

CITY OF WINTERS PLANNING COMMISSION AGENDA

Tuesday, October 27, 2009 @ 7:30 PM

City of Winters Council Chambers  
318 First Street  
Winters, CA 95694-1923  
Community Development Department  
Contact Phone Number (530) 795-4910 #112  
Email: [jen.michaelis@cityofwinters.org](mailto:jen.michaelis@cityofwinters.org)

Chairman: Pierre Neu  
Vice Chairman: Glenn DeVries  
Commissioners: Wade Cowan, Bruce Guelden, Corinne  
Martinez, Phillip Meisch, Joe Tramontana  
Administrative Assistant: Jen Michaelis  
Community Development Director: Nelia Dyer

**I CALL TO ORDER** 7:30 PM

**II ROLL CALL & PLEDGE OF ALLEGIANCE**

**III CITIZEN INPUT:** Individuals or groups may address the Planning Commission on items which are not on the Agenda and which are within the jurisdiction of the Planning Commission. NOTICE TO SPEAKERS: Speaker cards are located on the first table by the main entrance; please complete a speaker's card and give it to the Planning Secretary at the beginning of the meeting. The Commission may impose time limits.

**IV CONSENT ITEM**

Approval of Minutes from the August 25, 2009 regular meeting of the Planning Commission.

**V. STAFF/COMMISSION REPORTS**

**VI DISCUSSION ITEMS:**

A. PUBLIC HEARING AND CONSIDERATION OF A DESIGN REVIEW APPLICATION SUBMITTED BY DAVID LORENZO FOR THE FAÇADE IMPROVEMENT OF THE BUILDING LOCATED AT 111-115 MAIN STREET (APN 003-201-15)

A Public Hearing to consider a Design Review application for façade improvements of the building located at 111-115 Main Street. This project is exempt from environmental review under State CEQA Guidelines Section 15301 that applies to minor alterations to existing structures.

B. PUBLIC HEARING AND CONSIDERATION OF A SITE PLAN REVIEW APPLICATION SUBMITTED BY THE CITY OF WINTERS FOR THE RENOVATION OF THE CITY'S PARKING LOT AT FIRST AND ABBEY STREETS (APN 003-204-18)

A Public Hearing to consider a Site Plan Review application for the renovation of the City's Parking Lot at First and Abbey Streets. This project is exempt from environmental review under State CEQA Guidelines Section 15301 that applies to minor alterations to existing structures.

C. INFORMATIONAL ITEM – DRAFT WORK PLAN FOR THE GENERAL PLAN AMENDMENTS RESULTING FROM THE CHANGE IN THE HORIZON YEAR FROM 2010 TO 2018

An Informational Item to receive feedback from the Commission on a draft work plan for the General Plan amendments resulting from the recent General Plan amendment, which extended the General Plan Horizon Year from 2010 to 2018.

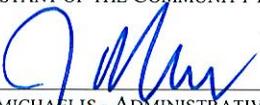
D. INFORMATIONAL ITEM – DRAFT PUBLIC ART POLICY

An Informational Item to receive feedback from the Commission on draft public art policy.

**VII COMMISSION/STAFF COMMENTS**

**VIII ADJOURNMENT**

**POSTING OF AGENDA:** PURSUANT TO GOVERNMENT CODE § 54954.2, THE COMMUNITY DEVELOPMENT ADMINISTRATIVE ASSISTANT OF THE COMMUNITY DEVELOPMENT DEPARTMENT POSTED THE AGENDA FOR THIS MEETING ON JULY 22, 2009.

  
\_\_\_\_\_  
JEN MICHAELIS - ADMINISTRATIVE ASSISTANT

**APPEALS:** ANY PERSON DISSATISFIED WITH THE DECISION OF THE PLANNING COMMISSION MAY APPEAL THIS DECISION BY FILING A WRITTEN NOTICE OF APPEAL WITH THE CITY CLERK, NO LATER THAN TEN (10) CALENDAR DAYS AFTER THE DAY ON WHICH THE DECISION IS MADE.

PURSUANT TO SECTION 65009 (B) (2), OF THE STATE GOVERNMENT CODE "IF YOU CHALLENGE ANY OF THE ABOVE PROJECTS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING(S) DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY PLANNING COMMISSION AT, OR PRIOR TO, THIS PUBLIC HEARING".

**PUBLIC REVIEW OF AGENDA, AGENDA REPORTS, AND MATERIALS:** PRIOR TO THE PLANNING COMMISSION MEETINGS, COPIES OF THE AGENDA, AGENDA REPORTS, AND OTHER MATERIAL ARE AVAILABLE DURING NORMAL WORKING HOURS FOR PUBLIC REVIEW AT THE COMMUNITY DEVELOPMENT DEPARTMENT. IN ADDITION, A LIMITED SUPPLY OF COPIES OF THE AGENDA WILL BE AVAILABLE FOR THE PUBLIC AT THE MEETING.

**OPPORTUNITY TO SPEAK, AGENDA ITEMS:** THE PLANNING COMMISSION WILL PROVIDE AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE COMMISSION ON ITEMS OF BUSINESS ON THE AGENDA, HOWEVER, TIME LIMITS MAY BE IMPOSED BY THE CHAIR AS PROVIDED FOR UNDER THE ADOPTED RULES OF CONDUCT OF PLANNING COMMISSION MEETINGS.

**REVIEW OF TAPE RECORDING OF MEETING:** PLANNING COMMISSION MEETINGS ARE AUDIO TAPE RECORDED. TAPE RECORDINGS ARE AVAILABLE FOR PUBLIC REVIEW AT THE COMMUNITY DEVELOPMENT DEPARTMENT FOR 30 DAYS AFTER THE MEETING.

**COPIES OF AGENDA, AGENDA REPORTS AND OTHER MATERIALS:** PRIOR TO EACH MEETING, COPIES OF THE AGENDA ARE AVAILABLE, AT NO CHARGE, AT CITY HALL DURING NORMAL WORKING HOURS. IN ADDITION, A LIMITED SUPPLY WILL BE AVAILABLE ON A FIRST COME, FIRST SERVED BASIS, AT THE PLANNING COMMISSION MEETINGS. COPIES OF AGENDA, REPORTS AND OTHER MATERIAL WILL BE PROVIDED UPON REQUEST SUBMITTED TO THE COMMUNITY DEVELOPMENT DEPARTMENT. A COPY FEE OF 25 CENTS PER PAGE WILL BE CHARGED.

ANY MEMBER OF THE PUBLIC MAY SUBMIT A WRITTEN REQUEST FOR A COPY OF PLANNING COMMISSION AGENDAS TO BE MAILED TO THEM. REQUESTS MUST BE ACCOMPANIED BY A CHECK IN THE AMOUNT OF \$25.00 FOR A SINGLE PACKET AND \$250.00 FOR A YEARLY SUBSCRIPTION.

**THE COUNCIL CHAMBER IS WHEELCHAIR ACCESSIBLE**

**MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD ON  
TUESDAY, AUGUST 25, 2009**

Chairman Neu called the meeting to order at 7:30 p.m.

**PRESENT:** Commissioners, Cowan, DeVries, Guelden, Martinez, Meisch,  
Tramontana, and Chairman Neu

**ABSENT:** None

**STAFF:** Community Development Director Nellie Dyer, City Attorney John  
Wallace, Contract City Attorney Laura Hollender, City Manager John  
Donlevy, Administrative Assistant Jen Michaelis

Commissioner Tramontana led the Pledge of Allegiance.

**COMMUNICATIONS:**

**Staff Reports:** Director Dyer welcomed Commissioner Joe Tramontana back to the  
Planning Commission. Ms. Dyer also welcomed Contract City Attorney Laura Hollender  
of Meyers-Nave.

**Commission Reports:** None

**CONSENT ITEM**

Approve minutes of the August 11, 2009 regular special meeting of the Planning  
Commission.

**Motion by Commissioner Guelden, Second by Commissioner Meisch to approve  
the minutes for the August 11, 2009 meeting of the Planning Commission. Motion  
carried with the following roll call vote:**

**AYES:** Commissioners, Cowan, DeVries, Guelden, Martinez, Meisch,  
Tramontana, and Chairman Neu

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

At this time, Commissioners Cowan and Martinez recused themselves due to a possible  
conflict of interest.

**DISCUSSION ITEM**

**A. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT  
FOR ADMINISTRATIVE OFFICES AT 310 MAIN STREET (2009-05-CUP)**

Community Development Director Dyer provided an overview of the staff report.  
Commissioner Meisch stated that the General Plan and zoning does not permit office  
use in residential neighborhoods. He added that he is concerned that the Commission  
would be setting a precedent by approving a CUP for a use that is not permitted in the  
zone. Commissioner Meisch suggested language adding a 3 year review to the CUP.  
Mr. Chris Kelsch, Executive Director of the Winters Healthcare Foundation (WHF)

**MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD ON  
TUESDAY, AUGUST 25, 2009**

stated that he is amenable to a 3 year review as long as there is funding to move. Mr. Kelsch added that he would like to co-locate all 3 facilities in one building. Commissioner DeVries stated that this is not the only non-permitted business in a residential zone. Ms. Dyer responded that she is aware of this. She also mentioned that the commission may approve, deny, or modify staff's recommendation. Commissioner DeVries stated that he does not want to set a precedent, but he would be fine with a 3 year review. Commissioner Neu stated that he supports a 3 year review. Commissioner Guelden added that WHF is a valuable asset to the community, and supports a 3 year review. Ms. Dyer asked if the review should be staff level or Planning Commission level. Commissioner Meisch responded that it should be Planning Commission review. Commissioner Neu echoed Commissioner Meisch's comments.

**Motion by Commissioner Guelden, Second by Commissioner Meisch to approve the Conditional Use Permit for the Winters Healthcare Foundation located at 310 Main Street with amendments to the conditions of approval. Motion carried with the following roll call vote:**

**AYES:** Commissioners DeVries, Guelden, Meisch, Tramontana, and Chairman Neu  
**NOES:** None  
**ABSTAIN:** Commissioner Cowan and Martinez  
**ABSENT:** None

At this time, Commissioners Cowan and Martinez returned to their seats at the dais.

**B. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT FOR THE INSTALLATION OF THREE (3) ADDITIONAL ANTENNAS TO AN EXISTING WIRELESS COMMUNICATIONS TOWER AT ROAD 88 AND ROAD 32A (2009-06-CUP)**

Community Development Director Dyer provided an overview of the staff report. Commissioner Neu asked how long the City's lease is with AT&T. Ms. Dyer responded that it is an initial 5 year lease with 3 automatic 5 year extensions. Ms. Jennifer Walker, representing the applicant, stated that the reason for this request is to upgrade equipment and add new antennas to better serve the Winters community. Commissioner Neu asked if the tower was destined to be in that location for years and years. Ms. Walker responded that once a tower is up and running, it stays. Commissioner Neu opened the Public Hearing at 8:04PM. Hearing no comments, he closed the hearing at 8:04PM.

