CITY OF WINTERS PLANNING COMMISSION AGENDA

Tuesday, August 11, 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

Chairman: Pierre Neu
Vice Chairman: Glenn DeVries
Commissioners: Wade Cowan, Bruce Guelden, Corinne Martinez, Phillip Meisch
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 July 14, 2009 regular meeting of the Planning Commission.

VI DISCUSSION ITEMS:

A. PLANNING COMMISSION RECOMMENDATION TO THE CITY COUNCIL ON THE GENERAL PLAN HORIZON YEAR EXTENSION AND HOUSING ELEMENT UPDATE

A Public Hearing to consider a recommendation to the City Council on a General Plan Amendment on the extension of the General Plan Horizon Year from 2010 to 2018 and adoption of the Housing Element Update. An Initial Study and Negative Declaration for the two projects have been prepared in accordance with the California Environmental Quality Act (CEQA). The Planning Commission will forward a recommendation on the proposed extension of the General Plan Horizon Year and the proposed Housing Element Update to the City Council, who will take final action on the General Plan amendments and CEQA Document.

B. PLANNING COMMISSION RECOMMENDATION TO THE CITY COUNCIL ON THE FORM BASED CODE FOR THE DOWNTOWN

A Public Hearing to consider a recommendation to the City Council on the Form Based Code for the Downtown. An Initial Study and Negative Declaration for the project have been prepared in accordance with the California Environmental Quality Act (CEQA). The Planning Commission will forward a recommendation on the proposed Form Based Code for the Downtown to the City Council, who will take final action on the project and its associated CEQA Document.

C. INFORMATIONAL ITEM – WINTERS HEALTHCARE FOUNDATION ADMINSTRATIVE OFFICE AT 310 MAIN STREET

An Informational Item to receive feedback from the Commission on a Conditional Use Permit Application for the Winters Healthcare Foundation Administrative Office at 310 Main Street. Presently, the WHF is operating an office use in a Residential Zone (R-1). Office Use is not permitted in the R-1 Zone. A public hearing for this application is tentatively scheduled for the August 25th Planning Commission Meeting.

D. INFORMATIONAL ITEM – PROPOSED TILE MOSAIC ON THE PUBLIC RESTROOM FACILITY IN ROTARY PARK

An Informational Item to receive feedback from the Commission on the proposed tile mosaic on the public restrooms in Rotary Park. A public hearing for this application is tentatively scheduled for the August 25th Planning Commission Meeting.

E. INFORMATIONAL ITEM – PROPOSED RENOVATION OF THE CITY'S PARKING LOT AT FIRST AND ABBEY STREETS

An Informational Item to receive feedback from the Commission on the propose renovation of the City's Parking Lot at First and Abbey Streets. The proposed renovation consists of the removal of an existing building, 2-3 trees and number shrubs and the installation 39 parking spots. A public hearing for this application is tentatively scheduled for the August 25th Planning Commission Meeting.

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, July 14, 2009

Commissioner Martinez called the meeting to order at 7:30 p.m.

PRESENT: Commissioners Cowan, DeVries, Guelden, Martinez, Meisch, Neu
ABSENT: Rodriguez
STAFF: City Clerk, Nanci Mills, Community Development Director Nellie Dyer, City Attorney John Wallace, Administrative Assistant Jen Michaelis

Commissioner Martinez led the Pledge of Allegiance.

COMMUNICATIONS:

Staff Reports: Community Development Director Dyer noted the next Planning Commission Meeting would be on August 11, 2009 at 7:30PM and added that the Public Safety Facility Bid opening would be on July 21st.

Commission Reports: None

CONSENT ITEM
Approve minutes of the June 23, 2009 regular meeting of the Planning Commission.

Motion by Commissioner Neu, Second by Commissioner Guelden to approve the minutes for the June 23, 2009 meeting of the Planning Commission. Motion carried with the following roll call vote:

AYES: Commissioners Cowan, DeVries, Guelden, Martinez, Meisch, Neu
NOES: None
ABSTAIN: None
ABSENT: Rodriguez

DISCUSSION ITEM
A. Swearing In of new Planning Commissioners

City Clerk Mills performed the swearing-in of Commissioners Cowan, Meisch, and Neu.

B. Selection of Chairman and Vice-Chairman

Motion by Commissioner Martinez, Second by Commissioner Guelden to appoint Commissioner Neu as Chairman.

AYES: Commissioners Cowan, DeVries, Guelden, Martinez, Meisch, Neu
NOES: None
ABSTAIN: None
ABSENT: Rodriguez

Motion by Commissioner DeVries, second by Commissioner Martinez to appoint Commissioner DeVries as Vice-Chairman.

AYES: Commissioners Cowan, DeVries, Guelden, Martinez, Meisch, Neu
NOES: None
ABSTAIN: None
ABSENT: Rodriguez

C. Recommendation to Re-Appoint Pierre Neu as the Planning Commission Liaison to the Winters Putah Creek Committee

Commissioners concurred to appoint Commissioner Neu as the Liaison to the Putah Creek Committee.

D. Public Hearing and consideration of a Conditional Use Permit application (2009-04-CUP) submitted by Chris Turkovich for a proposed winery located at 22 Main Street (APN 003-204-01)

At this time Commissioner Martinez stepped down for item D due to conflict of interest issues.

Community Development Director Dyer provided an overview of her staff report. Ms. Dyer added a request to address the project as 22A instead of simply 22 because there is no entrance on Main Street at this time. Commissioners concurred. Chris Turkovich stated that he is not leasing the front half of the building at this time.

Commissioner Neu opened the Public Hearing at 7:48PM, hearing no comments. Commissioner Neu closed the Public Hearing at 7:49PM.

Motion by Commissioner Cowan, Second by Commissioner DeVries to approve the Conditional Use Permit application (2009-04-CUP) submitted by Chris Turkovich for a proposed winery located at 22 Main Street (APN 003-204-01)

AYES: Chairman Neu, Commissioners Cowan, DeVries, Guelden, Meisch
NOES: None
ABSTAIN: Martinez
ABSENT: Rodriguez

COMMISSION/STAFF COMMENTS:
Community Development Director Dyer noted the recent cutbacks at City Hall regarding overtime and comp time with a request for an earlier meeting time in order to accommodate staff that cannot accrue overtime/comp time. Ms. Dyer suggested an earlier meeting time of 6 or 6:30PM for regular meetings. After

discussions, commissioners concurred on a 6:30PM meeting time. Commissioner Neu noted the upcoming benefit & tri-tip dinner at the pool to benefit the pool on July18th, encouraging attendance.

The meeting was adjourned at 8:00 p.m.

ATTEST:

_____
Jenna Michaelis, CDD Admin

_____
Pierre Neu, Chairman

CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT
Current Projects List as of August 4, 2009
(530) 795-4910, extension 112, www.cityofwinters.org

** New information in italics*

PROJECT	DESCRIPTION & PROCESS	LAST ACTION	NEXT ACTION
(1) Winters Highlands, Granite Bay Holdings, LLC, Larry John (916) 960-1656	Application filed to develop 413 single-family and 30 multi-family residential units in northwestern part of city.	City Council approved the Second Amendment to the Development Agreement on January 6, 2009.	Applicant submittal of Final Map and Improvement Plans.
(2) Winters Village, Bob Thompson (West project) (707) 372-9355	Proposal to develop 10 attached single-family residences on the southwest corner of East Main and East Baker Streets.	Applicant in October 2007 decided to defer construction of the project.	Project not active.
(3) Callahan Estates, Winters Investors LLC, John Peterson (925) 682-4830	Proposal to develop 120 single-family residential lots in northwest part of city.	City Council approved the First Amendment to the Development Agreement on January 20, 2009	Applicant submittal of Final Map and Improvement Plans.
(4) Creekside Estates, Lynda Fletcher (530) 902-4288	Proposal to develop 40 single-family residential lots at southwest part of city.	City Council approved Tentative Subdivision Map on April 19, 2005.	Amend Development Agreement, applicant submittal of Final Map and Improvement Plans
(5) Hudson-Ogando, Winters Investors LLC, John Peterson (925) 682-4830	Proposal to develop 72 single-family residential lots in northwest part of city.	City Council approved the First Amendment to the Development Agreement on January 20, 2009	Applicant submittal of Final Map and Improvement Plans.
(6) Cottages at Carter Ranch Phase 2, Sacramento Pacific Development, Mark Wiese (916) 853-9800	Proposal to develop 6 single-family residential affordable lots (moderate-income households) north of Rancho Arroyo Detention Facility.	Planning Commission approved Tentative Subdivision Map on November 23, 2004.	Applicant submittal of Final Map and Improvement Plans.
(7) Casitas at Winters, Napa Canyon LLC, Mark Power (707) 253-1339	Proposal for 5-unit tentative subdivision map at a site on West Grant Avenue east of Tomat's restaurant. Tentative Subdivision Map, Planned Development Overlay, and PD Permit.	City Council at its January 15, 2008 meeting took final action by approving the Rezone Ordinance.	Applicant submittal of Final Map and Improvement Plans.

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(8) Mary Rose Gardens, DAS Homes, Inc., Dave Snow (530) 666-0506	Proposal to develop 26 single-family homes and one duplex unit on the north side of West Grant Avenue west of Cemetery Lane. Tentative Subdivision Map, Planned Development Overlay, PD Permit, Rezone, Inclusionary Housing Agreement, and Development Agreement.	Applicant declined option to purchase project property.	Project not active.
(9) Anderson Place, Eva Brzeski (415) 887-9300	Proposal to develop up to 28 mostly attached single-family residences and 9 commercial spaces at 723 Railroad Avenue. Interim use of C2 portion of the site for boat and RV storage, sales and repair.	First Amendment to Development Agreement adopted by City Council on June 3 ,2008 CUP for boat & RV storage, sale & repair approved by Planning Commission on May 27, 2008.	Applicant to demo building and establish interim boat & RV storage, sales and repair. Applicant submittal of Final Map and Improvement Plans.
(10) Pearse Parcel Map, Thomas Pearse (530) 795-5901	Proposal for 4-unit parcel map at the south end of Third Street.	Planning Commission on October 9, 2007 approved project.	Applicant submittal of Final Map and Improvement Plans.
(11) Winters Commercial, Granite Bay Holdings, LLC, Tyler Wade (916) 580-1855	Proposal to develop 4.52 acres on south side of Grant Avenue directly west of Round Table Pizza complex for 49,500 square feet of commercial and office uses. Site Plan. Application submitted on August 17, 2007 and deemed complete on October 22, 2007.	Per COW Municipal Code, Chapters 17.20 (Use Permits) and 17.36 (Design Review), Community Development Director approved an extension for both permits on December 5, 2008.	Applicant submittal of Final Map, Improvement Plans, and building plans.
(12) Winters Estates Annexation, Winters Estates LLC, Helmut Sommer 707-678-9000	Proposal to annex 80 acres (APNs 030-210-05 & 08) adjacent to County Road 88 and within the City's General Plan Area.	City issuance of incomplete application letter on February 1, 2008.	Project Inactive/Closed out
(13) Orchard Village, CVCAH/Pacific West Communities, Shellan Miller (208) 461-0022 Ext. 3033	Proposal to construct 74 multifamily (workforce housing) units on 10.6 acres between Railroad Ave, and Dutton Street extension, north of East Grant Ave. To include 1-, 2-, 3-, and 4-bedroom units + a community center.	Planning Commission approved Site Plan (Design Review) and adopted MND and MMP on January 27, 2009. Appeal of PC's decision was filed on February 4, 2009 by Catherine Jimenez. City Council denied the appeal at the March 3, 2009 City Council Meeting.	Applicant submittal of improvement and building plans.

