FURTHER RESOLVED, the City Council also adopts the Circulation Master Plan, the Water System Master Plan, the Sewer System Master Plan, the Storm Drainage Master Plan, and the Financing Plan as presented to the City Council in final form at the public hearing on May 19, 1992.

  
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 J. Robert Chapman, MAYOR

ATTEST:  
 9205.4.3

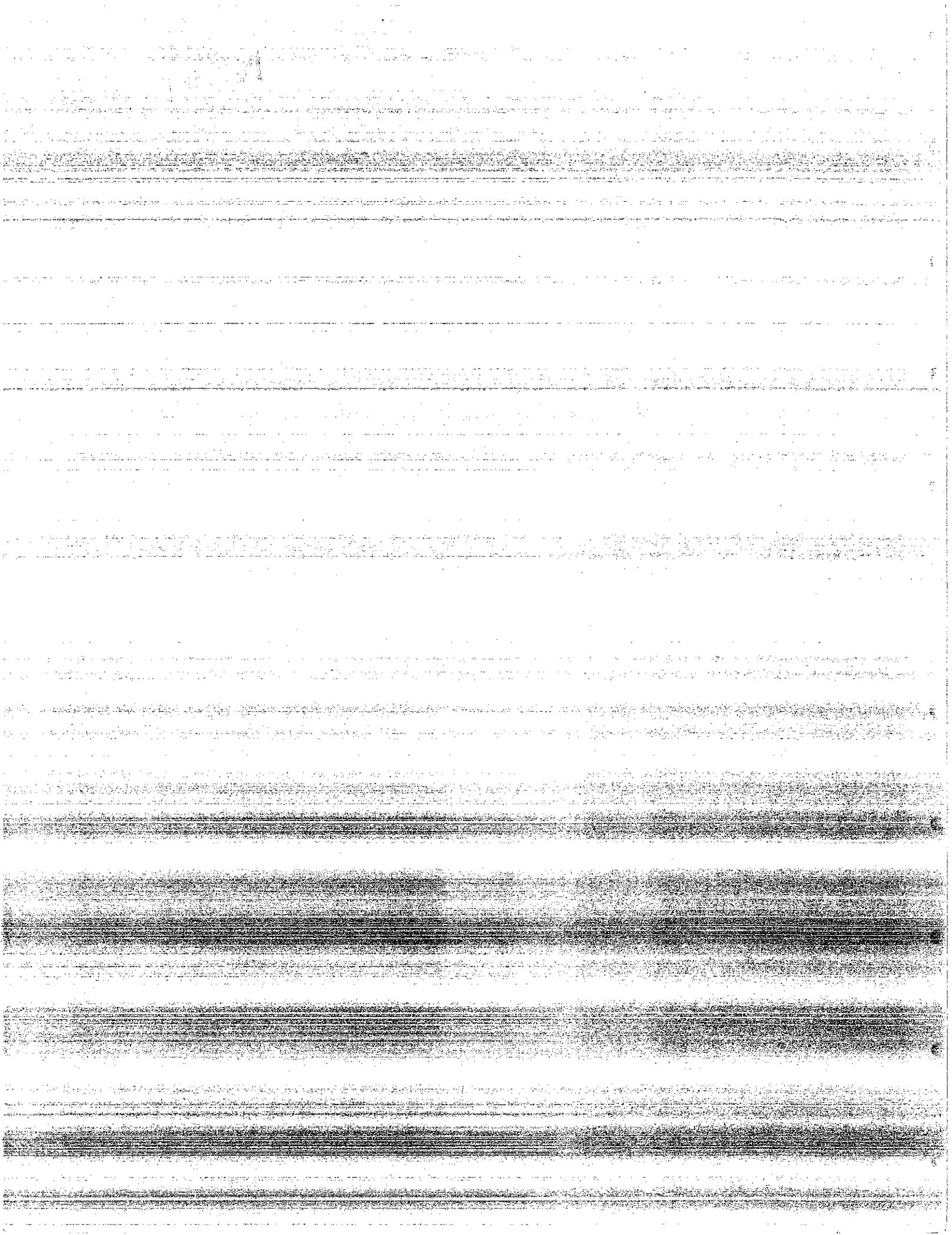
  
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 Nanci G. Mills, CITY CLERK



**TSCHUDIN**

**EXHIBITS A, B, C**

**RESOLUTION 92-13**



**CITY OF WINTERS**  
**GENERAL PLAN,**  
**PUBLIC FACILITY MASTER PLANS FOR**  
**CIRCULATION, SEWER, WATER AND DRAINAGE SYSTEMS,**  
**AND FINANCING PLAN**

**CEQA**

**CANDIDATE FINDINGS**

**IN ACCORDANCE WITH SECTION 21081**

**OF THE**

**CALIFORNIA ENVIRONMENTAL QUALITY**

**ACT**

**AND SECTION 15091 OF TITLE 14 OF THE**

**CALIFORNIA CODE OF REGULATIONS**

**RESOLUTION 92-13**

**EXHIBIT A**

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TABLE OF CONTENTS

	<u>Page</u>
I. <u>INTRODUCTION</u> . . . . .	1
II. <u>PROJECT DESCRIPTION</u> . . . . .	3
III. <u>DISCRETIONARY ACTIONS</u> . . . . .	5
IV. <u>THE ADMINISTRATIVE RECORD</u> . . . . .	5
V. <u>TERMINOLOGY</u> . . . . .	6
VI. <u>LEGAL EFFECT OF FINDINGS</u> . . . . .	7
VII. <u>MONITORING PROGRAM</u> . . . . .	8
VIII. <u>POTENTIALLY SIGNIFICANT AND SIGNIFICANT EFFECTS AND PROJECT COMPONENTS AND MITIGATION MEASURES.</u> . . . . .	8
IX. <u>FINDINGS</u> . . . . .	9
A. <u>POTENTIALLY SIGNIFICANT IMPACTS WHICH ARE             AVOIDED BY PROJECT COMPONENTS OR MITIGATED TO             INSIGNIFICANCE: PUBLIC RESOURCES CODE SECTION             21081(a)).</u> . . . . .	9
1. <u>LAND USE AND HOUSING.</u> . . . . .	9
a.    Pattern of Development. . . . .	9
b.    Population Increase. . . . .	11
c.    Housing Density. . . . .	14
d.    Housing Mixture and Affordability. . . . .	15
e.    Urban Form. . . . .	22
f.    Town Character. . . . .	23
g.    Consistency with Yolo County General Plan. . . . .	25
2. <u>TRANSPORTATION AND CIRCULATION.</u> . . . . .	30
3. <u>INFRASTRUCTURE SERVICES AND FACILITIES.</u> . . . . .	34
a.    Water Supply System. . . . .	34
(1) Groundwater Supply. . . . .	34

	(2) Firefighting Water Needs. . . . .	37
b.	Wastewater Treatment. . . . .	39
c.	Storm Drainage. . . . .	40
d.	Solid Waste. . . . .	44
4.	<u>EMERGENCY FACILITIES AND SERVICES.</u> . . . . .	45
a.	Fire Protection. . . . .	45
b.	Police Services. . . . .	46
5.	<u>OTHER FACILITIES AND SERVICES.</u> . . . . .	48
a.	Parks and Recreation. . . . .	48
b.	Schools. . . . .	51
c.	Public Utilities (Gas, Electricity and Telephone). . . . .	53
6.	<u>BIOTIC CONSIDERATIONS.</u> . . . . .	54
a.	Vegetation. . . . .	54
b.	Wetlands. . . . .	59
c.	Non-Special Status Wildlife. . . . .	65
d.	Special Status Taxa (other than Swainson's Hawk). . . . .	65
7.	<u>GEOLOGY, SOILS, SEISMICITY AND HYDROLOGY.</u> . . . .	67
a.	Geology, Soils, and Seismicity. . . . .	67
b.	Hydrology. . . . .	69
8.	<u>NOISE CONSIDERATIONS.</u> . . . . .	69
a.	Exposure of New Development to Excessive Noise Levels. . . . .	69
b.	Exposure of Existing Development to Increased Noise Levels. . . . .	73

9.	<u>AIR QUALITY</u> . . . . .	76
a.	Air Quality Effects of Construction. . . . .	76
b.	Agricultural/Residential Air Quality Conflicts. . . . .	77
c.	Local Air Quality Impacts from Increased Traffic: Carbon Monoxide . . . . .	78
10.	<u>OTHER CONSIDERATIONS</u> . . . . .	82
a.	Visual Considerations. . . . .	82
b.	Light and Glare Considerations. . . . .	85
c.	Constraints on Agriculture Due to the Incompatible Land Use. . . . .	85
d.	Cultural Resources/Archaeology. . . . .	86
B.	PUBLIC RESOURCES CODE SECTION 21081(b). . . . .	88
C.	POTENTIALLY SIGNIFICANT IMPACTS WHICH CANNOT BE AVOIDED BY PROJECT COMPONENTS OR MITIGATED TO INSIGNIFICANCE: PUBLIC RESOURCES CODE SECTION 21081(b). . . . .	89
1.	<u>The Infeasibility of Proposed Mitigation Measures</u> . . . . .	89
a.	BIOTICS: Impacts to Swainson's Hawk. . . . .	89
b.	BIOTICS: Cumulative Loss of Special Status Taxa Habitat. . . . .	92
c.	AIR QUALITY: Regional Air Quality Impacts from Increased Traffic . . . . .	93
d.	OTHER CONSIDERATIONS: Conversion of Agricultural Land. . . . .	97
e.	WATER QUALITY: Urban Runoff Impacts on Dry Creek and Putah Creek. . . . .	100

2. **The Infeasibility of Project Alternatives Other Than the General Plan Alternative I. . . . . 102**

a. **Alternative II: Modified GP Alternative. . . . . 103**

b. **Alternative III: North Area Specific Plan/Existing General Plan Alternative. . . . . 103**

c. **Alternative IV: No Project/Existing General Plan Alternative. . . . . 104**

d. **Alternative V: Reduced Density Plan. . . . . 105**

e. **Alternative VI: Compact Development Plan. . . . . 106**

## I. INTRODUCTION

It is the policy of the State of California that a "project" shall not be approved if it would result in a significant environmental impact if feasible mitigation measures or feasible alternatives can avoid or substantially lessen the impact. Only when there are specific economic, social, or other considerations which make it infeasible to substantially lessen an impact can a project with significant impacts be approved.

Therefore, when an environmental impact report (EIR) has been completed which identifies one or more potentially significant environmental impacts, the approving agency must make one or more of the following findings for each identified significant impact:

1. Changes or alternatives which avoid or substantially lessen the significant environmental effects as identified in the FEIR have been required or incorporated into the project, or
2. Such changes or alternatives are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency, or
3. Specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the FEIR.

(Public Resources Code Section 21081.)

This "Project" is the revision of the City of Winters' General Plan, which includes various policies and programs, and adoption of four infrastructure master plans, a financing plan and a development impact fee study, to guide the city in its growth over the next twenty years.

The existing general plan, adopted in 1985 and updated in 1986 contemplated a population of between 13,000 and 15,000 by the year 2000. The current revision of the general plan was prompted by dramatic growth during the 1986-1988 period and by submission in 1988 of a specific plan application for 886 acres of land in the north part of Winters. After lengthy discussion of the North Area Specific Plan and its potential implications for the city, the City Council decided a comprehensive review of its General Plan was warranted.

Accordingly, in February 1989, the Council instituted a moratorium by approving an Interim Control Ordinance to "study land use, City service capability, factors which are affected by specific projects, and factors which are affected by the cumulative

effects of the many projects contemplated."

To provide for citizen input into the process of revising the general plan, the City Council in March 1989 appointed a nine-member Plan Advisory Committee (PAC) to develop a new Draft General Plan. After 18 meetings between May 1989 and February 1990, the PAC published a Draft General Plan in February 1990. The Draft General Plan included all state-mandated elements, except for a noise element, and covered approximately 3.10 square miles, including the territory in the North Area Specific Plan.

In 1989, a citizen initiative qualified for and was voted on in the November election. The initiative would have done the following: set a population limit (8,000 people by the year 2000, and 11,000 by the year 2010); required new development to fund complete incremental costs of public facilities and establish certain public service standards; preserved the character of Winters' retail/commercial area; protected the ecology of Putah and Dry Creek and developed recreation potentials thereon; and promoted local commercial and industrial activity and design variety. In the November 1989 election, the initiative failed.

During March and April 1990, the Planning Commission conducted a preliminary review of the PAC plan. Between April and October 1990, the Planning Commission held 11 workshops during which the Commission extensively reviewed each element of the plan and each of the five planning areas designated in the plan. In October of 1990, the City made available to the public for review a document entitled, "An Assessment of General Plan Alternatives," to provide a basis for the City Council to develop a preferred alternative for the project.

Following conclusion of the Planning Commission's review, City staff and consultants sought City Council direction on several key policy issues. Having secured this policy direction in February and March 1991, City staff and consultants began redrafting the proposed General Plan.

As the Lead Agency, the City determined that an EIR was required for this Project and issued a Notice of Preparation on July 22, 1991, to the state Clearinghouse and to various public agencies (including county, state and federal agencies), organizations and individuals. The City determined the EIR should address the general environmental impacts associated with the General Plan and the four public facility master plans, financing plan and development impact fee study associated with the general plan (the GP Project or Project).

The environmental documentation for the GP Project contemplated that buildout under the plans would occur in stages, each stage with its own environmental review pursuant to CEQA. The "first tier" is the Final General Plan EIR, the subject of

these findings, which analyzes the possible environmental consequences of implementing the general plan, four public facility master plans, a financing plan, and a fee study. The second tier of the process will be the environmental review of each specific project proposed in, or pursuant to, the General Plan, the master plans, the financing plan or the development impact fee study. This level of review generally will be accomplished through a site-specific project EIR or negative declaration which may incorporate all or part of the Final General Plan EIR. Together these two tiers are intended to carry out the City's obligation under CEQA and the State's CEQA Guidelines.

Public review drafts of the General Plan, Circulation Master Plan, Water System Master Plan, Sewer System Master Plan, and Storm Drainage Master Plan, along with a draft environmental impact report, were released for public review on October 22, 1991. The Draft Financing Plan and Draft Development Impact Fee Study were also released for public review. The Draft EIR was circulated for over 45 days for public comment.

Between early November 1991 and early January 1992, the City Council and Planning Commission held six public hearings on the Draft General Plan, Draft General Plan EIR, and related General Plan documents. During late January and February 1992, the City Council and Planning Commission met jointly eight times and separately once to formulate their recommendations for the final General Plan.

Based on the direction of the Planning Commission and City Council, City Staff and Consultants prepared the General Plan, final environmental impact report, dated May 1992 (the Final EIR or FEIR), and the related General Plan documents for final review and adoption. The Final EIR consists of two volumes: the Draft EIR (October 1991) and the Final EIR (May 1992). Although not required by CEQA, the Final EIR was also made available to the public for 11 days prior to City Council certification of the Final EIR.

After final hearings and review by the City Council and Planning Commission, the City Council certified the Final EIR and adopted the General Plan, Circulation Master Plan, Water System Master Plan, Sewer System Master Plan, and Storm Drainage Master Plan, Financing Plan, and Development Impact Fee Study on May 19, 1992.

The following Findings are made by the City relative to the conclusions of the Final Environmental Impact Report for the General Plan for the City of Winters.

## **II. PROJECT DESCRIPTION**

The General Plan is a comprehensive statement of the City's long-term goals for physical development and community

characteristics of Winters. The General Plan is a extensive revision and update of the eight elements of the existing General Plan, last revised in 1986. The General Plan consists of the General Plan Background Report and the General Plan Policy Document. The General Plan includes goals, policies and implementation programs under nine section headings (which encompass the seven elements required by state law in a general plan): Land Use, Housing, Transportation and Circulation, Public Facilities and Services, Recreational and Cultural Facilities, Natural Resources, Health and Safety, Community Design, and Administration and Implementation. Associated with the General Plan are four master plans for expansion of and improvements to the City's systems for traffic circulation, water supply, storm drainage and wastewater, and a financing plan and development impact fee study. The General Plan, the four master plans, the financing plan and the development fee study are collectively termed "the GP Project" or the "Project."

The General Plan would enable the City to expand in land area and population. The Plan's land use element anticipates the development of approximately 3,000 additional dwelling units by the year 2010, to accommodate a total city-wide population of about 12,500 persons at that time. The General Plan addresses a total planning area of approximately 1,980 acres, including the existing city. The areas of the City which the General Plan designates for new development are located primarily to the north of the currently developed area of the City, and to a lesser extent to the east and west. The General Plan anticipates annexation of approximately 500 acres of land currently in the City of Winters' Sphere of Influence (SOI) approved by Yolo County Local Agency Formation Commission (LAFCo) in 1986. Annexation must be approved by Yolo County LAFCo. The population is to be located within the Urban Limit Line (ULL).

The Circulation Master Plan consists of an evaluation of circulation needs and recommendations for a future roadway system based on an advanced traffic model. The Water Master Plan consists of an evaluation of the existing and future water supply needs and recommendations for an improved delivery system, for both existing and future uses. The Storm Drainage Master Plan recommends features to serve both as a regional flood control project, and to control drainage from new development which has been defined in the General Plan, as well as additional study which is needed before development in certain areas can occur. The Sewer System Master Plan recommends a combination of upgrades and repairs to the existing network, and new treatment facilities and collection system extensions (subject to further environmental review). The Financing Plan presents mechanisms for financing the facilities and services that Winters will need for development contemplated by and planned for in the General Plan. The Development Fee Study determines the amount of fees to be charged on new development in order to cover the costs of capital facilities that have been

allocated to new development.

### **III. DISCRETIONARY ACTIONS**

The discretionary actions for the proposed project involve the following approvals by the City Council of the City of Winters:

- General Plan, consisting of the General Plan Background Report (May 1992) and General Plan Policy Document (May 1992)
- Circulation Master Plan (May 1992)
- Water System Master Plan (May 1992)
- Sewer System Master Plan (May 1992)
- Storm Drainage Master Plan (May 1992)
- Financing Plan (May 1992)
- Development Impact Fee Study (May 1992)

These Findings are made by the City Council pursuant to Section 21081 of the California Public Resources Code, and Section 15091 of the California Code of Regulations, title 14. Discretionary projects undertaken pursuant to the general plan will require separate environmental review. The City is also adopting a "statement of overriding consideration" pursuant to Section 15093 of the California Code of Regulations, title 14. This statement is attached as Exhibit C to Resolution 92-13.

### **IV. THE ADMINISTRATIVE RECORD**

For purposes of the CEQA and the findings hereinafter set forth, the administrative record of the City shall include the following:

- Draft Environmental Impact Report (Draft EIR or DEIR) (October, 1991) and Final Environmental Impact Report (Final EIR or FEIR) (May 1992);
- Draft General Plan, consisting of the draft General Plan Background Report and the draft General Plan Policy Document (October, 1991) and Final General Plan, consisting of the Final General Plan Background Report and the Final General Plan Policy Document (May 1992);
- Draft Circulation Master Plan (October, 1991) and Final Circulation Master Plan (May 1992);

- Draft Water System Master Plan (October, 1991) and Final Water System Master Plan (May 1992);
- Draft Sewer System Master Plan (October, 1991) and Final Sewer System Master Plan (May 1992);
- Draft Storm Drainage Master Plan (October, 1991) and Final Storm Drainage Master Plan (May 1992);
- Draft Financing Plan (October, 1991) and Final Financing Plan (May 1992);
- Draft Development Impact Fee Study (October, 1991) and Final Development Impact Fee Study (May 1992);
- An Assessment of General Plan Alternatives (October 1990);
- All non-privileged reports and memoranda prepared by staff and consultants;
- All documents submitted by members of the public, and interested agencies in connection with the EIRs and the Project generally;
- Any documents embodying the City's action on the Project, including staff reports and resolutions and the minutes of public hearings, meetings and workshops on the Project; and
- These findings and statement of overriding considerations adopted in connection with the Project.

#### V. TERMINOLOGY

Section 15091 of the CEQA Guidelines (Cal. Code of Regulations, tit. 14) requires that, for each significant environmental effect identified in an EIR for a proposed project, the approving agency must issue a written finding reaching one or more of three allowable conclusions. The first is that "[c]hanges or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR." (Emphasis added.) The second potential finding is that "[s]uch changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency." The third permissible conclusion is that "[s]pecific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR."

As regards the first of the three potential findings, the CEQA Guidelines do not define the difference between "avoiding" a

significant environmental effect and merely "substantially lessening" such an effect. The meaning of these terms therefore must be gleaned from the other contexts in which they are used. Public Resources Code section 21081, on which CEQA Guidelines section 15091 is based, uses the term "mitigate" rather than "substantially lessen." The CEQA Guidelines therefore equate "mitigating" with "substantially lessening." Such an understanding of the statutory term is consistent with Public Resources Code section 21002, which declares the Legislature's policy disfavoring the approval of projects with significant environmental effects where there are feasible mitigation measures or alternatives that could "avoid or substantially lessen" such significant effects.

For purposes of these findings, the term "avoid" will refer to the effectiveness of one or more of the mitigation measures or alternatives in reducing an otherwise significant environmental effect to a less than significant level. In contrast, the term "substantially lessen" will refer to the effectiveness of such measures or alternatives to substantially reduce the severity of a significant environmental effect, but not to reduce that effect to a level of insignificance. Although CEQA Guidelines section 15091 requires only that approving agencies specify that a particular significant effect is "avoid[ed] or substantially lessen[ed]," these findings, for purposes of clarity, in each case will specify whether the effect in question has been fully avoided (and thus reduced to a level of insignificance) or has simply been substantially lessened (and thus remains significant).

Although section 15091, read literally, does not require findings to address environmental effects that an EIR identifies as merely "potentially significant," these findings will nevertheless fully account for all such effects identified in the EIR for the GP Project.

The term "project components" means the policies and programs contained in the General Plan and includes the four public facility master plans, the financing plan, and the fee study.

## **VI. LEGAL EFFECT OF FINDINGS**

Many of the general plan project components as well as the mitigation measures adopted below that will avoid or substantially lessen the environmental effects, will not actually be implemented until a precise plan for a subsequent development is approved. All of the mitigation measures and project components which avoid or substantially lessen the significant effects of the general plan project discussed herein, however, are binding on the City, affected landowners, and their assigns or successors in interest at the time of approval of the Project.

To the extent that these findings conclude that mitigation measures and the project components avoid or substantially lessen

identified significant or potentially significant environmental effects, are feasible and have not been modified, superseded, or withdrawn, the City hereby binds itself to require implementation of those mitigation measures and project components on any subsequent projects. These findings, in other words, are not merely informational or hortatory, but constitute obligations that will bind the City when implementing the General Plan.

#### **VII. MONITORING PROGRAM**

As required by Public Resources Code section 21081.6, the City, in adopting these findings, also adopts a monitoring and reporting program designed to ensure that, during implementation of the General Plan, the City, private developers, and any other responsible parties, implement the project components that avoid the significant impacts. That final monitoring program is attached as Exhibit B to Resolution 92-13.

#### **VIII. POTENTIALLY SIGNIFICANT AND SIGNIFICANT EFFECTS AND PROJECT COMPONENTS AND MITIGATION MEASURES.**

The EIR sets forth environmental effects of the Project that would be potentially significant or significant in the absence of mitigation measures or project components (those policies and programs to implement the policies, including master plans, financing plan and fee study) of the general plan. These effects (or impacts) are set forth below, along with those project components and the mitigation measures adopted, that will avoid those potentially significant or significant effects. Also set forth are certain significant effects that cannot be substantially lessened or avoided even with the adoption of all feasible mitigation measures proposed in the Draft and Final EIRs. In adopting these findings, the City also adopts a statement of overriding considerations setting forth the economic, social and other benefits of the Project that will render that significant effect acceptable. That Statement of Overriding Considerations is found attached as Exhibit C to Resolution 92-13.

Many commentators on the DEIR suggested additional mitigation measures or policies be included as a component of the General Plan for impacts that the DEIR concluded were less than significant. The City is not required to adopt mitigation measures or adopt policies as part of the General Plan for impacts that are less than significant.

## **IX. FINDINGS**

### **A. POTENTIALLY SIGNIFICANT IMPACTS WHICH ARE AVOIDED BY PROJECT COMPONENTS OR MITIGATED TO INSIGNIFICANCE: PUBLIC RESOURCES CODE SECTION 21081(a)).**

The EIR sets forth environmental effects of the Project that would be potentially significant or significant in the absence of mitigation measures. These effects (or impacts) are set forth below, along with any mitigation measures adopted that will avoid those potentially significant or significant effects. Also set forth below are the project components (the policies and programs that are necessary to implement the policies, including the master plans, financing plan and fee study), which will avoid those potentially significant or significant effect. Finally, also set forth are certain significant effects that cannot be substantially lessened or avoided even with the adoption of all feasible mitigation measures proposed in the Draft and Final EIRs. In adopting these findings, the City also adopts a statement of overriding considerations setting forth the economic, social and other benefits of the Project that will render those significant effects acceptable. That Statement of Overriding Considerations is found attached as Exhibit C to Resolution 92-13.

#### **1. LAND USE AND HOUSING.**

##### **a. Pattern of Development**

**Potentially Significant Impact:** Development which occurs in an irregular, discontinuous pattern, and which requires the extension of services, such as water, sewer, schools or police and fire protection to areas not adjacent to the City would result in impacts on the appearance and function of the community.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Policy I.A.2.** The City shall designate an Urban Limit Line delineating the area to be urbanized within the time frame of the General Plan and designed to accommodate a population of 12,500 by the year 2010.

**Policy I.A.4.** The City shall link the rate of growth in Winters to the provision of adequate services and infrastructure, including schools. To this end, the City shall prepare and adopt a program to ensure that growth occurs in an orderly fashion and in pace with the expansion of public facilities and services.

Program I.1. The City shall request the Yolo County LAFCO to adopt a revised sphere of influence for Winters based on the City's long-term growth plans as reflected in the General Plan.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which also avoid the significant impact:

Policy I.A.1. The City shall seek to preserve Winters' traditional small-town qualities and agricultural heritage, while increasing its residential and employment base.

Policy I.A.5. The City shall not approve new development unless the capacity of needed public services and facilities, including school facilities, is sufficient to accommodate that new development or a mechanism that ensures the needed facilities will be available in a timely fashion is in place.

Policy I.A.6. The City shall promote the development of employment uses that improve the city's current jobs-housing imbalance.

Policy I.A.7. The City shall ensure its designation of land uses and approval of development projects do not hinder efforts to maintain a positive fiscal balance for the City.

Policy I.A.9. The City shall designate land adjacent to the Urban Limit Line in the northwest part of Winters as Urban Study Area for future consideration of incorporated development. (See Figure II-2 of the General Plan Policy Document.)

Policy I.A.11. The City will strenuously oppose any new unincorporated highway-related commercial or urban development in Yolo or Solano County, with the exception of agricultural industrial uses, within one mile of the City's Urban Limit Line.

Policy I.E.2. The City shall work with the private sector to promote job creation and a better jobs/housing balance.

Policy IV.J.1. Public facilities, such as utility substations, water storage or treatment plants, pumping stations, and sewer treatment

plants, shall be located, designed, and maintained so that noise, light, glare, or odors associated with these facilities will not adversely affect nearby land uses. Building and landscaping materials that make these facilities compatible with neighboring properties shall be used.

Policy IV.J.2. Utility company rights-of-way shall be considered for use as public or private open space, trails, parkland, or other compatible recreational uses.

Policy IV.J.3. The City shall require all new electrical and communication lines to be installed underground. The City shall actively promote the undergrounding of existing overhead facilities.

Program I.3. The City shall establish and maintain a program to monitor residential and non-residential development

Program I.4 The City shall prepare and adopt a program to ensure that growth occurs in an orderly fashion and in pace with the expansion of public facilities and services. This program may include a growth-phasing plan, establishment of assessment districts, community facility districts, or other mechanisms.

Program I.8. The City shall develop an economic development plan to identify and implement strategies to attract new commercial development and industry to Winters

**Explanation:** The General Plan designates land area for new urban development within an Urban Limit Line consistent with the existing Winters Sphere of Influence established by the Yolo County LAFCO. Land uses and permitted densities are established in order to accommodate an expansion of the population to 12,500 persons by the year 2010. The General Plan incorporates goals and policies which limit approval of development proposals to those which promote orderly, compact and efficient growth and utilization of public services and infrastructure. The potential impact of discontinuous development and wasteful extensions of urban infrastructure and services would be avoided.

**b. Population Increase**

**Significant Effect:** A substantial increase in population growth

with the existing public services and infrastructure of the City would have a significant impact on the quality of life. Without orderly balanced growth, a population increase could outpace the ability of the city to provide the necessary facilities and services.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Land Use Diagram** The Land Use Diagram has designated land use and density which will result in an additional 3110 dwelling units. According to the density formula, the total population in these units plus existing population will be 12,669 persons.

**Policy I.A.4.** The City shall link the rate of growth in Winters to the provision of adequate services and infrastructure, including schools. To this end, the City shall prepare and adopt a program to ensure that growth occurs in an orderly fashion and in pace with the expansion of public facilities and services.

**Policy I.A.5.** The City shall not approve new development unless the capacity of needed public services and facilities, including school facilities, is sufficient to accommodate that new development or a mechanism that ensures the needed facilities will be available in a timely fashion is in place.

**Policy I.A.7.** The City shall ensure its designation of land uses and approval of development projects do not hinder efforts to maintain a positive fiscal balance for the City.

**Program I.4.** The City shall prepare and adopt a program to ensure that growth occurs in an orderly fashion and in pace with the expansion of public facilities and services. This program may include a growth-phasing plan, establishment of assessment districts, community facility districts, or other mechanisms.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which also avoid the significant impact:

**Policy I.A.2.**

The City shall designate an Urban Limit Line delineating the area to be urbanized within the time frame of the General Plan and designed to accommodate a population of 12,500 by the year 2010.

**Policy IV.A.1.**

The City shall ensure, insofar as possible, that public facilities and services are developed and operational as they are needed to serve new development.

**Policy IV.A.2.**

The City shall regularly monitor current levels of service in Winters' public facilities and services.

**Policy IV.A.3.**

The City shall ensure through capital facility planning and budgeting and through review of private development projects that City-adopted level of service standards are maintained.

**Policy IV.A.4.**

The City shall ensure through a combination of development fees and other funding mechanisms that new development pays its fair share of the costs of developing new facilities and services. The City at its sole discretion may allow developers to construct needed improvements according to City specification in lieu of paying development fees for such improvements.

**Policy IV.A.5.**

The City shall ensure thorough a combination of assessment districts, utility user taxes, and other funding mechanisms that adequate funding is available for the improvement, operation, and maintenance of public facilities and services.

**Program IV.1.**

The City shall prepare, adopt, and periodically review and revise a *Level of Service Plan* for all public improvements and services, including but not limited to, the following: traffic, sewer, water, drainage, police, and fire.

**Program IV.2.**

The City shall regularly monitor current levels of services in Winters' public facilities and services based on the *Level of Service Plan*.

**Policy II.D.2.**

The City shall ensure that new residential development pays its share in financing public facilities and services.

Policy II.D.3. In allocating remaining sewer capacity, the City shall ensure that its allocation scheme does not constrain the development of housing for very-low- and low-income households.

**Explanation:** The General Plan Land Use Diagram will allow a population of 12,669, close to the planned limit of 12,500 at buildout. The General Plan also enables a population growth rate which is consistent with Winters' past growth, and incorporates policies which will limit actual growth to the provision of adequate facilities and services. An additional policy requires the City to ensure that its designation of land uses and approval of development projects do not hinder efforts to maintain a positive fiscal balance with regard to infrastructure and public services. The potential impact of a population increase out-pacing the ability of the City to provide essential facilities and services would be avoided.

c. Housing Density.

**Significant Effect:** The General Plan designates land areas for development to occur at a variety of densities, including large areas at relatively very low density, the latter of which are difficult to efficiently serve with public facilities and services (e.g., roadways, water, sewer, and emergency response). Development at an overall density which places excessive burdens on the efficient use of expenditures for infrastructure and public service delivery would represent a significant impact on the City in the operation and maintenance of these facilities.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

Policy I.A.3. The City shall encourage development to occur in a sequence that promotes the efficient use and extension of public facilities and services.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which also avoid the significant impact:

Policy I.A.4. The City shall link the rate of growth in Winters to the provision of adequate services and infrastructure, including schools. To this end, the City shall prepare and adopt a program to ensure that growth occurs in an orderly fashion and in pace with the expansion of public facilities and services.

Policy I.A.7.

The City shall ensure its designation of land uses and approval of development projects do not hinder efforts to maintain a positive fiscal balance for the City.

Program 1.9

The City shall establish and maintain a program to monitor the fiscal status of the City as it relates to the implementation of the General Plan.

**Explanation:** Policies in the General Plan direct the City to promote a sequence of development which efficiently uses public facilities and services, and maintain a positive fiscal balance for the City in its decisions on development proposals. The potential impact of an excessive proportion of development which makes inefficient use of facilities and services would be avoided.

**d. Housing Mixture and Affordability.**

Housing affordability impacts are not considered environmental impacts under CEQA because these impacts are social and economic. (CEQA Guidelines § 15131(a).) The City is not required to make findings for impacts which do not have a significant effect on the environment. However, in the interests of full disclosure, the following discusses this effect.