**Motion by Commissioner Martinez, Second by Commissioner Cowan to approve a conditional use permit for the installation of three (3) additional antennas to an existing wireless communications tower at Road 88 and Road 32A. Motion carried with the following roll call vote:**

**MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD ON  
TUESDAY, AUGUST 25, 2009**

**AYES:** Commissioners DeVries, Cowan, Guelden, Martinez, Meisch,  
Tramontana, and Chairman Neu  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

**C. INFORMATIONAL ITEM – PROPOSED RENOVATION OF THE CITY’S  
PARKING LOT AT FIRST AND ABBEY STREETS**

City Manager Donlevy provided an overview of the staff report and presented a brief slide show presentation, noting that he is here tonight to keep the Commission in-the-loop on interim improvements. Commissioner Neu asked which trees would be kept. Mr. Donlevy identified them on the slide, adding that a damaged orange tree would be removed. Commissioner Tramontana asked how “inexpensive” the project was. Mr. Donlevy responded that it was inexpensive. Commissioner DeVries suggested relocating the trash bins. Commissioner Guelden asked about the alley configuration, allowing or not allowing two-way traffic. Mr. Donlevy responded that the alley configuration would be to encourage entrance on First Street, with right turn only signage on the alleyway. Commissioner Neu suggested adding several container trees to the lot. Mr. Donlevy responded that he would include container trees in the project.

**COMMISSION/STAFF COMMENTS:**

Commissioner Tramontana stated that on a recent trip to Oregon he really liked the idea of roundabouts and witnessed how well they worked. Commissioner Tramontana also suggested the use of part time bike policemen for events. Commissioner Cowan asked about the façade improvement at the Lorenzo buildings on Main Street – inquiring as to why they do not look like the approved drawings the Commission approved. Ms. Dyer responded that she would look into that and bring it back to the next meeting. Commissioner Neu asked about the percolation dam removal in Putah Creek. Mr. Donlevy responded that the City has almost all of the approvals in hand, and work would be starting soon.

The meeting was adjourned at 8:45 p.m.

**ATTEST:**

\_\_\_\_\_  
Jenna Michaelis, CDD Admin

\_\_\_\_\_  
Pierre Neu, Chairman



PLANNING COMMISSION  
STAFF REPORT

TO: Chairman and Planning Commissioners  
DATE: October 27, 2009  
FROM: Nelia C. Dyer, Community Development Director *NCD*  
SUBJECT: Public Hearing and Consideration of a Design Review Application submitted by David Lorenzo for the Façade Improvement of the building located at 111-115 Main Street (APN 003-201-15)

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**RECOMMENDATION:** Staff recommends that the Planning Commission take the following actions: 1) Receive the staff report; 2) Conduct the Public Hearing to solicit public comment; and 3) Approve the Design Review Application submitted by David Lorenzo for the Façade Improvement of the building located at 111-115 Main Street (APN 003-201-15) with the attached conditions of approval.

**BACKGROUND:** The project applicant and property owner, David Lorenzo, submitted a design review application in late 2007 for the façade improvement of the building located at 111-115 Main Street (See Attachment 1). At that same time, the applicant also submitted a grant-funding request through the Winters Community Development Agency's Façade Improvement Program. At the January 22, 2008 Planning Commission Meeting, a public hearing was held for the subject design review application. After review and consideration of the application, the Planning Commission approved the application for the façade improvements. The concept plan reviewed and approved by the Planning Commission included the following improvements:

- o 5 Cornice Peaks
- o Stepped Cornice Heights
- o Cornice Blocks
- o Canvas Awnings over Storefronts
- o Vertical Columns separating Facades
- o 9 Storefronts in 5 Openings
- o Storefront Signed located on Façade
- o Clad Wood Windows

- Continuous Panel Work at Wall Base
- Clock Tower
- Parking Lot Improvements

The staff report for the approved design review application notes that the City’s design consultant, Mark Brodeur of Pacific Municipal Consultants, reviewed the subject façade improvement project, Mr. Brodeur’s review of the project elevations was favorable. Two of his suggestions were incorporated into the conditions of approval for the previously approved Design Review application: 1) no illuminated or backlit signage on awnings and restricting awning signage to the valence flap) and 2) all stucco required to have commercial hand trowel finish).

On February 5, 2008, the Winters Community Development Agency (CDA) approved the application for Downtown Façade Improvement Program funds for the project. The CDA approved \$10,000 for the project.

Construction of the façade improvement project began in May 2009. As the construction began to reveal façade improvements, several members of the Winters community notified City staff of the inconsistencies between the plans approved by the Planning Commission and the City Council and the constructed improvements. In response to the comments, staff placed a stop work notice on the project on September 23, 2009. Subsequent to the stop work notice, staff met with the applicant and the architect to discuss the inconsistencies. Staff provided the applicant with two options: 1) construct the improvements based upon the conceptual design reviewed and approved by Planning Commission and the CDA; or 2) submit a design review application for the improvements presently under construction. The applicant chose to submit a design review application for the improvements presently under construction.

**PROJECT DESCRIPTION:** The applicant proposed to continue the construction of the façade improvements depicted in Attachment 2. A list of the proposed improvements follows:

- Four (4) Cornice Peaks
- Single Height of Horizontal Cornice
- Porch Style Roof from the Cantilevered Roof
- Single Façade (no vertical columns)
- Ten (10) Storefront Locations with six (6) shown as “future,” three (3) shown as “new,” and one (1) shown as “existing.”
  - The plan notes that the existing storefront is to be retained and refurbished.
  - The plan notes that the three (3) new storefronts will include fixed glass and wood double door entryways.
  - The six (6) future storefronts are not included in the contract.
- Parking Lot Improvements, Clock Tower, and Landscape Improvements are NOT included with this submittal. The plans note that they will be done at a future phase.

The plans also indicate that new stucco will be applied to the building. In addition, a color schedule is provided on the plans. The color palette will be available for review at the Planning Commission meeting.

**ANALYSIS:** The project is located within the regulating plan area of the Form Based Code for

Downtown Winters. For that reason, staff reviewed the plan for conformance with the Architectural and Design Standards of the Form Based Code (Section 17.58.070) for this Design Review.

The building elevations do not depict the north, west or east elevations of the building. According to the Form-Based Code for Downtown, the design of the project shall be expressed on all exterior elevations of the building. Moreover, the code states that roofline elements should be developed along all elevations and, in no case shall the façade consist of a blank wall. Staff recommends that, prior to continuation of the façade improvement project, the project architect provide revised building elevations that express the design of the project on all exterior elevations of the building including the roofline to the satisfaction of the Community Development Director (See Condition 4).

Upon review of the project under construction, the roof-mounted equipment can be viewed from the abutting street despite the attempt to screen with the parapet walls. Staff recommends that the roof mounted equipment, including but not limited to air conditioning and heating devices, shall be fully screened from view from abutting streets, alleys or properties (See Condition 5). In addition to the roof-mounted equipment, staff recommends that all abandoned materials including pipes, conduits, wires, and signs shall be removed and sign anchors shall be patched to match adjacent surfaces, based on Section 17.58.070 (B)(6)(g) of the Form-Based Code (See Condition 6). Prior to the continuation of the renovation, the project architect shall provide plans that show the screening of roof-mounted equipment, removal of abandoned building materials, and the concealment of operational building materials.

Stucco is proposed as a primary building material for the façade improvement project. According to the Form-Based Code for Downtown Winters, stucco is discouraged for use as a building material unless it exhibits a high quality of workmanship and finish. To assure conformance with the Form-Based Code, staff recommends all stucco applications shall be commercial hand trowel finish (Santa Barbara) (Cat's Eye) and not machine applied as in residential (sand) applications (See Condition 7). Prior to the continuation of the façade improvement project, the project architect shall provide revised plans that note the stucco application of commercial hand trowel finish.

Lighting is shown on the building elevation; however, the number and type of lighting fixtures are not included/noted on the plans. According to the Form-Based Code, lighting should be attractively designed to complement the architecture of the project, and should improve the visual identification and safety of residences and businesses. To meet this standard, staff recommends that all exterior doors, aisles, passageways, and recessed shall be equipped with a lighting device providing a minimum maintained one foot-candle of light at ground level during hours of darkness (See Condition 8). Prior to the continuation of the renovation, the project architect shall revise the plans to show the total number, location and types of lighting fixtures to the satisfaction of the Community Development Director.

The color schedule is included on the plans. According to the Form-Based Code, colors should be consistent with a historic small rural town including, but not limited to, shades of brown and dark reds, yellows, and greens. The colors listed in the schedule include shades of brown, beige and green. Prior to the continuation of the façade improvement project, the project architect shall provide the color palette to the Community Development Director to ensure consistency with the color schedule on the plans (See Condition 9).

No signs are proposed for the building as part of this application. Prior to the installation of any signage for the building, the applicant shall apply for a sign permit and sign(s) must be approved by the Community Development Director (See Condition 10). The design of the sign must conform to both Chapters 17.80 (Signs) and 17.58 (Form-Based Code) of the Winters Municipal Code.

Notes on the plan indicate that landscaping, parking lot improvements, and the clock tower (depicted in the originally approved plan) are not included in this application. In addition, six (6) storefronts are noted as “future”, which is interpreted as an improvement that is not included in this application. Prior to the commencement of these improvements or any improvements not included in this application or not addressed in the conditions, staff recommends that the applicant consult with the Community Development Director regarding planning requirements (See Condition 11).

**METHODOLOGY:** Two actions are required to process the proposed project:

- 1) Confirmation of CEQA exemption finding - Section 15301 (Existing Facilities)
- 2) Approval of the Design Review Application and the attached conditions

**APPLICABLE REGULATIONS:** This project is subject to several regulations:

- o The California Environmental Quality Act (CEQA)
- o State Planning and Zoning Law
- o City of Winters General Plan
- o City of Winters Zoning Ordinance

**PROJECT NOTIFICATION:** Public notice advertising for the public hearing on this project was prepared by the Community Development Department’s Administrative Assistant in accordance with notification procedures set forth in the City of Winters’ Municipal Code and State Planning Law. Two methods of public notice were used: a legal notice was published in the Winters Express on Thursday, October 15, 2009 and notices were mailed to all property owners who own real property within three hundred feet of the project boundaries at least ten days prior to tonight’s hearing. Copies of the staff report and all attachments for the proposed project have been on file, available for public review at City Hall since Thursday, October 22, 2009.