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(14) St. Anthony's Catholic Church Parish & Rectory, Roman Catholic Church of Sacramento/ McCandless & Associates (530) 662-9146	Proposal to construct a new Catholic Church and associated site work at the corner of Main & Grant Streets.	On April 21, 2009, the City Council approved the ordinance to rezone the property, adding a PD overlay.	Applicant submittal of improvement and building plans.
(15) 115 E. Grant Avenue Fueling Canopy, David Lorenzo (530) 795-3214	Proposal to construct a fueling canopy and install 4 new fueling dispensers at 115 E. Grant Avenue.	Planning Commission approved the Design Review (Site Plan) on February 24, 2009.	*Completed*
(16) Turkovich Family Wines, 304 Railroad Avenue, (530) 795-2767	Application for a Conditional Use Permit to operate a wine tasting room at 304 Railroad Avenue	Application was filed on January 29, 2009. Planning Commission approved the Conditional Use Permit for the project on March 24, 2009.	Under Construction
(17) The Tree House Children's Center, 418 Haven Street, (530) 304-8248	Application for a Conditional Use Permit to operate a children's center at 418 Haven Street	Application was filed on March 19, 2009. Planning Commission approved the Conditional Use Permit for the project on April 28, 2009.	Under Construction
(18) Winters Community Church, 113 Main Street, (530) 795-5530	Application for a Conditional Use Permit to operate a religious institution at 113 Main Street	Application was filed on April 6, 2009. Planning Commission approved the Conditional Use Permit on May 26, 2009.	
Abbey Street Partial Abandonment	Partial abandonment of East Abbey St to allow for Monticello development	PC accepted GP consistency report and recommended to Council 4/22/08. CDA at its September 2, 2008 meeting approved the DDA for the project.	Applicant submittal of improvement and building plans for the Monticello Project
Monticello Mixed-Use Project	Application for Site Plan Review and Design Review, and CUP for the construction of a mixed-use project (commercial/retail, office and residential) on 0.42 acre on the east side of Railroad Ave. between Abbey St. and Main St, in downtown Winters CBD.	CDA at its September 2, 2008 meeting approved the DDA for the project	Applicant submittal of improvement and building plans.

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Public Safety Facility	Application for Site Plan Review and Design Review, CUP and Variance for the construction of the City's public safety facility on 2.78 acres of the Ogando-Hudson Subdivision (Grant Ave @West Main Street)	Planning Commission hearing on 7/22/08 – PC approved project subject to COAs presented in staff report.	

Affordable Housing Units

Project #1: 26 units for very low-income, 25 units for low-income, and 15 units for moderate-income households
Project #2: 2 units for low-income households
Project #3: 7 units for very low-income, 7 units for low-income, and 4 units for moderate-income households
Project #4: 1 unit for very low-income, 2 units for low-income, and 1 unit for moderate-income households
Project #5: 11 units for very low-income households
Project #6: 6 units for moderate-income households
Project #7: Not known whether residential units will be constructed
Project #8: 2 units for very low-income, 1 unit for low-income, and 1 unit for moderate-income households
Project #9: 2 units for very low-income, 1 unit for low-income, and 1 unit for moderate-income households
Project #10: Not applicable
Project #11: Not applicable
Project #12: Not known at this time
Project #13: 74 units for very low-income and low income households
Project #14: Not applicable
Project #15: Not applicable
Project #16: Not applicable
Project #17: Not applicable
Project #18: Not applicable

PLANNING COMMISSION
STAFF REPORT

TO: Chairman and Planning Commissioners

FROM: Nelia C. Dyer, Community Development Director

DATE: August 11, 2009

SUBJECT: Public Hearing to Consider a Recommendation to the City Council the Approval of a Resolution finalizing and adopting the Negative Declaration and a Resolution amending the General Plan to extend the Horizon Year from 2010 to 2018 and adopt the 2008-2013 Housing Element Update

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RECOMMENDATION: Staff recommends that the Planning Commission take the following actions:

1. Received the Staff Report

2. Conduct the Public Hearing

3. Recommend to the Winters City Council the Approval of a Resolution finalizing and adopting the Negative Declaration for the project.

4. Recommend to the Winters City Council the Approval of a Resolution amending the General Plan to modify the first sentence of the second paragraph on page I-1 as follows:

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

5. Recommend to the Winters City Council the Approval of a Resolution amending the General Plan to modify the Policy I.A.2. in the Land Use Element as follows:

    a. 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.

6. Recommend to the Winters City Council the Approval of a Resolution amending the General Plan to revise the Introduction section by providing the following explanation for the horizon year extension:

   a. EXTENSION OF THE GENERAL PLAN HORIZON YEAR
   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.

7. Recommend to the Winters City Council that they direct staff 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 will be brought back to the Planning Commission and City Council at a later date.

8. Recommend to the Winters City Council the Approval of a Resolution amending the General Plan by adopting the 2008-2013 Housing Element Update

BACKGROUND/ISSUE: The General Plan for the City of Winters was adopted in 1992. The current build-out time horizon for the General Plan is 2010 while the build-out population is 12,500. As the City approaches the horizon year, staff believes that a full-scale update to the City of Winters General Plan is warranted; however, at this time, the City does not have the funding to support this endeavor. There is no statutory requirement that a general plan be updated at any particular time (except for the Housing Element); however, according to Government Code Section 65103(a), each city shall "periodically review, and revise, as necessary, the general plan."

State law requires that Housing Elements be periodically reviewed and updated. Staff has completed the update of the Housing Element for the 2008-2013 planning period. Specifically, as with all incorporated jurisdictions within the Sacramento Area Council of Governments' (SACOG's) jurisdiction, the City's Housing Element update is required to cover the planning period which began January 1, 2006, and ends June 30, 2013. On July 14 2009, the City received a letter from the California Department of Housing and Community Development ("Department"), which states that the Department has found the City of Winters Housing Element for the 2008-2013 planning period in compliance with State Housing Element Law.

The issue at hand is that the planning period for the Housing Element (2008-2013) surpasses the current build-out time horizon of 2010. 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 discussion that follows is divided into two parts: 1) the extension of the General Plan Horizon Year from 2010 to 2018; and 2) the Housing Element Update.

DISCUSSION

General Plan Horizon Year Extension: In preparation of extending the horizon year, staff has assessed the amount of growth that can be adequately supported under the current General Plan with an extended horizon year of 2018. The discussion and results of the review are as follows:

Winters is the smallest city in Yolo County, with a population of 7,052 according to the most current information available from the California Department of Finance.[1] In 2006-07, Winters' population growth rate was 0.2 percent, compared to the Yolo County average of 1.8 percent. Since 1970, the City's growth rate has varied dramatically, as shown in Table 1-1.

Table 1-1: City of Winters' Historic Population Growth

Year	Population Size	Average Growth Rate
1970	2,419	
1975	2,510	0.74%
1980	2,652	1.10%
1985	3,180	3.70%
1990	4,639	7.80%
1995	5,278	2.62%
2000	6,125	3.01%
2001	6,153	0.46%
2002	6,304	2.42%
2003	6,606	2.55%
2004	6,868	3.96%
2005	6,973	1.53%
2006	6,867	-1.52%
2007	6,885	0.26%
2008	7,052	2.4%
Average Annual Population Growth Rate (1970-2008)		2.21%

Source: California Department of Finance, May 28, 2009

[1] California Department of Finance, http://www.dof.ca.gov/research/demographic/reports/estimates/e-1/2008-09, accessed May 28, 2009.

Population and Development Projections: The population projections for the City of Winters presented in this description were established by the City based on approved and proposed projects, the historical growth rates discussed above, and additional data from the California Department of Finance. Population projections for the City's ten-year sphere are described below and listed in Table 1-2. The physical boundary for the ten-year sphere includes the existing city limits (approximately 1,627 acres) and the crosshatched portion (approximately 700 acres), as shown in Figure 1-1.

Table 1-2: Population Projections for the City of Winters

Year	Population	Net New Population	Annual Growth Rate
2008	7,052		
2018	9,527	2,642	3.05%

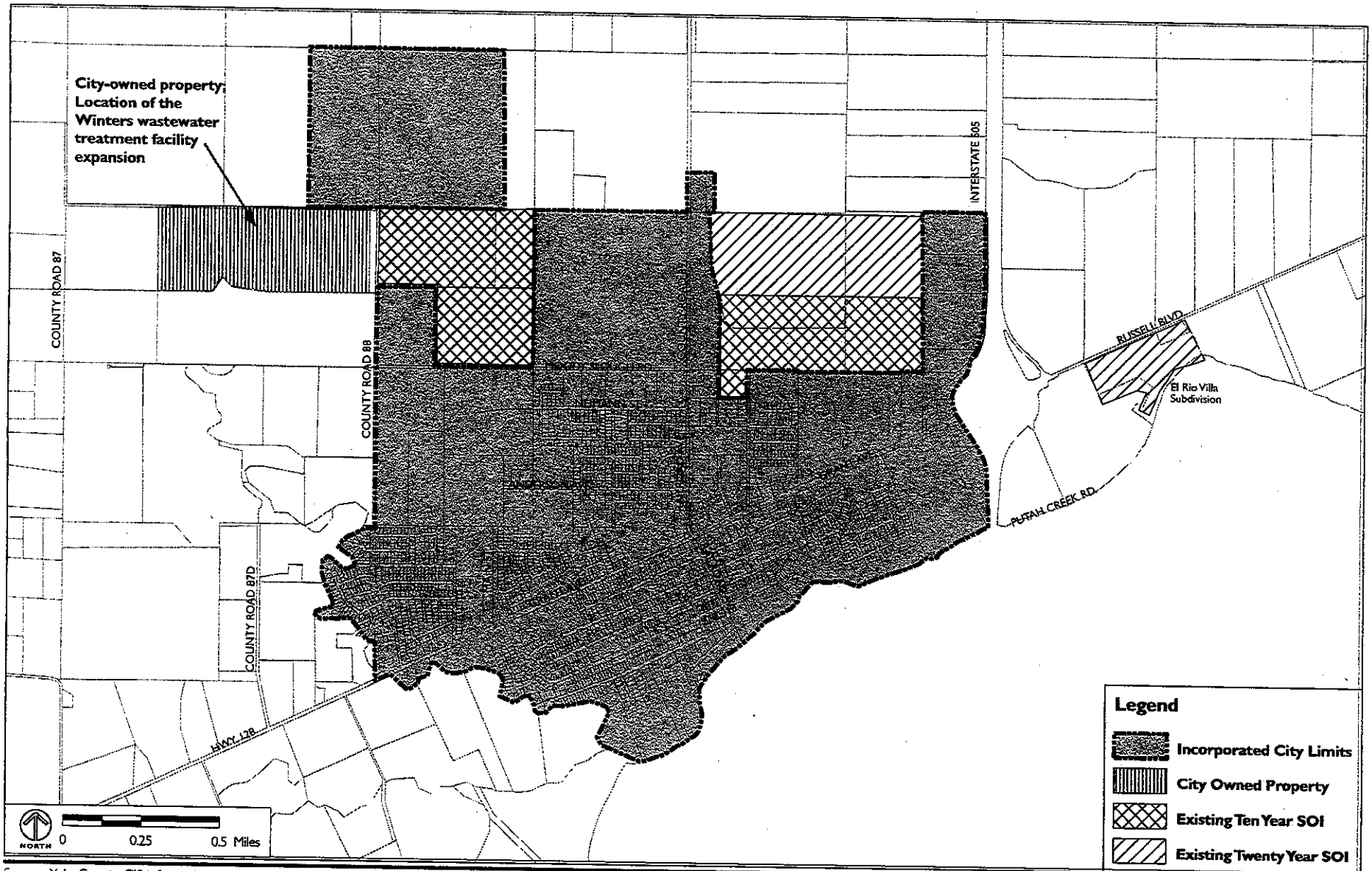
Source: City of Winters

Winters' population is projected to grow from 7,052 to 9,527 between 2008 and 2018. This projection is equivalent to a three-percent annual population growth and is based largely upon the approved and proposed projects identified in Table 1-3, with the exception of Winters II and Monticello. The projection assumes that approximately 827 new units will be developed through projects identified in Table 1-3 or similar projects, and that an average of 3.182 people will reside in each dwelling unit. The latter assumption is consistent with the California Department of Finance's 2008 estimate of persons per dwelling unit in Winters. This projection reflects a 3.05 percent annual growth rate between 2008 and 2018.