**Significant Effect:** Development of residential uses which are limited in variety, particularly if they are of a character which is affordable only to moderate and above-moderate income households, would have a significant impact on the availability of affordable housing in Winters. Failure to provide adequate land designated for housing development at higher densities that would be more affordable to low and very low income households could prevent the City from meeting its regional housing needs set by the Sacramento Area Council of Governments, which could have a significant cumulative impact on housing conditions in the region. A high level of uniformity or homogeneity among housing types may have a negative effect on appearance and form of the City.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Policy II.A.1.** The City shall continue to promote the development of a broad mix of housing types.

**Policy II.A.2.** The City shall strive to provide for its fair share of the region's housing needs.

**Policy II.A.3.** The City shall maintain an adequate supply of residential land in appropriate land use

designations and zoning categories to accommodate Winters' fair share of projected regional growth and maintain normal residential vacancy rates.

**Policy II.A.4.**

The City shall seek to maintain an overall mix of 75 percent single family and 25 percent multi-family in its housing stock. This policy shall not be implemented in such a way that it would operate as a constraint of the City's ability to meet its regional fair share allocation for housing for very-low- and low-income households.

**Policy II.A.5.**

While promoting the provision of housing for all economic segments of the community, the City shall seek to ensure the highest quality in all new residential development.

**Policy II.A.6.**

The City shall pursue all available state and federal funding assistance that is appropriate to Winters' needs to develop housing that is affordable to low- and moderate-income households.

**Policy II.A.7.**

The City shall consider use of Tax Exempt Mortgage Revenue Bonds, Mortgage Credit Certificates (MCCs) and support the use of other financing techniques such as FHA insurance for multifamily development, Low Income Tax Credits, State Rental Housing Construction Program (RHCP) financed by Propositions 77 and 84, and the Federal Home Loan Bank Affordable Housing Program.

**Policy II.A.8.**

All housing development proposals involving 50 units or more shall be required to submit development plans to the Affordable Housing Commission for review. All such projects shall be encouraged to qualify for a density bonus under the density bonus provisions of state law.

**Policy II.A.9.**

The City shall promote the expeditious processing and approval of residential projects that conform to General Plan policies and City regulatory requirements.

- Policy II.A.10. Consistent with other City objectives, the City shall attempt to ensure that its policies, regulations, and procedures do not add unnecessarily to the costs of producing housing.
- Policy II.A.11. The City shall continue to provide for the development of secondary residential units, as required by state law, while protecting the single-family character of neighborhoods. Development of secondary residential units fronting on alleys shall be encouraged.
- Policy II.A.12. In accordance with provisions of state law, the City shall grant density bonuses of at least twenty-five (25) percent and at least one other specified incentive for qualifying projects to promote the inclusion of lower income and senior citizen housing.
- Policy II.A.13. If below-market-rate units are included in a project pursuant to the density bonus program or other local, state, or federal requirements, the City shall require buyer/renter eligibility screening and resale/rent controls for at least 30 years to maintain affordability of the units to originally-targeted income groups.
- Policy II.A.14. Where residential units which are required to sell or rent at below-market-rates are included within a housing development, such units shall be interspersed within the development, and to the extent reasonable, shall be visually indistinguishable from market-rate units.
- Policy II.A.15. The City shall allow the installation of mobilehomes and factory-built housing on permanent foundations consistent with the requirements of state law and in accordance with the City's residential design standards.
- Policy II.A.16. The City shall continue to work with the Yolo County Housing Authority in the administration of affordable housing programs.
- Policy II.A.17. The City shall promote homeownership in new housing constructed for low- and moderate-income households.

Policy II.A.18. The City shall promote the development of second-story residential uses over commercial and office uses in the Central Business District and Neighborhood Commercial designations.

Policy II.A.19. The City shall require that 10 percent of the lots in residential subdivisions of 20 or more lots be reserved for and sold to local builders or owner-builders.

Policy II.A.20. The City may use Community Development Block Grant (CDBG) funds in conjunction with private financial institutions to write down interest rates for home purchase.

Policy II.A.21. The City shall support the continued use of Section 8 rent certificates and vouchers by Winters residents.

Policy II.A.22. The City shall support the establishment of a new nonprofit housing developer or work with existing nonprofit developers to help develop affordable housing.

Policy II.A.23. The City shall require the provision of relocation assistance to tenants required to relocate as a result of the removal or condemnation of housing where such removal or condemnation is not the fault of the tenants.

Program II.1. The City shall create and appoint an Affordable Housing Commission to advise the City Council, Planning Commission, and Redevelopment Agency on housing policy and its implementation and the allocation of the Redevelopment Agency's Tax Increment Housing Set Aside. The Affordable Housing Commission shall also review housing project proposals and make recommendations for the inclusion of affordable housing.

Program II.2. The City shall rezone selected parcels within the existing city limits for medium density and high density residential development consistent with the General Plan to facilitate development of housing for very low, low, and moderate income households.

Program II.3. The City shall work with property owners and developers in the preparation and processing of master development plans and specific plans

for unincorporated areas and in the expeditious annexation of such lands.

Program II.4.

In accordance with the requirements of state law, the City shall revise the *Zoning Ordinance* to provide for a density bonus of at least 25 percent and at least one other incentive for residential projects of five or more units which reserve at least 20 percent of their units for lower-income households, including elderly persons and families who meet the criteria for lower-income households. The City shall work with the Yolo County Housing Authority in developing procedures and guidelines for establishing income eligibility for the "reserved" units and for maintaining the "reserved" units as affordable units for at least 30 years. The City shall seek Housing Authority administration of the reserved units. Target: 30 very-low-income units; 30 low-income units.

Program II.5.

The City shall continue through the *Zoning Ordinance* to allow secondary dwelling units in residential zones subject to criteria concerning floor area, relationship to principal residence, required parking, and other features. Target: 15 very-low-income and 15 low-income units.

Program II.6.

The City shall continue through the *Zoning Ordinance* to provide for the establishment of mobilehomes and mobilehome parks consistent with the requirements of state law.

Program II.7.

The City shall amend the *Zoning Ordinance* to allow for the development of affordable duplexes and halfplexes on corner lots as a permitted use in single family zoning designations.

Program II.8.

The City shall revise the *Zoning Ordinance* to provide for the establishment, subject to Conditional Use Permit control, of homeless shelters and transitional housing in the Medium High Density Residential, High Density Residential, Central Business District, and Public/Quasi Public designations.

Program II.9

The City shall pursue appropriate state and federal funding sources to support efforts to meet new construction and rehabilitation needs

of low- and moderate-income households and to assist persons with rent payments required for existing units.

**Program II.10.**

The City shall use local, state, and federal funding sources to support new construction to meet the needs of lower- and moderate-income households. The following funding sources shall be the City's highest priority: Mortgage Revenue Bonds, Low Income Tax Credits, State Rental Housing Construction, and Redevelopment Agency Tax Increment Housing Setaside. Target: 30 units for very-low-income households, 30 units for low-income households, and 50 units for moderate-income households.

**Program II.11.**

The City shall use local, state, and federal funding sources to support rehabilitation of housing to meet the needs of very-low- and low-income households. The following funding sources shall be the City's highest priority: California Housing Program - both Owner and Rental components (CHRP-O and CHRP-R), State Rental Rehabilitation Program (CECRP), Community Development Block Grant (CDBG), and Redevelopment Agency Tax Increment Housing Setaside. Target: 20 units for very-low-income households and 20 units for low-income households.

**Program II.12.**

The City may use Community Development Block Grant (CDBG) funds to subsidize on-and off-site infrastructure improvements for lower-income housing projects.

**Program II.13.**

The City shall support the development of a senior housing project by Farmers Home Administration. Target: 48 units for very-low-income households.

**Program II.14.**

The City shall establish a housing trust fund utilizing state and federal funds, Redevelopment Agency funds, and funds from other sources to assist in the development of housing for very-low and low income households.

**Program II.15.**

The City shall develop a fee deferral program to assist in the development of housing for very-low and low-income households.

- Program II.16. The City shall post and distribute information on currently available weatherization and energy conservation programs.
- Program II.17. The City shall enforce state requirements, including Title 24 requirements, for energy conservation in new residential projects and shall encourage residential developers to employ additional energy conservation measures with respect to the siting of buildings, landscaping, and solar access.
- Program II.18. The City shall continue to cooperate with the Yolo County Housing Authority in its administration of the Section 8 rental assistance program. Target: 30 very-low-income households.
- Program II.19. The City shall work with the cities of Davis, Woodland, West Sacramento, and Yolo County to extend their joint agreement providing services to the homeless for an additional three-year period, starting July 1993.
- Program II.20. The City shall consider establishing a position of housing program coordinator, either as a City staff position or through contract, to coordinate City housing activities, to assist in the implementation of affordable housing programs, and to work with non-profit housing developers to build affordable housing.
- Program II.21. The City shall continue to promote equal housing opportunity for all persons regardless of race, religion, sex, marital status, ancestry, national origin, or color. The City shall continue to refer fair housing complaints to the County District Attorney or to the State Fair Employment Housing Commission.
- Program II.22. The City shall review annually and publish the city's progress toward achieving the City's fair-share housing allocation as determined by SACOG.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which also avoid the significant impact:

Program IX.1.

The Planning Commission shall review the General Plan Policy Document every year, focusing principally on actions undertaken during the previous year to carry out the implementation programs of the Plan. Among other purposes, this annual review shall be used to 1) monitor the city's jobs-housing balance, 2) monitor the City's progress in meeting its fairshare of regional housing needs, and 3) monitor CEQA mitigation for the General Plan EIR as required by Public Resources Code § 21081.6. The Planning Commission's report to the City Council shall include, as the Commission deems appropriate, recommendations for amendments to the General Plan.

**Explanation:** As discussed above, housing affordability is not an "environmental" impact of the Project, but rather is a social and economic impact. The Land Use Diagram and designations of the General Plan provide for a variety of housing types and densities, in order to serve the goals and policies of the General Plan to meet the housing needs of all economic groups. Other policies of the General Plan direct the City to strive to meet its fair share of regional housing needs, to pursue a ratio of 75 percent single family homes to 25 percent multiple family dwelling units, to grant density bonuses as required by state law, and to seek out various means of funding assistance for the construction of new units affordable to lower income households. In addition, policies and programs for the rehabilitation and conservation of existing units, including those affordable to lower income households, are proposed, together with programs to develop new affordable housing. The Implementation Programs of the Housing Element identify the means by which the City will meet its objectives for housing, including the provision of both rental and ownership units affordable to low and very low income households. The potential impact of an inadequate range of residential densities with characteristics of affordability would be avoided.

**e. Urban Form.**

**Potentially Significant Effect:** The extension of new urban development, including a new network of streets, with residential, commercial, and industrial uses and additional public facilities, can have potentially adverse impacts on the city's established and new residents, and have a negative impact on its visitors as well, if it lacks functional integrity. If various uses are not separated from each other as needed to avoid constraints or streets and roads do not interconnect these uses as directly as possible, significant impacts may occur.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Land Use Diagram** The Land Use Diagram indicates that new growth of the city will occur primarily in a half circle area surrounding the existing urban area and will contain a road system linking the neighborhoods to the urban center.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which also avoid the significant impact:

**Policy III.A.9.** The City shall require street designs consistent with principles of interconnected network path design. The City shall insure that there are multiple, local-street access points to all developments throughout the City. The City shall insure that direct access to all local streets from primary and secondary collectors is maintained. At the discretion of the City, alleys may be used in conjunction with the overall street layout.

**Explanation:** The Land Use Diagram shows that the city distributed various land uses throughout the City, yet includes a circulation system which connects these uses as directly as possible.

f. Town Character.

**Significant Effect:** Implementation of the Project would result in a substantial expansion in urban uses on primarily agricultural land. Loss of Winters' agricultural heritage, as represented by its partial reliance on the agricultural activities (possibly including its sounds and smells), would represent a significant impact on the quality and established character of life for Winters' residents. Winters' small-town qualities, as represented by relatively low traffic volumes, a small, low density central business area, moderate-to-low density residential areas, smaller and more distinctive subdivisions, and a small population relative to other cities in the region, if lost, would also represent a significant impact on Winters.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Policy I.A.1.** The City shall seek to preserve Winters' traditional small-town qualities and

agricultural heritage, while increasing its residential and employment base.

Policy I.B.2. The City shall promote and provide support for the physical upgrading of older buildings and their facades in the Central Business District.

Policy I.B.4. First priority for ground floor uses in the Central Business District shall be given to retail uses. New residential and office uses shall be permitted on a case-by-case basis over ground floor retail uses.

Policy I.B.7. As much as possible, the entrances of new buildings in the Central Business District shall be oriented directly to the street and not be separated from the street by parking lots.

Policy VI.B.8. The City shall allow and encourage activities that support local agriculture such as farmers' markets, on-site sale of produce, and special events promoting local agricultural products.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which also avoid the significant impact:

Policy VIII.A.4. The City shall promote the development of a well-defined, pedestrian-oriented downtown as the center of Winters' commercial, civic, and cultural life.

Policy VIII.B.2. The City shall encourage the concentration and intensification of urban uses, including residential uses, in the downtown as a means of increasing pedestrian activity and providing support for commercial and civic activities in the downtown.

Policy VIII.B.3. To the maximum extent possible, new buildings developed in the downtown shall front directly on streets, and parking shall be located behind buildings, out of view from the street.

Policy VIII.C.2. The City shall promote the creation of well-defined residential neighborhoods in newly-developing areas. Each of these neighborhoods should have a clear focal point, such as a park, school, or other open space and

community facility, and should be designed to promote pedestrian convenience. To this end, the City shall encourage the use of existing Winters neighborhoods, including the grid street system, as models for the planning and design of new residential neighborhoods.

Program I.3. The City shall establish and maintain a program to monitor residential and non-residential development.

Program I.6. The City shall prepare and adopt a Central Business District Plan that includes the following:

- Detailed land use plan
- Design guidelines
- Parking plan
- List of proposed public improvements

Program I.7. The City shall undertake a study to assess the potential effectiveness of establishing a "linkage program" designed to ensure that new commercial development outside the Central Business District does not adversely affect existing and new development within the Central Business District.

**Explanation:** The General Plan includes a policy which promotes the preservation of Winters' small town qualities and agricultural heritage, while increasing its level of residential and employment development. Programs will monitor residential and non-residential development. A farmers' market is also encouraged which would emphasize the city's agricultural heritage in an effective manner. The majority of new residential development would occur at a low density, in keeping with the perceived qualities of a small town. The development would occur over a lengthy period of time (20 years), and the annual incremental change would no be inconsistent with growth experienced in the past ten to twenty years. Although the central business district (CBD) would be supplemented by new commercial development in other areas of the city, the General Plan provides policies to strengthen the downtown as a pedestrian-oriented, multiple-use district with upgraded building facades, emphasis on retail uses, and redevelopment of existing industrial uses as an extension of existing downtown commercial activity. [Larry--what happened to the policy on retaining the agricultural school?]

**g. Consistency with Yolo County General Plan.**

**Potentially Significant Effect:** The Yolo County General Plan contains various policies with regard to land use dealing with (a) the phasing of development with regard to the protection of prime

agricultural land and (b) the need for scenic and open space corridors incorporating pedestrian and bicycle paths. Land use development in the City could potentially be in conflict with these goals and policies of the Yolo County General Plan. (The impact of converting prime agricultural land to urban uses is discussed below in Section IX.C.1.d., page 97.)

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Policy VI.A.2.** In reviewing development proposals, the City shall consider the project's potential for adversely affecting water quality in Putah Creek, Dry Creek, and the area's groundwater and shall condition development approvals to avoid or adopt all feasible measures to mitigate any identified significant effects.

**Policy VI.A.5.** The City shall condition development approvals to minimize the discharge of sediment from grading into Putah Creek and Dry Creek. To this end, grading should be carried out during the dry months, when possible. Areas not being graded should be disturbed as little as possible. Construction and grading areas, as well as soil stockpiles, should be covered or temporarily revegetated when left for long periods. Revegetation of slopes should be carried out immediately upon completion of grading. Also, temporary drainage structures and sedimentation basins must be installed to prevent sediment from entering and thereby degrading the quality of downstream surface waters, particularly Putah Creek. The full cost of any necessary mitigation measures shall be borne by the projects creating the potential impacts.

**Policy VI.B.1.** The City shall support the continuation of agricultural and related uses on lands within the Urban Limit Line designated for urban uses until urban development is imminent.

**Policy VI.B.2.** The City shall encourage the County to retain agricultural uses on lands surrounding Winters pending their annexation to the City.

**Policy VI.B.3.** Along the northern and western portion of the Urban Limit Line new residential development that abuts designated and active agricultural

land shall incorporate buffers to minimize agricultural-residential conflicts and nuisance problems. The size of the buffer zone shall be determined by the type of agricultural activities involved. The buffer zone may consist of open space, recreational uses, landscape areas, streets or other non-intensive uses.

Policy VI.B.6. The City shall adopt a right-to-farm ordinance.

Program VI.2. The City shall adopt a right-to-farm ordinance.

Policy VI.B.8. The City shall allow and encourage activities that support local agriculture such as farmers' markets, on-site sale of produce, and special events promoting local agricultural products.

Policy VI.D.1. The City shall require that all new development along Putah Creek east of Railroad Avenue be set back at least 100 feet from the top of the creek bank, that all new development along Putah Creek west of Railroad Avenue be set back at least 50 feet from the top of the creek bank, and that all new development along Dry Creek be set back at least 50 feet from the top of the creek bank. Where there is no discernable bank, the set back shall be measured from the line closest to the creek where riparian vegetation is permanently established.

Policy VI.D.2. Except for recreational trails and recreational uses developed along Putah Creek in the downtown area, the Putah Creek and Dry Creek corridors should be preserved as much as possible in their natural state. Public access and recreational facilities shall not eliminate or degrade riparian habitat values. Trails, picnic areas, and other recreational developments shall be sited to minimize impacts on sensitive wildlife habitat or riparian vegetation.

Policy VI.D.3. The City shall develop a program for habitat management within the Putah Creek and Dry Creek corridors consistent with the following principles:

- Trees and shrubs planted within the creek corridors shall be selected from a list of native plants approved by the City.
- Non-native trees and shrubs shall be removed from the creek corridors according to a long-term program approved by the City.
- New irrigation and planting within the dripline of existing native oaks shall be prohibited. Irrigated turf areas shall be placed only in areas where there are no mature native trees that could be damaged by changes in the environment, such as summer watering.

**Policy VI.D.6.**

The City shall seek state grant funding for revegetation, habitat preservation, and erosion control in the Putah Creek and Dry Creek corridors.

**Policy VI.D.7.**

The City shall work with Yolo County, Solano County, the Putah Creek Council, the California Department of Fish and Game, and the U.S. Army Corps of Engineers in establishing guidelines for erosion control measures along Putah Creek and Dry Creek. Such guidelines should implement the following principles:

- Slope stabilization projects should emphasize revegetation.
- Stabilization projects that involve the use of cribs, gabions, rock and wire mattresses, or wire mesh over stone should be screened from public view with vegetation to assure a naturalistic appearance.

**Program VI.9.**

The City shall work with Yolo County, Solano County, and the Putah Creek Council, the California Department of Fish and Game, and the U.S. Army Corps of Engineers, in establishing guidelines for erosion control measures along Putah Creek and Dry Creek.

**Policy VI.D.8.**

Brush clearing, mowing of natural vegetation, fire breaks, or similar activities along Putah Creek and Dry Creek shall be prohibited unless a demonstrated need exists to protect the

public health, safety, or welfare, as determined by the Fire Protection District or other public agency with legal jurisdiction.

- Policy VI.D.9. No mining or gravel extraction operations shall be permitted in the Putah Creek and Dry Creek corridors.
- Policy III.G.3. The City shall cooperate with surrounding jurisdictions in designing and implementing an area-wide bikeway system.
- Program III.10. The City shall prepare, adopt, and periodically update a *Bicycle/Pedestrian System Master Plan* (also monitors III.G.3.).
- Policy VIII.A.7. The City shall establish design guidelines for new development along Highway 128/Grant Avenue reflecting its designation as a Scenic Highway. The City shall work with Caltrans and Yolo County in developing consistent guidelines.
- Program VIII.1. The City shall prepare and adopt design guidelines for new development along Highway 128/Grant Avenue reflecting its designation as a Scenic Highway.

**Explanation:** The Natural Resources Element through policies supports continued agricultural activities on land designated for urban uses until that land is annexed or until development is imminent. These policies require the City to support economic incentives which increase the competitiveness of the area's agricultural economy (farmer's markets), to incorporate buffers, and to adopt a right-to-farm ordinance. The process of converting prime agricultural land to urban uses and of expanding the urban area of Winters is fundamentally consistent with the policies of the Yolo County General Plan. With regard to open space, the General Plan incorporates open space corridor protection of Putah and Dry Creeks into its Natural Resources Element, with various policies to protect the environmental quality of these creeks. The Transportation and Circulation Element promotes pedestrian and bicycle travel within the city, and development of an area-wide bikeway system in cooperation with other jurisdictions. The establishment of design guidelines for Highway 128 consistent with its designation as a Scenic Highway is promoted by the General Plan in the Community Design Element. (For additional discussion of the visual impacts of the Project, see Section IX.A.10.a., p. 82, below.)

## 2. TRANSPORTATION AND CIRCULATION.

**Potentially Significant Impact:** The population and job increase allowed by the General Plan are projected to increase total trips by 225 percent, from an estimated 25,800 daily trips originating or terminating in Winters to 83,700 daily trips. The inadequacy of the existing circulation system could lead to substantial traffic impacts due to decreased level-of-service at all major intersections on Grant Avenue (to LOS D, E, and F). In addition, development in Winters could combine with regional growth to cumulatively contribute to increased vehicular traffic on Interstates 505 and 80 and Highway 128 and other roadways, with resulting significant congestion at peak-hours.

**Finding:** The Project contains components that avoid the significant effect (project specific and cumulative) identified in the EIR.

**Project Components:** The EIR discusses the following components.

### Circulation Master Plan Diagram and Standards

The Circulation Plan defines the roadway network requirements of the designated land uses within the urban limit line. Roadways are classified according to their function, with defined cross-sections showing medians and paths or sidewalks. The Diagram identifies a proposed roadway system which includes new construction or major improvements which will be pursued as funding permits and when traffic thresholds are reached: Main Street extensions (north and south); Grant Avenue widening; Grant Avenue/I-505 overcrossing widening; Putah Creek Bridge Repair; Grant Avenue/Dry Creek Bridge Reconstruction; Road 32A Extension (Road 88 to Road 90); Road 33 extension (Road 88 to Road 90); Valley Oak Drive extension; Railroad Avenue North widening (north of Grant Avenue); Taylor Street reconstruction; East Street widening; and six new traffic signals along Grant Avenue.

### Policy III.A.1.

The City shall endeavor to maintain a Level of Service "C" or better, as defined by the 1985 Highway Capacity Manual or subsequent revisions, on all streets and intersections within the city.

### Policy III.A.3.

To identify the potential impacts of new development on traffic service levels, the

City shall require the preparation of traffic impact analyses at the sole expense of the developer for developments with 20 or more lots or units.

Policy III.A.15. The City shall ensure through a combination of traffic impact fees and other funding mechanisms that new development pays its share of the costs of circulation improvements.

Program III.2. The City shall prepare, adopt, and periodically update a *Circulation Master Plan* consistent with the land use patterns and densities/intensities specified in the *General Plan*.

Program III.4. The City shall adopt and implement a program to satisfy the requirements of the *Yolo County Congestion Management Plan (CMP)*. This program shall include a monitoring plan, a land use impact analysis plan, and a local trip reduction ordinance. Deficiency plans may also have to be prepared if violations of CMP Level of Service standards occur on Highway 128 or Railroad Avenue.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which also avoid the significant impact:

Policy III.A.2. Streets shall be dedicated, constructed, widened, extended, and modified according to City standards specified in Part I of the *General Plan Policy Document*. Dedication and improvements of full rights-of-way may not be required in existing developed areas where the City determines that such improvement are either infeasible or undesirable. The City may allow other deviations from these standards if the City determines that safe and adequate public access and circulation, including pedestrian convenience, are preserved by such deviations.

Policy III.A.9 The City shall require street designs consistent with principles of interconnected network path design. The City shall insure that there are multiple, local-street access points to all developments throughout the city. The City shall insure that direct access to all local streets from primary and secondary collectors is maintained. At the

discretion of the City, alleys may be used in conjunction with the overall street layout.

Policy III.E.1. The City shall continue to participate in state, regional, and local transportation planning efforts to ensure coordination of its transportation improvements with the region's transportation system.

Program III.1. The City shall maintain a master list of the most recent available traffic counts. The master list shall be updated with traffic counts taken in conjunction with project traffic studies and special counts conducted by the City.

Program III.3. The City shall undertake a feasibility and design study for the development of a second bridge crossing of Putah Creek between the existing Putah Creek Bridge and Johnson Road.

Program III.5. The City shall prepare and adopt a traffic impact fee as part of the City's development impact fee schedule to pay for improvements necessitated by new development.

Program III.9. The City shall cooperate with Caltrans and Yolo County Transit in developing and maintaining park-and-ride facilities for Winters' commuters.

Program III.10. The City shall prepare, adopt, and periodically update a Bicycle/Pedestrian System Master Plan.

Program IV.1. The City shall prepare, adopt, and periodically update a Level of Service Plan for public improvements and services, including but not limited to, the following: traffic, sewer, water, drainage, police, and fire.

Program IX.3. The City shall prepare, adopt, and periodically update a Capital Improvements Program (CIP).

**Explanation:** Using traffic forecasting methods and computer modeling in the context of existing and potential land uses and traveler behavior data, the evaluation demonstrates that the proposed roadway system will result in less than significant impacts as all intersections will be maintained at level of service C or better. The potential impacts on traffic service levels of

development proposals with 20 or more housing units or lots are required to provide traffic impact analysis at the expense of the project developer. Through a combination of traffic impact fees and other financial mechanisms, new development will provide for its fair share of the costs of circulation improvements. The Circulation Master Plan is to be adopted and periodically updated, to reflect development patterns and densities. The City must also adopt measures to comply with the Yolo County CMP, including a monitoring program and trip reduction ordinance. The potential impacts would be avoided.

**Potentially Significant Impact:** An increase in population and trips will increase the amount of parking spaces needed in the City.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The General Plan includes the following policies and programs:

**Policy III.F.1.** The City shall require provision of adequate off-street parking in conjunction with all new developments. To the extent possible, parking shall be located behind buildings, out of view from the street. When it is not possible for parking lots to be placed behind buildings, the City shall require screening to mitigate the visual impact of the lots while providing for continued police surveillance. As much as possible, parking lots should not be located at intersections.

**Policy III.F.2.** In addition to providing for on-street parking, the City shall pursue development of public parking lots in the downtown area and establishment of a parking assessment district or other financing mechanisms to facilitate development and maintenance of public parking lots.

**Program I.6.** The City shall prepare and adopt a *Central Business District Plan* that includes the following: \* \* \*

- Parking plan

**Program III.7.** The City shall review and revise, as necessary, off-street parking standards of the *Zoning Ordinance*.

Program III.8. The City shall investigate the purchase of vacant lots downtown for the development of public parking lots.

Explanation: By reducing the need for parking spaces downtown, as well as providing the necessary parking, the City will avoid a parking space problem.

3. INFRASTRUCTURE SERVICES AND FACILITIES.

a. Water Supply System.

(1) Groundwater Supply.

Potentially Significant Impact: Currently, approximately 70 percent of all water consumed in Winters is used by residences. Approximately sixty percent of the water provided to residences for landscaping purposes. An increase in population and land use will increase groundwater pumping demand from 1,630 acre feet per year (existing) to 5,410 acre feet per year (in 2010). Although there is adequate groundwater supply for the City beyond the year 2010, the net increase in groundwater pumping (1500 acre-feet per year) may induce some increased recharge from Putah Creek and may reduce groundwater outflow from the Sphere of influence. In addition, groundwater levels in many Sacramento Valley areas have been decreasing since the 1940s (although levels in the Winters areas have remained fairly constant). Groundwater depletion in the Sacramento and Central Valley could lead to a significant cumulative impact. Therefore, the City has determined that the impacts on groundwater supply, both project specific and cumulatively is potentially significant.

Finding: The Project contains components that avoid the significant effect identified in the EIR.

Project Component: The EIR discusses the following components.

Water System  
Master Plan

The General Plan incorporates a Water System Master Plan which identifies the needed improvements to the water supply and delivery system to accommodate the projected population increase, as well as alternate strategies for water conservation. Improvements to the water system include, in part, the replacement of deteriorating water mains, extending water mains, constructing new wells, upgrading monitoring equipment, providing a telemetry system, and requiring water meters on new development. In addition, alternate water sources are to be developed, i.e., the City will pursue acquisition of surface water

rights in order to decrease the city's dependence on groundwater.

Policy IV.B.11. To minimize the need for the development of new water sources and facilities and to minimize sewer treatment needs, the City will promote water conservation in City operations and in private development. To this end, the City shall implement a "moderate" water conservation program as defined in *Urban Water Management Plan* in the *Water System Master Plan*. The City shall annually monitor water usage to assess the effectiveness of the "moderate" water conservation program. If groundwater levels decline and/or if the "moderate" program does not achieve its intended results, the City shall implement the "aggressive" or "maximum" water conservation program as defined in the *Water Management Plan*.

Policy IV.B.1. \* \* \* The City shall pursue acquisition of surface water rights in order to decrease the city's dependence on groundwater.

Program IV.5. The City shall monitor groundwater levels at least twice a year to determine if a progressive, long-term decline in water levels is occurring.

Program IV.6. The City shall implement a "moderate" water conservation program as defined in *Urban Water Management Plan* in the *Water System Master Plan*. The City shall annually monitor water usage to assess the effectiveness of the "moderate" water conservation program. If groundwater levels decline and/or if the "moderate" program does not achieve its intended results, the City shall implement the "aggressive" or "maximum" water conservation program as defined in the *Urban Water Management Plan*.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which also avoid the significant impact:

Policy IV.B.2. The City shall maintain a regular program for replacing older water pipes.

Policy IV.B.3. The City shall develop, maintain, upgrade, and replace city water wells as necessary to

ensure adequate and assured water supply for existing and new development and for fire protection.

Policy IV.B.5. The City shall eliminate from service the existing elevated water storage tanks after installation of a pressurized system utilizing variable frequency drives and backup generators at existing wells and replacement of old pipes south of Grant Street.

Policy IV.B.6. The City shall institute a new telemetry system to monitor, control, and provide record keeping for existing and future wells and tanks.

Policy IV.B.12. The City shall, to the extent practical, require the use of drought-tolerant plant species and drip irrigation systems in the landscaping of new public and private open space areas, common areas, and parks.

Policy IV.B.14. The City shall require water meters on all new hook-ups and shall develop a meter retrofit program for existing connectors.

Policy IV.B.13. The City shall promote the use of treated sewage effluent for public and private landscape maintenance and agricultural irrigation.

Program IV.1. The City shall prepare, adopt, and periodically update a Level of Service Plan for public improvements and services, including but not limited to, the following: traffic, sewer, water, drainage, police, and fire.

Program IV.3. The City shall prepare, adopt, and periodically update a Water System Master Plan consistent with the land use patterns and densities/intensities specified in the General Plan. The Water System Master Plan shall include a scheduled program for replacing older waterpipes.

Program IV.4. The City shall pursue the acquisition of surface water rights.

Program IV.7. The City shall develop a meter retrofit program for all existing hook-ups.

Program VI.5. The City shall prepare and adopt a comprehensive landscape ordinance that includes planting requirements for screening, ground cover and trees, parking lot shading, acceptable irrigation systems, and water conservation measures, including drought-tolerant plants and drip irrigation systems. The landscape ordinance should also promote the use of native plants in new development where practicable.

Program IX.3. The City shall prepare, adopt, and periodically update a Capital Improvements Program (CIP).

**Explanation:** The General Plan incorporates a Water System Master Plan which identifies the needed improvements to the water supply and delivery system to accommodate the projected population increase, as well as alternate strategies for water conservation, and a groundwater study which indicates sufficient water supply to serve projected growth. The General Plan includes policies to implement the needed improvements and conservation measures. In order to address the potential cumulative impacts, the City will monitor groundwater levels twice a year. If these levels appear to be dropping, the City will implement the Moderate Water Conservation Program. If the moderate program does not achieve its intended results then the City will implement the aggressive water conservation program. This program will reduce pumping to an amount which is less than the amount of recharge. Thus, impacts to water supply, both project specific and cumulative will be avoided.

(2) Fire fighting water needs.

**Potentially significant impact:** There are several areas in the city where fire hydrants do not meet the recommended 1,500 gallons per minute for firefighting requirements. In addition, in almost all parts of the existing water supply system, pressures below the required residual of 20 psi were found. In the past, a fire tanker truck has made up for these deficiencies. With increased population, residences and business as contemplated by the General Plan, more reliable water delivery is need for firefighting.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components:

Water System  
Master Plan

The General Plan incorporates a Water System Master Plan which identifies the needed improvements to the existing water delivery

system for firefighting (specifying required fireflow gallons per minute necessary) and requires inspection of each valve and hydrant.

Policy IV.B.3. The City shall develop, maintain, upgrade, and replace city water wells as necessary to ensure adequate and assured water supply for existing and new development and for fire protection.