**ENVIRONMENTAL ASSESSMENT:** The proposed project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities).

## **RECOMMENDED FINDINGS FOR 111-115 MAIN STREET FAÇADE IMPROVEMENT PROJECT (DESIGN REVIEW)**

### **CEQA Findings:**

1. The proposed project is exempt from CEQA review under §15301 (Existing Facilities)
2. The Planning Commission has considered the comments received on the project during the public review process.

3. The exemption finding reflects the independent judgment and analysis of the City of Winters.
4. The Planning Commission hereby confirms a Class 1 Existing Facilities exemption for the 111-115 Main Street Project.

**General Plan and Zoning Consistency Findings:**

1. The project is consistent with the goals and policies of the General Plan. The General Plan designates the project site as Central Business District. This designation provides for restaurants, retail service, professional and administrative offices, and other uses. The project will support these uses by improving the appearance of the building located at 111-115 Main Street.
2. The project is consistent with the provisions of the Zoning Ordinance. The D-A Main Street Zone allows a variety of commercial uses and the project would support commercial use of the building.

**RECOMMENDATION**

Staff recommends approval of the project by making an affirmative motion as follows:

**I MOVE THAT THE WINTERS PLANNING COMMISSION APPROVE THE DESIGN REVIEW APPLICATION FOR THE 111-115 MAIN STREET FAÇADE IMPROVEMENT PROJECT BASED ON THE IDENTIFIED FINDINGS OF FACT AND BY TAKING THE FOLLOWING ACTIONS:**

- Confirmation of exemption from the provisions of CEQA.
- Confirmation of consistency findings with the General Plan and Zoning Ordinance
- Approval of the Design Review Application subject to the conditions of approval attached hereto.

**ALTERNATIVES:** The Commission can elect to modify any aspect of the approval or to deny the application. If the Commission chooses to deny the application, the Commission would need to submit findings for the official record that would illustrate the reasoning behind the decision to deny the project.

**CONDITIONS OF APPROVAL FOR DESIGN REVIEW APPLICATION FOR THE 111-115 MAIN STREET FAÇADE IMPROVEMENT PROJECT LOCATED ON ASSESSOR PARCEL NUMBER 003-201-15, WINTERS, CA 95694.**

1. This Design Review Application is based upon and limited to compliance with the project description, Attachments 1-3, and conditions of approval set forth below. Any deviations from the project descriptions, attachments or conditions must be brought to the attention of, reviewed and approved by the Community Development Director for conformity with this approval. Deviations may require modification to the permit and/or environmental review. Deviations without the above-described approval will constitute a violation of permit approval.
2. In the event any claim, action or proceeding is commenced naming the City or its agents, officers, and employees as defendant, respondent or cross defendant arising or alleged to arise from the City's approval of this project, the project applicant shall defend, indemnify, and hold harmless the City or its agents, officers, and employees, from liability, damages, penalties, costs, or expenses in any such claim, action, or proceeding to attach, set aside, void, or annul

an approval of the City of Winters, the Winters Planning Commission, any advisory agency to the City and local district, or the Winters City Council. Project applicant shall defend such action at applicant's sole cost and expense, which include court costs and attorney fees. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense. Nothing in this condition shall be construed to prohibit the City of Winters from participating in the defense of any claim, action, or proceeding, if City bears its own attorney fees and cost, and defends the action in good faith. Applicant shall not be required to pay or perform any settlement unless the applicant in good faith approves the settlement, and the settlement imposes no direct or indirect cost on the City of Winters, or its agents, officers, and employees, the Winters Planning Commission, any advisory agency to the City, local district, and the City Council.

3. Approval of the applicant's project shall be null and void if the applicant fails to submit a building permit for the project within one year of the Planning Commission's approval of the Design Review application.
4. The design of the project shall be expressed on all exterior elevations of the building. Prior to continuation of the façade improvement project, the project architect shall provide revised building elevations that express the design of the project on all exterior elevations of the building including the roofline to the satisfaction of the Community Development Director.
5. Roof mounted equipment, including but not limited to air conditioning and heating devices, shall be fully screened from view from abutting streets, alleys or properties. Prior to the continuation of the façade improvement project, the project architect shall provide plans that demonstrate the screening of roof-mounted equipment.
6. All abandoned materials including pipes, conduits, wires, and signs shall be removed and sign anchors shall be patched to match adjacent surfaces. Operational pipes, conduits, and other active equipment shall be concealed. Prior to the continuation of the façade improvement project, the project architect shall provide plans that show the removal of abandoned building materials and the concealment of operational building materials.
7. All stucco applications shall be commercial hand trowel finish (Santa Barbara) (Cat's Eye) and not machine applied as in residential (sand) applications. Prior to the continuation of the façade improvement project, the project architect shall provide revised plans that note the stucco application of commercial hand trowel finish.
8. All exterior doors, aisles, passageways, and recessed shall be equipped with a lighting device providing a minimum maintained one foot-candle of light at ground level during hours of darkness. In addition, exterior lighting shall be sited and installed in a manner to minimize glare and light spillage beyond property lines. Outdoor light fixtures shall be the lowest wattage necessary to accomplish adequate lighting. Lighting shall be downlit, shielded, and directed away from areas not intended to be lit and from the night sky. All light fixtures shall be installed and shielded in such a manner that no visible light is emitted from the fixture at angles above the horizontal plane. Low pressure sodium lamps are prohibited. Prior to the continuation of the renovation, the project architect shall revise the plans to show the total

number, location and types of lighting fixtures to the satisfaction of the Community Development Director.

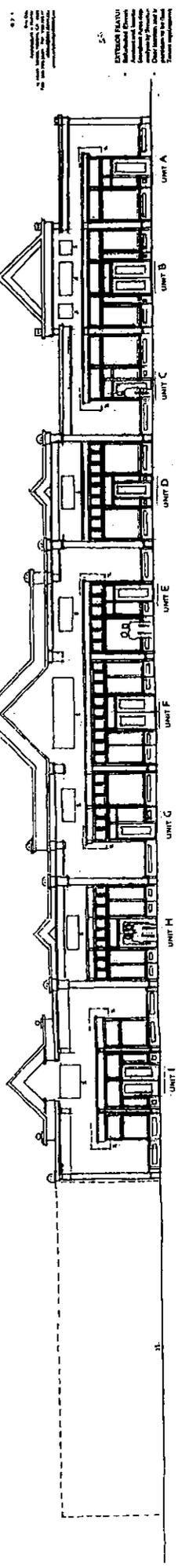
9. Prior to the continuation of the façade improvement project, the project architect shall provide the color palette to the Community Development Director to ensure consistency with the color schedule on the plans.
10. Prior to the installation of any signage for the building, the applicant shall apply for a sign permit and sign(s) must be approved by the Community Development Director. The design of the sign must conform to both Chapters 17.80 (Signs) and 17.58 (Form-Based Code) of the Winters Municipal Code.
11. Prior to the commencement of landscaping, parking lot improvements or any improvements not included in this application or not addressed in the conditions, staff recommends that the applicant consult with the Community Development Director regarding planning requirements.
12. Failure to comply with the above conditions may result in the immediate revocation of the Design Review Approval.
13. The address numbers for the individual storefronts shall be clearly visible from the street fronting the property. The address numbering shall be either four (4) inch illuminated numbers or six (6) inch non-illuminated numbers on contrasting background.

ATTACHMENTS:

1. Elevation/Site Plan Approved by the Planning Commission on January 22, 2008
2. Proposed Elevation/Site Plan
3. Public Hearing Notice (mailed copy)

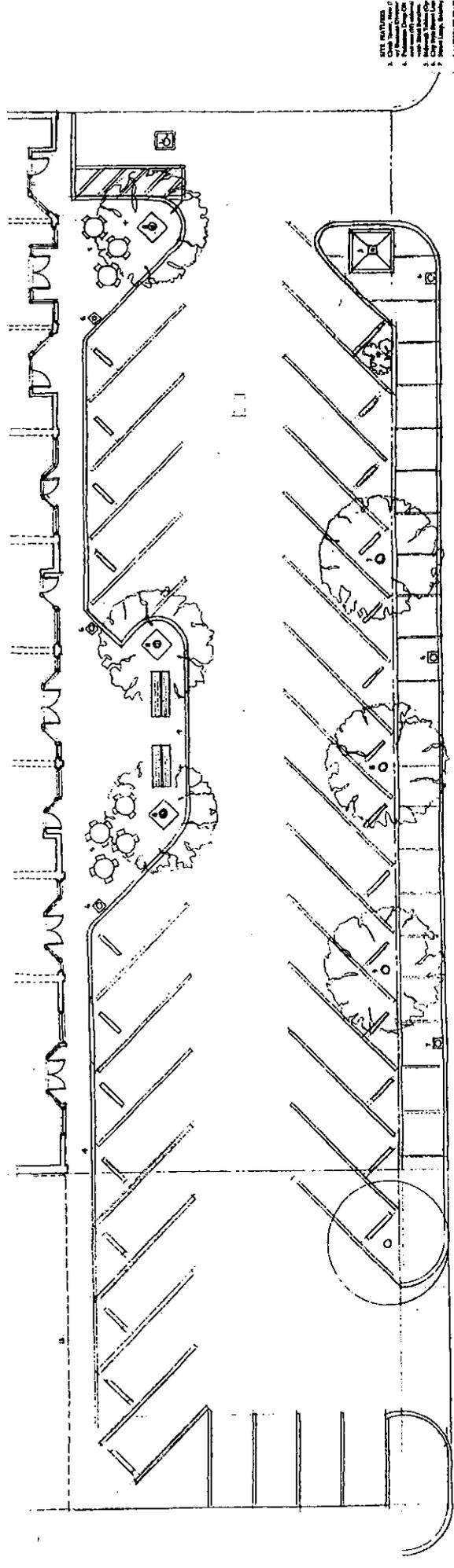
COMMERCIAL  
REMODEL  
FOR  
LORENZO  
SQUARI

111 MAIN STREET, WINTERS, CA 95699  
CONCEPT SHEET  
10.15.200



52  
 1. Structural Elements  
 2. Mechanical Elements  
 3. Electrical Elements  
 4. Plumbing Elements  
 5. Fire Elements  
 6. Other Elements

STREET ELEVATION (approx)



LEGEND  
 1. Structural Elements  
 2. Mechanical Elements  
 3. Electrical Elements  
 4. Plumbing Elements  
 5. Fire Elements  
 6. Other Elements

PROJECT SITE PLAN (approx)

**MAYOR:**  
Michael Martin  
**MAYOR PRO TEM:**  
Woody Fridae  
**COUNCIL:**  
Tom Stone  
Harold Anderson  
Cecilia Aguiar-Curry



**MAYOR EMERITUS:**  
J. Robert Chapman  
**TREASURER:**  
Michael Sebastian  
**CITY CLERK:**  
Nanci G. Mills  
**CITY MANAGER:**  
John W. Donlevy, Jr.