Table 1-3: Projected Development in Winters Through 2018*

Project Name	Dwelling Units	Status
Winters Village East	5	Units completed; some occupied; no units were counted in 2007 population estimate (CA DOF)
Winters II	34	Units completed; all units have been leased
Winters Highlands	443	Approved Project
Callahan Estates	120	Approved Project
Creekside Estates	40	Approved Project
Hudson-Ogando	72	Approved Project
Cottages at Carter Ranch Phase 2	6	Approved Project
Anderson Place	28	Approved Project
Pearse Parcel Map	4	Approved Project
Mary Rose Garden	28	Approved Project (Currently Inactive)
Monticello	10	Approved Project
Orchard Village	74	Approved Project
TOTAL PROJECTED UNITS	**838**	

Source: City of Winters. *It is expected that additional projects that have not yet been identified will be entitled and built over the next ten years.



Source: Yolo County GIS information and the *City of Winters General Plan Policy Document*, 1992

FIGURE 1-1

CITY OF WINTERS' EXISTING SPHERE OF INFLUENCE AND CITY LIMITS

The actual projects to be built by 2018 may vary depending on approval by City Council and development interest, and could likely include projects not identified at the time of this analysis.

The approved and proposed projects upon which the population estimate for the ten-year sphere is based are all located within the existing city limits. The ten-year sphere and the existing city limits are comprised of approximately 2,327 acres, and are expected to accommodate all growth through 2018.

General Plan Horizon Year Extension - Overview of the Existing General Plan:
The General Plan sets a target population of 12,500 within the Urban Limit Line by 2010:

> 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.

There are seven mandatory elements of the Winters General Plan. These include land use, circulation, housing, open-space (recreation and cultural resources), conservation (natural resources), noise (health and safety), and safety (health and safety). In addition to the seven mandatory elements, the General Plan includes two elements that relate to the physical development of the city. These elements include Community Design and Public Facilities and Services.

The data, assumptions, and projections (e.g., for population, housing, jobs) used in various elements or parts of the plan are based on the target population of 12,500 and horizon year of 2010. Moreover, associated plans and fee programs are predicated on the target population and horizon year.

General Plan Horizon Year Extension – Proposed Amendment to the General Plan:
To extend the horizon year of the General Plan from 2010 to 2018, staff recommends the following amendments to the General Plan:

1) *Modify the first sentence of the second paragraph on page I-1 of the General Plan as follows:*

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

2) *Modify the Policy I.A.2. in the Land Use Element of the General Plan as follows:*

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.

3) *Revise the Introduction section by providing the following explanation for the horizon year extension:*

EXTENSION OF THE GENERAL PLAN HORIZON YEAR
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.

4) *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.* As mentioned above, 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.

Housing Element: Since 2007, the City has been processing the Housing Element Update that will address the City's housing needs and obligations through 2013. The Winters Housing Element was last updated in 2004, and State law requires the City to submit an updated Housing Element to the Department of Housing and Community Development (HCD) by June 30, 2008. Economic & Planning Systems, Inc. was retained by the City in early 2008 to prepare the Housing Element Update by developing a Background Report and Policy Document that addresses revised and expanded housing policies and programs, as well as new short-range housing objectives.

This update to the Housing Element contains revised housing policies and programs, as well as new short-range housing objectives. The housing construction targets assigned to Winters by the Sacramento Area Council of Governments as our "fair share" Regional Housing Needs Allocation (RHNA) through 2013 total 403 housing units (96 Very Low Units; 64 Low Units; 68 Moderate Units; and 175 Above Moderate Units). The City meets its overall RHNA allocation and has significant capacity for future residential development and several projects that have been proposed.

Included within the Housing Element Update are 26 implementation programs to address the existing and projected housing needs of all economic segments of the community. The Housing Element Update provides details regarding the location of vacant sites that could accommodate all of the identified units. The Housing Element Update also identifies potential constraints to housing production and recommends actions for removing and reducing the identified constraints.

The City began work on the Housing Element Update in early 2008. The first draft of the Housing Element update was sent to the State Department of Housing and Community Development (HCD) in August 25, 2008, and comments were received from the HCD on November 10, 2009. The second draft of the Housing Element was sent to HCD on June 19, 2009. Based on further discussions between City staff and HCD, the document was further revised on June 30, 2009. On July 14, 2009, the HCD sent a letter to the City stating that the City's Housing Element as revised will comply with the State Housing Element law when adopted and submitted to the HCD.

ENVIRONMENTAL REVIEW

A CEQA initial study was completed examining the potential for significant environmental impacts as a result of the horizon year extension and housing element update described immediately above. Based on an analysis of available information, the staff concluded that the prior General Plan EIR adequately addressed the potential for environmental impact from this project and that there would be no new impacts that would result. Therefore, the staff circulated a Negative Declaration for a 30-day review period that began July 9, 2009 and will end on August 10, 2009. As of August 3, 2009, staff has received one comment letter from the Central Valley Flood Protection Board. The letter states that the project is located within the jurisdiction of the Central Valley Floor Protection Board, and prior to starting any work within the Board's jurisdiction, a Board permit is required for certain activities (See Attachment D).

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 California Code of Regulations Title 14, Chapter 3 (Guidelines for California Environmental Quality Act) and State Planning Law. A legal notice was published in the Winters Express on Thursday, July 9, 2009, noticing the public of the 30-day review period for the Initial Study/Negative Declaration. Copies of the CEQA Initial Study/Negative Declaration have been available for public review since Thursday, July 9, 2009. The staff report and all attachments for the proposed project have been on file and available for public review at City Hall since Thursday, August 6, 2009.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend that the City Council approve:

1) A Resolution finalizing and adopting the Negative Declaration to the

California Environmental Quality Act (CEQA) for the Extension of the General Plan Horizon Year from 2010 to 2018 and by adopting the 2008-2013 Housing Element Update.;

2) A Resolution amending the General Plan to extend the Horizon Year from 2010 to 2018 and adopt the 2008-2013 Housing Element Update

ATTACHMENTS:

A. A Resolution to Adopt the Negative Declaration Pursuant to the California Environmental Quality Act (CEQA) for the Extension of the General Plan Horizon Year from 2010 to 2018 and by adopting the 2008-2013 Housing Element Update.

B. A Resolution to Amend the City of Winters General Plan by Extending the General Plan Horizon Year from 2010 to 2018 and Adopting the 2008-2013 Housing Element Update

C. Initial Study/Negative Declaration for the Extension of the General Plan Horizon Year from 2010 to 2018 and by adopting the 2008-2013 Housing Element Update.*

D. Comment Letter from the Central Valley Flood Protection Board dated July 14, 2009

***The Housing Element Update is included as an attachment/exhibit to the Initial Study/Negative Declaration.**

Attachment A

RESOLUTION 2009-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS ADOPTING A NEGATIVE DECLARATION PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FOR THE EXTENSION OF THE WINTERS GENERAL PLAN HORIZON YEAR FROM 2010 TO 2018 AND THE 2008-2013 HOUSING ELEMENT UPDATE

WHEREAS, the Winters General Plan is subject to a program-level environmental impact report (" General Plan EIR") that was certified by the City Council on May 19, 1992 through Resolution No. 92-13; and

WHEREAS, the General Plan EIR inaccurately assumed that the population of the City Winters would grow to 12,500 by 2010; and

WHEREAS, the population of the City 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 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, the City completed an initial study pursuant to CEQA that examined the potential for significant environmental impacts of extending the General Plan Horizon Year from 2010 to 2018 and of adopting the Housing Element update for the 2008-2013 planning period (the "Projects"); and

WHEREAS, based on an analysis of the available information, City staff concluded that the General Plan EIR adequately addresses the potential significant environmental impacts of the Projects; and

WHEREAS, City staff has further concluded that no new significant environmental impacts would result from the Projects; and

WHEREAS, on the basis of the above analysis, City staff determined that the appropriate CEQA documentation for the Projects is a Negative Declaration; and

WHEREAS, a Negative Declaration for the Projects was prepared by City staff; and

WHEREAS, the Negative Declaration utilizes relevant information from the General Plan EIR, and relies on the General Plan EIR findings of fact and statements of overriding considerations where applicable; and

WHEREAS, the Negative Declaration was circulated on July 9, 2009 for a 30-day public comment period, which ended on August 10, 2009; and

WHEREAS, City staff received comments on the Projects, and has addressed them accordingly; and

WHEREAS, the Planning Commission held a public hearing on the Negative Declaration for 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 (X:X:X) to recommended that the City Council approve the Negative Declaration for the Projects; and

WHEREAS, the City Council held a public hearing on September 1, 2009, to take final action on the Negative Declaration for the Projects wherein the opportunity for public testimony was provided.

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

1. A Negative Declaration is the appropriate CEQA compliance document for the Projects.
2. A Negative Declaration for the Projects has been prepared in compliance with CEQA, the State CEQA Guidelines, and applicable local regulations and is determined to be complete and final.
3. The Negative Declaration for the Projects reflects the independent judgment and analysis of the Winters City Council.
4. The Winters City Council has considered the Negative Declaration for the Projects before making a decision on the Resolution.
5. On the basis of the record before the Winters City Council, there is no substantial evidence that the Projects will have a significant effect on the environment.
6. There are no changes to the Projects, conditions of approval, or new mitigation measures necessary to avoid or reduce significant environmental effects from the the Projects, and therefore, a program for reporting on or monitoring the implementation of the Projects is not necessary or required.
7. The Winters City Council hereby adopts as "final" the Negative Declaration for the Projects, which is comprised of the Negative Declaration, Environmental Checklist and Initial Study.
8. A record of proceedings on the Projects (including the prior environmental documentation) is available for public review at the City of Winters Community Development Department located at 318 First Street, Winters, CA 95694.

9. A Notice of Determination ("NOD") shall be filed with the County Clerk immediately following approval of the Projects, and all appropriate Department of Fish and Game fees shall be paid.

IT IS HEREBY CERTIFIED that foregoing Resolution No. 2009-XX 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:
NOES:
ABSENT:
ABSTAIN:

Approved: Attested:

_____

Michael Martin, Mayor Nanci Mills, City Clerk

Approve As to Form:

_____

John Wallace, City Attorney

Attachment B

RESOLUTION 2009-XX

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.

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 City of Winters Housing Element update for the 2008-2013 planning period is hereby adopted.

5) 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-XX 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:
NOES:
ABSENT:
ABSTAIN:

Approved: Attested:

_____

_____

Michael Martin, Mayor Nanci Mills, City Clerk

Approve As to Form:

_____

John Wallace, City Attorney

Attachment C

NEGATIVE DECLARATION

Pursuant to Title 14, Chapter 3, Sections 15070 and 15071 of the California Code of Regulations, the **City of Winters** does prepare, make, declare, publish, and cause to be filed with the County Clerk of Yolo County, State of California, this Negative Declaration for the Project, described as follows:

PROJECT TITLE: Winters General Plan Horizon Year Extension and 2008 Housing Element Update

PROJECT DESCRIPTION: The project is comprised of the adoption and implementation of the following:

1) Amend the General Plan to extend the build-out time horizon year from 2010 to 2018
2) Amend the City of Winters General Plan by adopting the 2008 Housing Element Update

PROJECT LOCATION: City-wide

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of Winters, City Council

CONTACT PERSON: Nelia Dyer, Community Development Director (530) 795-4910 ext 114

NAME OF ENTITY OR AGENCY CARRYING OUT PROJECT: City of Winters

NEGATIVE DECLARATION: The City of Winters has determined that the subject project, further defined and discussed in the attached Environmental Checklist/Initial Study will not have any significant effects on the environment. As a result thereof, the preparation of an environmental impact report pursuant to the California Environmental Quality Act (Division 13 of the Public Resources Code of the State of California) is not required. The attached Environmental Checklist/Initial Study has been prepared by the City of Winters in support of this Negative Declaration. Further information including the project file and supporting reports and studies may be reviewed at the Community Development Department, Winters City Hall, 318 First Street, Winters, California, 95694. Documents are also available at:

http://cityofwinters.org/community_dev/community_reports.htm

MITIGATION MEASURES: Mitigation measures have not been identified for the project.