Policy IV.B.4. The City shall maintain a regular program for inspecting and testing fire hydrants.

Policy IV.B.5. The City shall eliminate from service the existing elevated water storage tanks after installation of a pressurized system utilizing variable frequency drives and backup generators at existing wells and replacement of old pipes south of Grant Street.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which also avoid the significant impact:

Policy VII.C.2. The City shall endeavor to achieve and maintain adequate water fire-flows are maintained throughout the city and shall regularly monitor fire-flows to ensure adequacy. New development shall comply with the following minimum fire-flow rates:

Development Category	Gallons Per Minute
Single-Family Residential	1,500
Multi-Family Residential	1,500
Central Business District	2,000
Industrial/Other Business Districts	3,000

In areas where there are existing water system deficiencies, the City shall require new development to install all on-site water system improvements necessary to achieve the above fire-flow rates but may waive full compliance with these standards until existing water system deficiencies are corrected.

Explanation: The General Plan ensures adequate water flow for firefighting needs, thus avoiding the potentially significant effect.

**b. Wastewater Treatment.**

**Potentially Significant Effect:** The present sewage facilities have the capacity to handle a population of 5800 persons or 0.7 million gallons per day. The anticipated increase to 12,500 population under the General Plan could not be handled with the existing facilities.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Sewer System  
Master Plan**

The General Plan incorporates a Sewer System Master Plan which defines needed improvements to the City's sewer collection system and the existing treatment plant. A new sewage treatment plant, located north of the City, capable of accommodating the anticipated population would require the ability to process approximately 1.0 million gallons per day (mgd) which would be then expanded to 1.5 mgd capacity.

**Policy IV.C.1.** The City shall maintain a regular program for replacing and upgrading older and undersized sewer lines and pumps.

**Policy IV.C.2.** The City shall ensure the provision of adequate sewer service to all new development in the city.

**Policy IV.C.3.** The City shall undertake a design study for construction of a new and larger treatment plant in the northeast part of the city. Treated effluent from the treatment plant should be reused for such purposes as crop or golf course irrigation and/or wetlands creation/maintenance during summer months and discharged to Putah Creek during winter months.

**Policy IV.C.5** The City shall implement and enforce an industrial pretreatment program to ensure the safe and efficient operation of City treatment facilities.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which also avoid the significant impact:

Policy IV.C.4. The City shall expand existing sewage treatment facilities to their existing planned capacity to provide for development prior to a new plant coming on line.

Program IV.1. The City shall prepare, adopt, and periodically update a *Level of Service Plan* for public improvements and services, including but not limited to, the following: traffic, sewer, water, drainage, police, and fire.

Program IV.8. The City shall prepare, adopt, and periodically update a Sewer System Master Plan consistent with the land use patterns and densities/intensities specified in the *General Plan*.

Program IV.9. The City shall undertake a design study for and construction of a new and larger sewage treatment plant in the northeast part of the City. The new treatment plan should be completed and operational by June 1995.

Program IX.3. The City shall prepare, adopt, and periodically update a Capital Improvements Program (CIP).

**Explanation:** The Sewer System Master Plan is incorporated into the General Plan and addresses both the necessary improvements to the existing system and the facilities required to accommodate future development. A new sewage treatment plant capable of accommodating the anticipated population would require the ability to process approximately 1.5 million gallons per day. The plant would be constructed in phases with the first phase able to handle 1.0 mgd. Upgrading and replacement of older and undersized sewer lines and pumps would also occur. If Pond 3 remains at half capacity, improvements to the existing sewage treatment facility, which include a new 40 acre-foot pond, will allow the City to accommodate future growth of approximately 815 homes over the next three years, until the new treatment facility is online. Subsequent environmental review of the new wastewater treatment plant will be required in a Tier II project specific EIR.

**c. Storm Drainage.**

**Significant Effect:** The existing storm drain system is inadequate to handle existing flows and will be inadequate to handle increased flows from the Project. In addition, much of the land within City of Winters 20 year sphere of influence also lies within a designated 100 year flood plain. Under the General Plan, fifty

percent of the new development will occur in this area.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Storm Drainage  
Master Plan**

The General Plan incorporates a Storm Drainage Master Plan which provides for both onsite drainage and regional flood control. Onsite drainage refers to storm drainage originating within or immediately west of the City's Sphere of Influence that would be captured by the City's system of storm drainage pipes. An upgrade of the system to a ten year capacity is required. Regional flood control refers to management of flood waters approaching the SOI from the north and control of outflows from on-site drainage facilities. Under the Stormwater Master Plan, areas within the 100 year floodplain must be removed by construction of flood control improvements. A small area near the cemetery would be removed by grading and new storm drains. Flood control for the Moody Slough area is not addressed in the Master Plan, but will be designed pursuant to an additional study.

**Policy I.A.9.**

No new development may occur within the flood-overlay area shown in Figure II-1 [of the Policy Document] until a feasibility and design study for a comprehensive solution to the 100-year flooding problem has been completed and a fee schedule has been established or financing program adopted which includes all affected and contributing properties for financing the comprehensive flood control solution.

**Policy IV.D.1.**

The City shall maintain a regular program for replacing and upgrading older and undersized storm drains.

**Policy IV.D.2.**

The City shall expand and develop storm drainage facilities to accommodate the needs of existing and planned development.

**Policy IV.D.4.**

The City, in cooperation with property owners, developers, and the Yolo County Flood Control and Water Conservation District shall undertake a feasibility and design study for a

comprehensive solution to the flooding problems associated with Chickahominy and Moody Sloughs. The comprehensive solution may include such features as diversion to Putah Creek, diversion under I-505, detention ponds, changes in land use designations, elevating building pads, and structural flood proofing as deemed effective and cost effective. As a condition to any development entitlement approval, all development affected by or contributing to the 100-year flooding problem shall be required to contribute to the financing of the comprehensive flood control solution in an amount which effects that property's relative contribution to the flooding problem or benefit from the program adopted.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which also avoid the significant impact:

Policy IV.D.3. The City shall determine the feasibility of developing a recreational lake in conjunction with development of the North Area to serve as a detention facility, designed to accommodate all stormwater runoff from the North Area.

Policy IV.D.5. Future drainage system discharges, including discharges into Putah Creek, shall comply with applicable state and federal pollutant discharge requirements.

Policy VII.B.2. Construction of storm drainage improvements shall be required, as appropriate, to prevent flooding during periods of heavy rainfall.

Policy VII.B.3. The City shall impose appropriate conditions on grading projects performed during the rainy season to ensure that silt is not conveyed to the storm drainage system.

Policy VII.B.4. To mitigate flooding impacts associated with Moody and Chickahominy Sloughs, the City shall require property owners who are affected by or contribute to such flooding to participate in the development and implementation of a comprehensive solution to the flooding problem in proportion to their relative contribution to the flooding problem or benefit from the program adopted.

Program IV.1. The City shall prepare, adopt, and periodically update a *Level of Service Plan* for public improvements and services, including but not limited to, the following: traffic, sewer, water, drainage, police, and fire.

Program I.5. The City shall revise the Zoning Ordinance to include a flood overlay district and shall apply such district to the areas that contribute to or are affected by 100-year flooding as shown in Figure II-1 [of the *Policy Document*]. The flood overlay district shall require compliance with FEMA's standards and participation in a comprehensive flood control program prior to approval of any development entitlements.

Program IV.10. The City shall prepare, adopt, and periodically update a *Storm Drainage Master Plan* consistent with the land use patterns and densities/intensities specified in the *General Plan*.

Program IV.11. The City, in cooperation with property owners, developers, and the Yolo County Flood Control and Water Conservation District, will undertake a feasibility and design study for a comprehensive solution to flooding problems associated with Chickahominy and Moody Sloughs. The comprehensive solution may include such features as diversion to Putah Creek; diversion under I-505, detention ponds, changes in land-use designations, elevating building pads, and structural flood proofing as deemed effective and cost effective.

Program IX.3. The City shall prepare, adopt, and periodically update a *Capital Improvements Program (CIP)*.

**Explanation:** The Project provides for the replacement and upgrading of older and undersized storm drains, the expansion of drainage facilities for new development, and the preparation of a design and feasibility study for a comprehensive solution to the 100-year flooding problems associated with Chickahominy and Moody sloughs. Development cannot occur in this area until the study has been completed. Development proposals for property affected by or contributing to the flooding problem, as a condition of development entitlements, will be required to participate in the financing of the comprehensive solution according to the benefit received or contribution to the flooding problem. Features of the drainage

solution may include diversion to Putah Creek, diversion under I-505, detention ponds, a recreational lake serving as a detention facility, modified land use designations, elevated building pads, and structural flood proofing, on the basis of operational effectiveness and cost-effectiveness. Thus, the significant impact due to flooding will be avoided.

**d. Solid Waste.**

**Potentially Significant Impact:** The development of new residential, commercial and industrial uses in the City of Winters will result in a potentially significant increase in the amount of solid waste generated by the city. Failure to effectively manage the generation of solid waste, and to meet the state standard of a 25 percent reduction by 1995 and 50 percent reduction by 2000 would be a significant effect.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Policy IV.E.1.** The City shall institute recycling and waste generation reduction programs with the goal of reducing its solid waste generation by 25 percent by 1995 and 50 percent by the year 2000.

**Program IV.17.** The City shall prepare, adopt, and submit to Yolo County a source reduction and recycling element which includes the following components:

- Waste Characterization
- Source Reduction
- Recycling (including a curbside pickup program)
- Composting
- Solid Waste Facility Capacity
- Education and Public Information
- Funding
- Special Waste
- Household Hazardous Waste

**Explanation:** These measures will reduce the amount of waste generated by the Project. In addition, the Yolo County Central Landfill will not reach capacity until 2030 with the implementation of a 50 percent recycling goal which the City has adopted.

4. EMERGENCY FACILITIES AND SERVICES.

a. Fire Protection.

**Significant Effect:** The General Plan will result in a steady increase in both population and developed area, increasing residential, commercial, industrial and other uses. The existing fire station and personnel would be inadequate to provide effective fire protection, particularly to the northern area when development occurs.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Land Use Diagram.** The Land Use Diagram designates a four acre site for public or quasi public use at the southwest corner of Railroad and the proposed Main Street arterial where a new fire/police station could be located.

**Policy IV.G.1.** The City shall encourage the Fire Protection District to maintain an overall fire insurance (ISO) rating of five or better for the city of Winters, but in no event should the ISO rating be allowed to fall below 6. The goal for average response time for Priority 1 (emergency) calls should be five minutes.

**Program IV.1.** The City shall prepare, adopt, and periodically update a *Level of Service Plan* for public improvements and services, including but not limited to, the following: traffic, sewer, water, drainage, police, and fire.

**Policy IV.A.1.** The City shall ensure, insofar as possible, that public facilities and services are developed and operational as they are needed to serve new development.

**Policy IV.A.3.** The City shall ensure through capital facility planning and budgeting and through review of private development projects that City-adopted level of service standards are maintained.

**Policy IV.A.4.** The City shall ensure through a combination of development fees and other funding mechanisms that new development pays its fair share of the costs of developing new facilities and services. The City at its sole discretion may

allow developers to construct needed improvements according to City specification in lieu of paying development fees for such improvements.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which also avoid the significant impact:

Policy VII.C.1. The City shall require that new development provides all necessary water service, fire hydrants, and access roads consistent with Fire Protection District standards.

Policy VII.C.4. All new development shall be constructed according to fire safety and structural stability standards contained in the latest adopted *Uniform Fire and Building Codes* and related regulations.

Policy VII.C.6. The City shall require property owners to remove fire hazards, including vegetation, hazardous structures and materials, and debris, as directed by the Fire Protection District and Public Works Department.

Program VII.4. The Fire Protection District shall inspect every commercial and industrial building at least once every two years in conjunction with issuance and renewal of business licenses.

Program VII.5. The City shall adopt requirements for built-in fire suppression equipment in all new development.

**Explanation:** By requiring the City to maintain level of service plans for the provision of fire protection services, as well developing and operating public services, including fire protection, as these services are needed, the significant impact will be avoided. Through development fees, assessment districts, and other funding mechanisms, these costs of increased public services will be fairly shared by the development benefitting from those services. Capital facility planning and budgeting, and the development review process will ensure that the levels of service adopted by the city are maintained. Adherence to the District's standards of construction, staffing and equipping of a new fire station will avoid any impacts.

b. Police Services.

**Significant Effect:** The General Plan will result in a steady increase in population and its developed area, including

residential, commercial, industrial and other uses. The existing Winters Police Department would be inadequate to provide effective police protection, particularly to the northern area when development occurs.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Land Use Diagram.** The Land Use diagram designates a four acre site for public or quasi public use at the southwest corner of Railroad and the proposed Main Street arterial where a new fire/police station could be located.

**Policy IV.F.1.** The City shall, through adequate staffing and patrol arrangements, endeavor to maintain the minimum feasible response times for police calls. The goal for average response time for Priority 1 (emergency) calls shall be three minutes.

**Policy IV.F.2.** The Police Department shall continually monitor response times and report annually on the results of the monitoring.

**Program IV.1.** The City shall prepare, adopt, and periodically update a *Level of Service Plan* for public improvements and services, including but not limited to, the following: traffic, sewer, water, drainage, police, and fire.

**Policy IV.A.1.** The City shall ensure, insofar as possible, that public facilities and services are developed and operational as they are needed to serve new development.

**Policy IV.A.3.** The City shall ensure through capital facility planning and budgeting and through review of private development projects that City-adopted level of service standards are maintained.

**Policy IV.A.4.** The City shall ensure through a combination of development fees and other funding mechanisms that new development pays its fair share of the costs of developing new facilities and services. The City at its sole discretion may allow developers to construct needed improvements according to City specification

in lieu of paying development fees for such improvements.

**Explanation:** The General Plan also requires that the police department continue to minimize its response times and provides for monitoring those times on an annual basis. By requiring the City to maintain level of service plans for the provision of police services, as well developing and operating public services, including police protection, as these services are needed, the significant effect will be avoided. Through development fees, assessment districts, and other funding mechanisms, these costs of increased public services will be fairly shared by the development benefitting from those services. Capital facility planning and budgeting, and the development review process will ensure that the levels of service adopted by the city are maintained.

**5. OTHER FACILITIES AND SERVICES.**

**a. Parks and Recreation.**

**Significant Effect:** Residential development consistent with the General Plan land use diagram would increase demands on existing park and recreational facilities in the City because of the increase in population. This would lead to a decrease in the ratio of park acreage to city residents.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Policy V.A.1.** The City's overall goal shall be seven acres of developed parkland (combined neighborhood and community) per 1,000 residents.

**Policy V.A.2.** To the extent authorized by law, the City shall require all new residential development to dedicate improved parkland or pay equivalent in-lieu fees based on a standard of five acres of improved parkland per 1,000 population. Golf course development and creek setbacks shall not be counted toward meeting the park dedication requirement.

**Policy V.A.4.** The City shall pursue all available and appropriate local, regional, state, and federal funding for the acquisition of parkland, the development of park facilities, and park maintenance.

- Policy V.A.7. The City shall develop a 30± acre community ball complex in Winters. This park should include lighted baseball and soccer fields, concession facilities, and restrooms.
- Policy V.A.11. The City shall encourage development of recreational facilities along Putah Creek near the Community Center.
- Policy V.A.12. The City shall pursue development of a cultural center, teen center, and senior center near the Community Center or at another suitable location.
- Policy V.A.17. The City shall pursue development of a championship golf course in the north part of Winters.
- Program V.1. The City shall prepare, adopt, update and implement a Parks Master Plan that includes goals, policies, and standards for the location, size, and level of development of all existing and proposed parks. The Parks Master Plan shall incorporate the following standards for park sizes:

Classification	Size
Mini-Park	1/2 to 3 Acres
Neighborhood	3 to 5 Acres
Community	20 to 30 Acres

- Program V.2. The City shall regularly monitor county, state, and federal programs for funding of parkland acquisition, development, and rehabilitation. The City shall actively pursue funding for which it is qualified.
- Program IV.18. The City shall prepare, adopt, and periodically update a long-term Capital Improvements Program (CIP), for traffic, sewer, water, drainage, parks, and other facility improvements.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which avoid the significant impact:

- Land Use Diagram. The Land Use Diagram designates areas to be included as parks, including a 30 acre and a 20 acre community parks, four new neighborhood parks of 5 to 10 acres in each of the four

defined residential neighborhoods.

Policy V.A.3. New residential developments shall be required to fund park maintenance through a landscaping and lighting district or other appropriate mechanism.

Policy V.A.6. The City shall work with the School District in developing a 20± acre joint-use community park next to the proposed high school site. This park should include basketball and tennis courts, swimming pool, gymnasium, ballfields, playground, and picnic area.

Program V.3. The City shall maintain a joint-use agreement with the School District that provides for use of school facilities for City-sponsored recreation programs.

Program VI.7. The City shall undertake a feasibility and design study for development of an Open Space Preserve. Such a preserve should be designed to provide for a combination of uses including agriculture, habitat protection, groundwater recharge, and educational and passive recreational opportunities. The Open Space Preserve should, to the maximum extent possible, be designed to function as part of the City's flood control and wastewater discharge system.

**Explanation:** The General Plan designates substantial areas for parks to accommodate an increased population, in order to provide a ratio of seven acres per 1,000 residents. In total, the General Plan proposes approximately 92 acres of new major parks, including neighborhood and community parks, as well as five mini-parks, centers targeted to teens, seniors and cultural centers near the existing Community Center; and a championship golf course. The acreage designated is slightly greater than the goal of seven acres per 1000 residents at buildout. The General Plan also requires new residential development proposals to include the dedication of land or improvements, the payment of in-lieu fees, or a combination thereof, to the maximum extent permitted by law, which at the present time is five acres per 1,000 residents projected to inhabit the new development. This will allow the acquisition and development of parkland to keep pace with the population increase. In addition, the City itself is to pursue funding for park and recreational improvements. Finally, a Parks Master Plan will provide the procedures for determining the need for land or improvements.

**b. Schools.**

**Significant Impact:** Direct student generation would occur with implementation of the proposed general plan. The Project at build-out would generate an additional 3,023 dwelling units generating 1,360 elementary through kindergarten students, 695 middle school students, and 907 high school students (total of 2,962 students). There will also be a corresponding increase in students living in unincorporated area who attend the Winters schools of ten percent (or 296 students). The existing school facilities are not capable of providing school facilities for more than about 95 additional dwelling units.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Land Use Diagram:** The Land Use Diagram designates a 19-acre site for a new middle school, a 10-acre site for a new elementary school, and a 30 acre site for a new high school.

**Policy I.F.1.** The City shall designate adequate, appropriately-located land for City and County facilities and, in consultation with the School District, School District facilities.

**Policy IV.H.1.** The City shall assist the School District in locating and reserving appropriate sites for new schools.

**Policy IV.H.2.** The City shall work cooperatively with the School District in monitoring housing, population, and school enrollment trends to plan for future school facility needs.

**Policy IV.H.3.** The City shall support enactment of state legislation to finance the construction of new schools.

**Policy IV.H.4.** The City shall cooperate with the School District in an effort to ensure adequate financing for new school facilities. To this end, the City shall cooperate with the School District in the collection of school facility development fees from new residential and non-residential development.

**Policy IV.H.5.** The City, to the extent possible, shall require that new school facilities are constructed and operating prior to the

occupation of the residences which the schools are intended to serve.

**Policy IV.H.6.**

The City shall not approve any development entitlements, including building permits for new residences, unless a mechanism to mitigate school impacts generated by the project has been approved by the City. This mechanism may include the dedication of land, development fees, a commitment to funding through an assessment district or Mello-Roos Community Facilities District, the phasing of the project, reduction in density, or some other mechanism which mitigates or avoids the school impacts attributable to the development.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which avoid the significant impact:

**Policy I.F.2**

The City shall strive to ensure the provision of adequate funds or other mitigation measures to maintain School District facilities at service levels equal to or exceeding State standards for classroom size, school enrollment, and school site size for all School District schools.

**Policy I.F.3**

The City shall strive to ensure the provision of adequate funds or other mitigation measures to construct and/or renovate School District schools to keep pace with urban growth.

**Policy IV.H.7.**

The City shall include the School District in the City's staff review process for new residential developments.

**Program IV.12**

The City shall prepare and adopt an ordinance to ensure that impacts on school facilities are mitigated, which may include a requirement for dedication of land, development fees, a commitment to funding through an assessment district or a Mello-Roos Community Facilities District, phasing of the project, reduction in density, or other mitigation measures.

**Program IV.13.**

The City and the School District shall negotiate a memorandum of understanding to address levels of service needed by local schools, implementation of General Plan school facilities policies, and the School District's responsibilities with regard to providing the

necessary legal and factual support for such school facilities.

Program IV.14.

The City shall prepare and adopt a legislative mechanism, such as an overlay zoning district, to ensure that development projects which are currently within the city limits will contribute the necessary school impact mitigation fees or provide alternative mitigation measures necessary to provide adequate school facilities.

**Explanation:** The General Plan would require additional school facilities to serve the projected population, and the Land Use Diagram designates a number of sites for this purpose. Relocatable classrooms can be used to accommodate students which are not completely served by the designated school sites. The General Plan also directs the City to assist the District in facility planning, promoting state school finance legislation, and obtaining funds for school facilities through development and other strategies. To the extent possible, school facilities are to be completed and operating prior to occupancy of new residential developments mitigate their school related impacts, to the extent allowed by law, however, no development entitlements will be approved unless a mechanism for mitigating school impacts exists. The potential impact of inadequate school facilities would be avoided.

**c. Public Utilities (Gas, Electricity and Telephone).**

Any impacts caused by the general plan on public utilities will be less than significant. PG&E has indicated that gas and electric service can be provided to the Project area. Pacific Bell will provide telephone service in accordance with the requirement of its tariffs. Although the City is not required to make any findings or adopt any mitigation measures for environmental impacts that are less than significant, the City finds that the less than significant impacts to public utilities can be minimized by the following measures:

Policy II.C.1.

As required by state law, the City shall require the use of energy conservation features in the design of all new residential structures. The City shall also promote incorporation of energy conservation and weatherization features in existing homes.

Program IV.16.

The City shall adopt an ordinance that establishes standards and requirements for undergrounding of both new and existing overhead electrical and communication utility lines.

Program VII.1

The City shall adopt the most current editions of the *Uniform Building, Uniform Fire, Uniform Plumbing, Mechanical, and National Electric Codes*. Any amendments to these codes adopted by the City shall be consistent with the *General Plan*.

## 6. BIOTIC CONSIDERATIONS.

### a. Vegetation.

**Significant Impact:** The General Plan would result in the urbanization of large areas of agricultural lands that include important species of native vegetation. (Impacts directly related to the loss of agricultural land are discussed below in Section IX.C.1.d, p. 97.)

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Policy VI.C.7.** The City shall promote the use of drought-tolerant and native plants, especially valley oaks, for landscaping roadsides, parks, schools, and private properties.

**Policy VI.C.8.** Parks, the drainage detention areas, and golf course development shall incorporate areas of native vegetation and wildlife habitat.

**Explanation:** Historically, the natural vegetation pattern in the Winters area consisted of native valley grassland with scattered oaks and brush along the drainage ways. The current patterns of vegetation in is predominantly man-made, due to clearing, cultivation and settlement. The undeveloped portions of Winters planning area are characterized by scattered homesites, cultivated cropland, orchards, pasture, vacant land, and limited urban uses. By promoting the use of native plants throughout the community and requiring the use of native plants in projects which will cover large areas of the city (parks, golf courses, drainage detention), the loss of native vegetation will be reduced to a less than significant level.

**Other:** After the DEIR was released in October 1991, the City Council and Planning Commission held six public hearings on the DEIR and the Draft General Plan and related documents between November and January 1992. During late January and late February 1992, the City Council and Planning Commission met jointly eight times and separately once to formulate their recommendations for the General Plan. During these deliberations, it was decided to

include the mitigation measures proposed in the DEIR as policies within the General Plan, while in other instances it was decided that many of the mitigation measures identified in the EIR were too specific for a project such as a general plan. Specifically, Policies VI.C.7 and VI.C.8. incorporate Draft Measure 9.1. The City finds that the new measure incorporated as a policy within the General Plan will provide a similar level of protection.

**Significant Impact:** Mature trees provide important nesting and roosting habitat as well as an aesthetic resource value. Development may affect mature trees, both as a result of direct removal and as a result of secondary effects in changes in drainage patterns, landscape irrigation, and creation of impervious surfaces within the dripline of individual trees.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Program VI.10.** The City shall prepare and adopt a Heritage Tree Ordinance to protect large, older and historically-significant trees.

**Policy VI.C.1.** Prior to approving public or private development projects in areas containing or adjacent to areas containing large trees, riparian vegetation, wetlands, or other significant wildlife habitat, the City shall require the project area and its environs be field surveyed for the presence of special-status plant and animal taxa. Such field surveys shall be conducted by a qualified biologist. If special-status taxa are encountered during the field surveys, appropriate measures shall be developed to minimize disturbance and protect identified populations, where feasible.

**Policy VI.C.9.** Large, older and historically-significant trees should not be removed unless they are diseased or represent an unavoidable obstacle to development. Development should be designed and constructed to avoid adverse impacts on such trees.

**Policy VI.D.3.** The City shall develop a program for habitat management within the Putah Creek and Dry Creek corridors consistent with the following principles: \* \* \*

- New irrigation and planting within the dripline of existing native oaks shall be prohibited. Irrigated turf areas shall be placed only in areas where there are no mature native trees that could be damaged by changes in the environment, such as summer watering.

**Explanation:** Mature trees will be protected by the Heritage Tree Ordinance and requiring development to be designed to avoid these trees. By requiring site specific surveys, the importance of a specific tree as habitat can be determined. Finally, mature trees within the creek corridors will be protected from overwatering.

**Other:** After the DEIR was released in October 1991, the City Council and Planning Commission held six public hearings on the DEIR and the Draft General Plan and related documents between November and January 1992. During late January and late February 1992, the City Council and Planning Commission met jointly eight times and separately once to formulate their recommendations for the General Plan. During these deliberations, it was decided to include the mitigation measures proposed in the DEIR as policies within the General Plan, while in other instances it was decided that many of the mitigation measures identified in the EIR were too specific for a project such as a general plan. Specifically, Policy VI.C.1 incorporates Draft Measure 9.3A and 9.3D. The City finds that the new measure incorporated as policy within the General Plan will provide a similar level of protection.

**Significant Impact:** Development along Putah Creek and Dry Creek which impinges along the stream corridors may lead to bank modifications and the resulting change in stream flow may contribute to severe erosion.

**Finding:** Changes or alterations have been required in, and incorporated into, the Project which avoids the significant environmental effect as identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Policy VI.D.1.** The City shall require that all new development along Putah Creek east of Railroad Avenue be set back at least 100 feet from the top of the creek bank, that all new development along Putah Creek west of Railroad Avenue be set back at least 50 feet from the top of the creek bank, and that all new development along Dry Creek be set back at least 50 feet from the top of the creek bank. Where there is no discernable bank, the set back shall be measured from the line closest to the creek where riparian vegetation is

permanently established.

Policy VI.D.5.

Modifications to creek/channels and other wetland features (e.g., bridge crossing, flood control improvements, or culverting) shall be designed to minimize disturbance to areas of dense riparian and marshlands cover. Any proposed channel modifications shall be coordinated with representatives of the California Department of Fish and Game and the U.S. Army Corps of Engineers to ensure that the concerns and requirements of both agencies can be easily incorporated into specific development plans during the initial phase of project design. Where wetland features are present, jurisdictional determinations and appropriate mitigation will be required subject to the provisions of Section 404 of the Clean Water Act and Sections 1601-1606 of the CDFG Code. Preliminary determinations and coordination with jurisdictional agencies shall be completed prior to approving specific development plans on parcels with wetland features.

Policy VI.D.6.

The City shall seek state grant funding for revegetation, habitat preservation, and erosion control in the Putah Creek and Dry Creek corridors.

Policy VI.D.7.

The City shall work with Yolo County, Solano County, the Putah Creek Council, the California Department of Fish and Game, and the U.S. Army Corps of Engineers in establishing guidelines for erosion control measures along Putah Creek and Dry Creek. Such guidelines should implement the following principles:

- Slope stabilization projects should emphasize revegetation.
- Stabilization projects that involve the use of cribs, gabions, rock and wire mattresses, or wire mesh over stone should be screened from public view with vegetation to assure a naturalistic appearance.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which avoid the significant impact:

Policy VI.A.2.

In reviewing major new development proposals, the City shall consider the project's potential for adversely affecting water quality in Putah Creek, Dry Creek, and the area's groundwater and shall condition development approvals to avoid or adopt all feasible measures to mitigate any identified significant effects.

Policy VI.A.6.

The City shall condition development approvals to minimize the discharge of sediment from grading into Putah Creek and Dry Creek. To this end, grading should be carried out during the dry months, when possible. Areas not being graded should be disturbed as little as possible. Construction and grading areas, as well as soil stockpiles, should be covered or temporarily revegetated when left for long periods. Revegetation of slopes should be carried out immediately upon completion of grading. Also, temporary drainage structures and sedimentation basins must be installed to prevent sediment from entering and thereby degrading the quality of downstream surface waters, particularly Putah Creek. The full cost of any necessary mitigation measures shall be borne by the projects creating the potential impacts.

Policy VI.D.9.

No mining or gravel extraction operations shall be permitted in the Putah Creek and Dry Creek corridors.

Policy VI.D.3.

The City shall develop a program for habitat management within the Putah Creek and Dry Creek corridors consistent with the following principles:

- Trees and shrubs planted within the creek corridors shall be selected from a list of native plants approved by the City.
- Non-native trees and shrubs shall be removed from the creek corridors according to a long-term program approved by the City.
- New irrigation and planting within the dripline of existing native oaks shall be prohibited. Irrigated turf areas shall be placed only in areas where there are no mature native trees that could be

damaged by changes in the environment, such as summer watering.

Policy VI.D.4. Any upstream development that creates potential erosion impacts on Dry Creek and Putah Creek shall be required to adopt all feasible measures to mitigate such impacts.

Program VI.9. The City shall work with Yolo County, Solano County, and the Putah Creek Council, the California Department of Fish and Game, and the U.S. Army Corps of Engineers, in establishing guidelines for erosion control measures along Putah Creek and Dry Creek.

**Explanation:** The Project requires setbacks from the edge of the creek to minimize the possibility of erosion impacts in the creek. Revegetation is required, as well as implementation of construction techniques to reduce the availability of loose soils which may contribute to erosion. Guidelines are to be established in cooperation with other agencies for erosion control measures and slope stabilization.

**Other:** After the DEIR was released in October 1991, the City Council and Planning Commission held six public hearings on the DEIR and the Draft General Plan and related documents between November and January 1992. During late January and late February 1992, the City Council and Planning Commission met jointly eight times and separately once to formulate their recommendations for the General Plan. During these deliberations, it was decided to include the mitigation measures proposed in the DEIR as policies within the General Plan, while in other instances it was decided that many of the mitigation measures identified in the EIR were too specific for a project such as a general plan. Specifically, Policy VI.D.5. incorporates Draft Measure 9.2A and Draft Measure 9.2B. The City finds that the new measures incorporated as policies within the General Plan will provide a similar level of protection.

**b. Wetlands.**

**Significant Impact:** Increased development may result in a loss of wetland and riparian habitat along Putah Creek and Dry Creek, as well as an increase in urban runoff. Jurisdictional wetlands may also exist in the Project area along Moody Slough and other drainage channels, irrigation ditches, seasonally ponded depressions, or other features.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Policy VI.C.1.**

Prior to approving public or private development projects in areas containing or adjacent to areas containing large trees, riparian vegetation, wetlands or other significant wildlife habitat, the City shall require the project area and its environs be field surveyed for the presence of special-status plant and animal taxa. Such field surveys shall be conducted by a qualified biologist. If special-status taxa are encountered during the field surveys, appropriate measures shall be developed to minimize disturbance and protect identified populations, where feasible.

**Policy VI.C.2.**

In regulating private development and constructing public improvements, the City shall ensure that there is no net loss of riparian or wetland habitat acreage and value and shall promote projects that avoid sensitive areas. Where habitat loss is unavoidable, the City shall require replacement on at least a 1:1 basis. Replacement entails creating habitat that is similar in extent and ecological value to that displaced by the project. The replacement habitat should consist of locally-occurring, native species and be located as close as possible to the project site. Implementation of this policy should be based on baseline data concerning existing native species. Study expenses shall be borne by development.

**Policy VI.C.4.**

The City shall support and participate in local and regional attempts to restore and maintain viable habitat for endangered or threatened plant and animal species. To this end, the City shall work with surrounding jurisdictions and state and federal agencies in developing a regional *Habitat Management Plan*. Such plans shall provide baseline data for the Winters area on special-status plant and animal taxa, including Swainson hawk and the valley elderberry longhorn beetle, and provide guidelines and standards for mitigation of impacts on special-status taxa.

**Policy VI.D.1.**

The City shall require that all new development along Putah Creek east of Railroad Avenue be set back at least 100 feet from the top of the creek bank, that all new development along Putah Creek west of Railroad

Avenue be set back at least 50 feet from the top of the creek bank, and that all new development along Dry Creek be set back at least 50 feet from the top of the creek bank. Where there is no discernable bank, the set back shall be measured from the line closest to the creek where riparian vegetation is permanently established.

