

RESOLUTION NO. 2009-45

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS AMENDING
THE CITY OF WINTERS GENERAL PLAN TO EXTEND THE GENERAL PLAN
HORIZON YEAR FROM 2010 TO 2018 AND ADOPTING THE 2008-2013 HOUSING
ELEMENT UPDATE**

WHEREAS, the City of Winters General Plan adopted on May 19, 1992 by Resolution No. 92-13 inaccurately assumed that the population of Winters would grow to 12,500 by 2010; and

WHEREAS, the population of Winters is presently 7,052 and, based on an estimated annual growth rate of 3.05%, the population of Winters is projected to be 9,527 in 2018; and

WHEREAS, the 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 will accommodate all projected growth through 2018; and

WHEREAS, the Housing Element update for the 2008-2013 planning period has been prepared in accordance with the provisions set forth in Section 65583 et seq., of the Government Code; and

WHEREAS, City staff has prepared an assessment of housing needs within the City and an inventory of resources and constraints relevant to the meeting of these needs; and

WHEREAS, City staff has prepared a statement of the City's goals, quantified objectives and policies relative to the maintenance, preservation, improvement and development of housing within the City; and

WHEREAS, City staff has prepared a program which sets forth a five-year schedule of actions that the City is undertaking or intends to undertake to implement the policies and achieve the goals and objective of the Housing Element through the administration of land use and development controls, provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs; and

WHEREAS, adoption of the Housing Element update is consistent with the provisions of Government Code Section 65350 et seq. regarding the adoption of a general plan and its associated elements; and

WHEREAS, the Housing Element update has been prepared and processed in accordance with the provisions of Section 65585 of the Government Code with pertaining to review of the Housing Element update by the State Department of Housing and Community Development ("HCD");

WHEREAS, the first draft of the Housing Element update was sent to the HCD on August 25, 2008, and comments were received from the HCD on November 10, 2008;

WHEREAS, the second draft of the Housing Element was sent to HCD on June 19, 2009;

WHEREAS, based on further discussions with HCD, the document was further revised on June 30, 2009;

WHEREAS, on July 14, 2009, the City received a letter from the HCD stating that the City's Housing Element update for the 2008-2013 planning period as revised will comply with the State Housing Element law when adopted and submitted to the HCD.

WHEREAS, the Planning Commission held a public hearing on the Projects on August 11, 2009, wherein the opportunity for public testimony was provided; and

WHEREAS, no comments or testimony were received during the public hearing and the Planning Commission voted (6:0:0) to recommended that the City Council amend the General Plan.

NOW, THEREFORE, BE IT RESOLVED that the Winters City Council hereby finds as follows:

- 1) The Winters General Plan is hereby amended to modify the following language:

The *Land Use Diagram* (inserted separately) depicts proposed land use for Winters within the Urban Limit Line through the year ~~2010~~ 2018.

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~~ 2018.

- 2) The Winters General Plan is hereby amended to add the following language to the Introduction:

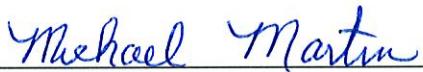
In preparation for the adoption of the 2008-2013 Housing Element update, the City must extend the build-out time horizon from 2010 to 2018. With the current build-out time horizon, the Housing Element update would be internally inconsistent with the current General Plan if it were adopted. To ensure continued legal adequacy and internal consistency of the General Plan, staff provides the following recommendations in order: 1) the extension of the General Plan Horizon Year from 2010 to 2018; and 2) the adoption of the 2008-2013 Housing Element Update.

The data, assumptions, and projections used in various elements and/or parts of the plan are based on the target population of 12,500 and horizon year of 2010. To ensure continued legal adequacy and internal consistency of the General Plan, staff will need to identify all required changes to the plans and fee programs predicated on the current horizon year of 2010 and develop a detailed work plan and associated timeline to implement these changes. The detailed work plan and associated timeline will be brought back to both the Planning Commission and City Council at a later date.

- 3) Staff is hereby directed to develop a work plan and an associated timeline to implement changes to plans and fee programs currently predicated on the current horizon year of 2010. The work plan and associated time line shall be brought back to the Planning Commission and City Council at a later date.
- 4) The Winters General Plan is hereby amended to omit the word "target" from any reference to the build-out population of 12,500 in the Winters General Plan.
- 5) The City of Winters Housing Element update for the 2008-2013 planning period is hereby adopted.
- 6) The Winters General Plan is hereby amended to include the 2008-2013 Housing Element update, as set forth Exhibit A (Parts I and II) attached hereto and incorporated herein by this reference.

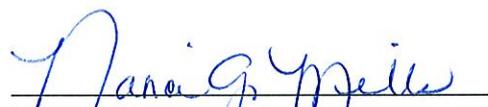
IT IS HEREBY CERTIFIED that foregoing Resolution No. 2009-45 was duly introduced and legally adopted by the City Council at its regular meeting held on this 1st day of September 2009, by the following roll call vote:

AYES: Council Members Aguiar-Curry, Anderson, Fridae and Mayor Martin
NOES: None
ABSENT: Council Member Stone
ABSTAIN: None



Michael Martin, MAYOR

ATTEST:



Nanci G. Mills, City Clerk

Approve As to Form:



John Wallace, City Attorney