July 8, 2009

Nelia Dyer, Community Development Director
City of Winters

ENVIRONMENTAL CHECKLIST AND INITIAL STUDY

Project Title: The project is comprised of the adoption and implementation of the following:

1) Amend the City of Winters General Plan to extend the build-out time horizon year from 2010 to 2018
2) Amend the City of Winters General Plan by adopting the 2008 Housing Element Update

Lead Agency: City of Winters
Community Development Department
318 First Street
Winters, CA 95694

Lead Agency Contact: Nelia Dyer, Community Development Director
(530) 795-4910, x114

Project Location: City of Winters

Project Sponsor: City of Winters
318 First Street
Winters, CA 95654

General Plan Designation(s): N/A

Zoning: N/A

Project Description: The project consists of amending the General Plan by extending the horizon year from 2010 to 2018 and adopting the Housing Element Update of the General Plan as required by state law. A description of each action is provided below along with reasoning for the association of these actions.

General Plan Horizon Year Extension

The General Plan for the City of Winters was adopted in 1992. The current build-out time horizon for the General Plan is 2010. The General Plan also established the City's buildout population as 12,500. As the City approaches the horizon year, staff has assessed the amount of growth that can be adequately supported under the General Plan with an extended horizon year of 2018. The review is not intended to result in a full scale General Plan update but rather as a focused amendment to extend the horizon of the existing General Plan from 2010 to 2018. At that time, a full scale General Plan evaluation will be undertaken.

Background: Winters is the smallest city in Yolo County, with a population of 7,052 according to the most current information available from the California Department of Finance.[1]

In 2006-07, Winters' population growth rate was 0.2 percent, compared to the Yolo County average of 1.8 percent. Since 1970, the City's growth rate has varied dramatically, as shown in Table 1-1.

Table 1-1: City of Winters' Historic Population Growth

Year	Population Size	Average Growth Rate
1970	2,419	
1975	2,510	0.74%
1980	2,652	1.10%
1985	3,180	3.70%
1990	4,639	7.80%
1995	5,278	2.62%
2000	6,125	3.01%
2001	6,153	0.46%
2002	6,304	2.42%
2003	6,606	2.55%
2004	6,868	3.96%
2005	6,973	1.53%
2006	6,867	-1.52%
2007	6,885	0.26%
2008	7,052	2.4%
Average Annual Population Growth Rate (1970-2008)		2.21%

Source: California Department of Finance, http://www.dof.ca.gov; accessed May 28, 2009

Population and Development Projections: The population projections for the City of Winters presented in this description were established by the City based on approved and proposed projects, the historical growth rates discussed above, and additional data from the California Department of Finance. Population projections for the City's ten-year sphere are described below and listed in Table 1-2. The physical boundary for the

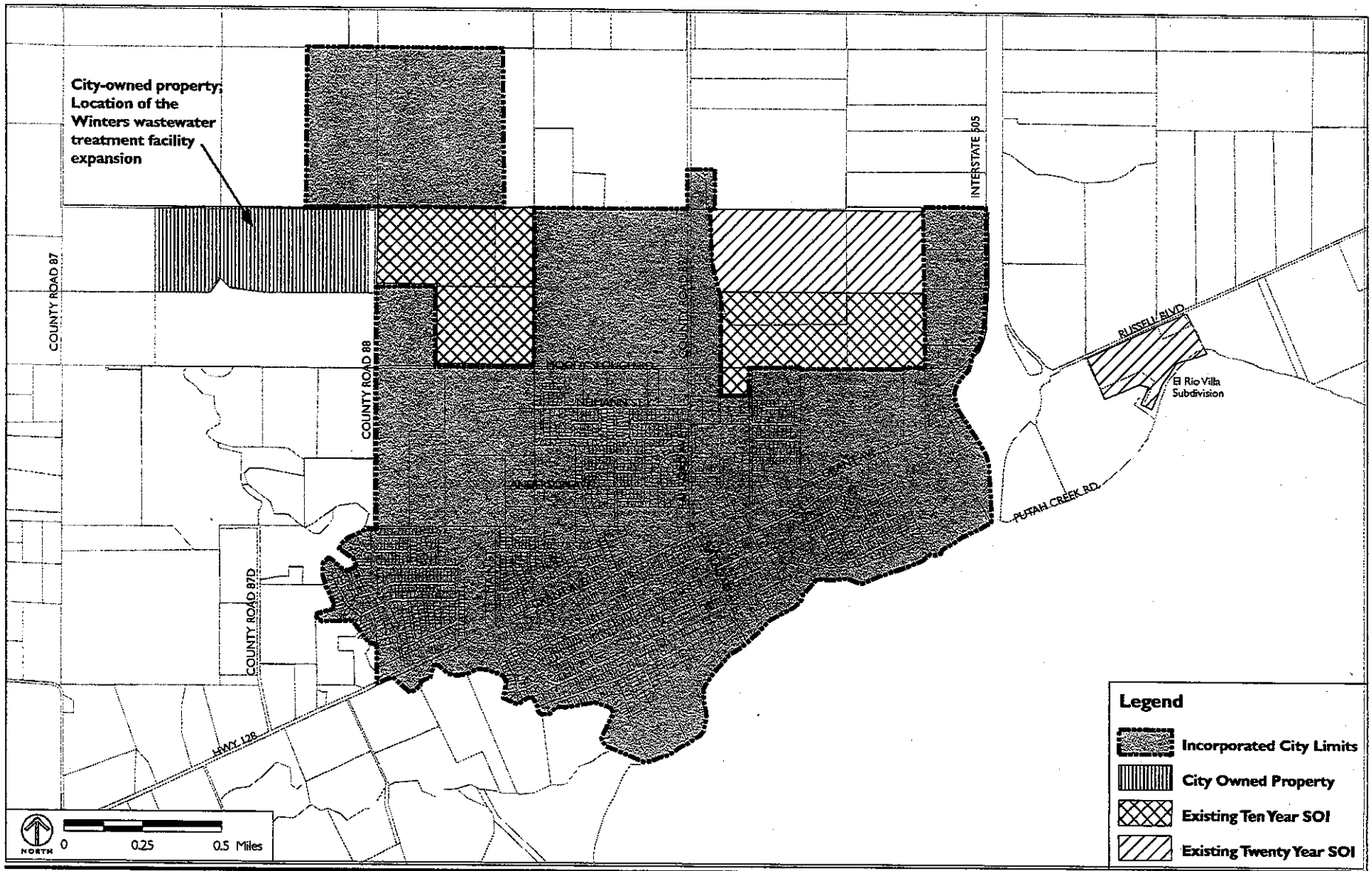
[1] California Department of Finance, http://www.dof.ca.gov/research/demographic/reports/estimates/e-1/2008-09, accessed May 28, 2009.

ten-year sphere includes the existing city limits (approximately 1,627 acres) and the crosshatched portion (approximately 700 acres), as shown in Figure 1-1.

Table 1-2: Population Projections for the City of Winters

Year	Population	Net New Population	Annual Growth Rate
2008	7,052		
2018	9,527	2,642	3.05%

Source: City of Winters



Source: Yolo County GIS information and the *City of Winters General Plan Policy Document*, 1992

FIGURE 1-1

CITY OF WINTERS' EXISTING SPHERE OF INFLUENCE AND CITY LIMITS

Winters' population is projected to grow from 7,052 to 9,527 between 2008 and 2018. This projection is equivalent to a three-percent annual population growth and is based largely upon the approved and proposed projects identified in Table 1-3, with the exception of Winters II and Monticello. The projection assumes that approximately 827 new units will be developed through projects identified in Table 1-3 or similar projects, and that an average of 3.182 people will reside in each dwelling unit. The latter assumption is consistent with the California Department of Finance's 2008 estimate of persons per dwelling unit in Winters. This projection reflects a 3.05 percent annual growth rate between 2008 and 2018.

Table 1-3: Projected Development in Winters Through 2018*

Project Name	Dwelling Units	Status
Winters Village East	5	Units completed; some occupied; no units were counted in 2007 population estimate (CA DOF)
Winters II	34	Units completed; all units have bee leased
Winters Highlands	443	Approved Project
Callahan Estates	120	Approved Project
Creekside Estates	40	Approved Project
Hudson-Ogando	72	Approved Project
Cottages at Carter Ranch Phase 2	6	Approved Project
Anderson Place	28	Approved Project
Pearse Parcel Map	4	Approved Project
Mary Rose Garden	28	Approved Project (Currently Inactive)
Monticello	10	Approved Project
Orchard Village	74	Approved Project
TOTAL PROJECTED UNITS	**838**	

Source: City of Winters. *It is expected that additional projects that have not yet been identified will be entitled and built over the next ten years.

The actual projects to be built by 2018 may vary depending on approval by City Council and development interest, and could likely include projects not identified at the time of this analysis.

The approved and proposed projects upon which the population estimate for the ten-year sphere is based are all located within the existing city limits. The ten-year sphere and the existing city limits is comprised of approximately 2,327 acres, and is expected to accommodate all growth through 2018.

Housing Element

The Housing Element is a comprehensive statement by the City of Winters describing the housing needs of the City and how the City plans, policies, programs, and regulations facilitate the development, improvement, and preservation of housing for all economic segments of the community. The Housing Element is one of the seven General Plan Elements mandated by the State of California, as required in Sections 65580 to 65589.8 of the Government Code. State law requires that the Housing Element consist of "an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, and scheduled programs for the preservation, improvement and development of housing."

The Housing Element sets forth the City's strategy for enhancing and preserving housing stock, for expanding housing opportunities for various economic segments, and along with the Land Use Element, provides a policy guidance for decision-making related to housing.

Each jurisdiction is required by State law to ensure that sufficient land with appropriate zoning is available to accommodate its fair share of the region's future housing needs for all income groups for the 2006-2012 period[2]. SACOG is the agency tasked with identifying housing needs for each jurisdiction, consistent with state-approved regional forecast totals. SACOG has determined that the new housing need for Winters is 403 additional housing units for this planning period. This need is allocated to income categories as shown in Table 1-4. The Housing Element identifies sufficient vacant and/or underutilized land with appropriate zoning to accommodate this growth need. No changes to the General Plan Land Use Element or zoning that would increase either total development capacity or the rate of development are anticipated in connection with this Housing Element update.

Table 1-4: Regional Housing Growth Needs 2006-2013

Very Low	Low	Moderate	Above Moderate	Total
96 (23.8%)	64 (15.9%)	68 (16.9%)	175 (43.4%)	403 (100.0%)

Source: Sacramento Council of Governments (2008)

Environmental Analysis

The environmental analysis of the General Plan Horizon Year extension has been coupled with the environmental analysis of the Housing Element Update because the Planning Period for the Housing Element (2008-2013) surpasses the current build-out time horizon of 2010. The Housing Element Update would not be within the scope of the General Plan if it were adopted with the current build-out time horizon. Since the adoption of the Housing Element is dependent on the extension of the General Plan Horizon Year, the City determined that the environmental analysis for these amendments must be conducted jointly.

[2] While the planning period for Housing Element programs covers the 5 years from July 1, 2008 to June 2013, the analysis of new housing need is contained in the Regional Housing Needs Assessment and covers the 7-1/2 year period from January 1, 2006 through June 30, 2013.