Policy VI.D.3.

The City shall develop a program for habitat management within the Putah Creek and Dry Creek corridors consistent with the following principles:

- Trees and shrubs planted within the creek corridors shall be selected from a list of native plants approved by the City.
- Non-native trees and shrubs shall be removed from the creek corridors according to a long-term program approved by the City.
- New irrigation and planting within the dripline of existing native oaks shall be prohibited. Irrigated turf areas shall be placed only in areas where there are no mature native trees that could be damaged by changes in the environment, such as summer watering.

Policy VI.D.5.

Modifications to creek/channels and other wetland features (e.g., bridge crossing, flood control improvements, or culverting) shall be designed to minimize disturbance to areas of dense riparian and marshlands cover. Any proposed channel modifications shall be coordinated with representatives of the California Department of Fish and Game and the U.S. Army Corps of Engineers to ensure that the concerns and requirements of both agencies can be easily incorporated into specific development plans during the initial phase of project design. Where wetland features are present, jurisdictional determinations and appropriate mitigation will be required subject to the provisions of Section 404 of the Clean Water Act and Sections 1601-1606 of the CDFG Code. Preliminary determinations and coordination with jurisdictional agencies shall be completed prior to approving specific development plans on parcels with wetland

features.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which avoid the significant impact:

- Policy VI.A.2. In reviewing major new development proposals, the City shall consider the project's potential for adversely affecting water quality in Putah Creek, Dry Creek, and the area's groundwater and shall condition development approvals to avoid or adopt all feasible measures to mitigate any identified significant effects.
- Policy VI.A.3. The City shall support public and private efforts to collect baseline data concerning existing water quality in Putah Creek.
- Policy VI.A.5. The City shall support efforts at the local, regional, state and federal levels to reduce runoff of toxic agricultural chemicals into the area's water courses.
- Policy VI.C.1. Prior to approving public or private development projects in areas containing or adjacent to areas containing large trees, riparian vegetation, wetlands or other significant wildlife habitat, the City shall require the project area and its environs be field surveyed for the presence of special-status plant and animal taxa. Such field surveys shall be conducted by a qualified biologist. If special-status taxa are encountered during the field surveys, appropriate measures shall be developed to minimize disturbance and protect identified populations, where feasible.
- Policy VI.D.2. Except for recreational trails and recreational uses developed along Putah Creek in the downtown area, the Putah Creek and Dry Creek corridors should be preserved as much as possible in their natural state. Public access and recreational facilities shall not eliminate or degrade riparian habitat values. Trails, picnic areas, and other recreational developments shall be sited to minimize impacts on sensitive wildlife habitat or riparian vegetation.

Policy VI.D.4. Any upstream development that creates potential erosion impacts on Dry Creek and Putah Creek shall be required to adopt all feasible measures to mitigate such impacts.

Policy VI.D.6. The City shall seek state grant funding for revegetation, habitat preservation, and erosion control in the Putah Creek and Dry Creek corridors.

Policy VI.D.7. The City shall work with Yolo County, Solano County, the Putah Creek Council, the California Department of Fish and Game, and the U.S. Army Corps of Engineers in establishing guidelines for erosion control measures along Putah Creek and Dry Creek. Such guidelines should implement the following principles:

- Slope stabilization projects should emphasize revegetation.
- Stabilization projects that involve the use of cribs, gabions, rock and wire mattresses, or wire mesh over stone should be screened from public view with vegetation to assure a naturalistic appearance.

Policy VI.D.8. Brush clearing, mowing of natural vegetation, fire breaks, or similar activities along Putah Creek and Dry Creek shall be prohibited unless a demonstrated need exists to protect the public health, safety, or welfare, as determined by the Fire Protection District or other public agency with legal jurisdiction.

Policy VI.D.9. No mining or gravel extraction operations shall be permitted in the Putah Creek and Dry Creek corridors.

Program VI.4 The City, in conjunction with other interested agencies, shall prepare a regional *Habitat Management Plan* to provide a comprehensive approach to habitat protection, mitigation, and enhancement in the Winters area.

Program VI.6. The City shall conduct an inventory to assess the extent of wetlands in the Winters vicinity.

Program VI.8.

The City shall develop a program for habitat management within Putah Creek and Dry Creek corridors.

**Explanation:** The Project serves to ensure that development or public improvements do not result in a net loss of riparian or wetland habitat, including provisions for replacement on a 1:1 basis when habitat loss is unavoidable, and that such replacement shall be similar in extent and ecological value to the habitat displaced by the project. A study providing baseline data on existing native plant species to be used in replacement habitat shall be prepared and funded through development fees on specific development plans for parcels encompassing or adjacent to areas containing large trees, riparian vegetation, or other significant wildlife habitat. In addition, any modifications to creeks, channels or other wetland features such as bridge crossings and necessary flood control or drainage improvements shall be designed to minimize disturbance to wetland vegetation, including dense riparian and marshlands cover. Plans to modify channels and other wetland features shall be coordinated with representatives of the CDFG and U.S. Army Corps of Engineers to ensure that the concerns and possible requirements of both agencies can be easily incorporated into specific development plans during the initial phase of project design. Where wetland features are present, jurisdictional determinations and appropriate mitigation will be required subject to the provisions of Section 404 of the Clean Water Act and Sections 1601-1606 of the CDFG Code. Preliminary determinations and coordination with jurisdictional agencies shall be completed prior to approving specific development plans on parcels with wetland features. Many other policies are provided to ensure protection of wetland features. Many other policies are provided to ensure protection of wetland features, including programs for habitat management in the Putah and Dry Creek habitat corridors and in the overall region, and specified setbacks along Putah and Dry Creek.

**Other:** After the DEIR was released in October 1991, the City Council and Planning Commission held six public hearings on the DEIR and the Draft General Plan and related documents between November and January 1992. During late January and late February 1992, the City Council and Planning Commission met jointly eight times and separately once to formulate their recommendations for the General Plan. During these deliberations, it was decided to include the mitigation measures proposed in the DEIR as policies within the General Plan, while in other instances it was decided that many of the mitigation measures identified in the EIR were too specific for a project such as a general plan. Specifically, Policy VI.C.1. incorporates Draft Measure 9.3A and Policy VI.C.4. incorporates Draft Measures 9.3B and 9.3C. The City finds that the new measures incorporated as policies within the General Plan, will provide a similar level of protection.

**c. Non-Special Status Wildlife.**

The loss of agricultural lands would result in the permanent loss of smaller, less mobile non-special status wildlife species to surrounding agricultural lands that are not at carrying capacity for those animals. Adjacent agricultural lands of similar habitat value are extensive in the Winters area and throughout much of the Central Valley. Therefore, though some individual habitat may be lost, the impacts to non-special status taxa will be less than significant. The City is not required to make any findings nor adopt any mitigation measures for environmental impacts that are less than significant.

**d. Special Status Taxa (other than Swainson's Hawk).**

**Significant Effect:** Although the extent of past disturbance limits the likelihood of occurrence or importance of the Winters area for many special status taxa, anticipated future development in the Winters area could affect established populations or reduce the available habitat for a number of special status species, including the Swainson's Hawk. Impacts to the Swainson's Hawk are discussed below in Section IX.C.1.a., page \_\_. For example, recreational development, flood control modifications, or future development in the vicinity of Putah and Dry Creek from the Project could result in disturbance or loss of valley elderberry beetle habitat. The cumulative loss of habitat due to regional growth is discussed below in Section IX.C.1.b., page \_\_.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Policy VI.C.1.** Prior to approving public or private development projects in areas containing or adjacent to areas containing large trees, riparian vegetation, wetlands or other significant wildlife habitat, the City shall require the project area and its environs be field surveyed for the presence of special-status plant and animal taxa. Such field surveys shall be conducted by a qualified biologist. If special-status taxa are encountered during the field surveys, appropriate measures shall be developed to minimize disturbance and protect identified populations, where feasible.

**Policy VI.C.4.** The City shall support and participate in local and regional attempts to restore and maintain viable habitat for endangered or

threatened plant and animal species. To this end, the City shall work with surrounding jurisdictions and state and federal agencies in developing a regional *Habitat Management Plan*. Such plans shall provide baseline data for the Winters area on special-status plant and animal taxa, including Swainson hawk and the valley elderberry longhorn beetle, and provide guidelines and standards for mitigation of impacts on special-status taxa.

Policy VI.C.5.

The City shall require mitigation of potential impacts on special-status plant and animal taxa based on a policy of no-net-loss of habitat value. Mitigation measures shall incorporate, as the City deems appropriate, the guidelines and recommendations of the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Implementation of this policy may include a requirement that project proponents enter into an agreement with the City satisfactory to the City Attorney to ensure that the proposed projects will be subject to a City fee ordinance to be adopted consistent with the regional *Habitat Management Plan*.

Program VI.4

The City, in conjunction with other interested agencies, shall prepare a regional *Habitat Management Plan* to provide a comprehensive approach to habitat protection, mitigation, and enhancement in the Winters area.

**Explanation:** The General Plan requires field surveys by a qualified biologist for all public or private development projects proposed in areas containing or adjacent to areas containing large trees, riparian vegetation, or other significant wildlife habitat to determine the presence of special-status plant and animal taxa prior to project approval. The General Plan directs the City to participate in local and regional efforts to protect, restore and maintain viable habitat for endangered and threatened species, with the aim of developing a region-wide *Habitat Management Plan* with the cooperation of surrounding jurisdictions, and state and federal agencies. Baseline data shall be provided by such a plan for special status species in the Winters area, and the plan shall provide guidelines and standards for mitigation of impacts.

The City is also directed to require mitigation of potential impacts on special-status plant and animal taxa based on a policy of no-net-loss of habitat value. Mitigation measures shall incorporate the guidelines and recommendations of the U.S. Fish and Wildlife Service and the California Department of Fish and Game.

The City is required to support and participate in local and regional attempts to restore and maintain viable habitat for endangered or threatened plant and animal species, and to work with surrounding jurisdictions and state and federal agencies in developing a regional Habitat Management Plan. Such a Plan shall provide baseline data for the Winters area on a special-status plant and animal taxa, including swainson's hawk and the Valley elderberry longhorn beetle, and provide guidelines and standards for mitigation of impacts on special-status taxa. The City may impose a requirement that project proponents enter into a memorandum of understanding with the City to ensure that the proposed project will be subject to a City fee ordinance to be adopted consistent with the regional Habitat Management Plan.

**Other:** After the DEIR was released in October 1991, the City Council and Planning Commission held six public hearings on the DEIR and the Draft General Plan and related documents between November and January 1992. During late January and late February 1992, the City Council and Planning Commission met jointly eight times and separately once to formulate their recommendations for the General Plan. During these deliberations, it was decided to include the mitigation measures proposed in the DEIR as policies within the General Plan, while in other instances it was decided that many of the mitigation measures identified in the EIR were too specific for a project such as a general plan. Specifically, Policy VI.C.1. incorporates Draft Measures 9.3A and 9.3D, and Policy VI.C.4. incorporates Draft Measures 9.3B and 9.3C. The City finds that the new measures incorporated as policies within the General Plan, will provide a similar level of protection.

## **7. GEOLOGY, SOILS, SEISMICITY AND HYDROLOGY.**

### **a. Geology, Soils, and Seismicity**

**Significant Impact:** Winters is located in a seismically active region of California which has a potential for an earthquake that can cause major damage. The General Plan would accommodate an expanded population, which would increase the exposure of persons to the potential hazards of earthquakes in the region. In addition, although the majority of buildings in the downtown area have wood frame construction which is more resistant to groundshaking, there are several unreinforced masonry buildings in the same area, which are most susceptible to structural failure in the event of an earthquake. There are also several natural gas wells in the Winters area which are not being operated.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

- Policy VII.A.1. The City shall require new development to be constructed according to the requirements of the *Uniform Building Code* to ensure that new structures are able to withstand the effects of seismic activity, including liquefaction.
- Policy VII.A.2. Underground utilities, particularly water and natural gas mains, shall be designed to withstand seismic forces in accordance with state requirements.
- Policy VII.A.3. The City shall require the abatement of identified structural hazards in unreinforced masonry buildings. To assist building owners in abating such structural hazards at the earliest possible date, the City shall establish a loan/grant program to help finance upgrading of hazardous buildings.
- Program VII.2. The City shall adopt an ordinance requiring the abatement of structural hazards in unreinforced masonry buildings by January 1, 1996.
- Program VII.3. The City shall establish a grant/loan program to assist owners of unreinforced masonry buildings with identified structural hazards in correcting these deficiencies.

In addition, to the above policies and programs discussed in the EIR, the General Plan contains other project components that avoid the significant impact:

- Program VII.1. The City shall adopt the most current editions of the *Uniform Building, Uniform Fire, Uniform Plumbing, Mechanical, and National Electric Codes*. Any amendments to these codes adopted by the City shall be consistent with the *General Plan*.
- Program VII.8. The City shall, pursuant to Public Resources Code Section 3206.5, request information from the State Division of Oil and Gas concerning non-producing gas wells in Winters and shall provide such information to affected property owners to ensure proper abandonment of such wells.

**Explanation:** The General Plan directs the City to require the preparation of geotechnical reports, to ensure that new structures can withstand seismic events, soil instability or liquefaction which could potentially occur in Winters. Similar requirements are

imposed on underground utilities, with particular emphasis on water and natural gas mains. In addition, the City will institute a program requiring abatement of structural hazardous in reinforced masonry buildings, while offering loans and/or grants for abatement of selected buildings. These policies will ensure that both new development and unsafe existing buildings will meet the highest standard of structural safety.

**b. Hydrology.**

**Potentially Significant Effect:** The Planning Area of Winters includes the old City of Winters landfill site, operated from 1929 to 1975. Landfills can be a source of potential contamination to groundwater if not properly operated and closed.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Program I.10.** The City shall prepare, adopt, and submit to the Regional Water Quality Control Board, a Closure Plan for the City's old landfill.

**Policy VI.A.4.** The City shall regularly monitor water quality in City wells for evidence of toxics and other contaminants as required by State Health Department regulations.

**Program VI.1.** The City shall continue its program of routinely monitoring groundwater quality in City wells.

**Explanation:** Although groundwater sampling from three monitoring wells did not yield a conclusive evidence of groundwater contamination, adopting a Closure Plan for the old Winters landfill, will allow alternative uses of the site and to protect against potential degradation of local ground water quality. Further investigation will be required prior to designing a closure plan. Subsequent environmental review pursuant to CEQA will be required for the Closure Plan.

**8. NOISE CONSIDERATIONS.**

**a. Exposure of New Development to Excessive Noise Levels.**

**Significant Impact:** The city's industrial noise sources are not significant but could present problems locally for future development. Proposed residential development along State Route 128 (Grant Avenue), Interstate 505, Railroad Street, and the proposed Main Street arterial could be potentially impacted by

noise.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Policy VII.E.1.** The City shall evaluate the compatibility of various land uses with nearby noise sources based on the standards in Table II-3 of the *General Plan Policy Document*.

**Policy VII.E.2.** The City shall require new residential development to comply with applicable provisions of the California State Noise Insulation Standards (California Code of Regulations, Title 24, Part 2, Appendix, Chapter 35) and the Uniform Building code (Appendix Chapter 35), and updates thereof; these include, but are not limited to, the following standards:

- a) Land values due to exterior noise sources shall not exceed 45 dBA inside habitable rooms of new multi-family dwellings (apartments, condominiums, hotels, motels, etc.).
- b) Assemblies dividing units within multi-family dwellings shall have laboratory certified STC ratings of 50 or more (NIC 45 or more if field tested). In addition, floor/ceiling assemblies shall have laboratory certified IIC ratings of 50 or more (45 if field tested).

**Policy VII.E.3.** Ldn values above 45 dBA due to exterior noise sources shall be prohibited inside habitable rooms of all new dwellings.

**Policy VII.E.5.** The City shall require preparation of a noise study for all residential projects proposed in areas where Ldn values exceed 60 dBA according to the contour locations set out in Table IX-4 shown in Figure IX-8 in Chapter IX of the *General Plan Background Report*.

**Policy VII.E.6.** Any project that would cause existing traffic-related noise levels in existing residential areas to increase more than 3 dB shall be required to evaluate the feasibility of noise mitigation measures.

**Policy VII.E.8.**

Required noise studies shall be the responsibility of the project applicant, and shall be consistent with the state guidelines for noise study reports. Such studies shall be performed by a qualified consultant and shall include the following:

- a) A summary of noise data collected, and/or descriptions of the methodologies used to determine existing and expected noise levels and noise descriptors such as Leq or Ldn.
- b) Figures or maps showing the locations of noise sources and noise sensitive areas.
- c) A description of the impacts of existing and future (20 years hence) noise levels on the project and/or impacts due to the project on the surrounding area. The standards in this section of the *General Plan Policy Document* shall form the basis for impact assessment.
- d) Specifications of any noise mitigation measures recommended to ensure compliance with the standards in this *General Plan Policy Document*.
- e) Description of the expected effects of the mitigation measures.

**Policy VII.E.12.**

Deviations from City standards may be approved only in extreme and/or unusual circumstances. Deviations from the California State Noise Insulation Standards shall not be permitted.

**Program VII.10.**

The City shall adopt a noise ordinance based on the standards contained in this section of the *Policy Document* to regulate existing noise sources.

**Policy III.D.1.**

To the extent feasible, the City shall provide for separation of residential and other noise-sensitive land uses from major roadways to reduce noise and air pollution impacts.

In addition, to the above policies and programs discussed in the EIR, the General Plan contains other project components that substantially lessen the significant impact:

- Policy VII.E.4. Non-transportation noise sources which are potentially intrusive shall be evaluated in terms of the noise level limits in Tables II-4 and II-5 of the *General Plan Policy Document*. In applying these limits, the corrections in Table II-6 of the *General Plan Policy Document* shall be added to account for the nature of the noise.
- Policy VII.E.7. The City may also require preparation of a noise study when Ldn standards are met or inapplicable, but 1) a potentially intrusive noise source is proposed near a noise sensitive area, or 2) a noise sensitive land use is proposed near a potentially intrusive noise source.
- Policy VII.E.10. Vehicles and other equipment operated by or on behalf of the City shall comply with all applicable noise performance standards. Noise emission shall be a consideration in the purchase of any new equipment or vehicles.
- Policy VII.E.11. The City shall encourage development designers to minimize noise levels through such measures as the following:
1. Locate outdoor activity spaces such as yards, patios, and decks in areas where noise levels are low.
  2. Locate and orient buildings to place noise sensitive indoor spaces such as living rooms and bedrooms in areas with low noise levels.
  3. Locate relatively non-noise sensitive structures such as commercial buildings to shield noise sensitive areas such as residences and care facilities from noise sources.
  4. Use berms, walls, and setbacks to shield noise sensitive areas from noise sources. Walls shall only be used as a last resort.
  5. Provide appropriate muffling devices or enclosures for new noise sources located near noise sensitive areas.

Program VII.9. The City shall revise the *Zoning Ordinance* consistent with the noise policies and standards contained in this section of the *Policy Document*.

Program VII.11. The City shall develop procedures to check compliance of proposed buildings with the California State Noise Insulation standards and noise-related provisions of the *Uniform Building Code*. Procedures shall also be implemented to check for consistency between building plans and any specifications for noise mitigation measures identified in required noise studies.

**Explanation:** The General Plan directs the City to enact a range of measures and standards for new residential development, and guidelines for the design and location of sensitive areas within dwelling units, and of sensitive land uses within individual development projects. Exterior noise is to be minimized through designs which locate outdoor activity spaces in the least affected areas such as in rear yards, patios and decks, or by berms, walls and setbacks. The policies emphasize insulation and configuration of residential uses, but do not directly isolate residential land uses from high-traffic roadways. Thus, to mitigate these impacts, residences will not be allowed adjacent to Grant Avenue, the high-traffic roadway. Other measures to avoid significant noise impacts are requirements for noise studies, and the requirement for sound walls if set backs and buffers are not effective.

**Other:** After the DEIR was released in October 1991, the City Council and Planning Commission held six public hearings on the DEIR and the Draft General Plan and related documents between November and January 1992. During late January and late February 1992, the City Council and Planning Commission met jointly eight times and separately once to formulate their recommendations for the General Plan. During these deliberations, it was decided to include the mitigation measures proposed in the DEIR as policies within the General Plan, while in other instances it was decided that many of the mitigation measures identified in the EIR were too specific for a project such as a general plan. Specifically, Policies VII.E.3. and VII.E.5. incorporate Draft Measure 11.1A; Policies VII.E.5, VII.E.6, and VII.E.7 incorporate Draft Measure 11.1B; and Policy VII.E.10 incorporates Draft Measure 11.1C. The City finds that the new measures incorporated as policies within the General Plan, will provide a similar level of protection.

**b. Exposure of Existing Development to Increased Noise Levels.**

**Significant Impact:** Implementation of the General Plan would expose existing residents to higher noise levels due to increased

traffic. Noise levels along portions of Railroad Street, Niemann Street and Walnut Lane would increase by 3 decibels or more, and noise levels along Grant Avenue would increase by 5 dB.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Policy VII.E.5.** The City shall require preparation of a noise study for all residential projects proposed in areas where Ldn values exceed 60 dBA according to the contour locations set out in Table IX-4 shown in Figure IX-8 in Chapter IX of the *General Plan Background Report*.

**Policy VII.E.6.** Any project that would cause existing traffic-related noise levels in existing residential areas to increase more than 3 dB shall be required to evaluate the feasibility of noise mitigation measures.

**Policy VII.E.8.** Required noise studies shall be the responsibility of the project applicant, and shall be consistent with the state guidelines for noise study reports. Such studies shall be performed by a qualified consultant and shall include the following:

- a) A summary of noise data collected, and/or descriptions of the methodologies used to determine existing and expected noise levels and noise descriptors such as Leq or Ldn.
- b) Figures or maps showing the locations of noise sources and noise sensitive areas.
- c) A description of the impacts of existing and future (20 years hence) noise levels on the project and/or impacts due to the project on the surrounding area. The standards in this section of the *General Plan Policy Document* shall form the basis for impact assessment.
- d) Specifications of any noise mitigation measures recommended to ensure compliance with the standards in this *General Plan Policy Document*.

- e) Description of the expected effects of the mitigation measures.

In addition, to the above policies and programs discussed in the EIR, the General Plan contains other project components that substantially lessen the significant impact:

Policy VII.E.1. The City shall evaluate the compatibility of various land uses with nearby noise sources based on the standards in Table II-3 of the *General Plan Policy Document*.

Policy VII.E.4. Non-transportation noise sources which are potentially intrusive shall be evaluated in terms of the noise level limits in Tables II-4 and II-5 of the *General Plan Policy Document*. In applying these limits, the corrections in Table II-6 of the *General Plan Policy Document* shall be added to account for the nature of the noise.

Program VII.9. The City shall revise the *Zoning Ordinance* consistent with the noise policies and standards contained in this section of the *Policy Document*.

Program VII.10. The City shall adopt a noise ordinance based on the standards contained in this section of the *Policy Document* to regulate existing noise sources.

**Explanation:** Impacts on existing development will be avoided by requiring projects which would cause existing traffic-related noise levels in existing residential areas to increase more than 3 dB to evaluate the feasibility of noise mitigation measures. A qualitative noise ordinance will ensure that any existing noise problems are alleviated.

**Other:** After the DEIR was released in October 1991, the City Council and Planning Commission held six public hearings on the DEIR and the Draft General Plan and related documents between November and January 1992. During late January and late February 1992, the City Council and Planning Commission met jointly eight times and separately once to formulate their recommendations for the General Plan. During these deliberations, it was decided to include the mitigation measures proposed in the DEIR as policies within the General Plan, while in other instances it was decided that many of the mitigation measures identified in the EIR were too specific for a project such as a general plan. Specifically, Policies VII.E.4. and VII.E.6. incorporate Draft Measure 11.2A; Policy VII.E.6 incorporates Draft Measure 11.2B; and Program VII.10 incorporates Draft Measure 11.2C. The City finds that the new

measures incorporated as policies within the General Plan, will provide a similar level of protection.

9. AIR QUALITY.

a. Air Quality Effects of Construction.

**Potentially Significant Effect:** The accommodation of population growth and development within the General Plan would have the potential for short term construction impacts as the area develops. The construction of roads, houses, public amenities and other features could lead to an increase in dust generated by equipment and vehicles as well as fugitive dust. Fugitive dust can be emitted both during construction activity as clearing and earthmoving activities occur and as a result of wind erosion over exposed surfaces. These impacts would be temporary in nature and limited in extent at any given time.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Policy VI.E.6.** The City shall require for both public and private projects that construction-related dust be minimized. Larger projects that create a potential for generating a significant amount of construction-related dust shall be required to include dust control measures as part of their construction mitigation plans.

**Explanation:** By controlling the amount of construction dust and by requiring dust control measures, the significant impact will be avoided.

**Other:** After the DEIR was released in October 1991, the City Council and Planning Commission held six public hearings on the DEIR and the Draft General Plan and related documents between November and January 1992. During late January and late February 1992, the City Council and Planning Commission met jointly eight times and separately once to formulate their recommendations for the General Plan. During these deliberations, it was decided to include the mitigation measures proposed in the DEIR as policies within the General Plan, while in other instances it was decided that many of the mitigation measures identified in the EIR were too specific for a project such as a general plan. Specifically, Policy VI.E.6. incorporates Draft Measure 12.1. The City finds that the new measures incorporated as policies within the General Plan, will provide a similar level of protection.

**b. Agricultural/Residential Air Quality Conflicts.**

**Significant Effect:** The General Plan would result in new residential neighborhoods adjacent to surrounding agricultural lands, which could result in complaints to farmers by new residents regarding waste burning, dust, odors, pesticide application and other similar activities, although these effects are generally temporary in nature. There would be increased pressure to end farming in these areas.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Policy VI.B.1.** The City shall support the continuation of agricultural and related uses on lands within the Urban Limit Line designated for urban uses until urban development is imminent.

**Policy VI.B.2.** The City shall encourage the County to retain agricultural uses on lands surrounding Winters pending their annexation to the City.

**Policy VI.B.3.** Along the northern and western portion of the Urban Limit Line new residential development that abuts designated and active agricultural land shall incorporate buffers to minimize agricultural-residential conflicts and nuisance problems. The size of the buffer zone shall be determined by the type of agricultural activities involved. The buffer zone may consist of open space, recreational uses, landscape areas, streets or other non-intensive uses.

**Policy VI.B.6.** The City shall adopt a right-to-farm ordinance.

In addition, to the above policies and programs discussed in the EIR, the General Plan contains other project components that avoid the significant impact:

**Program VI.11.** The City shall prepare guidelines for the type and width of buffers between new residential developments and active agricultural uses outside the Urban Limit Line to be used in the review of subdivision proposals.

**Program VI.2.** The City shall adopt a right-to-farm ordinance.

**Explanation:** The General Plan directs the City to adopt a right-to-farm ordinance to provide a means to protect farmers from complaints and grievances. Buffers are also to be incorporated into residential projects to reduce the potential for conflicts.

**Other:** After the DEIR was released in October 1991, the City Council and Planning Commission held six public hearings on the DEIR and the Draft General Plan and related documents between November and January 1992. During late January and late February 1992, the City Council and Planning Commission met jointly eight times and separately once to formulate their recommendations for the General Plan. During these deliberations, it was decided to include the mitigation measures proposed in the DEIR as policies within the General Plan, while in other instances it was decided that many of the mitigation measures identified in the EIR were too specific for a project such as a general plan. Specifically, Policy VI.B.3. incorporates Draft Measure 12.2. The City finds that the new measures incorporated as policies within the General Plan, will provide a similar level of protection.

**c. Local Air Quality Impacts from Increased Traffic:  
Carbon Monoxide.**

**Significant Effect:** The increase in population would lead to a substantial increase in new automobile traffic. Increase in levels of carbon monoxide could occur locally near heavily travelled roads, especially since the existing roadway system could lead to increased congestion. (Impacts to regional air quality are discussed below in Section IX.C.1.b., p. 93 of these findings.)

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Policy I.A.4.** The City shall link the rate of growth in Winters to the provision of adequate services and infrastructure, including schools. To this end, the City shall, prepare and adopt a program to ensure that growth occurs in an orderly fashion and in pace with the expansion of public facilities and services.

**Policy III.A.1.** The City shall endeavor to maintain a Level of Service "C" or better, as defined by the 1985 Highway Capacity Manual or subsequent revisions, on all streets and intersections within the city.

**Policy III.A.2.** Streets shall be dedicated, constructed, widened, extended, and modified according to City standards specified in Part I of this Policy Document. Dedication and improvement

of full rights-of-way may not be required in existing developed areas where the City determines that such improvements are either infeasible or undesirable. The City may allow other deviations from these standards if the City determines that safe and adequate public access and circulation, including pedestrian convenience, are preserved by such deviations.

Policy III.A.3. To identify the potential impacts of new development on traffic service levels, the City shall require the preparation of traffic impact analyses at the sole expense of the developer for developments with 20 or more lots or units.

Policy III.A.6. The City shall work with Caltrans in developing and implementing interchange improvements at Highway 128 and I-505.

Policy III.A.7. The City shall explore with Caltrans and the County the long-term possibilities for improving the capacity of the County Road 31 overcrossing of I-505.

Policy III.A.8. The City shall comply with and implement the programs and policies of the Yolo County Congestion Management Plan (CMP) for Yolo County.

Policy III.A.9. The City shall require street designs consistent with principles of interconnected network path design. The City shall insure that there are multiple, local-street access points to all developments throughout the City. The City shall insure that direct access to all local streets from primary and secondary collectors is maintained. At the discretion of the City, alleys may be used in conjunction with the overall street layout.

Policy III.A.10. Street designs should promote pedestrian and bicycle travel and should emphasize safety over travel speed and capacity. Collector streets should not be used as separators of neighborhoods.

Policy III.A.15. The City shall ensure through a combination of traffic impact fees and other funding mechanisms that new development pays its share of the costs of circulation improvements.

- Policy III.D.1. To the extent feasible, the City shall provide for separation of residential and other noise-sensitive land uses from major roadways to reduce noise and air pollution impacts.
- Policy III.G.1. The City shall create and maintain a safe and convenient system of pedestrian and bicycle routes that encourages walking or bicycling as an alternative to driving. The pedestrian bicycle system shall connect all residential areas, schools, and shopping and employment areas in the city. The bicycle system shall favor on-street bike lanes over separated bike paths. New development shall be required to pay its share of the costs for development and maintenance of this system.
- Policy III.G.3. The City shall cooperate with surrounding jurisdictions in designing and implementing an area-wide bikeway system.
- Policy III.G.6. The City shall require inclusion of bicycle parking facilities at all new major public and quasi-public facilities and commercial and employment sites. Major employers shall be encouraged to provide showers and lockers in their facilities to encourage biking.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which avoid the significant impact:

- Policy VI.E.1. The City shall cooperate with the Yolo-Solano Air Pollution Control District in an effort to ensure the earliest practicable attainment and subsequent maintenance of federal and state ambient air quality standards.
- Policy VI.E.2. The City shall utilize the CEQA process to identify and avoid or mitigate potentially significant air quality impacts of new development. The CEQA process shall also be utilized to ensure early consultation with the Yolo-Solano Air Pollution Control District concerning air quality issues associated with specific development proposals.
- Policy VI.E.3. The City shall notify and coordinate with the Yolo-Solano Air Pollution Control District when industrial developments are proposed. Such coordination will assist applicants in complying with applicable air quality

regulations and will assist the City in promptly identifying and resolving potential air quality problems.

- Policy VI.E.4. Major intersections shall be designed to minimize long vehicle delays which result in carbon dioxide (CO) "hot spots."
- Policy VI.E.9. The City shall actively promote ridesharing.
- Policy VI.E.11. In granting development entitlements, the City shall require all new industrial and commercial developments within the city projected to generate more than 500 trips per day (based on typical trip generation rates) to develop an air quality mitigation plan. This plan shall include an analysis of how the project would utilize site planning, mixed land uses, transportation systems management measures (e.g., carpooling, van pooling, shuttle bus service, transit incentives, etc.) to reduce by 25 percent the number of trips that would typically be projected for such development. Where this goal cannot be met by these methods, the plan shall provide for off-site mitigation through funding of air quality improvements such as new park and ride lots, sidewalks, bike paths, and support of transit, as deemed acceptable by the City.
- Policy III.B.1. The City shall work with the Yolo County Transit Authority to maintain and expand bus service to Winters.
- Policy III.B.2. The City shall consider assessing development impact fees for capital expenses for increased transit service.
- Policy III.B.3. The City shall require bus turnouts and shelters in higher density residential and commercial areas and other areas deemed appropriate.
- Policy III.C.2. The City shall cooperate with Caltrans and Yolo County Transit in developing and maintaining park-and-ride facilities for Winters' commuters.
- Policy III.C.3. The City shall coordinate its ridesharing support services with the rideshare offices of major traffic generators such as UC Davis, Yuba Community College in Woodland, and major

regional employers.

Policy III.C.4. The City shall encourage telecommuting and other trip-reduction strategies.

**Explanation:** Improving traffic flows reduces idling which causes carbon monoxide hotspots. An analysis of projected traffic conditions indicates that, assuming roadway improvements as defined in the Circulation Master Plan, curbside levels of carbon monoxide at selected intersections would be well below ambient state and federal standards. The General Plan directs the City to ensure construction of needed transportation improvements as population increases and to promote non-auto travel as this will reduce total emissions.