## PROOF OF SERVICE BY MAIL

I am Jenna Michaelis, Administrative Assistant for the Community Development Department of the City of Winters. I am over the age of 18 years. My business address is 318 First Street, Winters, CA 95694.

On October 12, 2009 I served the foregoing Notice of Action by depositing a true copy thereof in The United States Mail in Winters, CA, enclosed in a sealed envelope with postage thereon fully prepaid, addressed as follows:  
See attached mailing labels.

I certify under penalty of perjury under the laws of California that the foregoing is true and correct, and that this document is executed on October 12, 2009 at Winters, California.

  
\_\_\_\_\_  
Jenna Michaelis, Community Development Administrative Assistant



Memorandum

To: Interested Parties  
From: Winters Community Development Department  
Date: October 12, 2009  
Subject: Notice of Public Hearing to Consider a Design Review/Site Plan Application for Façade Improvements at the Building Located at 111-115 Main Street (APN# 003-201-15)

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Applicant: David Lorenzo

**Description of the Project:** The project applicant proposes to revise the south façade (Main Street side) of the 111-115 Main Street building. The property is approximately 22,780 square feet in size, has a General Plan land use designation of Central Business District (CBD), and is zoned Central Business District (C-2).

**Project Location:** 111-115 Main Street (APN# 003-201-15)

**Environmental Determination:** Class I Categorical Exemption (Existing Facilities)

**Public Hearing:** A public hearing will be held to consider action on the project on Tuesday, October 27, 2009 before the Planning Commission. This meeting will start at 7:30 p.m. at the City Council Chambers located on the first floor of City Hall at 318 First Street, Winters, California. If you are unable to attend the public hearing, you may direct written comments to the City of Winters, Community Development Department, 318 First Street, Winters, CA 95694 or you may call (530) 795-4910, extension 114.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in these hearings, please contact Jen Michaelis at (530) 795-4910. Please make your request as early as possible and at least one-full business day before the start of the hearing.

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If you wish to challenge the action taken on this matter in court, the challenge may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission prior to the public hearing.

**Availability of Documents:** The project file is available for public review at the Community Development Department, Winters City Hall, 318 First Street, Winters, CA 95694. Copies of the Staff Report will be available on the City's website at [http://www.cityofwinters.org/administrative/admin\\_boards.htm](http://www.cityofwinters.org/administrative/admin_boards.htm)

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WINTERS CA95694

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BOISROME YVES ETAL  
4116 CENTRAL LN  
WINTERS, CA95694

003 193 05

BRANSCUM CARL J LILLIE M  
206 ABBEY ST  
WINTERS, CA95694

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121 E GRANT ST  
WINTERS, CA95694

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SCHUBERT RICK  
8307 QUAIL CANYON RD  
VACAVILLE, CA95688

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KIMES RICHARD L JANET L KIMES REV LIV  
TRUST

803 APRICOT AVE  
WINTERS CA95694

003 193 12

SCIANNA ED CAROL M  
310 2ND ST  
WINTERS, CA95694

003 204 18

WINTERS CITY OF  
318 FIRST STREET  
WINTERS, CA95694

003 202 12

PEDERSON ALLEN ETAL  
129 RUSSELL ST  
WINTERS, CA95694

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BECK DONALD V ETAL  
4635 BECK LN  
VACAVILLE, CA95688

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FIRST NATL BANK DIXON TTN ASST  
CONTROLLER  
195 N 1ST ST 2ND FLOOR

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BERDALL SUZANNE L RANGEL DAVID  
105 ABBEY ST  
WINTERS, CA956941901

003 204 17

PICKEREL JOHN BAJAKIAN PICKEREL MELANIE  
488 MAIN ST  
WINTERS, CA95694

003 155 09

ANDERSON SYBII  
P O BOX 752  
WINTERS, CA95694

003 156 10

SKAGGS JUANITA L TR  
1008 HILLVIEW LN  
WINTERS, CA95694

003 202 02

DEVRIES 2002 REV LIV TRUST  
410 VILLAGE CIR  
WINTERS, CA95694

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GRAF BUILDING PARTNERS LLC  
119 MAIN ST  
WINTERS, CA95694

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PEREZ MARY M  
31091 RUSSELL BLVD  
WINTERS, CA95694

003 202 17

BARKER JAMES R MILDRED T TR  
105 RUSSELL ST  
WINTERS, CA95694

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UCHIDA MIYO GROBERMAN HUGH  
50 PALM AVE  
WOODLAND, CA95695

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ARCE BALDOMERO ELIA  
201 WHITE OAK LN  
WINTERS, CA95694

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SIRACUSA JOHN ELIZABETH A  
206 RUSSELL ST  
WINTERS, CA95694

003 202 04

LORENZO ALADDIN C LYNDA R T  
1507 GRAND PHEASANT LN  
LINCOLN, CA95648

003 156 09

BRESHEARS JILL P  
119 ABBEY ST  
WINTERS, CA95694

003 146 17

KOVACH MICHAEL RITA  
205 ABBEY ST  
WINTERS, CA95694

003 201 02  
REYES FERNANDO MARY ELLEN RHODES  
JEANNE  
P O BOX 1082  
WINTERS, CA95694  
003 146 19

SIRACUSA JOHN ELIZABETH  
7 E MAIN ST  
WINTERS, CA95694

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INTERNATIONAL CH OF FOURSQUAR  
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318 FIRST ST  
WINTERS, CA95694

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JORDAN PATSY J  
226 2ND ST  
WINTERS, CA95694

003 146 20  
PURTILL JAMES P  
869 DERRY CIR  
VACAVILLE, CA95688

003 201 17  
GREENWOOD NICOLE  
106 ABBEY ST  
WINTERS, CA95694

003 194 06  
NEU PIERRE GIBBS MARCIA  
204 MAIN ST  
WINTERS, CA95694

003 203 03  
TC PROPERTY MANAGEMENT LTD  
P O BOX 38  
DAVIS, CA95617

003 193 13  
MCMASTER STONE THOMAS CAROL  
204 ABBEY ST  
WINTERS, CA95694

003 203 16  
YOLO COUNTY OF  
625 COURT ST RM 203  
WOODLAND, CA95695

003 202 15  
SULLIVAN WILLIAM R SULLIVAN WILLIAM R  
LINDA  
101 RUSSELL ST  
WINTERS, CA95694

003 156 18  
THOMPSON ROBERT T CHERYL J  
390 GRANDVIEW DR  
VACAVILLE, CA95688

003 201 01  
HEILMAN STEVE MARIE  
116 ABBEY ST  
WINTERS, CA95694

003 194 11  
PIONEER PRESBYTERIAN CHURCH  
205 RUSSELL ST  
WINTERS, CA95694

003 202 11  
GALE LAURA  
123 RUSSELL ST  
WINTERS, CA95694

003 202 06  
FURRIER JEANNE REICH KELLE TR  
P O BOX 2558  
PARADISE, CA959672558

003 202 05  
MANNERS NOEL  
825 BEACH RD  
SHELTER COVE, CA95589

003 156 11  
SKAGGS JUANITA L TR  
1008 HILLVIEW LN  
WINTERS, CA95694

003 202 10  
BARKER JAMES R MILDRED T TR  
105 RUSSELL ST  
WINTERS, CA95694

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BECK DONALD V ETAL  
4635 BECK LN  
VACAVILLE, CA95688

003 201 16  
BERTAGNOLLI GARY L K K BERTAGNOLLI  
FAMILY TR  
P O BOX 688  
WINTERS, CA95694

003 201 18  
WINTERS CITY OF  
318 FIRST ST  
WINTERS, CA95694



PLANNING COMMISSION  
STAFF REPORT

TO: Chairman and Planning Commissioners  
DATE: October 27, 2009  
FROM: Nelia C. Dyer, Community Development Director   
SUBJECT: Public Hearing and Consideration of a Site Plan Review Application for the Renovation of the City's Parking Lot at First and Abbey Streets (APN 003-204-18)

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**RECOMMENDATION:** Staff recommends that the Planning Commission take the following actions: 1) Receive the staff report; 2) Conduct the Public Hearing to solicit public comment; and 3) Approve the Site Plan Review Application submitted by the City of Winters for the renovation of the City's Parking Lot at First and Abbey Streets (APN 003-204-18) with the attached conditions of approval.

**BACKGROUND:** At the August 11<sup>th</sup> and 25<sup>th</sup> Planning Commission meetings, staff presented a concept plan of the proposed renovation of the City's parking lot at First and Abbey Streets for review and feedback. The concept plan depicted the removal of the existing building, 2-3 trees and numerous shrubs to install 39 parking spaces (including accessible spaces and spaces for the City's electrical vehicles). The Planning Commission asked staff questions and commented on the alley configuration, landscaping and cost.

**PROJECT DESCRIPTION:** Since the August 25<sup>th</sup> Planning Commission meeting, City staff has decided to keep the existing building for storage. This change has resulted in a new site plan for the renovation of the parking lot (See Attachment 1). A total of 22 parking spaces are proposed including 2 accessible spaces and 4 spaces for the City's electrical vehicles. The trash bin is proposed to be located at the driveway closest to the corner of First and Abbey Streets with an alternate location between the alley and the storage building. It appears that most of the existing trees will be kept to provide some shade, and the driveway from First Street is proposed to be abandoned. This parking lot is intended to serve both City Hall employees and patrons of the downtown businesses and events.

A parking lot in the general vicinity of First and Abbey Streets is identified as a Capital Improvement in the *Downtown Master Plan*, which was adopted by the City Council in March 2006. However, as shown in Attachment 2, the sketch of "Core Block A" depicts new buildings along First and Abbey

Streets as well as a new parking area to be accessed off of the one-way alley. According to staff, the proposed renovation to the parking lot will be temporary with the intent of constructing the recommended project identified in the Downtown Master Plan in the future.

**ANALYSIS:** The project is located within the regulating plan area of the Form Based Code for Downtown Winters. For that reason, staff reviewed the plan for conformance with the Parking Section in the Development Standards of the Form Based Code (Section 17.58.060) for this Site Plan Review.

While this proposed parking lot is temporary, the project meets the parking standards of the Form-Based Code Regulating Plan Area. According to the Code, Downtown Winters should encourage “one-stop” parking where shoppers park once and visit multiple stores on foot. In addition, reduced parking requirements and shared parking lots will help create a pedestrian-oriented downtown environment. This parking lot is intended to serve City Hall employees during the weekdays and patrons of the downtown businesses and events in the evenings and weekends. The Code also states that parking lots or structure entries should be located on side streets or alleys in order to minimize pedestrian/vehicular conflicts. Regardless of the renovation, the parking lot is located on side streets and alleys, which helps to minimize pedestrian/vehicular conflicts.