The City has determined that the proposed extension of the General Plan Horizon Year and the Housing Element update are within the scope of the General Plan EIR adopted May 1992. In addition, both the proposed extension of the General Plan Horizon Year and the proposed 2008 Housing Element are consistent with the Land Use Element and other elements of the General Plan, as well as the City's Zoning Code and other regulations. Both of the proposed General Plan amendments would not change the location, character, or amount of new development planned for the city. In reviewing the environmental analysis contained in this Initial Study, it should be recognized that the Housing Element update and the extension of the General Plan Horizon Year do not convey entitlements for construction, and site-specific review of potential development projects is not within the purview of this Initial Study. Specific development proposals will be reviewed when they are submitted per the requirements of CEQA and project revisions or mitigation measures will be required where appropriate to avoid or lessen potential environmental impacts.

Project Site: City-wide

Other Project Assumptions: Although this project does not have a requirement to be reviewed by other public agencies for approval, the California Department of Housing and Community Development (HCD) per Section 65585 of the California Government Code is require to review the document before it can be adopted as a General Plan Amendment.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below potentially would be significantly affected by this project, as indicated by the checklist on the following pages.

- □ Aesthetics
- □ Agricultural Resources
- □ Air Quality
- □ Biological Resources
- □Cultural Resources
- □ Geology and Soils
- □ Hazards and Hazardous Materials
- □ Hydrology/Water Quality
- □ Land Use and Planning
- □ Mineral Resources
- □ Noise
- □ Population and Housing
- □ Public Services
- □ Recreation
- □ Transportation/Traffic
- □ Utilities and Service Systems
- □ Mandatory Findings of Significance
- ■ None Identified

DETERMINATION:

On the basis of this initial evaluation:

■ I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

□ I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions

in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the Proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis described in the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the Proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to the earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project. Nothing further is required.

Signature	7-6-09 Date
Nelia Dyer, Community Dev. Director Printed Name	Community Development Department Lead Agency

ENVIRONMENTAL CHECKLIST

Introduction

Following is the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the Proposed Project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are project-specific mitigation measures recommended as appropriate as part of the Proposed Project.

For this checklist, the following designations are used:

Potentially Significant Impact: An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

Potentially Significant Unless Mitigation Incorporated: An impact that requires mitigation to reduce the impact to a less-than-significant level.

Less-Than-Significant Impact: Any impact that would not be considered significant under CEQA relative to existing standards.

No Impact: The project would not have any impact.

Instructions

1. A brief evaluation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, potentially significant unless mitigation is incorporated, or less than significant. "Potentially significant impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Potentially Significant Unless Mitigation Incorporated" means "Less Than Significant With Mitigation Incorporated". It applies where incorporation of mitigation measures has reduced as effect from "Potentially Significant Impact" too a "Less Than Significant Impact". The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from earlier analyses may be cross-referenced).

5. Earlier analyses may be used where, pursuant to tiering, a program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:

    a. Earlier Analysis Used – Identify and state where available for review.

    b. Impacts Adequately Addressed – Identify which effects from the above checklist were within the scope of and adequately addressed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c. Mitigation Measures – For effects that are "Potentially Significant Unless Mitigation Incorporated" describe the mitigation measures that were

incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources in the form of a source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format in selected.

9. The explanation of each issue area should identify: a) the significance criteria or threshold, if any, used to evaluate each question; and b) the mitigation measures identified, if any, to reduce the impact to less than significant.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
1. AESTHETICS. *Would the project:*				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	■
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	☐	☐	☐	■
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	■
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☐	■

Discussion

a-d. No Impact. The proposed General Plan Horizon Year Extension and the Housing Element Update would not result in any aesthetic impacts beyond those identified in the adopted General Plan and EIR. No specific development approvals would be granted as a result of the horizon year extension and Housing Element Update. Future development will be reviewed to determined compliance and consistency with the City's development standards and General Plan policies regarding aesthetics. No impacts would occur and no mitigation measures are necessary in connection with these amendments.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
2. AGRICULTURE RESOURCES: *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:*				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	■
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	■
c. Involve other changes in the existing environment which, due to their location or nature, could result in loss of Farmland, to non-agricultural use?	☐	☐	☐	■

Discussion

a-c. No impact. Extending the General Plan Horizon Year and adopting the updated Housing Element will not convert Prime Farmland, Unique Farmland, or conflict with existing zoning for agricultural use or a Williamson Act contract. Growth projections provided in the project description as well as the land inventory analysis in the Housing Element show that the City has sufficient property zoned land capacity to accommodate growth and the Regional Housing Needs allocation. No impacts would occur and no mitigation measures are necessary in connection with these amendments.

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

Discussion

a-e. No impact. The Housing Element Update and the General Plan Horizon Year Extension do not revise, replace, or attempt to supercede existing standards and procedures to ensure compliance with City codes or policies. Individual future project will be subject to supplemental environmental review as required by State law and City policy. No impacts would occur and no mitigation measures are necessary in connection with these amendments.

Climate Change: Assembly Bill 32 adopted in 2006 established the Global Warming Solutions Act of 2006 which requires the State to reduce greenhouse gases (GHGs) by approximately 25 percent by 2020. GHGs contribute to global warming/climate change and associated environmental impacts. The major GHGs that are released from human activity includes carbon dioxide, methane, and nitrous oxide. The primary sources of GHGs are vehicles (including planes and trains), energy plants, and industrial and agricultural activities (such as dairies and hog farms). New development results in the direct and indirect release of GHGs.

"Climate change" as a specific or distinct topic was not mentioned in the 1992 General Plan; however, the related topics of pedestrian-friendly land use and design features, transportation and circulation, energy efficiency, air quality, and waste management were addressed and are prominent in that document. These policies are effective in reducing GHGs and minimizing impacts from climate change.

The Housing Element update and the extension of the General Plan Horizon Year do not change to the goals or land uses provided for in the General Plan. As such, the project would result in no intensification of development beyond that already approved in 1992. Moreover, it will be able to assist with implementation through compliance with goal statements already contained in the City's General Plan. The existing General Plan includes the following policies relevant to this topic:

- Urban limit line (Policy I.A.2)
- Jobs housing balance (Policy I.A.6, I.E.2)
- Pedestrian and bicycle orientation (I.A.8, III.G.1 – III.G.6, VIII.A.4, VIII.B.1 – VIII.B.3,
VIII.C.3)
- Infill and reuse (Policy I.B.2, I.B.5, II.B.1 – II.B.6)
- Interconnected grid streets and alleys (Policy III.A.9, VIII.C.2)
- Transit (Policy III.B.1, III.B.2, III.B.3)
- Trip reduction (Policy III.C.1, III.C.2, III.C.3, III.C.4)
- Protection of habitat (Policy VI.C.1 – VI.C.10, VI.D.1 – VI-D.9)
- Protection of air quality (VI-E.1 – VI.E.11)
- Energy conservation (II.C.1, II.C.2, VI-F.2 – VI.F.5)
- Emergency response (VII.D.1 – VII.D.4)
- Open space (VIII.A.6)
- Tree canopy (VIII.D.1 – VIII.D.6)

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
4. BIOLOGICAL RESOURCES. *Would the project:*				
a. Have a substantial adversely effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	■
b. Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	■
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	■
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	☐	☐	☐	■
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	■
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	■

Discussion

a-f. No Impact. The proposed extension of the General Plan Horizon Year and the Housing Element Update will not affect biological resources. Potential biological impacts associated with the construction of 403 housing units between 2008 and 2010 and 2,475 between 2008 and 2018 would vary on a project-by-project basis. Each development project would be subject to separate environmental review at the time a specific development proposal is made, and project-specific biological constraints would be further assessed at the time in accordance with the California Environmental Quality Act. No impacts would occur and no mitigation measures are necessary in connection with these amendments.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
5. CULTURAL RESOURCES. *Would the project:*				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☐	☐	■
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☐	☐	■
c. Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☐	■
d. Disturb any human remains, including those interred outside of formal cemeteries.	☐	☐	☐	■

Discussion

a-d. No Impact. The proposed extension of the General Plan Horizon Year and the Housing Element Update will not affect cultural resources. Without specific data on the location and type of new residential development, it is not possible to determine potential impacts to cultural resources. The proposed amendments do not involve revisions to development standards that would impact cultural or historic resources.

Review of new residential development(s) will permit an analysis of how such development may potentially conflict with cultural resources. Adherence to applicable City, State and Federal standards and guidelines related to the protection/preservation of cultural resources, as well as the requirements mandated during the environmental review of individual projects will reduce potential impacts related to cultural resources to a less than significant impact. No impacts would occur and no mitigation measures are necessary in connection with these amendments.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
6. GEOLOGY AND SOILS. *Would the project:*				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault as delineated on the most recent Alquist - Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	■
ii. Strong seismic ground shaking?	☐	☐	☐	■
iii. Seismic-related ground failure, including liquefaction?	☐	☐	☐	■
iv. Landslides?	☐	☐	☐	■
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	■
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	■
d. Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	■
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	■

Discussion

a-e. **No Impact.** The proposed extension of the General Plan Horizon Year and the Housing Element Update will not affect geologic and soil conditions. Potential geological impacts associated with the construction of new housing units would vary on a project-by-project basis. Each development project would be subject to separate environmental review at the time a specific development proposal is made, and project-specific geologic constraints (e.g. potential for fault rupture, ground shaking, ground failure, subsidence, expansive soils, etc.) would be evaluated at that time. No impacts would occur and no mitigation measures are necessary in connection with these amendments.

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

Discussion

a-h. No Impact. The extension of the General Plan Horizon Year and the updated Housing Element will not create concerns regarding hazards or hazardous materials. Future development in the City will be subject to hazardous materials regulations and would be required to meet fire safe guidelines. Project specific health hazards will be evaluated at the time a specific development proposal is made. No impacts would occur and no mitigation measures are necessary in connection with these amendments.

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

Discussion

a-j. No Impact. All future development will be subject to site-specific environmental studies as determined appropriate by the City and will comply will all applicable City policies related to hydrology and water quality. Each development project would be subject to separate environmental review at the time a specific development proposal is made, and project specific hydrologic impacts (e.g., changes in drainage patterns, increased surface runoff, flood hazards, water quality degradation, etc.) would be evaluated at that time.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
9. LAND USE AND PLANNING. *Would the project:*				
a. Physically divide an established community?	☐	☐	☐	■
b. Conflict with any applicable land use plans, policies, or regulations of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating on environmental effect?	☐	☐	☐	■
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	☐	☐	☐	■

Discussion

a-c. **No Impact.** The Housing Element and the extension of the General Plan Horizon Year will not alter the location of nature of development in the General Plan and EIR. All future development projects will continue to be regulated by the General Plan Land Use Element and the Zoning Ordinance. No impacts that were not previously analyzed in the General Plan EIR would occur, and no mitigation is necessary.

The General Plan EIR identified less than significant impacts associated with consistency with applicable plans, policies and regulations of other agencies under 2010 conditions. The Housing Element update and Horizon Year extension is consistent with the Land Use Element and will have no effect on the location or nature of development. All future development projects will continue to be regulated by the General Plan Land Use Element and the Zoning Ordinance. No impacts that were not previously analyzed in the General Plan EIR would occur, and no mitigation is necessary.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
10. MINERAL RESOURCES. *Would the project:*				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	☐	☐	☐	■
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	■

Discussion

a,b. **No Impact.** Adopting the Housing Element and extending the General Plan Horizon Year will not by themselves substantially result in the loss of availability of mineral resources. All future development proposals will be analyzed for project specific impacts to minerals. No impacts would occur and no mitigation measures are necessary in connection with these amendments.