## 10. OTHER CONSIDERATIONS.

### a. Visual Considerations.

**Significant Effect:** Development which eliminates, obscures, or otherwise harms the visual resources of the city, without establishing appropriate or replacement or substitute views, would represent a significant impact on visual resources. Development which is not consistent with the objectives of Yolo County designation of Grant Avenue as a scenic highway would also have a significant effect. New residential subdivisions which eliminate existing farmhouses and orchards in areas to be developed would have a significant impact on the rural image and appearance of the city.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

Policy VIII.A.1. The City shall maintain and enhance the distinctiveness and integrity of neighborhoods and districts in Winters.

Policy VIII.A.5. The City shall seek to maintain a distinct agricultural definition to the urban edge of the city as a means of emphasizing Winters' small-town qualities and agricultural heritage.

Policy VIII.A.7. The City shall establish design guidelines for new development along Highway 128/Grant Avenue reflecting its designation as a Scenic Highway. The City shall work with Caltrans and Yolo County in developing consistent guidelines.

- Policy VIII.D.1. The City shall endeavor to protect the tree canopy created by mature trees in existing developed areas.
- Policy VIII.D.2. The City shall require that all new development install street trees according to the City's *Street Tree Plan and Standards*.
- Policy VIII.D.4. As a condition of the approval of development projects, the City shall require establishment of permanent mechanisms for the ongoing maintenance of street trees.
- Policy VIII.D.5. Where possible, new developments should preserve and incorporate portions of existing orchards into their site plans.
- Program VI.7. The City shall undertake a feasibility and design study for development of an Open Space Preserve. Such a preserve should be designed to provide for a combination of uses including agriculture, habitat protection, groundwater recharge, and educational and passive recreational opportunities. The Open Space Preserve should, to the maximum extent possible, be designed to function as part of the City's flood control and wastewater discharge system
- Program VIII.3. The City shall amend the *Zoning Ordinance* to provide for design review of all new multi-family residential and non-residential uses and major alterations to these uses.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which avoid the significant impact:

- Policy VIII.A.4. The City shall promote the development of a well-defined, pedestrian-oriented downtown as the center of Winters' commercial, civic, and cultural life.
- Policy VIII.B.2. The City shall encourage the concentration and intensification of urban uses, including residential uses, in the downtown as a means of increasing pedestrian activity and providing support for commercial and civic activities in the downtown.
- Policy VIII.B.3. To the maximum extent possible, new buildings developed in the downtown shall front directly

on streets, and parking shall be located behind buildings, out of view from the street.

Policy VIII.C.2. The City shall promote the creation of well-defined residential neighborhoods in newly-developing areas. Each of these neighborhoods should have a clear focal point, such as a park, school, or other open space and community facility, and should be designed to promote pedestrian convenience. To this end, the City shall encourage the use of existing Winters neighborhoods, including the grid street system, as models for the planning and design of new residential neighborhoods.#

Policy VIII.D.6. In conjunction with new development along I-505, the City shall require extensive landscaping and the planting of new trees to screen development from view along I-505.

Program VIII.1. The City shall prepare and adopt design guidelines for new development along Highway 128/Grant Avenue reflecting its designation as a Scenic Highway.

Program I.6. The City shall prepare and adopt a *Central Business District Plan* that includes the following: \* \* \*

- Design guidelines \* \* \*

Program VIII.2. The City shall prepare and adopt a *Street Tree Plan and Standards*.

Program VIII.4. The City shall prepare and adopt *Community Design Guidelines* to implement the urban design principles contained in the *General Plan*.

Program VI.12. The City shall amend the Subdivision Ordinance to provide for dedication of sunlight easements in connection with land divisions, pursuant to Section 66475.3 of the Subdivision Map Act.

Policy I.D.5. New commercial and office development along Highway 128/Grant Avenue shall be designed to avoid the appearance of strip development.

Program IV.16. The City shall adopt an ordinance that establishes standards and requirements for undergrounding of both new and existing

overhead electrical and communication utility lines.

**Explanation:** The General Plan incorporates multiple policies which would promote the small town image and agricultural character, the historic qualities of the central business district, as well as other scenic qualities, and the designation of Highway 128 as a Scenic Highway corridor. The potential impacts on Winters' scenic and visual resources would be avoided.

**b. Light and Glare Considerations.**

**Significant Effect:** New street lights, nighttime parking lot illumination, or special lighting of industrial facilities, would represent a significant impact on the existing night sky clarity of the city. Commercial or industrial lighting which is not directed away from or shielded from residential areas would constitute a significant impact.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

**Policy VIII.D.7.** Lighting in new development, including street lighting, should be designed, installed, and maintained to minimize excess light spillage, unnecessary brightness and glare, and degradation of night sky clarity.

**Explanation:** The General Plan directs the City to reduce the potential for significant impacts in commercial or industrial lighting causing a glare disturbance in residential areas, or on night sky clarity in the Winters area.

**c. Constraints on Agriculture Due to the Incompatible Land Use.**

**Significant Effect:** New development will introduce a new urban/rural boundary that may lead to conflict in the land uses. Residents abutting farm may complain about odors, noise, aerial and surface pesticide application and other activities that are normal for farming operations while allowing their domestic animals to roam in the field, causing crop damage, farm animal conflict, and hazards for farm machinery operations.

**Finding:** The Project contains components that avoid the significant effect identified in the EIR.

**Project Components:** The EIR discusses the following components.

Land Use Diagram Eighty acres of prime farmland has been designated as open space along the northern boundary of the planning area. Other land uses adjacent to farmland are generally low density.

Policy VI.B.3. Along the northern and western portion of the Urban Limit Line new residential development that abuts designated and active agricultural land shall incorporate buffers to minimize agricultural-residential conflicts and nuisance problems. The size of the buffer zone shall be determined by the type of agricultural activities involved. The buffer zone may consist of open space, recreational uses, landscape areas, streets or other non-intensive uses.

Policy VI.B.6. The City shall adopt a right-to-farm ordinance.

Program VI.2. The City shall adopt a right-to-farm ordinance.

Explanation: The designation of the farmland as open space along with other designated uses along the northern and western boundaries of the planning area greatly minimizes the concentration of residences adjacent to farmlands. The buffering of agricultural land uses from urban uses as well as the right to farm ordinance which will protect farmers from complaints and resolution of conflicts will avoid the potential land use conflicts.

**d. Cultural Resources/Archaeology.**

Potentially Significant Impact: Three native american archaeological sites may be present in an undetermined location in or near the present-day City of Winters. These sites are most likely located near Putah or Dry Creek or the area north of Putah Creek between I-505 and Morgan Street. The implementation of the General Plan would initiate urban development that could result in the destruction or overcovering of prehistoric archaeological sites

Finding: Specific policies have been incorporated into the project that avoid the significant effect identified in the EIR.

Project Components: The EIR discusses the following components.

Policy V.D.1. Winters' historically and architecturally significant buildings and sites should be preserved and enhanced to the fullest degree possible.

- Policy II.B.6. The City shall promote the preservation of architecturally and historically significant residential structures.
- Policy V.D.2. The City shall continue to implement the City's *Historic Preservation Ordinance* and the *State Historic Building Code*. The *Historic Preservation Ordinance* and *State Historic Building Code* should be made applicable to all historically-significant structures in Winters.
- Policy V.D.3. The Winters Planning Commission shall continue to carry out the functions of the City's Historical Preservation Commission as specified in the City's *Historic Preservation Ordinance*.
- Policy V.D.4. The City shall work with property owners in seeking registration of historical structures and sites as State Historic Landmarks or listing on the *National Register of Historic Sites*.
- Policy V.D.5. The City shall support the efforts of property owners to preserve and renovate historic and architecturally significant structures. Where such buildings cannot be preserved intact, the City shall seek to preserve the building facades.
- Policy V.D.6. The City shall pursue available local, state, and federal funding for public and private historical restoration and preservation activities.
- Policy V.D.7. Structures of historical, cultural, or architectural merit which are proposed for demolition shall be considered for relocation as a means of preservation. Relocation within the same neighborhood or to another compatible neighborhood shall be encouraged.
- Policy V.D.8. The City shall explore restoration of the historic Putah Creek Bridge and the railroad bridge.
- Policy V.F.1. The City shall refer development proposals that may adversely affect archaeological sites to the Northwest Information Center of the California Archaeological Inventory for review and comment.

Policy V.F.2.

The City shall undertake an archeological sensitivity survey of the entire area within the Urban Limit Line. Such study shall classify areas as "low-sensitivity," "moderate sensitivity," and "high-sensitivity." Within areas classified as "high-sensitivity," an archeological site survey will be required in conjunction with project applications. In all other areas, no field surveys will be required. However, if archeological artifacts are discovered during grading or construction, grading or construction must stop pending an archeological investigation and identification of appropriate mitigation measures. City implementation of this policy shall be guided by Appendix K of the State CEQA Guidelines.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which avoid the significant impact:

Program V.4.

The City shall amend the City's *Historic Preservation Ordinance* and the State *Historic Building Code* to make them applicable to all historically significant structures in Winters.

Program V.5.

The City shall undertake an archeological sensitivity survey of the entire area within the Urban Limit Line. Such study shall classify areas as "low-sensitivity," "moderate sensitivity," and "high-sensitivity."

**Explanation:** The General Plan will prevent development from occurring which would have a significant impact on the city's cultural resources, including potential Native American archaeological sites and important architectural buildings and structures. The cultural resources will be protected and enhanced through the implementation of the City's *Historic Preservation Ordinance* and the State *Historic Building Code*, and through the City's pursuant local, state or federal funding for public and private historical restoration and preservation activities.

**B. PUBLIC RESOURCES CODE SECTION 21081(b).**

Having reviewed and considered the information contained in the FEIR for the project and the information in the Administrative Record, the City finds that there are no further changes or alterations to the project, that would avoid or substantially lessen the significant environmental impacts that are within the responsibility and jurisdiction of another public agency and should be adopted by such other agency.

**C. POTENTIALLY SIGNIFICANT IMPACTS WHICH CANNOT BE AVOIDED BY PROJECT COMPONENTS OR MITIGATED TO INSIGNIFICANCE: PUBLIC RESOURCES CODE SECTION 21081(c).**

There are five impacts of the Project which remain significant: impacts to Swainson's Hawk; cumulative loss of habitat for special status taxa; increase in regional air pollution emissions; loss of agricultural land; and potential water quality impacts of increased runoff on Putah and Dry Creek. As required by Public Resources Code Section 21081(c), the City is required to find that specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the FEIR. Except as specifically discussed below, mitigation measures proposed by commentators on impacts that remain significant were adopted as policies or programs as part of the General Plan.

**1. The Infeasibility of Proposed Mitigation Measures.**

**a. BIOTICS: Impacts to Swainson's Hawk.**

**Significant Impact:** Future development on agricultural lands under the proposed General Plan within the 20 year SOI will contribute to the loss of foraging and nesting habitat for the Swainson's Hawk.

**Project Components:** The following components have been incorporated into the Project which substantially lessen the impact identified in the EIR.

**Policy VI.C.1.** Prior to approving public or private development projects in areas containing or adjacent to areas containing large trees, riparian vegetation, wetlands or other significant wildlife habitat, the City shall require the project area and its environs be field surveyed for the presence of special-status plant and animal taxa. Such field surveys shall be conducted by a qualified biologist. If special-status taxa are encountered during the field surveys, appropriate measures shall be developed to minimize disturbance and protect identified populations, where feasible.

**Policy VI.C.5.** The City shall require mitigation of potential impacts on special-status plant and animal taxa based on a policy of no-net-loss of habitat value. Mitigation measures shall incorporate, as the City deems appropriate, the guidelines and recommendations of the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Implementation

of this policy may include a requirement that project proponents enter into an agreement with the City satisfactory to the City Attorney to ensure that the proposed projects will be subject to a City fee ordinance to be adopted consistent with the regional *Habitat Management Plan*.

**Policy VI.C.4.**

The City shall support and participate in local and regional attempts to restore and maintain viable habitat for endangered or threatened plant and animal species. To this end, the City shall work with surrounding jurisdictions and state and federal agencies in developing a regional *Habitat Management Plan*. Such plans shall provide baseline data for the Winters area on special-status plant and animal taxa, including Swainson hawk and the valley elderberry longhorn beetle, and provide guidelines and standards for mitigation of impacts on special-status taxa.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which also substantially lessen the significant impact:

**Policy VI.C.5.**

The City shall undertake a feasibility study for the establishment of an Open Space Preserve between the Urban Limit Line and Grant Avenue west of I-505. Such preserve should be designed to provide for a combination of uses including agriculture, habitat protection, groundwater recharge, and educational and recreational activities. The Open Space Preserve should, to the maximum extent possible, be designed to function as part of the City's flood control and wastewater discharge system. The City should consider requiring developments that cannot mitigate wetlands or riparian habitat impacts on-site to make in-lieu contributions to the establishment, development, and maintenance of the Open Space Preserve, or other mitigations consistent with the *Habitat Management Plan*.

**Finding:** Even after the adoption of the above project components, the Project will directly cause an unavoidable loss of Swainson's Hawk habitat. However, pursuant to Public Resources Code Section 21081(c), the City finds and concludes that the following independent economic, social, or other considerations make infeasible the mitigation measures identified in the EIR, discussed below. The City further finds that each independent consideration,

standing alone, would be sufficient to make infeasible the following mitigation measure. In addition as set forth in the Statement of Overriding Considerations in Exhibit C of Resolution 92-13, the City concludes that the environmental detriment associated with the unavoidable significant effect is rendered acceptable by the benefits of approving the Project, namely, the Project encourages a balance between population and economic growth, which expands the opportunities and choices for its citizens, as well as serves regional demand for housing, business development, and a small-town lifestyle. Winters' town character is defined to include the surrounding open spaces, creek ways, agricultural lands and cultivated activities, public facilities such as park and schools, traditional residential neighborhoods and the historic, architectural and pedestrian-scale qualities of its central and downtown areas. The Project allows the city to maintain this small town character. There also are certain features and characteristics of the city, and some which would be expected to accompany new growth and development, which the City through the General Plan and its related programs and master plans, intends to eliminate, avoid or minimize.

**Proposed Mitigation Measure:** After the DEIR was released in October 1991, the City Council and Planning Commission held six public hearings on the DEIR and the Draft General Plan and related documents between November and January 1992. During late January and late February 1992, the City Council and Planning Commission met jointly eight times and separately once to formulate their recommendations for the General Plan. During these deliberations, it was decided to include the mitigation measures proposed in the DEIR as policies within the General Plan. Specifically, Policy VI.C.1 incorporates DEIR Measure 9.3A and Policy VI.C.4 incorporates DEIR Measure 9.3B. The City finds that the new measures incorporated as policies within the General Plan, though in some cases less specific than those identified in the DEIR, provide a similar level of protection, although the impact remains significant.

**Proposed Mitigation Measures:** A commentator requested detailed surveys on existing wildlife before the General Plan is approved. Even if surveys were to be conducted and Swainson's Hawk were found within the City, the loss of agricultural land in the City as foraging habitat for the Hawk will remain an impact. Therefore, surveys for the Swainson's Hawk would not mitigate the significant impact and the City rejects the proposed mitigation measure as infeasible. A commentator stated that the EIR should be modified to include a measure that nesting trees for Swainson's Hawk should be retained. The City finds that Policy VI.C.1. provides the same level of protection as the proposed mitigation measure. This policy requires field surveys in areas containing or adjacent to areas containing large trees. If special status taxa are discovered, appropriate mitigation measures to "minimize disturbance" and protect identified populations." Thus, the City

finds the proposed mitigation measure is not necessary.

**Explanation:** See Finding above.

**b. BIOTICS: Cumulative Loss of Special Status Taxa Habitat.**

**Significant Impact:** The combination of urban development in individual towns and cities throughout the Sacramento Valley on agricultural fields, pastures and small areas of wetlands, which provide living and foraging habitat for special status plants and animals will have a significant cumulative effect on the loss of habitat for these special status taxa.

**Project Components:** The following components have been incorporated into the Project which substantially lessen the impact identified in the EIR.

**Policy VI.C.4.** The City shall support and participate in local and regional attempts to restore and maintain viable habitat for endangered or threatened plant and animal species. To this end, the City shall work with surrounding jurisdictions and state and federal agencies in developing a regional *Habitat Management Plan*. Such plans shall provide baseline data for the Winters area on special-status plant and animal taxa, including Swainson hawk and the valley elderberry longhorn beetle, and provide guidelines and standards for mitigation of impacts on special-status taxa.

**Finding:** Even after the adoption of the above project components, the Project will cause an unavoidable cumulative loss of special status taxa habitat. However, pursuant to Public Resources Code Section 21081(c), the City finds and concludes that the following independent economic, social, or other considerations make infeasible the mitigation measure identified in the EIR, discussed below. The City further finds that each independent consideration, standing alone, would be sufficient to make infeasible the following mitigation measure. In addition as set forth in the Statement of Overriding Considerations in Exhibit C of Resolution 92-13, the City concludes that the environmental detriment associated with the unavoidable significant effect is rendered acceptable by the benefits of approving the Project, namely, the Project encourages a balance between population and economic growth, which expands the opportunities and choices for its citizens, as well as serves regional demand for housing, business development, and a small-town lifestyle. Winters' town character is defined to include the surrounding open spaces, creek ways, agricultural lands and cultivated activities, public facilities such as park and schools, traditional residential neighborhoods and

the historic, architectural and pedestrian-scale qualities of its central and downtown areas. The Project allows the city to maintain this small town character. There also are certain features and characteristics of the city, and some which would be expected to accompany new growth and development, which the City through the General Plan and its related programs and master plans, intends to eliminate, avoid or minimize.

**Proposed Mitigation Measure:** After the DEIR was released in October 1991, the City Council and Planning Commission held six public hearings on the DEIR and the Draft General Plan and related documents between November and January 1992. During late January and late February 1992, the City Council and Planning Commission met jointly eight times and separately once to formulate their recommendations for the General Plan. During these deliberations, it was decided to include the mitigation measures proposed in the DEIR as policies within the General Plan. Specifically, DEIR Measure 9.3B can be found in Policy VI.C.4. The City finds that the new measure incorporated as policy within the General Plan, provides a similar level of protection, although the impact remains significant.

**Explanation:** See Finding above.

**c. AIR QUALITY: Regional Air Quality Impacts from Increased Traffic**

**Significant Impact:** Increased traffic from future growth would contribute to the cumulative increase in emissions of air pollutants on a regional basis.

**Project Components:** The following components have been incorporated into the Project which substantially lessen the impact identified in the EIR:

Policy VI.E.2. The City shall utilize the CEQA process to identify and avoid or mitigate potentially significant air quality impacts of new development. The CEQA process shall also be utilized to ensure early consultation with the Yolo-Solano Air Pollution Control District concerning air quality issues associated with specific development proposals.

Policy VI.E.7. The City shall promote expansion of employment opportunities within Winters to reduce commuting to areas outside Winters.

Policy VI.E.9. The City shall actively promote ridesharing.

Policy VI.E.11. In granting development entitlements, the City shall require all new industrial and

commercial developments within the city projected to produce more than 500 trips per day (based on typical trip generation rates) to develop an air quality mitigation plan. This plan shall include an analysis of how the project would utilize site planning, mixed land uses, transportation systems management measures (e.g., carpooling, van pooling, shuttle bus service, transit incentives, etc.) to reduce by 25 percent the number of trips that would typically be projected for such development. Where this goal cannot be met by these methods, the plan shall provide for off-site mitigation through funding of air quality improvements such as new park and ride lots, sidewalks, bike paths, and support of transit, as deemed acceptable by the city.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which also substantially lessen the significant impact:

**Policy VI.E.1.**

The City shall cooperate with the Yolo-Solano Air Pollution Control District in an effort to ensure the earliest practicable attainment and subsequent maintenance of federal and state ambient air quality standards.

**Policy VI.E.3.**

The City shall notify and coordinate with the Yolo-Solano Air Pollution Control District when industrial developments are proposed. Such coordination will assist applicants in complying with applicable air quality regulations and will assist the City in promptly identifying and resolving potential air quality problems.

**Policy III.G.1.**

The City shall create and maintain a safe and convenient system of pedestrian and bicycle routes that encourages walking or bicycling as an alternative to driving. The pedestrian bicycle system shall connect all residential areas, schools, and shopping and employment areas in the city. The bicycle system shall favor on-street bike lanes over separated bike paths. New development shall be required to pay its share of the costs for development and maintenance of this system.

**Policy III.G.3.**

The City shall cooperate with surrounding jurisdictions in designing and implementing an area-wide bikeway system.

- Policy III.G.4. The City shall require inclusion of bicycle parking facilities at all new major public and quasi-public facilities and commercial and employment sites. Major employers shall be encouraged to provide showers and lockers in their facilities to encourage biking.
- Policy III.B.1. The City shall work with the Yolo County Transit Authority to maintain and expand bus service to Winters.
- Policy III.B.2. The City shall consider assessing development impact fees for capital expenses for increased transit service.
- Policy III.B.3. The City shall require bus turnouts and shelters in higher density residential and commercial areas and other areas deemed appropriate.
- Policy III.C.2. The City shall cooperate with Caltrans and Yolo County Transit in developing and maintaining park-and-ride facilities for Winters' commuters.
- Policy III.C.3. The City shall coordinate its ridesharing support services with the rideshare offices of major traffic generators such as UC Davis, Yuba Community College in Woodland, and major regional employers.
- Policy III.C.4. The City shall encourage telecommuting and other trip-reduction strategies.
- Program I.8. The City shall develop an economic development plan to identify and implement strategies to attract new commercial development and industry to Winters.
- Program III.2. The City shall prepare, adopt, and periodically update a *Circulation Master Plan* consistent with the land use patterns and densities/intensities specified in the *General Plan*.
- Program III.4. The City shall adopt and implement a program to satisfy the requirements of the *Yolo County Congestion Management Plan (CMP)*. This program shall include a monitoring plan, a land use impact analysis plan, and a local trip reduction ordinance. Deficiency plans may also have to be prepared if violations of CMP

Level of Service standards occur on Highway 128 or Railroad Avenue.

- Program III.5      The City shall prepare and adopt a traffic impact fee as part of the City's development impact fee schedule to pay for improvements necessitated by new development.
- Program III.6      The City shall conduct a transit improvement study to identify areas in the city needing new and expanded transit services.
- Program III.9.      The City shall cooperate with Caltrans and Yolo County Transit in developing and maintaining park-and-ride facilities for Winters' commuters.
- Program III.10.     The City shall prepare, adopt, and periodically update a *Bicycle/Pedestrian System Master Plan*.
- Program III.11.     The City shall prepare and adopt requirements for secure bicycle racks at new commercial and employment centers.

**Finding:** Even after incorporation of the project components to reduce air quality emissions by reducing congestion and automobile trips, the Project will cause an adverse increase in regional air emissions. However, pursuant to Public Resources Code Section 21081(c), the City finds and concludes that the following independent economic, social, or other considerations make infeasible the mitigation measures identified in the EIR, discussed below. The City further finds that each independent consideration, standing alone, would be sufficient to make infeasible the following mitigation measure. In addition as set forth in the Statement of Overriding Considerations in Exhibit C of Resolution 92-13, the City concludes that the environmental detriment associated with the unavoidable significant effect is rendered acceptable by the benefits of approving the Project, namely, the Project encourages a balance between population and economic growth, which expands the opportunities and choices for its citizens, as well as serves regional demand for housing, business development, and a small-town lifestyle. Winters' town character is defined to include the surrounding open spaces, creek ways, agricultural lands and cultivated activities, public facilities such as park and schools, traditional residential neighborhoods and the historic, architectural and pedestrian-scale qualities of its central and downtown areas. The Project allows the city to maintain this small town character. There also are certain features and characteristics of the city, and some which would be expected to accompany new growth and development, which the City through the General Plan and its related programs and master plans,

intends to eliminate, avoid or minimize.

**Proposed Mitigation Measure:** After the DEIR was released in October 1991, the City Council and Planning Commission held six public hearings on the DEIR and the Draft General Plan and related documents between November and January 1992. During late January and late February 1992, the City Council and Planning Commission met jointly eight times and separately once to formulate their recommendations for the General Plan. During these deliberations, it was decided to include the mitigation measures proposed in the DEIR as policies within the General Plan. Specifically, Policy VI.E.11. incorporates DEIR Measure 12.3. The threshold requiring businesses to adopt air quality mitigation plans was changed from 200 trips per day to 500 trips per day because it is more consistent with the threshold used in other Sacramento Valley counties (e.g. San Joaquin County). The City finds that the new measure incorporated as policy within the General Plan will provide a similar level of protection, although the impact remains significant.

**Proposed Mitigation Measures:** A commentator suggested that disincentives for fireplaces in homes be implemented or a requirement that efficient catalytic equipped stoves be required. The City rejects this mitigation measure as infeasible because in order to meet energy efficiency standards, wood stoves may be required in homes. There is also no evidence in the Solano County air quality management plan that catalytic converters on stoves have substantial benefits to air quality. Finally, this measure would impose unacceptable costs on individual landowners. Fireplaces and stoves are often the focal point for families to gather. This measure would force a lifestyle change inconsistent with the goal of maintaining small town values. A commentator also suggested that the Plan should increase density to reduce trips and air quality problems. The City rejects this mitigation measure as infeasible as this is inconsistent with the City's goal of retaining its small town character. The commentator also suggested the buildout of residential units to the development of commercial space be linked through the use of occupancy permits. The City rejects this mitigation measure as infeasible because such a requirement would likely forestall residential development which is necessary to support expanded commercial development.

**Explanation:** See Finding above.

**d. OTHER CONSIDERATIONS: Conversion of  
Agricultural Land.**

**Significant Impact:** Full development under the General Plan would result in the conversion of approximately 1,231 acres of cultivated fields, orchards, pastures, and vacant lands to residential, commercial, industrial and public uses. Development projected to occur by the year 2010 will convert an estimated 610 acres of

"prime farmland" to non-agricultural uses. This represents a loss of 0.25 percent (0.0025%) of the total "prime farmland" in Yolo County and is considered a significant impact. When considered in the regional context of ongoing conversion of agricultural land in surrounding jurisdictions, this impact is also cumulatively significant.

**Project Components:** The following components have been incorporated into the Project which substantially lessen the impact identified in the EIR:

Policy VI.B.1. The City shall support the continuation of agricultural and related uses on lands within the Urban Limit Line designated for urban uses until urban development is imminent.

Policy VI.B.4. Outside the Urban Limit Line, high quality agricultural soils should be protected by strong County agricultural policies and regulations. Any future expansion of the Urban Limit Line should occur in areas with lower quality agricultural soils.

Policy VI.B.6. The City shall adopt a right-to-farm ordinance.

In addition to the above policies and programs discussed in the EIR, the Project contains additional components which also substantially lessen the significant impact:

Policy VI.B.2. The City shall encourage the County to retain agricultural uses on lands surrounding Winters pending their annexation to the City.

Policy VI.B.3. Along the northern and western portion of the Urban Limit Line new residential development that abuts designated and active agricultural land shall incorporate buffers to minimize agricultural-residential conflicts and nuisance problems. The size of the buffer zone shall be determined by the type of agricultural activities involved. The buffer zone may consist of open space, recreational uses, landscape areas, streets or other non-intensive uses.

Policy VI.B.5. The City shall support the efforts of the County in establishing a land conservation trust and implementing programs involving transfer of development rights and purchase of development rights or conservation easements.

- Policy VI.B.7. The City shall support tax and economic incentives at both the local and state levels to enhance the economic competitiveness of agriculture.
- Policy VI.B.8. The City shall allow and encourage activities that support local agriculture such as farmers' markets, on-site sale of produce, and special events promoting local agricultural products.
- Program VI.2. The City shall adopt a right-to-farm ordinance.
- Program VI.3. The City shall monitor the research and literature of agricultural-based public and private organizations in assessing methods to protect agricultural lands at the urban fringe.
- Program VI.11. The City shall prepare guidelines for the type and width of buffers between new residential developments and active agricultural uses outside the Urban Limit Line to be used in the review of subdivision proposals.

**Finding:** Even after incorporation of project components and adoption of mitigation measures, the Project will cause an unavoidable loss of agricultural land to urban development. Pursuant to Public Resources Code Section 21081(c), the City finds and concludes that the following independent economic, social, or other considerations make infeasible the mitigation measure identified in the EIR, discussed below. The City further finds that each independent consideration, standing alone, would be sufficient to make infeasible the following mitigation measure. In addition as set forth in the Statement of Overriding Considerations in Exhibit C of Resolution 92-13, the City concludes that the environmental detriment associated with the unavoidable significant effect is rendered acceptable by the benefits of approving the Project, namely, the Project encourages a balance between population and economic growth, which expands the opportunities and choices for its citizens, as well as serves regional demand for housing, business development, and a small-town lifestyle. Winters' town character is defined to include the surrounding open spaces, creek ways, agricultural lands and cultivated activities, public facilities such as park and schools, traditional residential neighborhoods and the historic, architectural and pedestrian-scale qualities of its central and downtown areas. The Project allows the city to maintain this small town character. There also are certain features and characteristics of the city, and some which would be expected to accompany new growth and development, which the City through the

General Plan and its related programs and master plans, intends to eliminate, avoid or minimize.

**Proposed Mitigation Measure:** After the DEIR was released in October 1991, the City Council and Planning Commission held six public hearings on the DEIR and the Draft General Plan and related documents between November and January 1992. During late January and late February 1992, the City Council and Planning Commission met jointly eight times and separately once to formulate their recommendations for the General Plan. During these deliberations, it was decided to include the mitigation measures proposed in the DEIR as policies within the General Plan. Specifically, Policy VI.B.4 incorporates DEIR Measure 13.1A, Policy VI.B.2 incorporates DEIR Measure 13.1B, and Policy VI.B.5. incorporates DEIR Measure 13.1C. The City finds that the new measures incorporated as policies within the General Plan, though in some cases less specific than those identified in the DEIR, will provide a similar level of protection, though the impact remains significant.

**Proposed Mitigation Measure:** The County of Yolo suggested that proposals contained within the County's proposed "Farmland Conservation Ordinance" might provide additional mitigation for the loss of agricultural land. The County's draft conservation easement ordinance would require 6:1 mitigation for farmland from any agricultural zoning to any nonagricultural zoning. The party seeking rezoning would be required to purchase a conservation easement on six acres of land for each acre converted. The conservation easement is a deed restriction on farmland which precludes its development for non-agricultural purposes. Although the City has adopted a policy which supports the County's efforts to establish the conservation trust (Policy VI.B.5.), the City will not adopt the proposed mitigation measure itself. Under the proposed General Plan, 610 acres of prime agricultural land will be converted by the year 2010. This would require conservation easements on 3660 acres of land. The City's boundaries in 2010 will only include 1,900 acres of land, only a portion of which is farmland, thus precluding the 6:1 mitigation. On the other hand, the City could restrict the development on that prime farmland to 87 acres with a conservation easement on the remaining 523 acres (approximately 6:1). This would require the City to increase densities throughout the remainder of the city to meet the projected buildout population of 12,500. This would cause the City to lose the small town character it wants to retain. Thus, the City finds the proposed mitigation measure infeasible.

**Explanation:** See Finding above.

**e. WATER QUALITY: Urban Runoff Impacts on Dry Creek and Putah Creek.**

A commentator on the EIR identified the following as a potentially significant effect.

**Potentially Significant Effect:** Existing water quality of Putah Creek and Dry Creek is not known. Increased runoff could significantly impact the water quality in those Creeks.

**Project Components:** The following components have been incorporated into the Project which substantially lessen the potentially significant impact identified by the commentator.

Policy VI.A.2. In reviewing major new development proposals, the City shall consider the project's potential for adversely affecting water quality in Putah Creek, Dry Creek, and the area's groundwater and shall condition development approvals to *avoid or adopt all feasible measures* to mitigate any identified significant effects.

Policy VI.A.3. The City shall support public and private efforts to collect baseline data concerning existing water quality in Putah Creek.

Policy VI.A.5. The City shall support efforts at the county, regional, state and federal levels to reduce runoff of toxic agricultural chemicals into the area's water courses.

Policy VI.A.6. The City shall condition development approvals to minimize the discharge of sediment from grading into Putah Creek and Dry Creek. To this end, grading should be carried out during the dry months, when possible. Areas not being graded should be disturbed as little as possible. Construction and grading areas, as well as soil stockpiles, should be covered or temporarily revegetated when left for long periods. Revegetation of slopes should be carried out immediately upon completion of grading. Also, temporary drainage structures and sedimentation basins must be installed to prevent sediment from entering and thereby degrading the quality of downstream surface waters, particularly Putah Creek. The full cost of any necessary mitigation measures shall be borne by the projects creating the potential impacts.