The City is proposing to keep most of the existing trees for shade. However, according to the Form-Based Code, parking facilities shall attain and maintain a minimum of 50 percent tree canopy coverage within ten years of completion of construction to provide shade and minimize visual and environmental impacts. In addition, the Code states that trees should be installed at a ratio of one tree per three parking stalls for the perimeter of the parking lot, and one tree per six spaces for the interior of the parking lot. While this parking lot is temporary, staff recommends the placement and maintenance of three (3) container trees along First Street (See Condition 3) as per the feedback by the Planning Commission at the August 25<sup>th</sup> meeting.

It appears that lighting is not included in the proposed project. To provide security, staff recommends that lighting be installed as part of the project (See Condition 4). The Form Based Code recommends that the parking lot fixtures not exceed 20 feet in height. In addition, light standards within parking lots should be designed with raised bases to protect them from damage by vehicles and consistent with the historic small town character of Winters.

The trash bin is proposed to be located at the driveway closest to the corner of First and Abbey Streets with an alternate location between the alley and the storage building. Staff recommends the location and design of trash storage and enclosures is subject to approval by the Fire Department (See Condition 5).

**METHODOLOGY:** Two actions are required to process the proposed project:

- 1) Confirmation of CEQA exemption finding - Section 15301 (Existing Facilities)
- 2) Approval of the Design Review Application and the attached conditions

**APPLICABLE REGULATIONS:** This project is subject to several regulations:

- o The California Environmental Quality Act (CEQA)
- o State Planning and Zoning Law

- City of Winters General Plan
- City of Winters Zoning Ordinance

**PROJECT NOTIFICATION:** Public notice advertising for the public hearing on this project was prepared by the Community Development Department's Administrative Assistant in accordance with notification procedures set forth in the City of Winters' Municipal Code and State Planning Law. Two methods of public notice were used: a legal notice was published in the Winters Express on Thursday, October 15, 2009 and notices were mailed to all property owners who own real property within three hundred feet of the project boundaries at least ten days prior to tonight's hearing. Copies of the staff report and all attachments for the proposed project have been on file, available for public review at City Hall since Thursday, October 22, 2009.

**ENVIRONMENTAL ASSESSMENT:** The proposed project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities).

**RECOMMENDED FINDINGS FOR THE RENOVATION OF THE CITY'S PARKING LOT LOCATED AT FIRST AND ABBEY STREETS (SITE PLAN REVIEW)**

**CEQA Findings:**

1. The proposed project is exempt from CEQA review under §15301 (Existing Facilities)
2. The Planning Commission has considered the comments received on the project during the public review process.
3. The exemption finding reflects the independent judgment and analysis of the City of Winters.
4. The Planning Commission hereby confirms a Class 1 Existing Facilities exemption for the renovation of the City's parking lot located at First and Abbey Streets.

**General Plan and Zoning Consistency Findings:**

1. The project is consistent with the goals and policies of the General Plan. The General Plan designates the project site as Central Business District. This designation provides for restaurants, retail service, professional and administrative offices, and other uses. The project will support these uses by providing off-street parking to City staff, merchants, and patrons of Downtown Winters.
2. The project is consistent with the provisions of the Zoning Ordinance. The D-A Secondary Street Zone allows a variety of uses, including government/institutional, commercial and other uses, and the project would support these uses by providing off-street parking.

**RECOMMENDATION**

Staff recommends approval of the project by making an affirmative motion as follows:

**I MOVE THAT THE WINTERS PLANNING COMMISSION APPROVE THE SITE PLAN REVIEW APPLICATION FOR THE RENOVATION OF THE CITY'S PARKING LOT LOCATED AT FIRST AND ABBEY STREETS BASED ON THE IDENTIFIED FINDINGS OF FACT AND BY TAKING THE FOLLOWING ACTIONS:**

- Confirmation of exemption from the provisions of CEQA.
- Confirmation of consistency findings with the General Plan and Zoning Ordinance
- Approval of the Site Plan Review Application subject to the conditions of approval attached hereto.

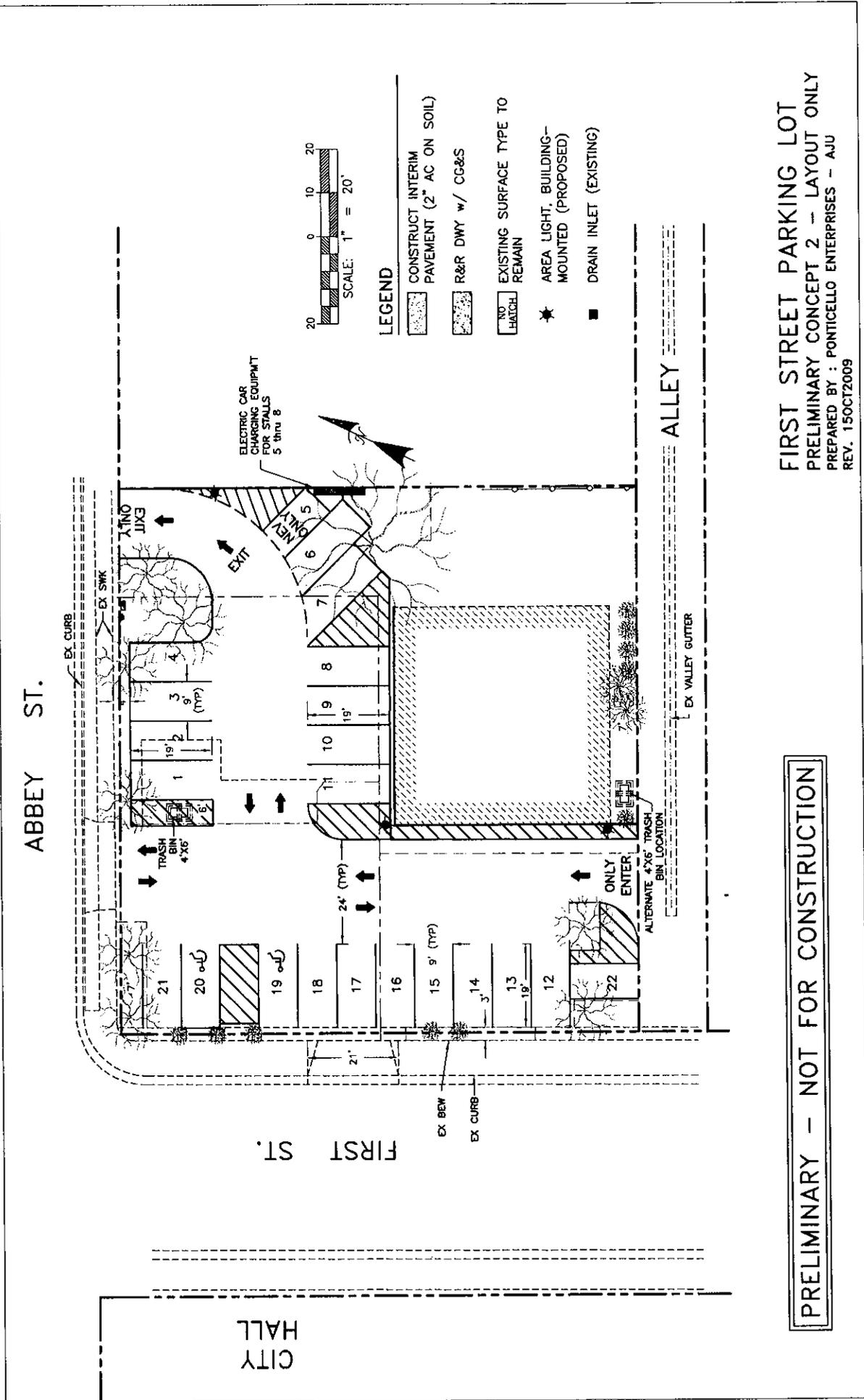
**ALTERNATIVES:** The Commission can elect to modify any aspect of the approval or to deny the application. If the Commission chooses to deny the application, the Commission would need to submit findings for the official record that would illustrate the reasoning behind the decision to deny the project.

**CONDITIONS OF APPROVAL FOR SITE PLAN REVIEW APPLICATION FOR THE CITY'S PARKING LOT LOCATED AT FIRST AND ABBEY STREETS LOCATED ON ASSESSOR PARCEL NUMBER 003-204-18, WINTERS, CA 95694.**

1. This Site Plan Review Application is based upon and limited to compliance with the project description, Attachments 1-3, and conditions of approval set forth below. Any deviations from the project descriptions, attachments or conditions must be brought to the attention of, reviewed and approved by the Community Development Director for conformity with this approval. Deviations may require modification to the permit and/or environmental review. Deviations without the above-described approval will constitute a violation of permit approval.
2. The applicant shall install three (3) container trees along the First Street side of the parking lot. The trees shall be installed so as to not obstruct an accessible path of travel. The location and the type of container trees are subject to approval by the Community Development Director. Prior to the commencement of the renovation, the project applicant shall revise the site plan to show the location and type of container trees
3. The applicant shall install lighting in the parking lot. Lighting shall provide both security and visual interest. The parking lot fixtures shall not exceed 20 feet in height. The light standards shall be designed with raised bases to protect them from damage by vehicles. The lighting shall be consistent with the historic small town character of Winters. The location and detail of the lights are subject to approval by the Community Development Director. Prior to the commencement of the renovation, the project applicant shall revise the plan to show the location and detail of the lights for the parking lot.
4. The location and design of trash storage are subject to approval by the Fire Department.
5. The demarcation of parking spaces shall be legible.