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

Discussion

a-f. **No Impact.** The updated Housing Element and extension of the General Plan Horizon Year will not affect noise conditions. Based on the objectives of the proposed Housing Element, it is anticipated that 403 housing units would be developed. In addition, approximately 2,475 units are anticipated to be constructed by 2018 based on the City's average growth rate. Potential noise impacts associated with the construction and occupation of these new units would vary on a project-by-project basis. The City's existing Noise Ordinance would apply to the proposed residential development and each development project would be subject to separate environmental review at the time a specific development proposal is made; project specific noise impacts or constraints would be evaluated at that time. No impacts would occur and no mitigation measures are necessary in connection with these amendments.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
12. POPULATION AND HOUSING. *Would the project:*				
a. Induce substantial growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	■
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■

Discussion

a-c. **No Impact.** Winters' population is projected to grow from 7,052 to 9,527 between 2008 and 2018, which is below the baseline population of 12,500 expected by 2010. With an average growth rate of approximately 3 percent, the extension of the General Plan Horizon Year to 2018 will not induce substantial growth in the City either directly or indirectly. Therefore, there is no potential for a significant impact due to substantial growth with the proposed Housing Element. In addition, the Housing Element would result in no impacts that were not previously addressed in the General Plan EIR. Moreover, the project would not displace housing. No impacts would occur and no mitigation measures are necessary in connection with these amendments.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
13. PUBLIC SERVICES. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*				
a. Fire protection?	☐	☐	☐	■
b. Police protection?	☐	☐	☐	■
c. Schools?	☐	☐	☐	■
d. Parks?	☐	☐	☐	■
e. Other public facilities?	☐	☐	☐	■

Discussion

a. **No Impact.** Winters' population is projected to grow from 7,052 to 9,527 between 2008 and 2018, which is below the baseline population of 12,500 expected by 2010. With an average growth rate of approximately 3 percent per year, the extension of the General Plan Horizon Year to 2018 will not alter existing development patterns in the City. Accordingly, the adoption of the 2008 Housing Element amendment would not alter existing land use designations or development patterns in the City. New fire protection and emergency medical services and facilities are developed primarily in response to population growth within the City. The two amendments would not increase the anticipated population growth in the General Plan EIR. Prior to any new development, the Fire Department will review the plans to determine the adequacy of fire protection services in the area. As part of the Housing Element update and extension of the General Plan Horizon Year, no impacts would result that were not previously addressed in the General Plan EIR. No mitigation measures are required.

b. **No Impact.** The Land Use/Circulation Diagrams and Standards Section of the Winters General Plan Policy Document provides a framework for growth within the City. Policies (I.A.3 – I.A.5) are included in this section to ensure that the rate and pattern of development promotes the efficient use and extension of public facilities and services, that adequate service provision is linked to the City's rate of growth, and that new developments are only approved when adequate public services and facilities will be available to accommodate growth. Extension of the General Plan Horizon Year to 2018 and the Adoption of the 2008 Housing Element amendment will not alter development plans for the city,

and therefore, no new impacts to police protection services would occur that were not addressed in the General Plan EIR.

c-e. **No Impact.** General plan goals and policies provide guidelines to ensure coordination with schools, parks, and other services. Impact fees are collected at the time a building permit is secured to help offset any growth impacts. No change to the location or magnitude of development will occur as a direct result of the Housing Element or Horizon Year Extension, and, therefore, no new impacts to schools, parks, or other similar facilities would occur that were not addressed in the General Plan EIR. No mitigation measures are required.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
14. RECREATION/PARKS				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	■
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	■

Discussion

a-b. No Impact. No change to the location or magnitude of development will occur as a direct result of the Housing Element update or Horizon Year Extension, and, therefore, no new impacts to parks or other similar facilities would occur that were not addressed in the General Plan EIR. In addition, no new recreational facilities or expansion of recreational facilities will result from the Housing Element update or the Horizon year Extension. No mitigation measures are required.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
15. TRANSPORTATION/CIRCULATION. *Would the project:*				
a. Cause an increase in traffic which is substantial in relation to the existing load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☐	■
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	■
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	■
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	■
e. Result in inadequate emergency access?	☐	☐	☐	■
f. Result in inadequate parking capacity?	☐	☐	☐	■
g. Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	■

Discussion

a,b. **No Impact.** The General Plan EIR describes specific transportation system components in the City, including state highways and County roads as well as public transit and non-motorized transportation. The City would likely require a traffic study prior to any development that could cause significant impacts. The study would determine if the project would worsen the Level of Service of any roads serving the proposed project, and would recommend mitigation measures for any increase in traffic in the project area. Adoption of the 2008d Housing Element amendment and the extension of the General Plan Horizon Year would not alter existing land use designations or development patterns in the City. No new impacts that were not previously addressed in the General Plan EIR would occur, and no mitigation measures are required.

c-f. **No Impact.** Neither the Adoption of the Housing Element amendment nor the extension of the General Plan Horizon Year would alter existing land use plans or development patterns in the City. No new development would be authorized as part of the Housing Element update or the extension of the General Plan Horizon Year. Prior to development of any project, the applicant will be require to mitigate any traffic hazards, provide road improvements, and to increase the

road width and emergency vehicle load ratings pursuant to fire safe regulations and may be placed as conditions of approval for future development. The applicant will also be required to submit plans demonstrating compliance with off-street parking requirements of the Zoning Ordinance. No new impacts that were not previously addressed in the General Plan EIR would occur, and no mitigation measures are required.

g. **No Impact.** Neither the Adoption of the Housing Element amendment nor the extension of the General Plan Horizon Year would alter existing land use plans or development patterns in the City. No new development would be authorized as part of the Housing Element update or the extension of the General Plan Horizon Year. In addition, they would not increase the total amount of residents nor would they increase the demand on transit. Prior to any new development, the Yolo County Transportation District would review the project and would determine if additional alternative transportation improvements are necessary. No new impacts that were not previously addressed in the General Plan EIR would occur, and no mitigation measures are required.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
16. UTILITIES AND SERVICE SYSTEMS. *Would the project:*				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	■
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	■
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	■
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	■
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	■
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	■
g. Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	■
h. Result in demand for expansion of power or telecommunications service facilities without also including provisions to adequately accommodate the increased or expanded demand.	☐	☐	☐	■

Discussion

a, e. No Impact. Neither the Adoption of the Housing Element amendment nor the extension of the General Plan Horizon Year would alter existing land use plans or development patterns in the City. No new development would be authorized as part of the Housing Element update or the extension of the General Plan Horizon Year. In addition, they would not increase the total amount of residents nor would they increase the demand on the wastewater collection system including the wastewater treatment facility. According to the Winters Municipal Services Review (August 25, 2008), it is anticipated that the City will be able to continue to provide adequate wastewater collection and treatment service to current and future populations. Prior to any new development, the City Engineer would review the project and would determine if additional improvements to the existing wastewater system are necessary. No new impacts that were not previously addressed in the General Plan EIR would occur, and no mitigation measures are required.

b., d. **No Impact.** The Housing Element update and the extension of the General Plan Horizon Year would result in no additional development beyond what is allowed under the General Plan and Zoning Ordinance. According to the Winters Municipal Services Review, the City's projected water demand at buildout can be supplied by groundwater without existing causing overdraft. However, the capacity of the water supply system needs to be increased in order to provide adequate water supply under certain fire scenarios that could occur during existing conditions as well as for the estimated buildout population. The City plans to address increase water demand and the current lack of adequate supply during certain fire scenarios by constructing six new wells with an estimated combined capacity of 11.4 mgd, which will result in a total well capacity of 19.4 mgd assuming all wells are in service. This would be adequate to supply the projected buildout demand of 18.9 mgd. Other improvements include the development of new water mains and the replacement of 31,390 feet of existing pipeline. Capital costs to fund these improvements will be provided by development impact fees and user fees. Prior to any new development, the City Engineer would review the project and would determine if additional improvements to the existing wastewater system are necessary. No new impacts that were not previously addressed in the General Plan EIR would occur, and no mitigation measures are required.

c. **No Impact.** The Housing Element update and the extension of the General Plan Horizon Year would result in no additional development beyond what is allowed under the General Plan and Zoning Ordinance. According to the Winters Municipal Services Review, the Stormwater Drainage Reports, which are currently in draft form, recommend improvements to address existing capacity deficiencies in the Moody Slough, Putah Creek, and Dry Creek Subbasins and to expand the system to accommodate projected stormwater flow at buildout. The City is currently in the process of implementing recommended improvements and expansions. Prior to any new development, the City Engineer would review the project and would determine if additional improvements to the existing stormwater system are necessary. No new impacts that were not previously addressed in the General Plan EIR would occur, and no mitigation measures are required.

f, g. **No Impact.** The Housing Element update and the extension of the General Plan Horizon Year would result in no additional development beyond what is allowed under the General Plan and Zoning Ordinance. Since neither the Housing Element amendment nor the extension of the General Plan Horizon Year would result in a level of development exceeding growth projections in the General Plan, no new impacts would occur and no mitigation measures are required.

h. **No Impact.** The Housing Element update and the extension of the General Plan Horizon Year would result in no additional development beyond what is allowed under the General Plan and Zoning Ordinance. Since neither the Housing Element amendment nor the extension of the General Plan Horizon Year would result in a level of development exceeding growth projections in the General Plan, no new impacts would occur and no mitigation measures are required.

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

Discussion

a. The Housing Element amendment and the extension of the General Plan Horizon Year would not degrade the quality of the environment, reduce habitat, threaten plant or animal communities or eliminate important examples of California history or prehistory. No new impacts would occur that were no previously addressed.

b. No new development would be authorized as part of the Housing Element update or the extension of the General Plan Horizon Year. Prior to development, additional report and studies would be necessary to determine the potential impacts to the project site and to the neighborhood. There would be no significant impacts related to listed environmental factors that would combine with similar effects such that the projects' contribution would be cumulatively considerable. For these issue area, there would be no additional impacts beyond those previously addressed in the General Plan EIR and related supplemental analyses.

c. Due to the type of the proposed project, activities proposed, and general environmental conditions analyzed in the General Plan EIR, there would be no environmental effects that would cause substantial adverse impacts on people either directly or indirectly. No additional impacts beyond those previously addressed in the General Plan EIR and related supplemental analyses would occur.

Supporting Information Sources

1) 1992 City of Winters General Plan: http://www.cityofwinters.org/pdf/GeneralPlan.pdf

2) City of Winters Municipal Services Review (2008): http://www.cityofwinters.org/pdf/LAFCO%20Public%20Draft%20Winters%20MSR.pdf

Attachments

A) 2008 Housing Element Update (Final Draft): http://www.cityofwinters.org/pdf/18438%20Housing%20Element%202008%20Final%20Draft%2006.16.09.pdf

B) 2008 Housing Needs Assessment (Final Draft): http://www.cityofwinters.org/pdf/18438%20Needs%20Assessment%202008%206.16.09.pdf

ATTACHMENT A

Economic & Planning Systems

Public Finance
Real Estate Economics
Regional Economics
Land Use Policy

FINAL DRAFT

2008 HOUSING ELEMENT UPDATE

Prepared for:

City of Winters

Prepared by:

Economic & Planning Systems, Inc.

June 17, 2009

EPS #18438

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I. INTRODUCTION

PURPOSE

The State of California (State) requires all local jurisdictions to plan to provide housing for every segment of the local population. Each jurisdiction has a responsibility to institute policies and programs designed to encourage the provision of housing that is affordable to its citizens. As stated in Government Code 65580 (d):

> *Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community.*

To meet this affordable housing planning requirement, every jurisdiction prepares a Housing Element section of its General Plan. The Housing Element is just one of seven mandated General Plan elements.

The City of Winters' (City's) prior Housing Element was prepared by Parsons in December 2004, reviewed by the State Department of Housing and Community Development (HCD) in March of 2005 and found in compliance with State law. Economic & Planning Systems, Inc., (EPS) was retained by the City to prepare this 2008 update. Some of the information from the 2004 update has been carried forward into this Housing Element as the information did not require revision.

State law requires that Housing Elements be periodically reviewed and updated. As with all incorporated jurisdictions within the Sacramento Area Council of Governments' (SACOG's) jurisdiction, this Housing Element Update is required to cover the planning period which began January 1, 2006, and ends June 30, 2013, (Planning Period). The City's prior Housing Element reported accomplishments through 2002. This Housing Element reports the City's accomplishments from 2002 through 2007.