**Finding:** Even after incorporation of the project components to determine the existing water quality of Putah and Dry Creeks and to protect the water quality, it is not known whether the impacts of projects could successfully be mitigated to less than significant levels. Therefore, the impact remains significant. Pursuant to Public Resources Code Section 21081(c), the City finds and conclude

that the following independent economic, social, or other considerations make infeasible the mitigation measure identified in the EIR, discussed below. The City further finds that each independent consideration, standing alone, would be sufficient to make infeasible the following mitigation measure. In addition as set forth in the Statement of Overriding Considerations in Exhibit C of Resolution 92-13, the City concludes that the environmental detriment associated with the unavoidable significant effect is rendered acceptable by the benefits of approving the Project, namely, the project encourages a balance between population and economic growth, which expands the opportunities and choices for its citizens, as well as serves regional demand for housing, business development, and a small-town lifestyle. Winters' town character is defined to include the surrounding open spaces, creek ways, agricultural lands and cultivated activities, public facilities such as park and schools, traditional residential neighborhoods and the historic, architectural and pedestrian-scale qualities of its central and downtown areas. The Project allows the city to maintain this small town character. There also are certain features and characteristics of the city, and some which would be expected to accompany new growth and development, which the City through the General Plan and its related programs and master plans, intends to eliminate, avoid or minimize.

**Proposed Mitigation Measure:** A commentator at the public hearing requested that baseline information be collected before the General Plan is approved. The City finds that this baseline study, while necessary at some point, is premature. Any projects which will be built under the General Plan will be required to mitigate impacts on Putah and Dry Creek, where feasible. The City has assumed that the impacts will remain potentially significant and may not be able to be mitigated.

## **2. The Infeasibility of Project Alternatives Other Than the General Plan Alternative I.**

Because there are no feasible mitigation measures that can substantially lessen the remaining significant effects (impacts to Swainson's Hawk; cumulative loss of habitat for special status taxa; increase in regional air quality emissions; loss of agricultural land; and water quality impacts of increased runoff on Putah and Dry Creek), the City has also considered whether any of the project alternatives outlined in the EIR could feasibly substantially lessen or avoid these effects while satisfying the objectives of the Project. (See Citizens for Quality Growth v. City of Mount Shasta (1988) 198 Cal.App.3d 433, 443-445 [243 Cal.Rptr. 727]; see also Pub. Resources Code, section 21002.) As will be explained below, the City concludes that none of the proposed alternatives could feasibly both meet the Project's objectives and substantially lessen or avoid the unavoidable significant effect of the Project, and thus has decided to approve the Project as

proposed with all feasible mitigation measures outlined above.

However, pursuant to Public Resources Code Section 21081(c), the City finds and concludes that the following independent economic, social, or other considerations make infeasible the project alternatives as identified in the EIR. The City further finds that each independent consideration, standing alone, would be sufficient to make infeasible the following project alternatives. In addition as set forth in the Statement of Overriding Considerations in Exhibit C of Resolution 92-13, the City concludes that the environmental detriment associated with the unavoidable significant effect is rendered acceptable by the benefits of approving the Project, namely, the project encourages a balance between population and economic growth, which expands the opportunities and choices for its citizens, as well as serves regional demand for housing, business development, and a small-town lifestyle. Winters' town character is defined to include the surrounding open spaces, creek ways, agricultural lands and cultivated activities, public facilities such as park and schools, traditional residential neighborhoods and the historic, architectural and pedestrian-scale qualities of its central and downtown areas. The Project allows the city to maintain this small town character. There also are certain features and characteristics of the city, and some which would be expected to accompany new growth and development, which the City through the General Plan and its related programs and master plans, intends to eliminate, avoid or minimize.

**a. Alternative II: Modified GP Alternative.**

This alternative allows for a larger population increase from 4500 to 14,000 persons and an increase of 3824 dwelling units. This is an increase of 1500 persons and 801 dwelling units over Alternative I. The total number of additional dwelling units projected in Alternative II would provide for higher densities, or somewhat smaller lot sizes, in the south central area of the city and provides for smaller area than Alternative I to be designated as rural residential. Impacts for this alternative would generally be the same with regard to Swainson's Hawk, cumulative loss of habitat for special status taxa, and loss of agricultural land. There may be a slight increase in regional air quality emissions due to the increased population. It is also likely that increased density could increase runoff and water quality impacts in Putah and Dry Creek. This alternative does not mitigate any of the remaining significant impacts identified the FEIR that remain. Thus, the City is under no obligation to address its feasibility or to adopt it.

**b. Alternative III: North Area Specific Plan/Existing General Plan Alternative.**

This alternative consists of the existing 1986 General Plan as amended to include the North Area Specific Plan (NASP). The

NASP proposed development in vacant land north, east and west of the developed area of the City (approximately 887 acres) and is projected to result in total city population of 15,000 persons. The impacts for this alternative would generally be the same with regard to Swainson's Hawk, cumulative loss of habitat for special status taxa, and loss of agricultural land. There would also be a 20% increase in regional air quality emissions over the Project due to the increase in population and associated vehicle trips. It is likely that increased population could lead to an increase in water quality impacts in Putah and Dry Creek. This alternative has additional significant effects over the proposed Project. The impact on town character by this increase in population and land use would be potentially significant. Significant impacts would also occur on traffic congestion throughout the City, including an increase in potential safety issues with bicyclists and pedestrians. Finally, the potential for urban-agricultural conflicts would be a significant impact on the continued viability of surrounding farmlands.

This alternative does not mitigate any of the remaining significant impacts identified in the FEIR. In addition, this alternative has additional significant impacts over the proposed Project. Thus, the City is under no obligation to address its feasibility or to adopt it.

**c. Alternative IV: No Project/Existing General Plan Alternative.**

The existing general plan adopted in 1985 and updated in 1986 (the "1986 general plan") projects land uses to ultimately result in a population of 15,000 persons. The impacts for this alternative would generally be worse than all the remaining impacts of the proposed Project. The 1986 existing general plan would result in more commercial and industrial use and less open space and parkland causing a greater loss of habitat for special status taxa. Because under the 1986 existing general plan more employment could be generated than residents accommodated, it could increase growth pressure on nearby agricultural communities or for an increased rate of annexation of agricultural lands causing a greater loss of agricultural land than the proposed Project. There would also be a 20% increase in regional air quality emissions over the Project due to the increase in population and associated vehicle trips and increased congestion. Increased runoff from additional industrial and commercial development would lead to an increase in water quality impacts in Putah Creek.

This alternative would also have additional significant effects. The town character would be significantly impacted due to increased traffic and land uses which direct persons away from the town center. Significant impacts would also occur on traffic congestion throughout the City and increased noise from this traffic. Because the 1986 general plan does not contain effective

means for conserving water or for upgrading wells, the overall demand for water would have a significant effect on water supply. The 1986 general plan also does not address the inadequacies of the sewer treatment plant for the projected growth, thus causing a significant effect. There are also no policies for waste reduction which will lead to a significant effect on solid waste facilities. The existing general plan does not designate adequate parkland or school sites. Finally, the potential for urban-agricultural conflicts would be a significant impact on the continued viability of surrounding farmlands.

This alternative does not mitigate any of the remaining significant impacts identified the FEIR. In addition, this alternative has additional significant impacts over the proposed Project. Thus, the City is under no obligation to address its feasibility or to adopt it.

**d. Alternative V: Reduced Density Plan.**

This alternative is characterized by urban development occurring at lower densities, with fewer major infrastructure and public facility improvements and resulting in a projected population of 11,000 persons. The Reduced Density Plan (RDP) utilizes approximately the same amount of land as the proposed Project.

Impacts for this alternative would generally be the same with regard to loss of agricultural land and impacts on water quality on Putah Creek. Although this alternative will have less density and thus provide areas of land that may support more habitat diversity, there would still be remaining impacts on Swainson's Hawk and cumulative loss of habitat for special status taxa. However, the FEIR concludes that the decrease in population, along with policies in the general plan, will reduce the regional air quality emissions to a level of less than significant.

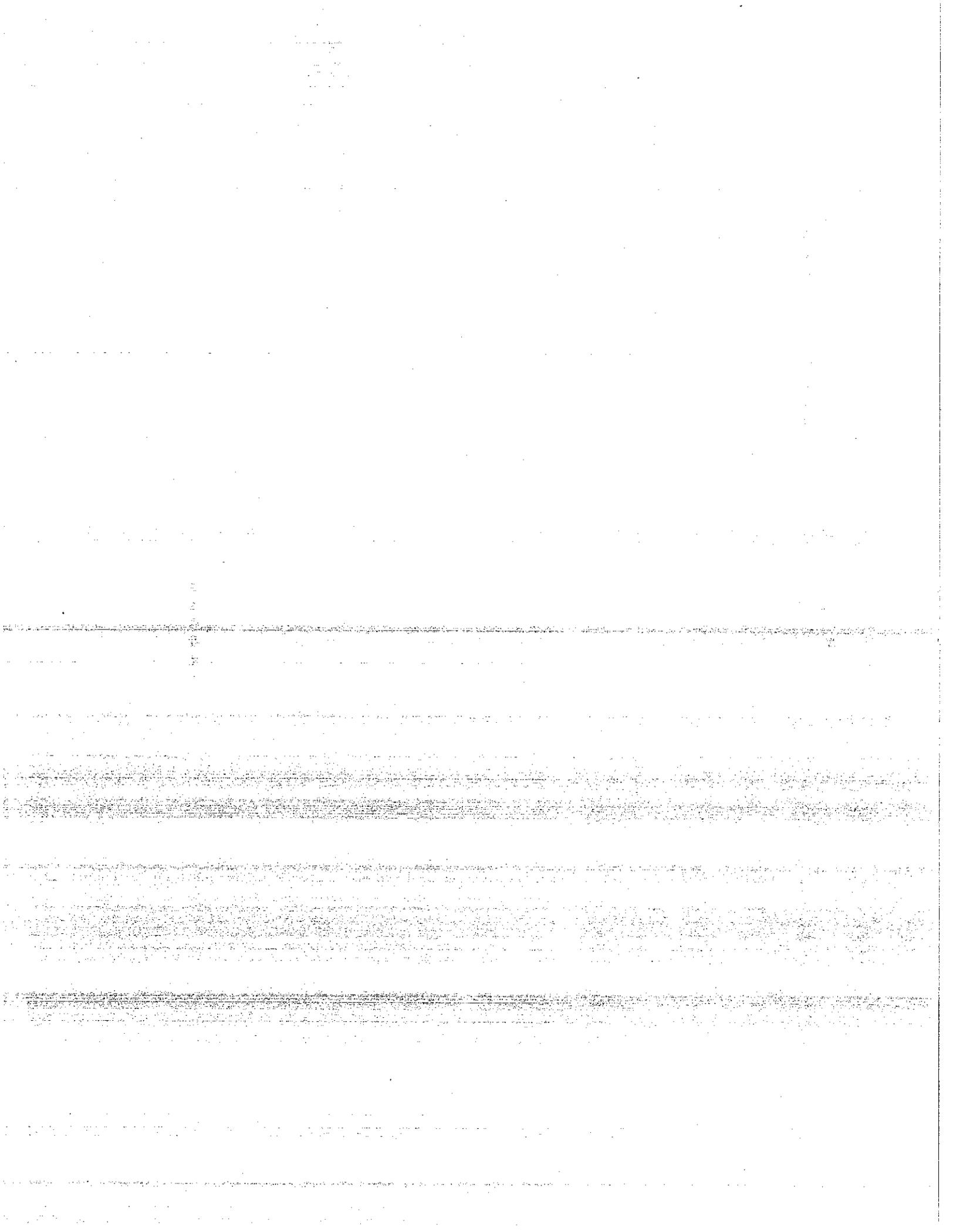
As compared to the proposed Project, the Reduced Density Plan does not have a significant impact on regional air quality. The City finds that this alternative is infeasible for the following reasons. First, the alternative has additional environmental impacts than the proposed Project. There would be a significant impact on pedestrians and bicyclists on Grant Avenue, west of Railroad, due to increased traffic without widening of the road. The RDP does not contain new facilities necessary for an increased police and fire departments needed by the plan. The RDP also does not contain buffers to eliminate potential impacts from the urban/agricultural boundaries. Second, because of the low density, the costs of providing infrastructure per unit increase, substantially increasing the cost of housing and reducing the quality of services. Finally, although not an environmental impact, this alternative would potentially fail to meet the regional affordable housing objectives.

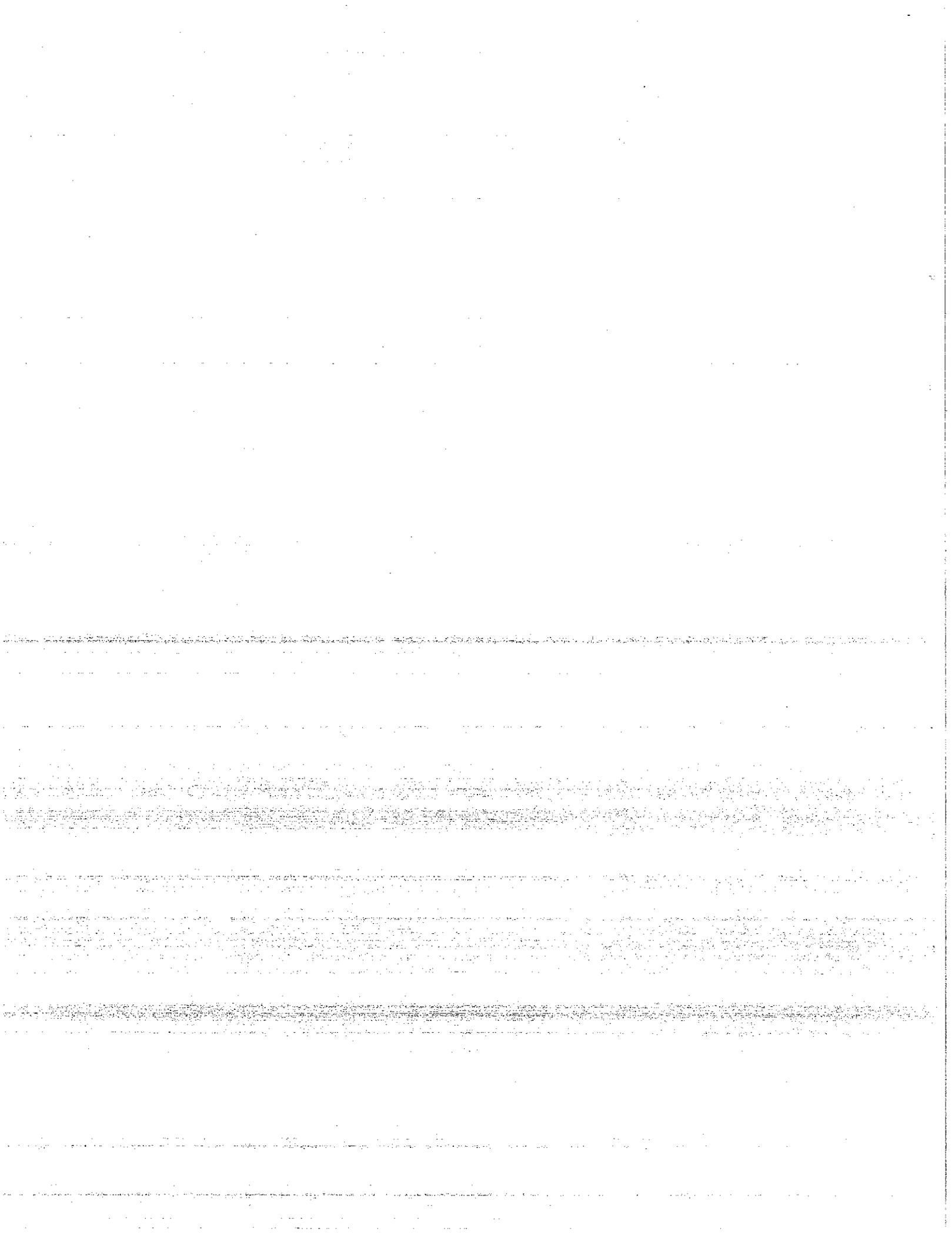
**e. Alternative VI: Compact Development Plan.**

The "Compact Development Plan" Alternative consists of a land use pattern and selected public improvements which are configured for the purpose of avoiding or reducing the significant environmental effects of the Project, primarily through the promotion of higher density development within a smaller area of urbanization. This alternative is devised to constitute the "Environmentally Superior" Alternative and is projected to result in a population of 12,500 persons.

This alternative would not have a significant impact on Swainson's Hawk because suitable foraging habitat would remain in the city. Although much more land remains undeveloped, there would still be a cumulative loss of habitat for special status species due to growth in surrounding communities. Regional air quality impacts would be 5 to 10 percent lower than the proposed Project because higher densities have several inherent factors which reduce the level of regional air quality impacts from vehicle trips. Under this alternative, much less land would be converted from agricultural use (about 80 percent less than the proposed Project); however, there would still be a significant cumulative impact on loss of agricultural land due to growth in surrounding communities. Finally, less developed land would likely lead to less runoff into the Creeks.

Although this alternative is the "environmentally superior" alternative, the City rejects it as infeasible for the following reasons. First, high densities will cause a loss of Winters' small town character. It is unlikely that a market exists for this kind of housing in Winters. Second, this alternative will cause a significant effect on noise due to increased urbanization.





**CITY OF WINTERS  
GENERAL PLAN,  
PUBLIC FACILITY MASTER PLANS FOR  
CIRCULATION, SEWER, WATER AND DRAINAGE SYSTEMS,  
AND FINANCING PLAN**

**MITIGATION MONITORING PROGRAM**

**IN ACCORDANCE WITH  
PUBLIC RESOURCES CODE SECTION 21081.6**

**RESOLUTION 92-13**

**EXHIBIT B**

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**MITIGATION MONITORING PROGRAM  
TABLE OF CONTENTS**

	<u>Page</u>
I. Introduction . . . . .	1
II. General Components . . . . .	1
1. <u>Land Use and Housing</u> . . . . .	1
2. <u>Transportation and Circulation</u> . . . . .	11
3. <u>Infrastructure Services and Facilities</u> . . . . .	13
4. <u>Emergency Facilities and Services</u> . . . . .	17
5. <u>Other Facilities and Services</u> (Parks and Recreation, Schools, Public Utilities). . . . .	18
6. <u>Biotic Consideration</u> . . . . .	21
7. <u>Geology, Soils,</u> <u>Seismicity and</u> <u>Hydrology</u> . . . . .	22
8. <u>Noise Considerations</u> . . . . .	24
9. <u>Air Quality</u> . . . . .	24
10. <u>OTHER CONSIDERATIONS</u> (Visual, Light and Glare, Agriculture Land, Cultural Resources/Archaeology) . . . . .	27
III. Project Specific Components . . . . .	31
1. <u>Land Use and Housing</u> . . . . .	31
2. <u>Transportation and Circulation</u> . . . . .	34
3. <u>Infrastructure Services and Facilities</u> . . . . .	35
4. <u>Emergency Facilities and Services</u> . . . . .	36
5. <u>Other Facilities and Services</u> (Parks and Recreation, Schools, Public Utilities). . . . .	37
6. <u>Biotic Consideration</u> . . . . .	38

7.	<u>Geology, Soils, Seismicity and Hydrology.</u>	41
8.	<u>Noise Considerations.</u>	41
9.	<u>Air Quality</u>	43
10.	<u>OTHER CONSIDERATIONS</u> (Visual, Light and Glare, Agriculture Land, Cultural Resources/Archaeology)	45

## MITIGATION MONITORING PROGRAM

### I. Introduction.

The following mitigation monitoring program is adopted in order to ensure that the project components adopted by the City Council to avoid or substantially lessen the significant environmental effects of adopting the General Plan, the four public facility master plans for circulation, sewer, water and drainage systems, the financing plan, and the development impact fee study (the "GP Project") are carried out, and to fulfill the City's monitoring requirements with respect to Public Resources Code, Section 21081.6.

There are two types of project components that will be monitored: (1) "general components" which avoid or substantially lessen the impacts of the GP Project and (2) "project specific components" which will be implemented, where appropriate, for specific individual projects proposed pursuant to the GP Project.

### II. General Components.

The following general components are to be monitored by the responsible party listed below each component. In addition, an overall annual review shall be conducted:

**Program IX.1.** The Planning Commission shall review the *General Plan Policy Document* every year, focusing principally on actions undertaken during the previous year to carry out the implementation programs of the Plan. Among other purposes, this annual review shall be used to 1) monitor the city's jobs-housing balance, 2) monitor the City's progress in meeting its fairshare of regional housing needs, and 3) monitor CEQA mitigation for the *General Plan EIR* as required by Public Resources Code § 21081.6. The Planning Commission's report to the City Council shall include, as the Commission deems appropriate, recommendations for amendments to the *General Plan*.

Responsibility: Planning Commission  
Planning Department

Time Frame: FY 93-94; annually thereafter

1. **LAND USE AND HOUSING.** To avoid impacts related to land use and housing, including pattern of development, population increase, housing density, urban form, town character, and consistency with the Yolo County General Plan, the following general components shall be monitored by the responsible party listed below. Although monitoring is not required for non-

environmental impacts, components to avoid housing affordability impacts will also be monitored.

**Program I.1.** The City shall request the Yolo County LAFCO to adopt a revised sphere of influence for Winters based on the City's long-term growth plans as reflected in the General Plan (also implements Policies I.A.2., I.A.9., I.A.11.).

**Responsibility:** City Council  
Planning Department

**Time Frame:** FY 92-93

**Program I.3.** The City shall establish and maintain a program to monitor residential and non-residential development (also implements Policy I.E.2).

**Responsibility:** Planning Department

**Time Frame:** FY 92-93; ongoing

**Program I.4.** The City shall prepare and adopt a program to ensure that growth occurs in an orderly fashion and in pace with the expansion of public facilities and services. This program may include a growth-phasing plan, establishment of assessment districts, community facility districts, or other mechanisms (also implements Policies I.A.4., I.A.1., I.A.3., IV.A.5.).

**Responsibility:** City Council  
Planning Department

**Time Frame:** FY 92-93

**Program I.6.** The City shall prepare and adopt a *Central Business District Plan* that includes the following:

- Detailed land use plan
- Design guidelines
- Parking plan
- List of proposed public improvements.

(also implements Policy I.A.1, I.B.2., I.B.4., II.A.18, VIII.A.4, VIII.B.2.).

**Responsibility:** City Council  
Redevelopment Agency  
City Manager  
Planning Department

**Time Frame:** FY 92-93; 93-94

**Program I.7.** The City shall undertake a study to assess the potential effectiveness of establishing a "linkage program" designed to ensure that new commercial development outside the Central Business District does not adversely affect existing and new development within the Central Business District.

**Responsibility:** Economic Development Commission  
Planning Department

**Time Frame:** FY 92-93; 93-94

**Program I.8.** The City shall develop an economic development plan to identify and implement strategies to attract new commercial development and industry to Winters (also implements Policies I.A.6., I.E.1.).

**Responsibility:** City Council  
Planning Commission  
Economic Development Commission  
Planning Department

**Time Frame:** FY 92-93; 93-94

**Program 1.9.** The City shall establish and maintain a program to monitor the fiscal status of the City as it relates to the implementation of the General Plan (also implements Policy I.A.7.).

**Responsibility:** City Manager  
Finance Department  
Planning Department

**Time Frame:** FY 92-93; ongoing

**Program IV.1.** The City shall prepare, adopt, and periodically review and revise a *Level of Service Plan* for all public improvements and services, including but not limited to, the following: traffic, sewer, water, drainage, police, and fire (also implements Policy IV.A.2.).

**Responsibility:** City Council  
City Manager  
Department Heads

**Time Frame:** FY 92-93; as needed

Program IV.2. The City shall regularly monitor current levels of services in Winters' public facilities and services based on the Level of Service Plan (also implements Policies IV.A.2., IV.A.3.).

Responsibility: City Council  
Planning Commission  
City Manager  
Department Heads

Time Frame: Ongoing

Program IV.19. The City shall annually review and adjust, as necessary, its development fee schedule (also implements Policy II.D.2).

Responsibility: City Council  
City Manager  
Department Heads

Time Frame: Ongoing

Program II.1. The City shall create and appoint an Affordable Housing Commission to advise the City Council, Planning Commission, and Redevelopment Agency on housing policy and its implementation and the allocation of the Redevelopment Agency's Tax Increment Housing Set Aside. The Affordable Housing Commission shall also review housing project proposals and make recommendations for the inclusion of affordable housing (also implements Policies II.A.1., II.A.2., II.A.6., II.A.7., II.A.17., II.A.20., II.A.22.).

Responsibility: City Council

Time Frame: FY 92-93; ongoing

Program II.2. The City shall rezone selected parcels within the existing city limits for medium density and high density residential development consistent with the General Plan to facilitate development of housing for very low, low, and moderate income households (also implements Policies II.A.1., II.A.2., II.A.3., II.A.4.).

Responsibility: City Council  
Planning Commission  
Planning Department

Time Frame: FY 91-92; 92-93

**Program II.3.** The City shall work with property owners and developers in the preparation and processing of master development plans and specific plans for unincorporated areas and in the expeditious annexation of such lands. (also implements Policies II.A.3., II.A.5., II.A.9., II.A.17.).

**Responsibility:** City Council  
Planning Commission  
Planning Department

**Time Frame:** FY 91-92; 92-93

**Program II.4.** In accordance with the requirements of state law, the City shall revise the *Zoning Ordinance* to provide for a density bonus of at least 25 percent and at least one other incentive for residential projects of five or more units which reserve at least 20 percent of their units for lower-income households, including elderly persons and families who meet the criteria for lower-income households. The City shall work with the Yolo County Housing Authority in developing procedures and guidelines for establishing income eligibility for the "reserved" units and for maintaining the "reserved" units as affordable units for at least 30 years. The City shall seek Housing Authority administration of the reserved units. Target: 30 very-low-income units; 30 low-income units.

**Responsibility:** City Council  
Planning Department  
Yolo County Housing Authority

**Time Frame:** FY 91-92; 92-93; ongoing

**Program II.5.** The City shall continue through the *Zoning Ordinance* to allow secondary dwelling units in residential zones subject to criteria concerning floor area, relationship to principal residence, required parking, and other features. Target: 15 very-low-income and 15 low-income units (also implements Policies II.A.1., II.A.11.).

**Responsibility:** City Council  
Planning Commission  
Planning Department

**Time Frame:** Ongoing

**Program II.6.** The City shall continue through the *Zoning Ordinance* to provide for the establishment of mobilehomes and mobilehome parks consistent with the requirements of state law (also implements Policies II.A.1., II.A.15.).

**Responsibility:** City Council  
Planning Commission  
Planning Department

**Time Frame:** Ongoing

**Program II.7.** The City shall amend the *Zoning Ordinance* to allow for the development of affordable duplexes and halfplexes on corner lots as a permitted use in single family zoning designations (also implements Policies II.A.1., II.A.5.).

**Responsibility:** City Council  
Planning Commission  
Planning Department

**Time Frame:** FY 91-92; 92-93

**Program II.8.** The City shall revise the *Zoning Ordinance* to provide for the establishment, subject to Conditional Use Permit control, of homeless shelters and transitional housing in the Medium High Density Residential, High Density Residential, Central Business District, and Public/Quasi Public designations.

**Responsibility:** City Council  
Planning Department

**Time Frame:** FY 91-92; 92-93

**Program II.9.** The City shall pursue appropriate state and federal funding sources to support efforts to meet new construction and rehabilitation needs of low- and moderate-income households and to assist persons with rent payments required for existing units (also implements Policies II.A.2., II.A.5., II.A.6., II.A.7., II.A.16., II.A.17., II.A.20., II.A.21.).

**Responsibility:** City Council  
Planning Department

**Time Frame:** FY 91-92; ongoing

**Program II.10.** The City shall use local, state, and federal funding sources to support new construction to meet the needs of lower- and moderate-income households. The following funding sources shall be the City's highest priority: Mortgage Revenue Bonds, Low Income Tax Credits, State Rental Housing Construction, and Redevelopment Agency Tax Increment Housing Setaside. Target: 30 units for very-low-income households, 30 units for low-income

households, and 50 units for moderate-income households (also implements Policies II.A.2., II.A.5., II.A.6., II.A.7., II.A.17.).

Responsibility: City Council  
Planning Department

Time Frame: FY 91-92 to 95-96

Program II.11. The City shall use local, state, and federal funding sources to support rehabilitation of housing to meet the needs of very-low- and low-income households. The following funding sources shall be the City's highest priority: California Housing Program - both Owner and Rental components (CHRP-O and CHRP-R), State Rental Rehabilitation Program (CECRP), Community Development Block Grant (CDBG), and Redevelopment Agency Tax Increment Housing Setaside. Target: 20 units for very-low-income households and 20 units for low-income households.

Responsibility: City Council  
Planning Department  
Redevelopment Agency

Time Frame: FY 91-92 to 95-96

Program II.12. The City may use Community Development Block Grant (CDBG) funds to subsidize on-and off-site infrastructure improvements for lower-income housing projects (also implements Policies II.A.6., II.A.17.).

Responsibility: City Council  
Planning Department

Time Frame: FY 91-92 to 95-96

Program II.13. The City shall support the development of a senior housing project by Farmers Home Administration. Target: 48 units for very-low-income households (also implements Policies II.A.1.).

Responsibility: City Council  
Planning Department

Time Frame: FY 91-92; 92-93

**Program II.14.** The City shall establish a housing trust fund utilizing state and federal funds, Redevelopment Agency funds, and funds from other sources to assist in the development of housing for very-low and low income households (also implements Policies II.A.2., II.A.5., II.A.6., II.A.7., II.A.17.).

**Responsibility:** City Council  
Planning Department

**Time Frame:** FY 92-93

**Program II.15.** The City shall develop a fee deferral program to assist in the development of housing for very-low and low-income households (also implements Policies II.A.10., II.A.17.).

**Responsibility:** City Council  
Planning Department

**Time Frame:** FY 92-93

**Program II.16.** The City shall post and distribute information on currently available weatherization and energy conservation programs (also implements Policy II.C.1.).

**Responsibility:** Planning Department

**Time Frame:** Ongoing

**Program II.17.** The City shall enforce state requirements, including Title 24 requirements, for energy conservation in new residential projects and shall encourage residential developers to employ additional energy conservation measures with respect to the siting of buildings, landscaping, and solar access (also implements Policy II.C.1.).

**Responsibility:** Planning Department  
City Council

**Time Frame:** Ongoing

**Program II.18.** The City shall continue to cooperate with the Yolo County Housing Authority in its administration of the Section 8 rental assistance program. Target: 30 very-low-income households (also implements Policies II.A.16., II.A.21.).

**Responsibility:** Planning Department  
Yolo County Housing Authority

**Time Frame:** Ongoing

**Program II.19.** The City shall work with the cities of Davis, Woodland, West Sacramento, and Yolo County to extend their joint agreement providing services to the homeless for an additional three-year period, starting July 1993.

**Responsibility:** City Council  
City Manager  
Planning Department

**Time Frame:** FY 92-93

**Program II.20.** The City shall consider establishing a position of housing program coordinator, either as a City staff position or through contract, to coordinate City housing activities, to assist in the implementation of affordable housing programs, and to work with non-profit housing developers to build affordable housing (also implements Policies II.A.2., II.A.6., II.A.7., II.A.16., II.A.17., II.A.22.).

**Responsibility:** City Council  
City Manager  
Planning Department

**Time Frame:** FY 92-93

**Program II.21.** The City shall continue to promote equal housing opportunity for all persons regardless of race, religion, sex, marital status, ancestry, national origin, or color. The City shall continue to refer fair housing complaints to the County District Attorney or to the State Fair Employment Housing Commission.

**Responsibility:** City Council  
Planning Department

**Time Frame:** Ongoing

**Program II.22.** The City shall review annually and publish the city's progress toward achieving the City's fair-share housing allocation as determined by SACOG (also implements Policy II.A.2.).

**Responsibility:** City Council  
Planning Department

**Time Frame:** FY 92-93; annually thereafter

**Program III.10.** The City shall prepare, adopt, and periodically update a *Bicycle/Pedestrian System Master Plan* (also implements III.G.3.).

**Responsibility:** City Council  
Streets and Trees Commission  
City Engineer  
Public Works Department  
Planning Department

**Time Frame:** FY 92-93; 93-94

**Program VIII.1.** The City shall prepare and adopt design guidelines for new development along Highway 128/Grant Avenue reflecting its designation as a Scenic Highway (also implements Policy VIII.A.7.).

**Responsibility:** City Council  
Planning Department  
Public Works Department

**Time Frame:** FY 92-93

**Program VI.2.** The City shall adopt a right-to-farm ordinance (also implements Policies VI.B.1., VI.B.2., VI.B.6, and VI.B.8.).

**Responsibility:** City Council  
Planning Commission  
Planning Department

**Time Frame:** FY 91-92; 92-93

**Program VI.8.** The City shall develop a program for habitat management within Putah Creek and Dry Creek corridors (also implements Policies VI.D.3., VI.D.8.).

**Responsibility:** City Council  
Streets and Trees Commission  
Public Works Department

**Time Frame:** FY 92-93; 93-94

**Program VI.9.** The City shall work with Yolo County, Solano County, and the Putah Creek Council, the California Department of Fish and Game, and the U.S. Army Corps of Engineers, in establishing guidelines for erosion control measures along Putah Creek and Dry Creek (also implements Policy VI.D.7.).

**Responsibility:** City Council  
Streets and Trees Commission  
Public Works Department

**Time Frame:** FY 92-93; 93-94

2. TRANSPORTATION AND CIRCULATION. To avoid impacts to transportation and circulation, including parking, the following general components shall be monitored by the responsible party listed below.

Program III.2. The City shall prepare, adopt, and periodically update a *Circulation Master Plan* consistent with the land use patterns and densities/intensities specified in the *General Plan*.