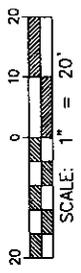
**ATTACHMENTS:**

1. Preliminary Improvement Concept of the First Street Parking Lot
2. Core Block A (From the Downtown Master Plan, Approved in March 2006)
3. Public Hearing Notice (mailed copy)



**LEGEND**

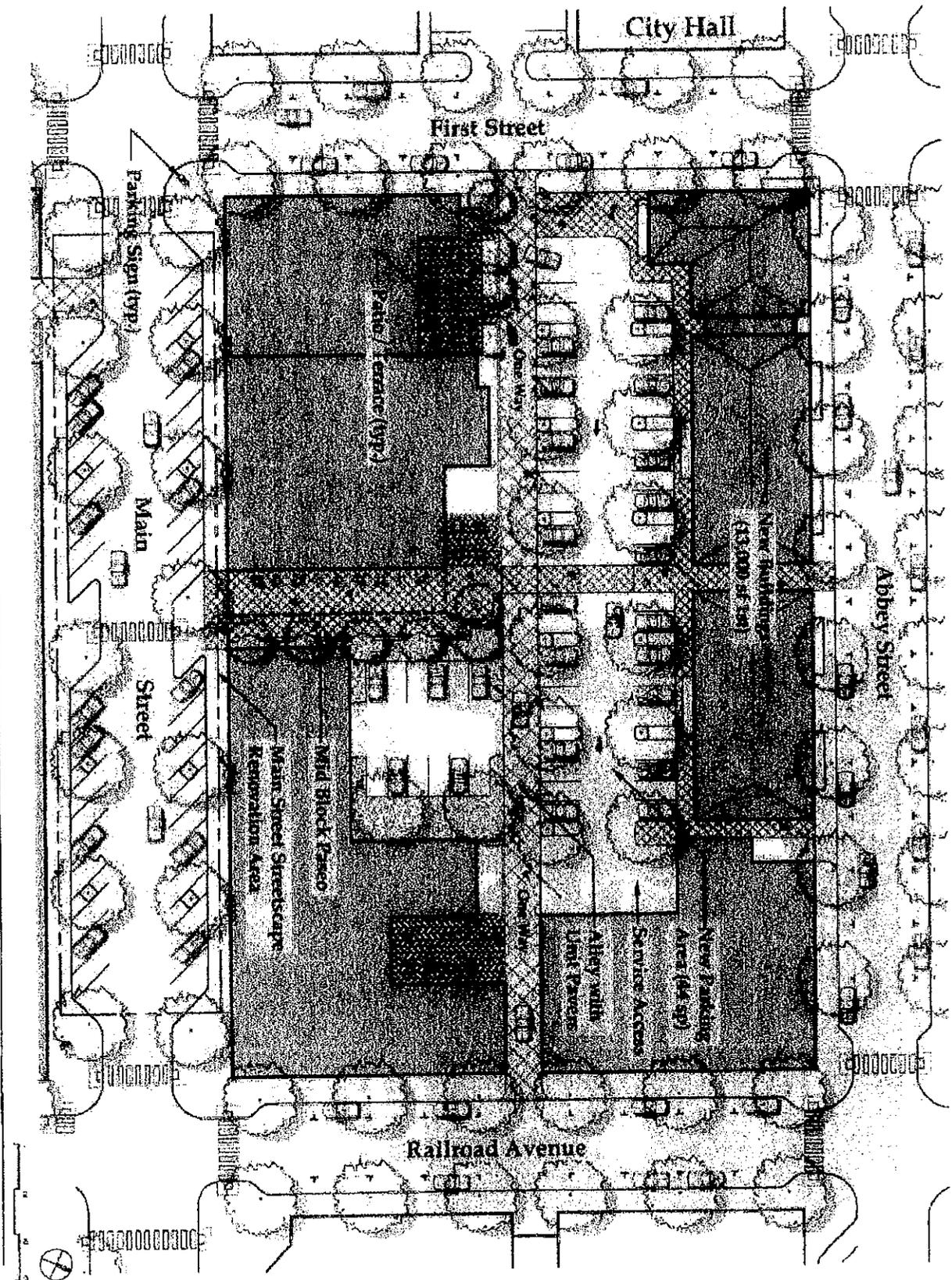
- CONSTRUCT INTERIM PAVEMENT (2" AC ON SOIL)
- R&R DWY w/ CG&S
- NO HAIRCH
- EXISTING SURFACE TYPE TO REMAIN
- AREA LIGHT, BUILDING-MOUNTED (PROPOSED)
- DRAIN INLET (EXISTING)



**FIRST STREET PARKING LOT**  
 PRELIMINARY CONCEPT 2 -- LAYOUT ONLY  
 PREPARED BY : PONTICELLO ENTERPRISES - AJU  
 REV. 15OCT2009

**PRELIMINARY -- NOT FOR CONSTRUCTION**

Core Block A



MAYOR:  
Michael Martin  
MAYOR PRO TEM:  
Woody Fridae  
COUNCIL:  
Tom Stone  
Harold Anderson  
Cecilia Aguiar-Curry



MAYOR EMERITUS:  
J. Robert Chapman  
TREASURER:  
Michael Sebastian  
CITY CLERK:  
Nanci G. Mills  
CITY MANAGER:  
John W. Donlevy, Jr.

## PROOF OF SERVICE BY MAIL

I am Jenna Michaelis, Administrative Assistant for the Community Development Department of the City of Winters. I am over the age of 18 years. My business address is 318 First Street, Winters, CA 95694.

On October 12, 2009 I served the foregoing Notice of Action by depositing a true copy thereof in The United States Mail in Winters, CA, enclosed in a sealed envelope with postage thereon fully prepaid, addressed as follows: See attached mailing labels.

I certify under penalty of perjury under the laws of California that the foregoing is true and correct, and that this document is executed on October 12, 2009 at Winters, California.

A handwritten signature in cursive script, appearing to read "Jenna Michaelis".

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Jenna Michaelis, Community Development Administrative Assistant



Memorandum

To: Interested Parties  
From: Winters Community Development Department  
Date: October 12, 2009  
Subject: Notice of Public Hearing to Consider a Design Review/Site Plan Application for Interim Improvements to the Parking Lot at First and Abbey Streets (APN# 003-204-18)

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Applicant: City of Winters

Description of the Project: The project applicant proposes to make interim improvements to the parking lot at First and Abbey Streets.

Project Location: First and Abbey Streets (APN# 003-204-18)

Environmental Determination: Class I Categorical Exemption (Existing Facilities)

Public Hearing: A public hearing will be held to consider action on the project on Tuesday, October 27, 2009 before the Planning Commission. This meeting will start at 7:30 p.m. at the City Council Chambers located on the first floor of City Hall at 318 First Street, Winters, California. If you are unable to attend the public hearing, you may direct written comments to the City of Winters, Community Development Department, 318 First Street, Winters, CA 95694 or you may call (530) 795-4910, extension 114.

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003 156 03  
CLIFTON JIM  
106 EDWARDS ST  
WINTERS, CA95694

003 204 18  
WINTERS CITY OF  
318 FIRST STREET  
WINTERS, CA95694

003 204 09  
WINTERS OPERA HOUSE  
8 E ABBEY ST  
WINTERS, CA95694

003 201 02  
REYES FERNANDO MARY ELLEN RHODES JEANNE  
P O BOX 1082  
WINTERS, CA95694

003 155 04  
DUNCAN GEORGE W SANDRA F DUNCAN FAM  
TRUST  
P O BOX 743  
WINTERS, CA95694

003 204 13  
KIMES RICHARD L JANET L KIMES REV LIV TRUST  
803 APRICOT AVE  
WINTERS, CA95694

003 204 14  
KIMES RICHARD L JANET L KIMES REV LIV TRUST  
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MARTINEZ DANIEL TR ETAL  
15 MAIN ST  
WINTERS, CA95694

003 203 03  
TC PROPERTY MANAGEMENT LTD  
P O BOX 38  
DAVIS, CA95617

003 202 06  
FURRIER JEANNE REICH KELLE TR  
P O BOX 2558  
PARADISE, CA959672558

003 203 08  
IRELAND TIMOTHY W YVONNE D  
P O BOX 518  
WINTERS, CA95694

003 203 07  
ESTRADA MIGUEL A CARMEN C  
30 MAIN ST  
WINTERS, CA95694

003 203 06  
JOHNSON DALE B ELAINE E TR  
164 ROBLES WAY 120  
VALLEJO, CA

003 202 05  
MANNERS NOEL  
825 BEACH RD  
SHELTER COVE, CA95589

003 204 11  
CRADWICK BUILDING PARTNERSHIP  
520 COTTONWOOD ST 3  
WOODLAND, CA95695

003 204 12  
WINTERS COMMUNITY DEV AGENCY  
318 FIRST ST  
WINTERS, CA95694

003 201 04  
WINTERS CITY OF YOLO CO OF  
318 FIRST ST  
WINTERS, CA95694

003 204 15  
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803 APRICOT AVE  
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003 203 10  
PADILLA CECIL ETAL  
7 E MAIN ST  
WINTERS, CA95694

003 155 15  
PLATT JOHN YOLANDA  
27 E EDWARDS ST  
WINTERS, CA95694

003 156 18  
THOMPSON ROBERT T CHERYL J  
390 GRANDVIEW DR  
VACAVILLE, CA95688

003 204 03  
WINTERS FIRE DISTRICT  
318 FIRST ST  
WINTERS, CA95694

003 156 05  
HENDRICKX ROSE MARIE HENDRICKX ROSE MARIE L  
418 1ST ST  
WINTERS, CA95694

003 203 04  
BECK DONALD V ETAL  
4635 BECK LN  
VACAVILLE, CA95688

003 203 05  
QUINTERO SALVADOR ETAL  
36 MAIN ST  
WINTERS, CA95694

003 203 11  
HOUKAN DISSBEE PARTNERSHIP  
210 RAILROAD AVE  
WINTERS, CA95694

003 201 16  
BERTAGNOLLI GARY L K K BERTAGNOLLI FAMILY TR  
P O BOX 688  
WINTERS, CA95694

003 201 17  
GREENWOOD NICOLE  
106 ABBEY ST  
WINTERS, CA95694

003 201 18  
WINTERS CITY OF  
318 FIRST ST  
WINTERS, CA95694



PLANNING COMMISSION  
STAFF REPORT

TO: Chairman and Planning Commissioners  
DATE: October 27, 2009  
FROM: Nelia C. Dyer, Community Development Director *NCD*  
SUBJECT: Informational Item - General Plan Horizon Year Extension Draft Work Plan

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**RECOMMENDATION:** Staff recommends that the Planning Commission review and provide feedback to staff on the draft work plan to update the General Plan as a result of the extension of the General Plan Horizon Year from 2010 to 2018. In staff's review of the General Plan and its related documents, staff identified only one major change resulting from the horizon year extension: review and amendment(s) of the development impact fees. However, regardless of this amendment initiated by Winters City Council, there are state-mandated General Plan amendments that are required to be completed over the next two to three years. These mandates are included in the work plan below:

**AB 1600/Major Projects Financing Plan**

Background: AB1600, which was enacted by the State of California in 1987, regulates how all public agencies collect, maintain, and spend impact fees imposed on developers for the purpose of defraying the costs of public facilities. It includes requirements for accounting, spending, and annually reporting the fees and related interest earnings, and for findings or refunds if fees remain unspent five years or more after receipt. The Major Projects Financing Plan is the document prepared in conformance with AB 1600 to calculate development impact fees.

Analysis: Presently, the development impact fees are based on the previous General Plan Horizon Year (2010). With the recent amendment to the General Plan, staff shall revise the development impact fees to reflect the new horizon year (2018).