CONTENTS

The Housing Element of the General Plan is a comprehensive statement by the City of its current and future housing needs and proposed actions to facilitate the provision of housing to meet those needs at all income levels. The policies contained in this Housing Element are an expression of the statewide housing goal of "attaining decent housing and a suitable living environment for every California family," as well as a reflection of the unique concerns of the community. The purpose of the Housing Element is to establish specific goals, policies, and objectives relative to the provision of housing, and

to adopt an action plan toward this end. In addition, the Housing Element identifies and analyzes housing needs, and resources and constraints to meeting those needs.

This Housing Element is based on seven strategic goals:

1. To designate adequate land for a balanced range of housing types and densities for all economic segments of the community;
2. To encourage the maintenance, improvement, and rehabilitation of the City's existing housing stock and residential neighborhoods;
3. To encourage energy efficiency in both new and existing housing;
4. To promote the production and construction of affordable housing;
5. To ensure the provision of adequate services to support existing and future residential development;
6. To promote equal opportunity to secure safe, sanitary, and affordable housing for all members of the community regardless of race, creed, color, religion, sex, marital status, ancestry, national origin, disability, age, or sexual orientation; and
7. To preserve existing affordable housing.

In accordance with State law, the Housing Element is to be consistent and compatible with other General Plan elements. In addition, Housing Elements are to provide clear policy and direction for making decisions pertaining to zoning, subdivision approval, housing allocations, and capital improvements. State law (Government Code Sections 65580 through 65589) mandates the contents of the Housing Element. By law, the Element must contain:

- An assessment of housing needs and an inventory of resources and constraints relevant to meeting those needs;
- A statement of the community's goals, quantified objectives, and policies relevant to the maintenance, improvement and development of housing; and
- A program that sets forth a schedule of actions that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element during the Planning Period.

The housing program must also identify adequate residential sites available for a variety of housing types for all income levels; assist in developing adequate housing to meet the needs of low- and moderate-income households; address governmental constraints to housing maintenance, improvement, and development; conserve and improve the condition of the existing affordable housing stock; and promote housing opportunities for all persons.

This Housing Element is supported by the 2008 Housing Needs Assessment which provides the data and analysis required by State Housing Element law.

Although, by nature of the State mandate, the Housing Element tends to focus on the affordability and availability of housing for extremely low-, low- and moderate-income households and families, the Housing Element must also address the housing needs and related policy issues for the entire community, and be consistent with the adopted policies of the rest of the General Plan. For these reasons, the focus of the updated Element will be on policies and programs that can balance the desire of residents to maintain the character of residential neighborhoods, manage traffic, and minimize visual and other impacts of new development, while addressing the needs of extremely low-, low- and moderate-income households and special needs groups (such as seniors and individuals with disabilities). This balance will require the City to examine strategies to accommodate higher density housing, mixed use projects in commercial zones, infill developments, and second units without sacrificing other legitimate community goals.

II. EVALUATION OF 2002 HOUSING ELEMENT ACHIEVEMENTS

The purpose of this chapter is to evaluate achievements under the policies and implementation programs included in the previously adopted Housing Element. The evaluation provides valuable information on the extent to which programs have been successful in achieving stated objectives and addressing local needs, and to which these programs continue to be relevant in addressing current and future housing needs in the City. The evaluation also provides the basis for recommended modifications to policies and programs and the establishment of new objectives in the Housing Element.

Overall, the City made great strides toward the creation of a comprehensive set of policies and programs to increase and preserve the supply of affordable housing. The following is a summary of several of the City's achievements under the prior Housing Element. A full analysis and evaluation of the City's prior Housing Element Implementation Programs is included below.

- *Winters II:* The City provided financial and administrative support for the Community Housing Opportunities Corporation (CHOC) sponsored new-construction rental project containing 34 units for very low-income families.
- *Winters Apartments:* The City provided financial assistance to preserve the 44-unit rental housing complex for very low-income households. The complex was in danger of converting from affordable to market rate rental.
- *Cottages at Carter Ranch*: Through the City's Inclusionary Housing Ordinance, the Carter Ranch developer constructed 30 units of affordable ownership housing. The City provided homebuyer assistance for 19 of the units which were purchased by very low- and low-income households.
- *Senior Housing Rehabilitation:* The City established a new program for low-income seniors, funded the rehabilitation of three units and is in the process of funding two more.
- *First-Time Homebuyer Program:* The City established a new first-time homebuyer program and provided soft second financing for six very low-income households and 13 low-income households in the Cottages at Carter Ranch subdivision.
- *Housing Programs Manager:* The City hired a full-time staff person to manage its housing programs and policies. The creation of this position will result in increased capacity for achieving the City's Housing Element goals.
- *Overall Production:* During the period of 2002 through 2007, an additional 108 affordable units were produced or preserved. During this six-year period, a total of 270 units were built in the City.

PROGRAM EVALUATION

The program evaluation is a comprehensive list of the City's programs from the previous Housing Element with each Implementation Program followed by accomplishments made towards the goal set forth in the Implementation Program. The first number listed next to each program signifies the original program number. The number or phase listed below in parentheses is the new program number or the action taken on that program.

II.1
(II.1)

The City shall maintain the Affordable Housing Steering Committee (AHSC) to review housing projects of 50 or more units. The City shall encourage project applicants to receive concurrent reviews by the AHSC and the Development Review Committee (DRC). The AHSC shall also advise the City Council, Planning Commission, and Community Development Agency (CDA/redevelopment) on housing policy, City incentives to encourage production of affordable housing units above the minimum inclusionary housing requirements, housing policy implementation, and the allocation of the CDA's Tax Increment Housing Set-Aside Funds. The AHSC does not have the power to alter project review, design review, or development standards.

Responsible Agency: City Council.

Time Frame: Ongoing, 2002–2007.

Achievements: *Winters Highlands Project:*
In 2003 and again in 2005, the AHSC met with the developers of the Winters Highlands project, a proposed residential subdivision of 378 single-family housing units and 66 multifamily housing units. The AHSC members reviewed the affordable housing component of the project and provided input on the bedroom mix of affordable units, the amenities for the multifamily site, and other affordable housing aspects. Subsequently, the developers of the Highlands project relocated the multifamily housing site and reduced the number of units to 30. The Highlands project was approved by the Winters City Council in April 2006. The number of affordable single-family units was increased by 36 units to make up for the decrease in multifamily units.

Anderson Place:

In 2006, the AHSC met with the developer of Anderson Place. Anderson Place is a proposed residential subdivision to create 24 residential lots with a total of 28 residential units and 9 office suites. While AHSC review of the Anderson Place project was not required, the applicant requested a review. The AHSC reviewed the affordable housing component of the project, which will consist of a housing cooperative for the four affordable units.

Orchard Village (formerly Village on the Park):
In 2006, the AHSC met with the attorney/project representative of the project now known as Orchard Village, a proposed residential subdivision to create 75 for sale, attached housing units. The AHSC reviewed the affordable housing component of the project and discussed the density of the project, the development of the property as a for-sale product, and the potential of constructing a portion of the affordable units as rentals.

In 2007, the AHSC also met with representatives of the Sacramento Mutual Housing Association (SMHA) at the August meeting to discuss development of the five-acre Orchard Village site for affordable housing.

Almondwood Apartments:
In 2007, the AHSC met with the prospective buyer of the Almondwood Apartments, an affordable housing facility with an expiring use restriction, to discuss City CDA financial participation in the project. The apartment complex was constructed in 1983 under the Section 515 U.S. Department of Agriculture loan program and is at risk of converting to a market-rate facility.

Other:
In 2007, the AHSC reviewed and commented on the DRAFT Housing Programs Planned Action

prepared by City staff. The AHSC discussed potential affordable housing projects/programs and available City CDA resources (Community Development Block Grant Program Income, HOME Program Income, redevelopment agency low and moderate housing bond proceeds, and redevelopment agency low and moderate housing tax increment).

Conclusion: AHSC recommendations carry weight with the Planning Commission and the City Council. AHSC has two planning Commissioners among the five-member roster with one Councilperson attending as non-voting Council liaison

The 50-unit threshold has proved to be too high, and in practice, a threshold of 15 or greater units has been observed. This program will be revised such that the AHSC will review all residential projects subject to the City's Ordinance 94-10 (see below).

II.2
(II.2) The City shall continue to implement Ordinance 94–10 (aka Inclusionary Ordinance), that requires at least 15 percent of all new units developed in the City to be affordable to very low-, low-, or moderate-income households. Development of the affordable units on-site will normally be preferred. When this is found to be infeasible or inappropriate, the City may allow off-site development of the affordable units, may accept in-lieu contributions of cash or land, or may approve a combination of these and other methods. The City shall provide regulatory and financial incentives geared to the financial need of each project including these:

1. A 25-percent density bonus for projects meeting requirements of the Density Bonus Ordinance 97–02 (as revised per Program II-3), General Plan Implementation II.3.
2. The use of housing set-aside funds to subsidize the production of very low-income units.
3. Assistance in accessing State or federal funding by lending support to such requests, priority permit processing for entitlements necessary to increase the competitiveness of a funding request, and providing documentation of housing needs that would increase the competitiveness of a funding request.

4. Modified development standards, such as for parking, setbacks, on- or off-site improvements, street improvement standards, and less stringent site plan (design review) requirements under the City's Planned Development Process.

Responsible Agency: City Council, CDA, Community Development Department.

Time Frame: Ongoing, 2002–2007.

Achievements: Completed Projects:

Cottages at Carter Ranch:
In 2003, the Winters Planning Commission approved a 30-unit, for sale affordable housing project. The Cottages at Carter Ranch was built to address the affordable housing requirements for the Carter Ranch project. The project was approved with a density bonus; and the developer was provided with reductions on building setbacks, street standards, parking requirements, and lot sizes.

In 2005, the City provided first time homebuyer assistance in the amount of approximately $785,000 to 19 lower-income households (6 very low-income and 13 low-income households) that purchased homes in the Cottages at Carter Ranch Subdivision Phase I. The remaining 11 units were sold to moderate income households.

The homebuyer assistance was provided in the form of "silent" second loans. The loans are deferred for a period of 30 years; this covers both the principal and the 4-percent simple interest. The City funded the first-time homebuyer's assistance through redevelopment agency affordable housing tax increment, HOME Investment Partnership Act Program (HOME) Income, Community Development Block Grant (CDBG) Program Income, and developer contributions.

Winters Village East
There have been five units constructed. The City is negotiating with the developer for an in-lieu

fee for one unit. The affordable housing obligation is on hold pending the update of the in-lieu fee.

Pipeline Projects:

There are several residential development projects in the pipeline, all of which are subject to the City ordinance.
Hudson-Ogando: 5 very low, and 6 low/moderate.
Callahan: 7 very low, 7 low, and 4 moderate.
Winters Highlands: 26 very low, 25 low, 15 moderate.
Creekside: 1 very low, 2 low, 1 moderate, and 2 off site or in lieu.

Conclusion: Ordinance 94-10 significantly impacts the increase of affordable housing in the City. The City needs to flesh out the requirements of the Ordinance and provide increased program and policy direction during the next Planning Period. The creation of a Housing Programs Manager position has increased the City's capacity to run a more comprehensive program.

II.3
(II.3) The City shall revise the Zoning Ordinance to meet current State law requirements for a density bonus; the State legislature adopted AB 1863 in 2002, which amends the density bonus law (Government Code Section 65915). The bill requires cities to grant a density bonus of at least 25 percent, and an additional incentive, or financially equivalent incentive(s), to a developer of a housing development agreeing to construct at least (1) 20 percent of the units for lower income households, (2) 10 percent of the units for very low-income households, or (3) 50 percent of the units for senior citizens.