Responsibility: City Council  
City Engineer  
Public Works Department  
Planning Department

Time Frame: Ongoing  
FY 91-92, as needed

Program III.4. The City shall adopt and implement a program to satisfy the requirements of the *Yolo County Congestion Management Plan (CMP)*. This program shall include a monitoring plan, a land use impact analysis plan, and a local trip reduction ordinance. Deficiency plans may also have to be prepared if violations of CMP Level of Service standards occur on Highway 128 or Railroad Avenue (also implements Policy III.E.1.).

Responsibility: City Council  
City Engineer  
Public Works Department  
Planning Department

Time Frame: FY 91-92; ongoing

Program III.5 The City shall prepare and adopt a traffic impact fee as part of the City's development impact fee schedule to pay for improvements necessitated by new development (also implements Policy III.A.15.).

Responsibility: City Council  
City Engineer  
Public Works Department  
Planning Department

Time Frame: FY 91-92

**Program III.1.** The City shall maintain a master list of the most recent available traffic counts. The master list shall be updated with traffic counts taken in conjunction with project traffic studies and special counts conducted by the City.

**Responsibility:** City Engineer  
Public Works Department

**Time Frame:** Ongoing

**Program III.3.** The City shall undertake a feasibility and design study for the development of a second bridge crossing of Putah Creek between the existing Putah Creek Bridge and Johnson Road.

**Responsibility:** City Council  
City Manager  
City Engineer  
Public Works Department

**Time Frame:** FY 92-93; 93-94

**Program III.9.** The City shall cooperate with Caltrans and Yolo County Transit in developing and maintaining park-and-ride facilities for Winters' commuters.

**Responsibility:** City Council

**Time Frame:** Ongoing

**Program III.10.** The City shall prepare, adopt, and periodically update a *Bicycle/Pedestrian System Master Plan* (also implements Policies I.A.8., III.G.3.).

**Responsibility:** City Council  
Streets and Trees Commission  
City Engineer  
Public Works Department  
Planning Department

**Time Frame:** FY 92-93; 93-94

**Program IV.1.** The City shall prepare, adopt, and periodically update a *Level of Service Plan* for public improvements and services, including but not limited to, the following: traffic, sewer, water, drainage, police, and fire.

**Responsibility:** City Council  
City Manager  
Department Heads

**Time Frame:** FY 92-93; as needed

Program IX.3. The City shall prepare, adopt, and periodically update a Capital Improvements Program (CIP).

Responsibility: City Council  
Planning Commission  
City Manager  
City Department Heads

Time Frame: FY 92-93; as needed

Program III.7. The City shall review and revise, as necessary, off-street parking standards of the *Zoning Ordinance*.

Responsibility: City Council  
Planning Commission  
Planning Department

Time Frame: FY 91-92; 92-93

Program III.8. The City shall investigate the purchase of vacant lots downtown for the development of public parking lots (also implements Policy III.F.2.)

Responsibility: Redevelopment Agency

Time Frame: FY 92-93

3. INFRASTRUCTURE SERVICES AND FACILITIES. To avoid impacts to water supply (including groundwater and firefighting water needs), sewage, storm drainage, and solid waste, the following general components shall be monitored by the responsible party listed below.

Program IV.5. The City shall monitor groundwater levels at least twice a year to determine if a progressive, long-term decline in water levels is occurring.

Responsibility: City Council  
City Engineer  
Public Works Department

Time Frame: FY 91-92; as needed

Program IV.6. The City shall implement a "moderate" water conservation program as defined in *Urban Water Management Plan* in the *Water System Master Plan*. The City shall annually monitor water usage to assess the effectiveness of the "moderate" water conservation program. If groundwater levels decline and/or if the "moderate" program does not achieve its intended results, the City shall implement the "aggressive" or "maximum" water conservation

program as defined in the *Urban Water Management Plan* (also policy monitors IV.B.3.).

Responsibility: City Council  
Public Works Department

Time Frame: Ongoing; annually; as needed

Program IV.1. The City shall prepare, adopt, and periodically update a *Level of Service Plan* for public improvements and services, including but not limited to, the following: traffic, sewer, water, drainage, police, and fire (also implements Policies IV.C.2., IV.C.4, IV.D.2).

Responsibility: City Council  
City Manager  
Department Heads

Time Frame: FY 92-93; as needed

Program IV.3. The City shall prepare, adopt, and periodically update a *Water System Master Plan* consistent with the land use patterns and densities/intensities specified in the *General Plan*. The *Water System Master Plan* shall include a scheduled program for replacing older waterpipes (also implements IV.B.2., IV.B.3., IV.B.5, IV.B.6).

Responsibility: City Council  
City Engineer  
Public Works Department

Time Frame: FY 91-92; as needed

Program IV.4. The City shall pursue the acquisition of surface water rights (also implements Policy IV.B.1.).

Responsibility: City Council  
City Manager  
City Engineer  
Public Works Department

Time Frame: Ongoing

Program IV.7. The City shall develop a meter retrofit program for all existing hook-ups.

Responsibility: City Council  
City Manager  
City Engineer  
Public Works Department

Time Frame: FY 92-93

**Program VI.5.** The City shall prepare and adopt a comprehensive landscape ordinance that includes planting requirements for screening, ground cover and trees, parking lot shading, acceptable irrigation systems, and water conservation measures, including drought-tolerant plants and drip irrigation systems. The landscape ordinance should also promote the use of native plants in new development where practicable.

**Responsibility:** City Council  
Streets and Trees Commission  
Public Works Department

**Time Frame:** FY 91-92; 92-93

**Program IX.3.** The City shall prepare, adopt, and periodically update a Capital Improvements Program (CIP).

**Responsibility:** City Council  
Planning Commission  
City Manager  
City Department Heads

**Time Frame:** FY 92-93; as needed

**Program IV.8.** The City shall prepare, adopt, and periodically update a Sewer System Master Plan consistent with the land use patterns and densities/intensities specified in the General Plan (also implements IV.C.2.).

**Responsibility:** City Council  
City Engineer  
Public Works Department

**Time Frame:** FY 91-92; as needed

**Program IV.9.** The City shall undertake a design study for and construction of a new and larger sewage treatment plant in the northeast part of the City. The new treatment plan should be completed and operational by June 1995 (also implements Policy IV.C.3).

**Responsibility:** City Council  
City Engineer  
Public Works Department

**Time Frame:** FY 92-93; 93-94; 94-95

**Program IX.3.** The City shall prepare, adopt, and periodically update a Capital Improvements Program (CIP) (also implements Policies IV.C.2, IV.D.2.).

**Responsibility:** City Council  
Planning Commission  
City Manager  
City Department Heads

**Time Frame:** FY 92-93; as needed

**Program IV.10.** The City shall prepare, adopt, and periodically update a *Storm Drainage Master Plan* consistent with the land use patterns and densities/intensities specified in the *General Plan*.

**Responsibility:** City Council  
City Engineer  
Public Works Department

**Time Frame:** FY 91-92; as needed

**Program I.5.** The City shall revise the Zoning Ordinance to include a flood overlay district and shall apply such district to the areas that contribute to or are affected by 100-year flooding as shown in Figure II-1 [of the *Policy Document*]. The flood overlay district shall require compliance with FEMA's standards and participation in a comprehensive flood control program prior to approval of any development entitlements.

**Responsibility:** City Council  
Planning Department

**Time Frame:** FY 92-93; 93-94

**Program IV.11.** The City, in cooperation with property owners, developers, and the Yolo County Flood Control and Water Conservation District, will undertake a feasibility and design study for a comprehensive solution to flooding problems associated with Chickahominy and Moody Sloughs. The comprehensive solution

may include such features as diversion to Putah Creek, diversion under I-505, detention ponds, changes in land-use designations, elevating building pads, and structural flood proofing as deemed effective and cost effective (also implements Policy IV.D.3.).

Responsibility: City Council  
City Engineer  
Public Work Department

Time Frame: FY 92-93

**Program IV.17.** The City shall prepare, adopt, and submit to Yolo County a source reduction and recycling element which includes the following components:

- Waste Characterization
- Source Reduction
- Recycling (including a curbside pickup program)
- Composting
- Solid Waste Facility Capacity
- Education and Public Information
- Funding
- Special Waste
- Household Hazardous Waste

(also implements Policy IV.E.1.).

Responsibility: City Council  
Public Works Department

Time Frame: FY 91-92

**4. EMERGENCY FACILITIES AND SERVICES.** To avoid impacts to emergency facilities and services, including fire and police protection, the following general components shall be monitored by the responsible party listed below.

**Program IV.1.** The City shall prepare, adopt, and periodically update a *Level of Service Plan* for public improvements and services, including but not limited to, the following: traffic, sewer, water, drainage, police, and fire (also implements Policies IV.G.1, IV.A.1., IV.A.3., IV.F.1., IV.F.2.).

Responsibility: City Council  
City Manager  
Department Heads

Time Frame: FY 92-93; as needed

**Program IV.19.** The City shall annually review and adjust, as necessary, its development fee schedule (also implements Policy IV.A.4.).

**Responsibility:** City Council  
City Manager  
Department Heads

**Time Frame:** Ongoing

**Program VII.4.** The Fire Protection District shall inspect every commercial and industrial building at least once every two years in conjunction with issuance and renewal of business licenses.

**Responsibility:** Fire Protection District

**Time Frame:** Annually

**Program VII.5.** The City shall adopt requirements for built-in fire suppression equipment in all new development.

**Responsibility:** City Council  
Planning Department  
Fire Protection District

**Time Frame:** FY 92-93

**5. OTHER FACILITIES AND SERVICES.** To avoid impacts to other facilities and services, including parks and recreation and schools, the following general components shall be monitored by the responsible party listed below. Although monitoring is not required for impacts to public utilities, the following components shall also be monitored by the responsible party listed below.

**Program V.1.** The City shall prepare, adopt, update and implement a Parks Master Plan that includes goals, policies, and standards for the location, size, and level of development of all existing and proposed parks. The Parks Master Plan shall incorporate the following standards for park sizes:

Classification	Size
Mini-Park	1/2 to 3 Acres
Neighborhood	3 to 5 Acres
Community	20 to 30 Acres

(also implements Policies V.A.1., V.A.6., V.A.7., V.A.11., V.A.12, V.A.17.).

**Responsibility:** City Council  
City Manager  
Parks and Community Services Commission

**Parks Department**

**Time Frame:** FY 91-92; as needed

**Program V.2.** The City shall regularly monitor county, state, and federal programs for funding of parkland acquisition, development, and rehabilitation. The City shall actively pursue funding for which it is qualified (also implements Policy V.A.4.).

**Responsibility:** City Council  
Parks Department

**Time Frame:** Ongoing

**Program IV.18.** The City shall prepare, adopt, and periodically update a long-term Capital Improvements Program (CIP), for traffic, sewer, water, drainage, parks, and other facility improvements.

**Responsibility:** City Council  
Planning Commission  
City Manager  
Department Heads

**Time Frame:** FY 92-93; as needed

**Program V.3.** The City shall maintain a joint-use agreement with the School District that provides for use of school facilities for City-sponsored recreation programs (also implements Policy V.A.6.).

**Responsibility:** City Council  
City Manager  
Parks and Community Services Commission  
Parks Department

**Time Frame:** Ongoing

**Program VI.7.** The City shall undertake a feasibility and design study for development of an Open Space Preserve. Such a preserve should be designed to provide for a combination of uses including agriculture, habitat protection, groundwater recharge, and educational and passive recreational opportunities. The Open Space Preserve should, to the maximum extent possible, be designed to function as part of the City's flood control and wastewater discharge system.

**Responsibility:** City Council  
City Manager  
City Engineer  
Public Works Department  
Planning Department

**Time Frame:** FY 92-93

**Policy IV.H.3.** The City shall support enactment of state legislation to finance the construction of new schools.

**Responsibility:** City Council

**Time Frame:** Ongoing

**Program IV.12.** The City shall prepare and adopt an ordinance to ensure that impacts on school facilities are mitigated, which may include a requirement for dedication of land, development fees, a commitment to funding through an assessment district or a Mello-Roos Community Facilities District, phasing of the project, reduction in density, or other mitigation measures (also implements Policies I.F.1., I.F.2., I.F.3., IV.H.1, IV.H.2, IV.H.4., and IV.H.5.).

**Responsibility:** City Council  
Planning Commission  
City Manager

**Time Frame:** FY 91-92; 92-93

**Program IV.13.** The City and the School District shall negotiate a memorandum of understanding to address levels of service needed by local schools, implementation of General Plan school facilities policies, and the School District's responsibilities with regard to providing the necessary legal and factual support for such school facilities. (also implements Policies I.F.2., I.F.3., IV.H.4., and IV.H.5.).

**Responsibility:** City Council  
Winters Joint Unified  
School District  
City Manager

**Time Frame:** FY 91-92; 92-93 (Prior to adoption of school impact mitigation ordinance.)

**Program IV.14.** The City shall prepare and adopt a legislative mechanism, such as an overlay zoning district, to ensure that development projects which are currently within the city limits will contribute the necessary school impact mitigation fees or provide alternative mitigation measures necessary to provide adequate school facilities. (also implements Policies I.F.2., I.F.3., IV.H.4., and IV.H.5.).

**Responsibility:** City Council  
Planning Commission  
City Manager

**Time Frame:** FY 91-92; 92-93

**Program IV.16.** The City shall adopt an ordinance that establishes standards and requirements for undergrounding of both new and existing overhead electrical and communication utility lines.

**Responsibility:** City Council  
City Engineer  
Public Works Department

**Time Frame:** FY 92-93

**6. BIOTIC CONSIDERATIONS.** To avoid or substantially lessen impacts to vegetation, wetland and riparian habitat, including water quality in Putah Creek, and special status species, the following general components shall be monitored by the responsible party listed below.

**Program VI.10.** The City shall prepare and adopt a Heritage Tree Ordinance to protect large, older and historically-significant trees.

**Responsibility:** City Council  
Streets & Trees Commission  
Public Works Department

**Time Frame:** FY 92-93

**Program VI.9.** The City shall work with Yolo County, Solano County, and the Putah Creek Council, the California Department of Fish and Game, and the U.S. Army Corps of Engineers, in establishing guidelines for erosion control measures along Putah Creek and Dry Creek (also implements Policies VI.D.6., VI.D.7.).

**Responsibility:** City Council  
Streets and Trees Commission  
Public Works Department

**Time Frame:** FY 92-93; 93-94

**Program VI.4.** The City, in conjunction with other interested agencies, shall prepare a regional *Habitat Management Plan* to provide a comprehensive approach to habitat protection, mitigation, and enhancement in the Winters area (also implements VI.C.4.)

**Responsibility:** City Council  
Planning Department

**Time Frame:** FY 92-93; 93-94

**Program VI.6.** The City shall conduct an inventory to assess the extent of wetlands in the Winters vicinity.

**Responsibility:** City Council  
Planning Department

**Time Frame:** FY 92-93; 93-94

**Program VI.7.** The City shall undertake a feasibility and design study for development of an Open Space Preserve. Such a preserve should be designed to provide for a combination of uses including agriculture, habitat protection, groundwater recharge, and educational and passive recreational opportunities. The Open Space Preserve should, to the maximum extent possible, be designed to function as part of the City's flood control and wastewater discharge system (also implements VI.C.5.)

**Responsibility:** City Council  
City Manager  
City Engineer  
Public Works Department  
Planning Department

**Time Frame:** FY 92-93

**Program VI.8.** The City shall develop a program for habitat management within Putah Creek and Dry Creek corridors (also implements Policies VI.A.3., VI.A.5., VI.D.3., VI.D.6., VI.D.8., VI.D.9.).

**Responsibility:** City Council  
Streets and Trees Commission  
Public Works Department

**Time Frame:** FY 92-93; 93-94

**7. GEOLOGY, SOILS, SEISMICITY AND HYDROLOGY.** To avoid impacts to geology, soils, seismicity, and hydrology, the following general components shall be monitored by the responsible party listed below.

**Program VII.1.** The City shall adopt the most current editions of the *Uniform Building, Uniform Fire, Uniform Plumbing, Mechanical, and National Electric Codes*. Any amendments to these codes adopted by the City shall be consistent with the *General Plan*.

**Responsibility:** City Council  
Planning Department

**Time Frame:** Ongoing

**Program VII.2.** The City shall adopt an ordinance requiring the abatement of structural hazards in unreinforced masonry buildings by January 1, 1996 (also implements VII.A.3.).

**Responsibility:** City Council  
Planning Department

**Time Frame:** FY 93-94

**Program VII.3.** The City shall establish a grant/loan program to assist owners of unreinforced masonry buildings with identified structural hazards in correcting these deficiencies.

**Responsibility:** City Council  
Redevelopment Agency  
Planning Department

**Time Frame:** FY 93-94

**Program VII.8.** The City shall, pursuant to Public Resources Code Section 3206.5, request information from the State Division of Oil and Gas concerning non-producing gas wells in Winters and shall provide such information to affected property owners to ensure proper abandonment of such wells.

**Responsibility:** Planning Department

**Time Frame:** FY 92-93

**Program I.10.** The City shall prepare, adopt, and submit to the Regional Water Quality Control Board, a Closure Plan for the City's old landfill.

**Responsibility:** City Council  
Public Works Department  
Planning Department

**Time Frame:** FY 92-93

**Program VI.1.** The City shall continue its program of routinely monitoring groundwater quality in City wells (also implements VI.A.4.).

**Responsibility:** City Council  
City Engineer  
Public Works Department

**Time Frame:** Ongoing

8. NOISE CONSIDERATIONS. To avoid impacts of exposure of new and existing development to excessive noise levels, the following general components shall be monitored by the responsible party listed below.

Program VII.10. The City shall adopt a noise ordinance based on the standards contained in this section of the *Policy Document* to regulate existing noise sources.

Responsibility: City Council  
Planning Department  
Police Department

Time Frame: FY 91-92; 92-93

Policy VII.E.10. Vehicles and other equipment operated by or on behalf of the City shall comply with all applicable noise performance standards. Noise emission shall be a consideration in the purchase of any new equipment or vehicles.

Responsibility: City Manager

Time Frame: Ongoing

Program VII.9. The City shall revise the *Zoning Ordinance* consistent with the noise policies and standards contained in this section of the *Policy Document*.

Responsibility: City Council  
Planning Department  
Police Department

Time Frame: FY 91-92; 92-93

Program VII.11. The City shall develop procedures to check compliance of proposed buildings with the California State Noise Insulation standards and noise-related provisions of the *Uniform Building Code*. Procedures shall also be implemented to check for consistency between building plans and any specifications for noise mitigation measures identified in required noise studies.

Responsibility: Planning Department

Time Frame: FY 92-93; 93-94

9. AIR QUALITY. To avoid or substantially lessen impacts to air quality, including effects of construction, agricultural/residential conflicts, local impacts from carbon monoxide hotspots and regional impacts, the following general components shall be monitored by the responsible party listed below.

**Program VI.2.** The City shall adopt a right-to-farm ordinance (also implements Policies VI.B.1., VI.B.2., VI.B.6.).

**Responsibility:** City Council  
Planning Commission  
Planning Department

**Time Frame:** FY 91-92; 92-93

**Program VI.11.** The City shall prepare guidelines for the type and width of buffers between new residential developments and active agricultural uses outside the Urban Limit Line to be used in the review of subdivision proposals.

**Responsibility:** Planning Department

**Time Frame:** FY 93-94

**Policy VI.E.1.** The City shall cooperate with the Yolo-Solano Air Pollution Control District in an effort to ensure the earliest practicable attainment and subsequent maintenance of federal and state ambient air quality standards.

**Responsibility:** Planning Department

**Time Frame:** Ongoing

**Program I.8.** The City shall develop an economic development plan to identify and implement strategies to attract new commercial development and industry to Winters (also implements Policy VI.E.7.).

**Responsibility:** City Council  
Planning Commission  
Economic Development Commission  
Planning Department

**Time Frame:** FY 92-93; 93-94

**Program III.2.** The City shall prepare, adopt, and periodically update a *Circulation Master Plan* consistent with the land use patterns and densities/intensities specified in the *General Plan* (also implements Policies I.A.4, III.A.1., III.A.6., III.A.7.).

**Responsibility:** City Council  
City Engineer  
Public Works Department  
Planning Department

**Time Frame:** Ongoing; FY 91-92, as needed

**Program III.4.** The City shall adopt and implement a program to satisfy the requirements of the *Yolo County Congestion Management Plan* (CMP). This program shall include a monitoring plan, a land use impact analysis plan, and a local trip reduction ordinance. Deficiency plans may also have to be prepared if violations of CMP Level of Service standards occur on Highway 128 or Railroad Avenue (also implements Policies III.A.8, III.C.4.).

**Responsibility:** City Council  
City Engineer  
Public Works Department  
Planning Department

**Time Frame:** FY 91-92; ongoing

**Program III.5.** The City shall prepare and adopt a traffic impact fee as part of the City's development impact fee schedule to pay for improvements necessitated by new development.

**Responsibility:** City Council  
City Engineer  
Public Works Department  
Planning Department

**Time Frame:** FY 91-92

**Program III.6.** The City shall conduct a transit improvement study to identify areas in the city needing new and expanded transit services (also implements Policies III.B.1., III.B.2.).

**Responsibility:** City Council  
Public Works Department

**Time Frame:** FY 93-94

**Program III.9.** The City shall cooperate with Caltrans and Yolo County Transit in developing and maintaining park-and-ride facilities for Winters' commuters (also implements Policies VI.E.9., III.C.1., III.C.2., III.C.3.).

**Responsibility:** City Council

**Time Frame:** Ongoing

**Program III.10.** The City shall prepare, adopt, and periodically update a *Bicycle/Pedestrian System Master Plan* (also implements Policies III.G.1, III.G.3.).

**Responsibility:** City Council  
Streets and Trees Commission  
City Engineer  
Public Works Department

Planning Department

Time Frame: FY 92-93; 93-94

Program III.11. The City shall prepare and adopt requirements for secure bicycle racks at new commercial and employment centers.

Responsibility: City Council  
Public Works Department  
Planning Department

Time Frame: FY 92-93

10. OTHER CONSIDERATIONS. To avoid or substantially lessen impacts to visual, light and glare, constraints on agriculture and loss of agricultural land, and cultural resources and archeology, the following general components shall be monitored by the responsible party listed below.

Program VIII.3. The City shall amend the *Zoning Ordinance* to provide for design review of all new multi-family residential and non-residential uses and major alterations to these uses.

Responsibility: City Council  
Planning Department

Time Frame: FY 91-92; 92-93

Program I.6. The City shall prepare and adopt a *Central Business District Plan* that includes the following:

- Detailed land use plan
- Design guidelines
- Parking plan
- List of proposed public improvements

(also implements Policies VIII.A.4., VIII.B.2.).

Responsibility: City Council  
Redevelopment Agency  
City Manager  
Planning Department

Time Frame: FY 92-93; 93-94

**Program VIII.1.** The City shall prepare and adopt design guidelines for new development along Highway 128/Grant Avenue reflecting its designation as a Scenic Highway (also implements Policy VIII.A.7.).

**Responsibility:** City Council  
Planning Department  
Public Works Department

**Time Frame:** FY 92-93

**Program VIII.2.** The City shall prepare and adopt a *Street Tree Plan and Standards*.

**Responsibility:** Streets and Trees Commission  
Public Works Department

**Time Frame:** FY 92-93

**Program VIII.4.** The City shall prepare and adopt *Community Design Guidelines* to implement the urban design principles contained in the *General Plan* (also implements Policies VIII.A.1., VIII.A.4., VIII.B.2.).

**Responsibility:** City Council  
Planning Department

**Time Frame:** FY 92-93

**Program VI.7.** The City shall undertake a feasibility and design study for development of an Open Space Preserve. Such a preserve should be designed to provide for a combination of uses including agriculture, habitat protection, groundwater recharge, and educational and passive recreational opportunities. The Open Space Preserve should, to the maximum extent possible, be designed to function as part of the City's flood control and wastewater discharge system (also implements VIII.A.6.)

**Responsibility:** City Council  
City Manager  
City Engineer  
Public Works Department  
Planning Department

**Time Frame:** FY 92-93

**Program VI.12.** The City shall amend the Subdivision Ordinance to provide for dedication of sunlight easements in connection with land divisions, pursuant to Section 66475.3 of the Subdivision Map Act.

**Responsibility:** City Council  
Planning Department

**Time Frame:** FY 92-93; 93-94

**Program IV.16.** The City shall adopt an ordinance that establishes standards and requirements for undergrounding of both new and existing overhead electrical and communication utility lines.

**Responsibility:** City Council  
City Engineer  
Public Works Department

**Time Frame:** FY 92-93

**Program VI.2.** The City shall adopt a right-to-farm ordinance. (See Policy VI.B.1., V.B.2., V.B.5., V.B.6., V.B.7., V.B.8.)

**Responsibility:** City Council  
Planning Commission  
Planning Department

**Time Frame:** FY 91-92; 92-93

**Program VI.3.** The City shall monitor the research and literature of agricultural-based public and private organizations in assessing methods to protect agricultural lands at the urban fringe.

**Responsibility:** Planning Department

**Time Frame:** Ongoing

**Program VI.11.** The City shall prepare guidelines for the type and width of buffers between new residential developments and active agricultural uses outside the Urban Limit Line to be used in the review of subdivision proposals (also implements Policy VIII.A.5.).

**Responsibility:** Planning Department

**Time Frame:** FY 93-94

**Policy V.D.6.** The City shall pursue available local, state, and federal funding for public and private historical restoration and preservation activities.

**Responsibility:** Planning Department  
Economic and Development Commission

**Time Frame:** Ongoing

**Policy V.D.8.** The City shall explore restoration of the historic Putah Creek Bridge and the railroad bridge.

**Responsibility:** Planning Department  
City Manager  
Public Works

**Time Frame:** FY 93-94

**Program V.4.** The City shall amend the City's *Historic Preservation Ordinance* and the State *Historic Building Code* to make them applicable to all historically significant structures in Winters (also implements Policies V.D.1., V.D.2., V.D.3., V.D.4., V.D.5., II.B.6.).

**Responsibility:** City Council  
Planning Commission

**Time Frame:** FY 91-92; 92-93

**Program V.5.** The City shall undertake an archeological sensitivity survey of the entire area within the Urban Limit Line. Such study shall classify areas as "low-sensitivity," "moderate sensitivity," and "high-sensitivity" (also implements Policy V.F.2.).

**Responsibility:** Planning Department

**Time Frame:** FY 92-93

### III. Project Specific Components.

The following project specific components are to be included, where appropriate, into those individual public and private projects proposed pursuant to the GP Project and for which second tier environmental review is required.

Responsibility: Environmental Coordinator

Time Frame: Ongoing

1. LAND USE AND HOUSING. To avoid impacts related to land use and housing, including pattern of development, population increase, housing density, urban form, town character, and consistency with the Yolo County General Plan, the following project specific components shall be monitored by the Environmental Coordinator. Although monitoring is not required for non-environmental impacts, components to avoid housing affordability impacts will also be monitored.

**Policy I.A.5.** The City shall not approve new development unless the capacity of needed public services and facilities, including school facilities, is sufficient to accommodate that new development or a mechanism that ensures the needed facilities will be available in a timely fashion is in place.

**Policy IV.J.1.** Public facilities, such as utility substations, water storage or treatment plants, pumping stations, and sewer treatment plants, shall be located, designed, and maintained so that noise, light, glare, or odors associated with these facilities will not adversely affect nearby land uses. Building and landscaping materials that make these facilities compatible with neighboring properties shall be used.

**Policy IV.J.2.** Utility company rights-of-way shall be considered for use as public or private open space, trails, parkland, or other compatible recreational uses.

**Policy IV.J.3.** The City shall require all new electrical and communication lines to be installed underground. The City shall actively promote the undergrounding of existing overhead facilities.

**Policy IV.A.4.** The City shall ensure through a combination of development fees and other funding mechanisms that new development pays its fair share of the costs of developing new facilities and services. The City at its sole discretion may allow developers to construct needed improvements according to City specification in lieu of paying development fees for such improvements.

**Policy II.D.3.** In allocating remaining sewer capacity, the City shall ensure that its allocation scheme does not constrain the development of housing for very-low- and low-income households.

**Policy II.A.8.** All housing development proposals involving 50 units or more shall be required to submit development plans to the Affordable Housing Commission for review. All such projects shall be encouraged to qualify for a density bonus under the density bonus provisions of state law.

**Policy II.A.12.** In accordance with provisions of state law, the City shall grant density bonuses of at least twenty-five (25) percent and at least one other specified incentive for qualifying projects to promote the inclusion of lower income and senior citizen housing.

**Policy II.A.13.** If below-market-rate units are included in a project pursuant to the density bonus program or other local, state, or federal requirements, the City shall require buyer/renter eligibility screening and resale/rent controls for at least 30 years to maintain affordability of the units to originally-targeted income groups.

**Policy II.A.14.** Where residential units which are required to sell or rent at below-market-rates are included within a housing development, such units shall be interspersed within the development, and to the extent reasonable, shall be visually indistinguishable from market-rate units.

**Policy II.A.19.** The City shall require that 10 percent of the lots in residential subdivisions of 20 or more lots be reserved for and sold to local builders or owner-builders.

**Policy II.A.23.** The City shall require the provision of relocation assistance to tenants required to relocate as a result of the removal or condemnation of housing where such removal or condemnation is not the fault of the tenants.

**Policy III.A.9.** The City shall require street designs consistent with principles of interconnected network path design. The City shall insure that there are multiple, local-street access points to all developments throughout the City. The City shall insure that direct access to all local streets from primary and secondary collectors is maintained. At the discretion of the City, alleys may be used in conjunction with the overall street layout.

**Policy I.B.7.** As much as possible, the entrances of new buildings in the Central Business District shall be oriented directly to the street and not be separated from the street by parking lots.

**Policy VIII.B.3.** To the maximum extent possible, new buildings developed in the downtown shall front directly on streets, and parking shall be located behind buildings, out of view from the street.

**Policy VIII.C.2.** The City shall promote the creation of well-defined residential neighborhoods in newly-developing areas. Each of these neighborhoods should have a clear focal point, such as a park, school, or other open space and community facility, and should be designed to promote pedestrian convenience. To this end, the City shall encourage the use of existing Winters neighborhoods, including the grid street system, as models for the planning and design of new residential neighborhoods.

**Policy VI.A.2.** In reviewing development proposals, the City shall consider the project's potential for adversely affecting water quality in Putah Creek, Dry Creek, and the area's groundwater and shall condition development approvals to avoid or adopt all feasible measures to mitigate any identified significant effects.

**Policy VI.A.5.** The City shall condition development approvals to minimize the discharge of sediment from grading into Putah Creek and Dry Creek. To this end, grading should be carried out during the dry months, when possible. Areas not being graded should be disturbed as little as possible. Construction and grading areas, as well as soil stockpiles, should be covered or temporarily revegetated when left for long periods. Revegetation of slopes should be carried out immediately upon completion of grading. Also, temporary drainage structures and sedimentation basins must be installed to prevent sediment from entering and thereby degrading the quality of downstream surface waters, particularly Putah Creek. The full cost of any necessary mitigation measures shall be borne by the projects creating the potential impacts.

**Policy VI.B.3.** Along the northern and western portion of the Urban Limit Line new residential development that abuts designated and active agricultural land shall incorporate buffers to minimize agricultural-residential conflicts and nuisance problems. The size of the buffer zone shall be determined by the type of agricultural activities involved. The buffer zone may consist of open space, recreational uses, landscape areas, streets or other non-intensive uses.

**Policy VI.D.1.** The City shall require that all new development along Putah Creek east of Railroad Avenue be set back at least 100 feet from the top of the creek bank, that all new development along Putah Creek west of Railroad Avenue be set back at least 50 feet from the top of the creek bank, and that all new development along Dry Creek be set back at

least 50 feet from the top of the creek bank. Where there is no discernable bank, the set back shall be measured from the line closest to the creek where riparian vegetation is permanently established.

**Policy VI.D.2.** Except for recreational trails and recreational uses developed along Putah Creek in the downtown area, the Putah Creek and Dry Creek corridors should be preserved as much as possible in their natural state. Public access and recreational facilities shall not eliminate or degrade riparian habitat values. Trails, picnic areas, and other recreational developments shall be sited to minimize impacts on sensitive wildlife habitat or riparian vegetation.

**Policy VI.D.9.** No mining or gravel extraction operations shall be permitted in the Putah Creek and Dry Creek corridors.

**2. TRANSPORTATION AND CIRCULATION.** To avoid impacts to transportation and circulation, including parking, the following project specific components shall be monitored by the Environmental Coordinator.

**Policy III.A.1.** The City shall endeavor to maintain a Level of Service "C" or better, as defined by the 1985 *Highway Capacity Manual* or subsequent revisions, on all streets and intersections within the city.

**Policy III.A.3.** To identify the potential impacts of new development on traffic service levels, the City shall require the preparation of traffic impact analyses at the sole expense of the developer for developments with 20 or more lots or units.

**Policy III.A.2.** Streets shall be dedicated, constructed, widened, extended, and modified according to City standards specified in Part I of the *General Plan Policy Document*. Dedication and improvements of full rights-of-way may not be required in existing developed areas where the City determines that such improvement are either infeasible or undesirable. The City may allow other deviations from these standards if the City determines that safe and adequate public access and circulation, including pedestrian convenience, are preserved by such deviations.