Timeline: 2010-2011

**SB 5**

Background: Senate Bill 5 reorganizes the State Reclamation Board into a new body called the Central Valley Flood Protection Board (CVFPB). The CVFPB's powers and responsibilities are expanded beyond the Reclamation Board's traditional oversight for state project levees to include the review and

adoption of Central Valley Flood Protection Plan by July 1, 2012. The CVFPB will be responsible for establishing a comprehensive set of policies to move towards 21<sup>st</sup> Century flood protection, coordinating state and local efforts to connect land use decisions and flood management protection.

The California Department of Water Resources (DWR) is the state agency tasked with responsibility of preparing the plan for flood protection for CVFPB. The DWR will be responsible for producing 100-year and 200-year flood hazard zone maps for the Sacramento and San Joaquin rivers and tributaries as the basis for the state plan by July 2008 and prepare a state flood protection plan by 2010.

Once the state flood protection plan is adopted by the CVFPB on or by July 1, 2012, SB 5 requires:

- 1) Local governments within CVFPB jurisdiction have 24 months to amend their General Plan to incorporate the state flood protection plan's data and analysis and its goals and policies for flood protection, and another 12 months to amend zoning to reflect the state flood protection plan;
- 2) Local governments within CVFPB jurisdiction are prohibited from entering into a development agreement for any property located within a flood hazard zone identified by the state plan unless certain findings can be made based on substantial evidence; and,
- 3) Local governments within CVFPB jurisdiction are prohibited from approving any discretionary permit or entitlement, or any ministerial permit that would result in the construction of a new residence within a flood hazard zone identified by the state plan unless certain findings can be made based on substantial evidence.

Analysis: At this time, the DWR is preparing the Central Valley Flood Protection Plan. Subsequent to its adoption on or by July 1, 2012, City staff will be required to amend the Safety Element to include the information noted above in item 1. A city or county located in the jurisdiction of the Central Valley Flood Protection Board must submit the draft amendment to the Safety Element (with the changes required by SB 5) to the CVFPB and every local agency that provides flood protection within the City for review at least 90 days prior to the amending the element.

Timeline: 2010-2013

### **AB 162**

Background: Assembly Bill 162 requires cities and counties statewide to increase their attention to flood protection matters in the Land Use, Conservation, and Safety elements of their General Plans. These amendments must be made by the next revision of the housing element scheduled after Jan. 1, 2009. Specifically:

- 1) The Conservation Element shall identify rivers, creeks, streams, flood corridors, riparian habitats, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management.

- 2) The Land Use Element shall identify areas subject to flooding, as defined by the Federal Emergency Management Agency (FEMA) or the State Department of Water Resources (DWR).
- 3) The Safety Element shall identify information regarding flood hazards, including data from specified resources; establish comprehensive set of goals, policies, and objectives for the protection of the community from the unreasonable risk of flooding including specified goals, policies, and objectives; and establish implementation measures designed to carry out the goals, policies, and objectives.

A city or county located in the jurisdiction of the Central Valley Flood Protection Board must submit the draft amendment to the Safety Element to the CVFPB and every local agency that provides flood protection within the City for review at least 90 days prior to the amending the element. The CVFPB is require to respond with its written recommendations within 60 days.

Analysis: Staff has conducted a cursory review of the Land Use, Safety, and Conservation (Natural Resources) Elements of the General Plan to determine the extent of the state-mandated revisions. While some of these requirements have been addressed (either in the 1992 General Plan Udate or in amendments thereafter), staff will conduct a more thorough review of the General Plan, update the three sections accordingly, and consult with the CVFPB regarding the Safety Element.

In review of AB 162 and SB 5, staff will be required to amend the Safety Element at two separate times based upon the timing requirements of the two bills. Staff will consult with the CVFPB to identify means by which the requirements of the two bills could be satisfied concurrently.

Time Frame: 2010-2011

#### **AB 32/SB 275**

Background: In 2006, the Legislature passed and Governor Schwarzenegger signed AB 32, the Global Warming Solutions Act of 2006, which requires the State of California to reduce greenhouse gas emissions to 1990 levels no later than 2020. According to the California Air Resources Board (CARB), transportation accounts for some 40 percent of greenhouse gas emissions, with cars and light trucks accounting for almost three-quarters of those emissions (30 percent overall).

To achieve the goals of AB 32, Senate President Pro Tem Darrell Steinberg authored SB 375. SB 375, which was signed into law in 2008, directs CARB to set regional targets for the reduction of greenhouse gas emissions. SB 375 has three major components:

- 1) Using the regional transportation planning process to achieve reductions in greenhouse gas emissions consistent with AB 32's goals;
- 2) Offering California Environmental Quality Act Incentives to encourage projects that are consistent with a regional plan that achieves greenhouse gas emission reductions; and

- 3) Coordinating the regional housing needs allocation with the regional transportation process while maintain local authority over land use decisions.

SB 375 requires CARB to set regional targets by September 30, 2010 (draft targets will be released to the regions by June 30). Once the regional Metropolitan Planning Organizations (MPOs) have their targets, each MPO is required to develop a “Sustainable Communities Strategy” to include with the regional transportation plan that demonstrates how the region will meet the greenhouse gas emission targets. If the sustainable communities strategy falls short of meeting the targets, the region must prepare an “Alternative Planning Strategy” that, if implemented would meet the targets.

Each MPO will be required to involve the local officials and the general public in the development of the SCS/APS through a series of workshops and public hearings.

Analysis: SB 375 does not require that either the “Sustainable Communities Strategy” or the “Alternative Planning Strategy” supersede a city’s or county’s general plan or other planning policies or authorities. Nor must a local agency’s planning policies be consistent with either strategy. However, the City staff will work with the regional MPO, Sacramento Area Council of Governments, to develop local planning policies that will help the region meet the greenhouse gas emission targets. These policies may require general plan amendments or amendments to the zoning code.

Time Frame: 2010-2012



PLANNING COMMISSION  
STAFF REPORT

TO: Chairman and Planning Commissioners  
DATE: October 27, 2009  
FROM: Nelia C. Dyer, Community Development Director *NC*  
SUBJECT: Informational Item - Draft Public Art Program

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Staff recommends that the Planning Commission review and provide feedback to staff on the draft Public Art Program for the City of Winters. At the August 11th Planning Commission Meeting, staff introduced a tile mosaic proposed for the northern and western walls of the public restroom facility in Rotary Park as an informational item for review and feedback from the Planning Commission. After some discussion, the Planning Commission requested that staff develop a formal process for reviewing public art prior to any decision on the proposed tile mosaic.

Since the August 11<sup>th</sup> Planning Commission Meeting, staff (with assistance from Mr. Howard Hupe) has solicited examples of Public Art Programs from cities across California and other states. After reviewing these examples, staff has prepared a draft Public Art Program for review and comment (see attached).

## PUBLIC ART POLICIES AND PROCEDURES (DRAFT)

### I. Purpose

Throughout history, the arts have been instrumental in creating unique public places that have yielded physical, social, and economic benefits for a community. The purpose of these policies and procedures is to provide a process for selecting, placing, maintaining, and deaccessioning art for the benefit of the City of Winters and its residents. This document is subject to on-going review, revision, and clarification.

It is the City's intention to develop a collection of art that is of the highest quality; that will encompass a broad range of artistic styles and media; that will improve the quality of life in the community and be a source of pride to all residents.

### II. Definitions

- A. Artwork - For the purposes of this policy, "artwork" or "art" shall be defined as aesthetic improvements that have form and beauty, are 2 or 3 dimensional that encourage imaginative interpretation of various media.
  - a. Items that are not defined as "artwork": for the purposes of this policy include:
    - i. Directional elements such as supergraphics, signage, or color coding except where these elements are an integral part of the original work of art.
    - ii. "Art Objects" which are mass produced of standard design such as playground equipment or drinking fountains.
    - iii. Reproductions, by mechanical or other means of original works of art except in cases of film, video, photography, printmaking, or other media arts.
    - iv. Decorative, ornamental or functional elements, which are designed by the building architect as opposed to an artist, commissioned for this purpose.
    - v. Landscape architecture and landscape gardening except where these elements are designed by the artist and are an integral part of the work of art by the artist.
    - vi. Operating costs of electrical, mechanical, plumbing or other services which are needed to operate the work of art over time.
- B. Public Art Advisory Committee – A Board of citizens made up of two representatives from the Planning Commission and three citizens to review and recommend artworks for the public art program.

### III. Site Criteria

#### A. Site Considerations

All proposed public art projects must respect the primary function of the street and sidewalk, which is to enable the safe and orderly movement of pedestrians and vehicles. Streets also function as utility corridors, and access must be

maintained for present and future services above and below ground. The City of Winters Public Works Department is responsible for making decisions regarding the placement of public art on public streets and rights-of-way. Final site approval is made by the City Council.

- a. Traffic Considerations
  - i. Public Art should not be unduly distracting to motorists
  - ii. Public Art should not interfere with driver to driver, or driver to pedestrian sighting, and should, therefore, generally avoid corner clearance areas.
  - iii. Public Art should not obstruct sight of the curb
  - iv. Public Art should not obstruct sighting of signal/pedestrian heads, or of any traffic control device.
  - v. Public Art should not interfere with the entrance or egress for transit buses.
  - vi. Public Art should not unduly disrupt curb use activities (i.e. loading zones, passenger zones, etc.)
  - vii. Public Art should not interfere with the opening of car doors.
- b. Pedestrian Considerations – If public art is set in a walking surface:
  - i. The leading vertical edge should not exceed 1/8” (to avoid trip hazard)
  - ii. Interior vertical edges should not exceed ¼”
  - iii. Skid resistance properties should be equivalent to concrete sidewalks.
  - iv. Depressions in the surface should not catch spike heels.
  - v. Depression in the surface should not cause water to pool.
  - vi. The art must support vehicle weight.
  - vii. Maintenance of adjacent elements of the streetscape, including the sidewalk itself, should not be interfered with.
- c. Electrical and Mechanical Considerations
  - i. All electrical, mechanical, and engineering components must be approved by the City Engineer.
  - ii. All electrical elements and built up electrical devices must be certified by a professional engineer and upon completion, sealed as-built drawing may be required from the City Engineer.
  - iii. Any connections to City street lighting circuit must be approved by the City Engineer.
  - iv. No connection will be permitted to City Traffic signal circuit(s).
  - v. The junctions of components moving relative to one another must not create such hazards to people as pinch, crush, or shear points.
- d. Public Art should:
  - i. Maintain a minimum sidewalk width of five (5) feet.
  - ii. Minimize the potential for concealment and anti-social activities.
  - iii. Maintain clearance from above and below ground utilities.
- e. Public Art should avoid:

- i. Sharp edges, points, projections, or pinch-points, which may cut, puncture, or cause injury by impact, catch passing pedestrian clothing or entrap limb.
- ii. Obstructing the function of benches, bus shelters, and crosswalk ramps
- iii. Utility access points or valves.
- iv. Obstructing pedestrian access to traffic signal push buttons
- v. Overhead parts which present a hazard to pedestrian traffic
- vi. Unsafe climbing opportunities for children/adults

#### IV. Acquisition

##### A. Criteria

The City of Winters public art collection should reflect works of highest quality and different artistic and cultural perspectives, and should encourage an exchange of artistic sensibilities among different cities and states. The following criteria shall be considered when selecting public art

- o Artwork that reflects historic significance, particularly relating to the history of Winters and the surrounding region.
- o Artwork that reflects particular City themes
- o Artwork that incorporates indigenous people of the area – both Native and long time residents of the region.
- o Artwork that is created by local area artists is a primary consideration.
- o Artwork that reflects the diversity of community interests.
- o Artwork that reflects and is appropriate for a particular exhibit site.
- o The City’s ability to care for, conserve, exhibit and handle the work.
- o The relationship of the work to the City’s Mission Statement, present holdings and collection goals.