**Policy III.A.9** The City shall require street designs consistent with principles of interconnected network path design. The City shall insure that there are multiple, local-street access points to all developments throughout the city. The City shall insure that direct access to all local streets from primary and secondary collectors is maintained. At the discretion of the City, alleys may be used in conjunction with the overall street layout.

Policy III.F.1. The City shall require provision of adequate off-street parking in conjunction with all new developments. To the extent possible, parking shall be located behind buildings, out of view from the street. When it is not possible for parking lots to be placed behind buildings, the City shall require screening to mitigate the visual impact of the lots while providing for continued police surveillance. As much as possible, parking lots should not be located at intersections.

3. INFRASTRUCTURE SERVICES AND FACILITIES. To avoid impacts to water supply (including groundwater and firefighting water needs), sewage, storm drainage, and solid waste, the following project specific components shall be monitored by the Environmental Coordinator.

Policy IV.B.12. The City shall, to the extent practical, require the use of drought-tolerant plant species and drip irrigation systems in the landscaping of new public and private open space areas, common areas, and parks.

Policy IV.B.14. The City shall require water meters on all new hook-ups and shall develop a meter retrofit program for existing connectors.

Policy IV.B.13. The City shall promote the use of treated sewage effluent for public and private landscape maintenance and agricultural irrigation.

Policy VII.C.2. The City shall endeavor to achieve and maintain adequate water fire-flows are maintained throughout the city and shall regularly monitor fire-flows to ensure adequacy. New development shall comply with the following minimum fire-flow rates:

Development Category	Gallons Per Minute
Single-Family Residential	1,500
Multi-Family Residential	1,500
Central Business District	2,000
Industrial/Other Business Districts	3,000

In areas where there are existing water system deficiencies, the City shall require new development to install all on-site water system improvements necessary to achieve the above fire-flow rates but may waive full compliance with these standards until existing water system deficiencies are corrected.

Policy I.A.9. No new development may occur within the flood-overlay area shown in Figure II-1 [of the *Policy Document*] until a feasibility and design study for a comprehensive

solution to the 100-year flooding problem has been completed and a fee schedule has been established or financing program adopted which includes all affected and contributing properties for financing the comprehensive flood control solution.

**Policy IV.D.4.** The City, in cooperation with property owners, developers, and the Yolo County Flood Control and Water Conservation District shall undertake a feasibility and design study for a comprehensive solution to the flooding problems associated with Chickahominy and Moody Sloughs. The comprehensive solution may include such features as diversion to Putah Creek, diversion under I-505, detention ponds, changes in land use designations, elevating building pads, and structural flood proofing as deemed effective and cost effective. As a condition to any development entitlement approval, all development affected by or contributing to the 100-year flooding problem shall be required to contribute to the financing of the comprehensive flood control solution in an amount which effects that property's relative contribution to the flooding problem or benefit from the program adopted.

**Policy IV.D.5.** Future drainage system discharges, including discharges into Putah Creek, shall comply with applicable state and federal pollutant discharge requirements.

**Policy VII.B.2.** Construction of storm drainage improvements shall be required, as appropriate, to prevent flooding during periods of heavy rainfall.

**Policy VII.B.3.** The City shall impose appropriate conditions on grading projects performed during the rainy season to ensure that silt is not conveyed to the storm drainage system.

**Policy VII.B.4.** To mitigate flooding impacts associated with Moody and Chickahominy Sloughs, the City shall require property owners who are affected by or contribute to such flooding to participate in the development and implementation of a comprehensive solution to the flooding problem in proportion to their relative contribution to the flooding problem or benefit from the program adopted.

**4. EMERGENCY FACILITIES AND SERVICES.** To avoid impacts to emergency facilities and services, including fire and police protection, the following project specific components shall be monitored by the Environmental Coordinator.

**Policy IV.A.4.** The City shall ensure through a combination of development fees and other funding mechanisms that new development pays its fair share of the costs of developing new facilities and services. The City at its sole discretion may allow developers to construct needed improvements according to

City specification in lieu of paying development fees for such improvements.

**Policy VII.C.1.** The City shall require that new development provides all necessary water service, fire hydrants, and access roads consistent with Fire Protection District standards.

**Policy VII.C.4.** All new development shall be constructed according to fire safety and structural stability standards contained in the latest adopted *Uniform Fire and Building Codes* and related regulations.

**Policy VII.C.6.** The City shall require property owners to remove fire hazards, including vegetation, hazardous structures and materials, and debris, as directed by the Fire Protection District and Public Works Department.

**5. OTHER FACILITIES AND SERVICES.** To avoid impacts to other facilities and services, including parks and recreation and schools, the following project specific components shall be monitored by the Environmental Coordinator. Although monitoring is not required for impacts to public utilities, the following components shall also be monitored by the Environmental Coordinator.

**Policy V.A.2.** To the extent authorized by law, the City shall require all new residential development to dedicate improved parkland or pay equivalent in-lieu fees based on a standard of five acres of improved parkland per 1,000 population. Golf course development and creek setbacks shall not be counted toward meeting the park dedication requirement.

**Policy V.A.3.** New residential developments shall be required to fund park maintenance through a landscaping and lighting district or other appropriate mechanism.

**Policy IV.H.6.** The City shall not approve any development entitlements, including building permits for new residences, unless a mechanism to mitigate school impacts generated by the project has been approved by the City. This mechanism may include the dedication of land, development fees, a commitment to funding through an assessment district or Mello-Roos Community Facilities District, the phasing of the project, reduction in density, or some other mechanism which mitigates or avoids the school impacts attributable to the development.

**Policy IV.H.7.** The City shall include the School District in the City's staff review process for new residential developments.

6. **BIOTIC CONSIDERATIONS.** To avoid or substantially lessen impacts to vegetation, wetland and riparian habitat, including water quality in Putah Creek, and special status species, the following project specific components shall be monitored by the Environmental Coordinator.

**Policy VI.C.7.** The City shall promote the use of drought-tolerant and native plants, especially valley oaks, for landscaping roadsides, parks, schools, and private properties.

**Policy VI.C.8.** Parks, the drainage detention areas, and golf course development shall incorporate areas of native vegetation and wildlife habitat.

**Policy VI.C.1.** Prior to approving public or private development projects in areas containing or adjacent to areas containing large trees, riparian vegetation, wetlands, or other significant wildlife habitat, the City shall require the project area and its environs be field surveyed for the presence of special-status plant and animal taxa. Such field surveys shall be conducted by a qualified biologist. If special-status taxa are encountered during the field surveys, appropriate measures shall be developed to minimize disturbance and protect identified populations, where feasible.

**Policy VI.C.9.** Large, older and historically-significant trees should not be removed unless they are diseased or represent an unavoidable obstacle to development. Development should be designed and constructed to avoid adverse impacts on such trees.

**Policy VI.D.1.** The City shall require that all new development along Putah Creek east of Railroad Avenue be set back at least 100 feet from the top of the creek bank, that all new development along Putah Creek west of Railroad Avenue be set back at least 50 feet from the top of the creek bank, and that all new development along Dry Creek be set back at least 50 feet from the top of the creek bank. Where there is no discernable bank, the set back shall be measured from the line closest to the creek where riparian vegetation is permanently established.

**Policy VI.A.2.** In reviewing major new development proposals, the City shall consider the project's potential for adversely affecting water quality in Putah Creek, Dry Creek, and the area's groundwater and shall condition development approvals to avoid or adopt all feasible measures to mitigate any identified significant effects.

**Policy VI.A.6.** The City shall condition development approvals to minimize the discharge of sediment from grading into Putah

Creek and Dry Creek. To this end, grading should be carried out during the dry months, when possible. Areas not being graded should be disturbed as little as possible. Construction and grading areas, as well as soil stockpiles, should be covered or temporarily revegetated when left for long periods. Revegetation of slopes should be carried out immediately upon completion of grading. Also, temporary drainage structures and sedimentation basins must be installed to prevent sediment from entering and thereby degrading the quality of downstream surface waters, particularly Putah Creek. The full cost of any necessary mitigation measures shall be borne by the projects creating the potential impacts.

**Policy VI.D.9.** No mining or gravel extraction operations shall be permitted in the Putah Creek and Dry Creek corridors.

**Policy VI.D.4.** Any upstream development that creates potential erosion impacts on Dry Creek and Putah Creek shall be required to adopt all feasible measures to mitigate such impacts.

**Policy VI.C.2.** In regulating private development and constructing public improvements, the City shall ensure that there is no net loss of riparian or wetland habitat acreage and value and shall promote projects that avoid sensitive areas. Where habitat loss is unavoidable, the City shall require replacement on at least a 1:1 basis. Replacement entails creating habitat that is similar in extent and ecological value to that displaced by the project. The replacement habitat should consist of locally-occurring, native species and be located as close as possible to the project site. Implementation of this policy should be based on baseline data concerning existing native species. Study expenses shall be borne by development.

**Policy VI.D.1.** The City shall require that all new development along Putah Creek east of Railroad Avenue be set back at least 100 feet from the top of the creek bank, that all new development along Putah Creek west of Railroad Avenue be set back at least 50 feet from the top of the creek bank, and that all new development along Dry Creek be set back at least 50 feet from the top of the creek bank. Where there is no discernable bank, the set back shall be measured from the line closest to the creek where riparian vegetation is permanently established.

**Policy VI.D.5.** Modifications to creek/channels and other wetland features (e.g., bridge crossing, flood control improvements, or culverting) shall be designed to minimize disturbance to areas of dense riparian and marshlands cover. Any proposed channel modifications shall be coordinated with representatives of the California Department of Fish and Game

and the U.S. Army Corps of Engineers to ensure that the concerns and requirements of both agencies can be easily incorporated into specific development plans during the initial phase of project design. Where wetland features are present, jurisdictional determinations and appropriate mitigation will be required subject to the provisions of Section 404 of the Clean Water Act and Sections 1601-1606 of the CDFG Code. Preliminary determinations and coordination with jurisdictional agencies shall be completed prior to approving specific development plans on parcels with wetland features.

**Policy VI.D.2.** Except for recreational trails and recreational uses developed along Putah Creek in the downtown area, the Putah Creek and Dry Creek corridors should be preserved as much as possible in their natural state. Public access and recreational facilities shall not eliminate or degrade riparian habitat values. Trails, picnic areas, and other recreational developments shall be sited to minimize impacts on sensitive wildlife habitat or riparian vegetation.

**Policy VI.D.8.** Brush clearing, mowing of natural vegetation, fire breaks, or similar activities along Putah Creek and Dry Creek shall be prohibited unless a demonstrated need exists to protect the public health, safety, or welfare, as determined by the Fire Protection District or other public agency with legal jurisdiction.

**Policy VI.C.5.** The City shall require mitigation of potential impacts on special-status plant and animal taxa based on a policy of no-net-loss of habitat value. Mitigation measures shall incorporate, as the City deems appropriate, the guidelines and recommendations of the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Implementation of this policy may include a requirement that project proponents enter into an agreement with the City satisfactory to the City Attorney to ensure that the proposed projects will be subject to a City fee ordinance to be adopted consistent with the regional *Habitat Management Plan*.

**Policy VI.C.5.** The City shall require mitigation of potential impacts on special-status plant and animal taxa based on a policy of no-net-loss of habitat value. Mitigation measures shall incorporate, as the City deems appropriate, the guidelines and recommendations of the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Implementation of this policy may include a requirement that project proponents enter into an agreement with the City satisfactory to the City Attorney to ensure that the proposed projects will be subject to a City fee ordinance to be adopted consistent with the regional *Habitat Management Plan*.

7. GEOLOGY, SOILS, SEISMICITY AND HYDROLOGY. To avoid impacts to geology, soils, seismicity, and hydrology, the following project specific components shall be monitored by the Environmental Coordinator.

Policy VII.A.1. The City shall require new development to be constructed according to the requirements of the *Uniform Building Code* to ensure that new structures are able to withstand the effects of seismic activity, including liquefaction.

Policy VII.A.2. Underground utilities, particularly water and natural gas mains, shall be designed to withstand seismic forces in accordance with state requirements.

8. NOISE CONSIDERATIONS. To avoid impacts of exposure of new and existing development to excessive noise levels, the following project specific components shall be monitored by the Environmental Coordinator.

Policy VII.E.1. The City shall evaluate the compatibility of various land uses with nearby noise sources based on the standards in Table II-3 of the *General Plan Policy Document*.

Policy VII.E.2. The City shall require new residential development to comply with applicable provisions of the California State Noise Insulation Standards (California Code of Regulations, Title 24, Part 2, Appendix, Chapter 35) and the Uniform Building code (Appendix Chapter 35), and updates thereof; these include, but are not limited to, the following standards:

- a) Land values due to exterior noise sources shall not exceed 45 dBA inside habitable rooms of new multi-family dwellings (apartments, condominiums, hotels, motels, etc.).
- b) Assemblies dividing units within multi-family dwellings shall have laboratory certified STC ratings of 50 or more (NIC 45 or more if field tested). In addition, floor/ceiling assemblies shall have laboratory certified IIC ratings of 50 or more (45 if field tested).

Policy VII.E.3. Ldn values above 45 dBA due to exterior noise sources shall be prohibited inside habitable rooms of all new dwellings.

Policy VII.E.4. Non-transportation noise sources which are potentially intrusive shall be evaluated in terms of the noise level limits in Tables II-4 and II-5 of the *General Plan Policy Document*. In applying these limits, the corrections in Table II-6 of the *General Plan Policy Document* shall be added

to account for the nature of the noise.

**Policy VII.E.5.** The City shall require preparation of a noise study for all residential projects proposed in areas where Ldn values exceed 60 dBA according to the contour locations set out in Table IX-4 shown in Figure IX-8 in Chapter IX of the General Plan Background Report.

**Policy VII.E.6.** Any project that would cause existing traffic-related noise levels in existing residential areas to increase more than 3 dB shall be required to evaluate the feasibility of noise mitigation measures.

**Policy VII.E.8.** Required noise studies shall be the responsibility of the project applicant, and shall be consistent with the state guidelines for noise study reports. Such studies shall be performed by a qualified consultant and shall include the following:

- a) A summary of noise data collected, and/or descriptions of the methodologies used to determine existing and expected noise levels and noise descriptors such as Leq or Ldn.
- b) Figures or maps showing the locations of noise sources and noise sensitive areas.
- c) A description of the impacts of existing and future (20 years hence) noise levels on the project and/or impacts due to the project on the surrounding area. The standards in this section of the General Plan Policy Document shall form the basis for impact assessment.
- d) Specifications of any noise mitigation measures recommended to ensure compliance with the standards in this General Plan Policy Document.
- e) Description of the expected effects of the mitigation measures.

**Policy VII.E.7.** The City may also require preparation of a noise study when Ldn standards are met or inapplicable, but 1) a potentially intrusive noise source is proposed near a noise sensitive area, or 2) a noise sensitive land use is proposed near a potentially intrusive noise source.

**Policy VII.E.11.** The City shall encourage development designers to minimize noise levels through such measures as the following:

1. Locate outdoor activity spaces such as yards, patios, and decks in areas where noise levels are low.

2. Locate and orient buildings to place noise sensitive indoor spaces such as living rooms and bedrooms in areas with low noise levels.
3. Locate relatively non-noise sensitive structures such as commercial buildings to shield noise sensitive areas such as residences and care facilities from noise sources.
4. Use berms, walls, and setbacks to shield noise sensitive areas from noise sources. Walls shall only be used as a last resort.
5. Provide appropriate muffling devices or enclosures for new noise sources located near noise sensitive areas.

Policy III.D.1. To the extent feasible, the City shall provide for separation of residential and other noise-sensitive land uses from major roadways to reduce noise and air pollution impacts.

9. AIR QUALITY. To avoid or substantially lessen impacts to air quality, including effects of construction, agricultural/residential conflicts, local impacts from carbon monoxide hotspots and regional impacts, the following project specific components shall be monitored by the Environmental Coordinator.

Policy III.A.1. The City shall endeavor to maintain a Level of Service "C" or better, as defined by the 1985 Highway Capacity Manual or subsequent revisions, on all streets and intersections within the city.

Policy III.A.2. Streets shall be dedicated, constructed, widened, extended, and modified according to City standards specified in Part I of this Policy Document. Dedication and improvement of full rights-of-way may not be required in existing developed areas where the City determines that such improvements are either infeasible or undesirable. The City may allow other deviations from these standards if the City determines that safe and adequate public access and circulation, including pedestrian convenience, are preserved by such deviations.

Policy III.A.3. To identify the potential impacts of new development on traffic service levels, the City shall require the preparation of traffic impact analyses at the sole expense of the developer for developments with 20 or more lots or units.

Policy III.A.9. The City shall require street designs consistent with principles of interconnected network path design. The City shall insure that there are multiple, local-

street access points to all developments throughout the City. The City shall insure that direct access to all local streets from primary and secondary collectors is maintained. At the discretion of the City, alleys may be used in conjunction with the overall street layout.

**Policy III.A.10.** Street designs should promote pedestrian and bicycle travel and should emphasize safety over travel speed and capacity. Collector streets should not be used as separators of neighborhoods.

**Policy III.A.15.** The City shall ensure through a combination of traffic impact fees and other funding mechanisms that new development pays its share of the costs of circulation improvements.

**Policy III.B.3.** The City shall require bus turnouts and shelters in higher density residential and commercial areas and other areas deemed appropriate.

**Policy III.D.1.** To the extent feasible, the City shall provide for separation of residential and other noise-sensitive land uses from major roadways to reduce noise and air pollution impacts.

**Policy III.G.4.** The City shall require inclusion of bicycle parking facilities at all new major public and quasi-public facilities and commercial and employment sites. Major employers shall be encouraged to provide showers and lockers in their facilities to encourage biking.

**Policy III.G.6.** The City shall require inclusion of bicycle parking facilities at all new major public and quasi-public facilities and commercial and employment sites. Major employers shall be encouraged to provide showers and lockers in their facilities to encourage biking.

**Policy VI.B.3.** Along the northern and western portion of the Urban Limit Line new residential development that abuts designated and active agricultural land shall incorporate buffers to minimize agricultural-residential conflicts and nuisance problems. The size of the buffer zone shall be determined by the type of agricultural activities involved. The buffer zone may consist of open space, recreational uses, landscape areas, streets or other non-intensive uses.

**Policy VI.E.2.** The City shall utilize the CEQA process to identify and avoid or mitigate potentially significant air quality impacts of new development. The CEQA process shall also be utilized to ensure early consultation with the Yolo-Solano Air Pollution Control District concerning air quality issues associated with specific development proposals.

**Policy VI.E.3.** The City shall notify and coordinate with the Yolo-Solano Air Pollution Control District when industrial developments are proposed. Such coordination will assist applicants in complying with applicable air quality regulations and will assist the City in promptly identifying and resolving potential air quality problems.

**Policy VI.E.4.** Major intersections shall be designed to minimize long vehicle delays which result in carbon dioxide (CO) "hot spots."

**Policy VI.E.6.** The City shall require for both public and private projects that construction-related dust be minimized. Larger projects that create a potential for generating a significant amount of construction-related dust shall be required to include dust control measures as part of their construction mitigation plans.

**Policy VI.E.11.** In granting development entitlements, the City shall require all new industrial and commercial developments within the city projected to generate more than 500 trips per day (based on typical trip generation rates) to develop an air quality mitigation plan. This plan shall include an analysis of how the project would utilize site planning, mixed land uses, transportation systems management measures (e.g., carpooling, van pooling, shuttle bus service, transit incentives, etc.) to reduce by 25 percent the number of trips that would typically be projected for such development. Where this goal cannot be met by these methods, the plan shall provide for off-site mitigation through funding of air quality improvements such as new park and ride lots, sidewalks, bike paths, and support of transit, as deemed acceptable by the City.

**10. OTHER CONSIDERATIONS.** To avoid or substantially lessen impacts to visual, light and glare, constraints on agriculture and loss of agricultural land, and cultural resources and archeology, the following project specific components shall be monitored by the Environmental Coordinator.

**Policy I.D.5.** New commercial and office development along Highway 128/Grant Avenue shall be designed to avoid the appearance of strip development.

**Policy VIII.B.3.** To the maximum extent possible, new buildings developed in the downtown shall front directly on streets, and parking shall be located behind buildings, out of view from the street.

**Policy VIII.C.2.** The City shall promote the creation of well-defined residential neighborhoods in newly-developing areas. Each of these neighborhoods should have a clear focal point,

such as a park, school, or other open space and community facility, and should be designed to promote pedestrian convenience. To this end, the City shall encourage the use of existing Winters neighborhoods, including the grid street system, as models for the planning and design of new residential neighborhoods.

**Policy VIII.D.1.** The City shall endeavor to protect the tree canopy created by mature trees in existing developed areas.

**Policy VIII.D.2.** The City shall require that all new development install street trees according to the City's *Street Tree Plan and Standards*.

**Policy VIII.D.4.** As a condition of the approval of development projects, the City shall require establishment of permanent mechanisms for the ongoing maintenance of street trees.

**Policy VIII.D.5.** Where possible, new developments should preserve and incorporate portions of existing orchards into their site plans.

**Policy VIII.D.6.** In conjunction with new development along I-505, the City shall require extensive landscaping and the planting of new trees to screen development from view along I-505.

**Policy VIII.D.7.** Lighting in new development, including street lighting, should be designed, installed, and maintained to minimize excess light spillage, unnecessary brightness and glare, and degradation of night sky clarity.

**Policy VI.B.3.** Along the northern and western portion of the Urban Limit Line new residential development that abuts designated and active agricultural land shall incorporate buffers to minimize agricultural-residential conflicts and nuisance problems. The size of the buffer zone shall be determined by the type of agricultural activities involved. The buffer zone may consist of open space, recreational uses, landscape areas, streets or other non-intensive uses.

**Policy VI.B.4.** Outside the Urban Limit Line, high quality agricultural soils should be protected by strong County agricultural policies and regulations. Any future expansion of the Urban Limit Line should occur in areas with lower quality agricultural soils.

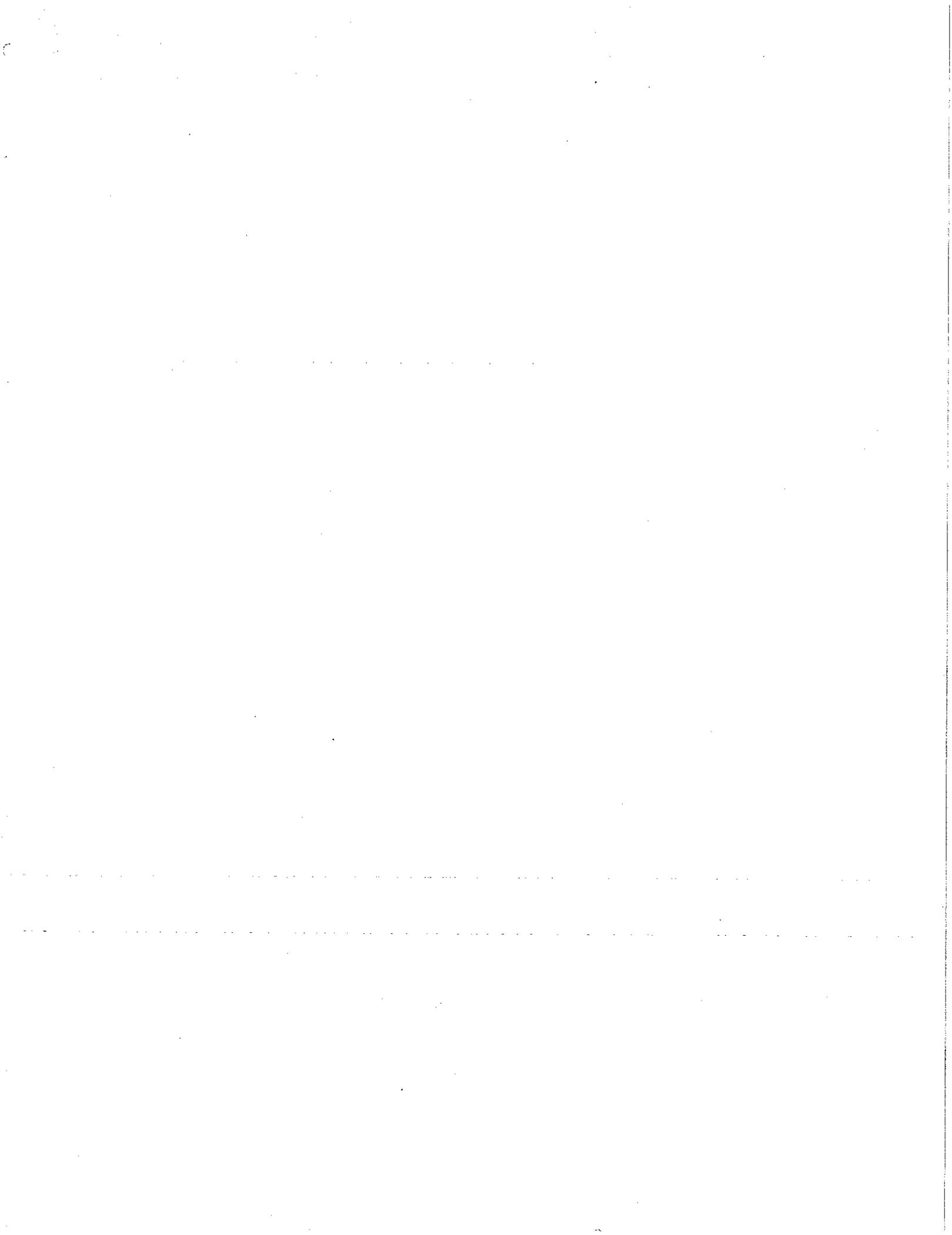
**Policy V.D.7.** Structures of historical, cultural, or architectural merit which are proposed for demolition shall be considered for relocation as a means of preservation. Relocation within the same neighborhood or to another

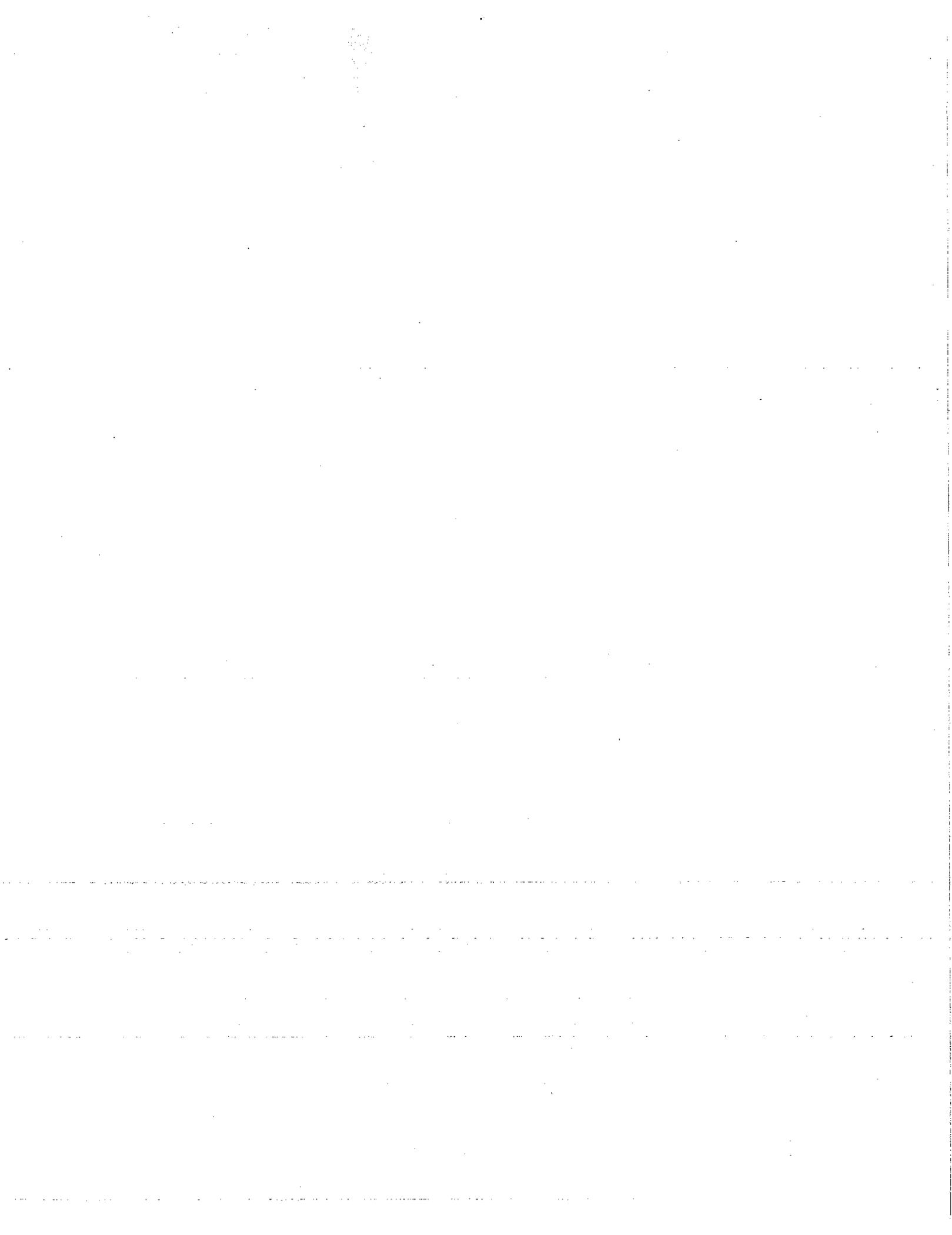
compatible neighborhood shall be encouraged.

**Policy V.F.1.** The City shall refer development proposals that may adversely affect archaeological sites to the Northwest Information Center of the California Archaeological Inventory for review and comment.

**Policy V.F.2.** \* \* \* [I]f archeological artifacts are discovered during grading or construction, grading or construction must stop pending an archeological investigation and identification of appropriate mitigation measures. City implementation of this policy shall be guided by Appendix K of the *State CEQA Guidelines*.

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**CITY OF WINTERS  
GENERAL PLAN,  
PUBLIC FACILITY MASTER PLANS FOR  
CIRCULATION, SEWER, WATER AND DRAINAGE SYSTEMS,  
AND FINANCING PLAN**

**CALIFORNIA ENVIRONMENTAL QUALITY ACT  
STATEMENT  
OF OVERRIDING CONSIDERATIONS**

**IN ACCORDANCE WITH SECTION 15093  
OF TITLE 14 OF THE  
CALIFORNIA CODE OF REGULATIONS**

**RESOLUTION 92-13**

**EXHIBIT C**

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## STATEMENT OF OVERRIDING CONSIDERATIONS

### CEQA Guidelines Section 15093

In approving the General Plan and various master plans, and financing plan and development impact fee study, which are the subject of the FEIR, the City makes the following Statement of Overriding Considerations in support of the Findings, attached as Exhibit A to Resolution 92-13. The City has considered the information contained in the FEIR, and has reviewed and considered the public testimony and record. The City finds and concludes that the public benefits of the project outweigh the identified significant unmitigated impacts with regard to impacts to Swainson's Hawk, cumulative loss of habitat for special status taxa, increase in regional air quality emissions, loss of agricultural land, and water quality impacts of increased runoff on Putah and Dry Creek. The City finds that the following factors support approval of the project despite the remaining potentially significant environmental impacts and therefore the City makes the following Statement of Overriding Considerations:

The GP Project encourages a balance between population and economic growth, which expands the opportunities and choices for its citizens, as well as serves regional demand for housing, business development, and a small-town lifestyle. Winters' town character is defined to include the surrounding open spaces, creek ways, agricultural lands and cultivated activities, public facilities such as park and schools, traditional residential neighborhoods and the historic, architectural and pedestrian-scale qualities of its central and downtown areas. The Project allows the city to maintain this small town character. There also are certain features and characteristics of the city, and some which would be expected to accompany new growth and development, which the City through the General Plan and its related programs and master plans, intends to eliminate, avoid or minimize.

The existing 1986 general plan contains a much higher population in a shorter time frame: 15,000 persons by the year 2000. The existing general plan would result in a change in town character because of the substantial increase in commercial and industrial development. As proposed by the General Plan, a population increase over an approximately 20-year period from about 4500 to 12,500 persons is a much more reasonable amount of increase that can be absorbed by the City over that period of time, within the area defined by the existing twenty-year Sphere of Influence boundaries, the urban limit line. In addition, the rate of increase is consistent with past rates of growth.

New development will allow the City to maintain a positive fiscal balance, to promote jobs, increase the proportion of expenditures by local residents at local businesses and services as well as increasing local government revenues. The project also

allows the City to meet its fair share responsibility of regional housing needs, including low and very-low income housing.

The Project will result in the expansion and improvement of the following public facilities: streets and roads, water system, sewer system, drainage flood control system, parks, school system, public safety facilities, and other public facilities. In addition, the Project will result in improved environmental protection. For example, there can be no net loss of wetlands or riparian habitat. The Project also includes improved measures to protect air quality.

Although the City finds that the only impacts that remain significant are impacts to Swainson's Hawk, cumulative loss of habitat for special status taxa, increase in regional air quality emissions, loss of agricultural land, and water quality impacts of increased runoff on Putah and Dry Creek, if other impacts were found to remain by a court, the City finds and concludes that the above considerations would also override any remaining impacts.