##### B. Procedures

- a. Collection items can be acquired by gift, loan, or exchange.
- b. Items proposed for acquisition must be the criteria outlined in Section IV. A.
- c. Anyone wishing to make a gift or loan to the City of Winters should do so by contacting the Community Development Director or his/her designee. The Director shall then refer the gift or loan to staff and the Public Art Advisory Committee. Staff and the Public Art Advisory Committee will review each unsolicited art loan or gift. A recommendation will then be forwarded to Council for final determination.
- d. The Public Works Department is responsible for ensuring the placement, management, and maintenance of the City’s public artworks.

##### C. Restrictions

- a. The Public Art Advisory Committee and City staff will encourage clear and unrestricted gifts to the collection. Any condition(s) or restriction(s) attached to works of art offered to the City must be review by the City Attorney, and approved by the City Council. If acceptance of a restricted

gift is approved, a Deed of Gift stating the restrictions will be countersigned by appropriate City staff. Evidence of the restriction(s) will be kept on file with the collection records.

- b. The donor must agree that the placement of art is at the City's discretion. No work of art will be accepted with a guarantee in perpetuity of exhibition.
- c. Items proposed for acquisition in which copyright interest is held by another party will be considered in respect to how this might impair the City's use of the item for its fundamental purposes. If an item is acquired with copyright restrictions, evidence of such restrictions will be kept on file with the collection records. Prior to acquisition, the donor or artist should agree about use of the artwork for purposes other than exhibition.

D. Whole Collections

- a. Because of the substantial responsibilities for the preservation and utilization of large numbers of items, offers of collections will be thoroughly considered in relationship to a realistic evaluation of the City's ability to meet those responsibilities presently and in the future.
- b. The City reserves the right to acquire collections in whole or in part.

E. Acceptance

- a. Prior to acceptance of artwork by the City of Winters, a legal document of transmittal, approved by the City Attorney, transferring title of the artwork and defining the rights and responsibilities of all parties shall accompany artwork. Documentation of artwork will also include artist's name, descriptive record of work, photography, and condition of work.

F. Appraisals

- a. The Public Art Advisory Committee and City staff are prohibited from appraising items for donors, lenders, and/or the community at large.
- b. The City staff may, upon request, and if known to staff, suggest the names of appropriate, reputable appraisers to potential donors, lenders, and the public at large.

G. Collection Records

- a. The maintenance of clear, accurate, and accessible collection records is the responsibility of the Community Development Department.
- b. Collection records document the legal status of an item within the City's collection, and an item's movement and care while under the control of the City. These record systems should relate to items by a collection number and should provide for easy retrieval of each item's information and location. Registration records shall include:
  - i. A descriptive record of each item
  - ii. Documentation of legal ownership or possession of all items

- iii. Information regarding the activity of each item (i.e., loans, exhibitions, conservation treatments, disposal)
- iv. Location of the item
- v. Information about the artist
- vi. Relevant publications
- vii. Photographs of the item
- viii. Information regarding the item's historical and/or artistic context
- ix. Scholarly opinions about the item – if available

#### IV. Disposition

Disposition is the manner in which the ownership of an item is transferred from the City to another entity.

##### A. Reasons and Criteria

- a. Disposition may occur in order to refine and strengthen the existing collection as defined in this policy.
- b. Collection items may be proposed for disposition based on the following criteria:
  - i. Quality – They are in poor condition
  - ii. Relevancy – They lack art historical and/or artistic merit
  - iii. Duplication – The piece represents duplications within the collection
  - iv. Conservation – The City lacks the ability or resources to properly care for, conserve, store, and/or exhibit them.
  - v. Missing Pieces – They have been recorded as missing or have been stolen.
  - vi. Question Authenticity – If the authenticity of an exhibit piece is disputed, deaccessioning of the item shall be considered on a case-by-case basis.

##### B. Procedures

- a. The Community Development Director will recommend items for disposition and shall be responsible for investigating their quality and relevance to the existing collection.
- b. The Community Development Director will investigate and City Attorney will review each item's original terms of acquisition to determine if there are legal impediments or restrictions.
- c. The Community Development Director will present the items for disposition and written justification for these recommendations to the Public Art Committee.
- d. As a courtesy, the Community Development Director will make every reasonable attempt, considering the value of the items in question, to notify the donor or heirs, in writing, of the proposed action.

- e. The recommendation for disposition shall be reviewed by the Public Art Advisory Committee for recommendation to the City Council.

C. Disposal/Deaccession

The deaccession of items is the removal of art pieces from the City's Collection. Disposal of items may be accomplished in the following ways:

- a. Sale – Sales will be made at public auction usually through an established auction house.
- b. Exchange – Under certain circumstances, and only with the approval of the City Council, the Public Art Committee may negotiate an exchange with a dealer or non-profit institution. An exchange may be made only to acquire works of art and must respect the requirements of this policy.
- c. Destruction – After receiving City Attorney advice on Civil Code provisions, the Community Development Director may recommend destruction if the physical condition of an item has deteriorated to such an extent that it has lost its art historical and/or artistic character. Such recommendations must be approved in writing by the City Council, upon recommendation of the Public Art Committee.
- d. Items deemed to be deaccessioned or disposed of shall be removed in one of ways mentioned in items C. a, b, or c, and are not subject to long term storage by the City.

D. Disposition/Deaccession Records

The City will be responsible for keeping permanent records for each item disposed of or deaccessioned. These shall include:

- a. The Public Art Advisory Committee's written recommendations for disposition.
- b. Copies of notices sent to donors and/or heirs.
- c. Date of approval by the City Council.
- d. Method of disposal/deaccession employed for each item, including sale dates, sale prices, names and locations of institutions to which an item is transferred, and any special transaction conditions.

E. Funds Generated From the Disposal of Items

All funds generated from disposal of items may, in the City Council's discretion, be placed in a restricted fund and used exclusively to acquire works of art.

V. Incoming Loans

A. Purpose

It is recognized that items may be loaned to the City to enhance the quality of the collection for purpose of exhibition.

B. Prerequisites for the consideration of Incoming Loans

- a. Items will be considered for loan only if, in the opinion of the Public Art Advisory Committee, they will enhance the offerings of the City and can be kept on display for a substantial portion of the loan period.
- b. The City must have appropriate exhibition space to house loaned items.
- c. The item(s) to be loaned must be in good condition and able to withstand the ordinary strains of packing and transportation.
- d. The lender must have clear title to the loaned item(s) and provide a current estimated value/appraisal of the piece to be loaned to the City.

C. City Obligations for Approved Loans

- a. Loans will be made on the City's own loan agreement, approved by the City Attorney, and are subject to the conditions set forth therein. Any modifications of these conditions must be in writing and approved by appropriate City staff.
- b. A loan agreement, signed by the City Council and the lender, must be completed before the item is received by the City.
- c. Minimum loan period is six (6) months, which may be extended.
- d. The Community Development Director has primary responsibility for completing all necessary loan arrangements and complying with the terms of any contract or agreement.
- e. The Public Works Department is responsible for inspecting and making condition reports on incoming items upon both their receipt and dispatch, for their safekeeping prior to and following their exhibition, and for assuring that loans are properly packed, shipped, and returned when due.
- f. The following types of loans shall not be approved:
  - i. Loans for reasons of storage
  - ii. Loans for an indefinite length of time
  - iii. Loans, which might, in the opinion of the Public Art Advisory Committee and City, give or appear to give rise to commercial exploitation and/or bring discredit to the City of Winters
  - iv. Loans subject to unreasonable restrictions
  - v. Loans for which the provenance is deemed unsatisfactory
- g. Loan of an entire exhibition are made in accordance with terms of a special contract negotiated between the City and the organizing institution.
- h. In the case that the original lender cannot be located and a loan cannot be returned after diligent, repeated attempts, the City may convert the loan to a gift or deaccession the item, in accordance with the procedures included in Section IV. C.

VI. Gifts

- A. Donor of gifts of art accepted by the City should be recognized appropriately. This recognition is the responsibility of the Director.
- B. Prior to acceptance of any gift or artwork, a Gift Agreement form must be completed and signed.

VII. Care and Control

- A. The City shall maintain policies and procedures to assure the proper care of the collection and shall amend the policies and procedures as necessary to assure its continued care and protection.
- B. While the Public Works Department has primary responsibility for the day-to-day care and control of the collection, a concern for its preservation, security, and accurate documentation must be shared by every member of the City staff.
- C. The Public Works Department shall regularly monitor the physical conditions of the collection and shall determine an appropriate schedule of conservation treatments.
- D. Collection items not on public display shall be housed in secure, climate-appropriate storage areas. The Public Works Department shall monitor all such area for adequacy and security. Access to collection storage areas is controlled by the Public Works Department.
- E. The City shall maintain a location file listing the current location of each collection object. If an item is moved, it must be immediately recorded and updated in the location file.

VIII. Insurance

- A. Prior to any acceptance of gifts and loans, the item will be reviewed by the City Attorney and Community Development Director.
- B. If appraisals are required, the cost of appraisal shall be paid for by the Lender.

IX. Inventories

The Community Development Director is responsible for inventorying the collection in cycles so that each item will be accounted for in a five-year period.

X. Review of this Policy

- A. This policy shall be reviewed by City staff, the Public Art Advisory Committee and City Council as needed.
- B. Any additions, deletions, or revisions shall be incorporated into the policy, and the revised policy presented to the Public Art Advisory Committee and the City Council for approval.