If below market–rate units are included in a project pursuant to the density bonus program or other local, State, or federal requirements, the City shall require buyer/renter eligibility screening. The City shall require that assisted rental units remain affordable to very low- or low-income households for at least 55 years or the longest period required by the funding source(s) if more than 55 years. The City shall also adopt resale provisions for assisted ownership housing.

The City shall consult with Yolo County Housing (a California Housing

Authority), Mercy Housing, or CHOC to develop procedures and guidelines for establishing income eligibility, rent restrictions, and resale controls for the "reserved" units and for maintaining the "reserved" units as affordable units for the minimum specified period of time. Rent, resale, and occupancy restrictions shall be recorded as deed restrictions against the assisted residential property.

Based on consultation with Yolo County Housing, Mercy, or CHOC the City shall determine whether monitoring for compliance with affordability requirements shall be contracted to one of the three housing organizations or performed by the City.

Other incentives the City will consider in conjunction with density bonuses for low-income housing include these:

1. Zoning and development regulatory incentives;
2. Financial incentives; and
3. Waiver or modification of development standards.

The City will advertise the above incentives to developers or other interested parties through published information available at the Community Development Department's counter, in the general development application packet, and on the local community access television channel.

Responsible Agency:	City Council, Community Development Department, Yolo County Housing, Mercy Housing, and CHOC.
Time Frame:	Adopt revised density bonus ordinance by November 2005. Adopt implementing guidelines by December 2005 after consultation with one of the three housing organizations. Apply affordability requirements to density bonus units as qualifying projects are proposed, 2002–2007.
Achievements:	The City's Zoning Ordinance was revised several years ago to provide for a density bonus of at least 25 percent and at least one other incentive for residential projects of five or more units which reserve at least 20 percent of their units for lower-income households, including elderly persons and families who meet the criteria for lower-income households.

In 2003, the Winters Planning Commission approved two density bonus projects: the 30-unit Cottages at Carter Ranch Subdivision and the 15-unit Winters Townhomes and Apartments. Incentives were provided to the developers of both projects; these incentives included reduced building setbacks, street standards, parking standards, and lot sizes.

Conclusion: The City has been following the requirements of current State Bonus Density Law; however, the City's Zoning Ordinance has not been updated to reflect the most recent amendments. The City will revise its Zoning Ordinance to bring it in compliance with State law during this Planning Period.

II.4
(II.4) Through the Zoning Ordinance, the City shall continue to allow secondary dwelling units in residential zones subject to criteria concerning floor area, relations to principal residence, required parking, and other features. Development of secondary residential units shall be encouraged through flexible application of the City's development standards. The City will market this program through an informational brochure distributed annually to single-family property owners:

1. Posted at City Hall, library, senior center, and public locations; and
2. Included annually in utility bill mailings.

To encourage homeowners to create second units with affordable rents for very low- and low-income households, the City shall waive the City impact fees in exchange for deed restrictions limiting rents and occupancy to very low- or low-income households for a minimum of 55 years. If redevelopment funds are not used, the affordability restriction shall be for a period of no less than 30 years.

Responsible Agency: City Council, CDA, Planning Commission, Community Development Department.

Time Frame: Amend Zoning Code by December 2005 to permit modifications to development standards to encourage the construction of secondary dwelling units.

Prepare brochure and information for utility mailing by January/February 2006 and distribute

annually thereafter.

Provide financial assistance as requested for qualifying rent-restricted second units.

Achievements: While approximately 15 secondary dwelling units were constructed in the mid-1990s through 2002, no units were constructed in 2003 or 2004.

City staff did receive a couple of inquiries about secondary dwelling units in 2005, and staff provided information on the permitting and fee requirements. In 2006, staff worked extensively with a property owner interested in constructing a secondary dwelling unit at his property. Eventually, the property owner and staff were able to come up with a site plan that met the minimum secondary dwelling unit requirements, and the unit is under construction.

Conclusion: The City has been acting in compliance with current State Law; however, the City's Zoning Ordinance will need to be revised to reflect current State requirements.

II.5 (II.5) The City shall continue to permit manufactured homes on permanent foundations in all zones that permit single-family homes according to the same development standards as site-built homes.

The City shall continue to permit mobile home parks in residential zones consistent with the requirements of State law.

Responsible Agency: City Council, Planning Commission, Community Development Department.

Time Frame: Ongoing, 2002–2007.

Achievements: The City received a few inquiries about constructing manufactured homes in 2005. The prospective applicants were informed that manufactured homes placed on permanent foundations are permitted for single-family lots.

In 2006, the City's Planning Commission approved a Site Plan (Design Review) application for locating a manufactured home on a single-family lot. A second Site Plan for locating a

manufactured home on a single-family lot was submitted and considered by the Planning Commission in January 2007. In both instances, City staff worked with both manufactured home applicants to ensure that they understood the permitting requirements. For the second applicant, staff met with the applicant on at least five different occasions to advise the applicant of the requirements for the applicant's project. City staff also had several contacts with the applicant's permitting consultant.

The City permitted one manufactured home in 2007 after the Planning Commission approved the Design Review application for the residence and detached garage. The project was completed in 2007 after the home was installed on a permanent concrete foundation. The City's Building Official worked extensively with the property owner's general contractor to ensure a successful project.

Conclusion: The use of manufactured housing as opposed to site-built can decrease the cost of new homes. While there were not many units produced as a direct result of this program, it remains important to the City as a tool to achieve housing affordability.

The City will revise this program to incorporate pending changes to the Zoning Ordinance which will specifically mention mobile homes and factory built homes as being permitted in residentially zoned areas.

II.6 (II.6) The City shall continue to allow for the development of duplexes on corner lots as a permitted use within the single-family zoning designation (R-1 and R-2 zones). The City will promote the construction of duplexes, including duplexes affordable to very low- or low-income households, through the following actions:

1. The City will encourage homebuilders to construct duplexes on corner lots as part of pre-application conferences.

2. The City will provide financial assistance for the construction of affordable duplexes if Redevelopment Housing Set-aside Funds are available at the time of application.
3. The City will provide documentation necessary to support applications for State or federal financial assistance for affordable duplexes.
4. The City will offer reduced or deferred fees for affordable duplexes.
5. For larger projects, the City will negotiate alternative development standards, such as flexible yard and setback requirements through its planned development process

Responsible Agency: City Council, CDA, Planning Commission, Community Development Department.

Time Frame: Ongoing, 2002–2007.

Achievements: In 2003, the City revised the Zoning Ordinance to facilitate duplexes on corner lots in the R-1 and R-2 zoning districts citywide and reduced the minimum lot size for an affordable duplex unit.

In 2005, the City Council approved the Callahan Estates and Hudson-Ogando Subdivision projects. The two projects combined were initially designed to have a total of 11 corner lot duplex sites that will be constructed for dwelling units. The initial concept was for the affordable units (22) for the two projects to be constructed as duplexes. City staff encouraged the applicants for both projects to use corner lot duplexes for addressing their affordable housing units.

Hudson-Ogando subsequently received approval to cluster their affordable units to accommodate a sweat equity project.

The City Council approved the Winters Highlands Subdivision project in 2006. The project includes 18 corner lot duplex sites for a total of 36 residential units. A portion of the affordable units will be accomplished through the duplex sites. City staff encouraged the project applicant to use corner lot duplexes for addressing their affordable housing units.

Conclusion: The City feels that this has been a successful program and will continue to maintain it.

II.7
(II.7) The City shall continue to allow emergency homeless shelters in the Medium/High-Density Residential (MHR), High-Density Residential (HR), Central Business District (CBD), and Public/Quasi-Public (PQP) designations with a conditional use permit.

The City will revise the Zoning Ordinance to provide for transitional housing in the Medium High Residential (R-3 Zone) and High-Density Residential (R-4 Zone) Zoning Districts with a conditional use permit.
The City shall also revise the Zoning Ordinance to provide for the establishment, subject to the approval of a conditional use permit, of farmworker housing in the Multifamily Residential (R-3) and High-Density Multifamily Residential (R-4) zones. Seasonal or migrant farmworker housing is provided in the unincorporated areas of Yolo County, while the City will provide housing opportunities for permanent farmworkers and other lower income households.
In granting a conditional use permit, the Planning Commission or Zoning Administrator must find that all of the following general conditions be fulfilled by the requested use:

- Use will be in conformity with the General Plan.
- Use is listed as a conditional use in the zone regulations or elsewhere in Section 8-1.4205 of the Zoning Ordinance, or, where an interpretation is necessary, a determination is made by the Community Development Director or Planning Commission that the proposed use would require a use permit.
- Use is consistent with the intent and purposes of the zone in which it is located and will not detrimentally impact the character of the neighborhood.
- Use will not be detrimental to the public health, safety, or general welfare.
- Adequate utilities, access roads, drainage, sanitation, or other necessary facilities or services will be provided.
- Use will not create a nuisance or enforcement problem in the neighborhood.
- Use will not result in a negative fiscal impact on the City.

The conditional use permit process acts to facilitate and encourage the development of emergency shelters and transitional housing through clear

and unambiguous standards of the steps in the application review process, basis for approval (criteria), and terms and conditions.

The City will inform the Yolo County Homeless Services Coordination and other organizations and agencies in Yolo County that provide homeless facilities and services of the zoning changes and the City's policies regarding the location and approval process for homeless and transitional housing.

The City will advertise emergency homeless shelters and transitional housing sites to interested parties through published information available at the Community Development Department's counter.

Responsible Agency:	City Council, Community Development Department.
Time Frame:	Revise the Zoning Ordinance by December 2005 to specify transitional and farmworker housing. Distribute information to Yolo County Homeless Service Coordination and other organizations and agencies by February 2006.
Achievements:	For 2006, the City Council amended the Winters Municipal Code (Title 17, Zoning) in March to remove the conditional use permit requirement for multifamily projects in the R-3 (Multifamily Residential) and R04 (High-Density Multifamily Residential) Zones. The Zoning Ordinance is silent on conditional use permits precluding homeless shelters and transitional housing. The City will need to designate specific zones in which transitional housing will be allowed as part of revisions to the Zoning Ordinance. To date, there have been no requests for the establishment of homeless shelters or transitional housing. The City does not have supportive or other services that would be attractive to such uses. The City continues to allow emergency homeless shelters in the MHR, HR, CBD, and PQP designations with a conditional use permit.
Conclusion:	The City's Zoning Ordinance does not meet current State requirements regarding emergency shelters and transitional housing. This Implementation Program will be revised to

address the need to modify City Zoning Code to conform to State law.

II.8
(II.8)

The City *shall encourage development* in the upper one-quarter of the density range in the Medium High-Density Residential designation and require it in the upper one-quarter of the density range in the High-Density Residential designation. When a project is proposed in the upper one-quarter of the density range in the Medium High-Density Residential or High-Density Residential designations, the City *shall not reduce* the project density below 75 percent of the density range, unless there are specific site constraints that make such density infeasible or undesirable. For affordable multifamily projects proposed in the upper one-quarter of the density range, the City shall provide non-financial incentives (such as reductions in street standards, setback requirements, and parking standards) and shall consider the provision of financial incentives where a financing gap can be demonstrated.

Responsible Agency: City Council, Community Development Department.

Time Frame: Ongoing, 2002–2007.

Achievements: The City revised the Zoning Ordinance in 1997 to impose this requirement. The objective of the requirement is to ensure that the limited supply of higher density residential land is not used by development at significantly lower densities.

In 2005, the City received a development application from CHOC for the construction of a 34-unit multifamily, affordable housing project on a 1.71-acre site. The project was approved in 2005, and the density of the project is in the upper one-quarter of the density range in the High-Density Residential designation.

The City received multiple inquiries on a five-acre site with a High-Density Residential designation. Staff advised the prospective project applicants of the requirement to develop the site in the upper one-quarter of the density range.

Conclusion: The City will revise its policy regarding density for R-4 to allow exceptions to be expanded from existing "site constraints" to include allowing

reduction to attain an increased number of larger family units in affordable multifamily projects.

II.9 (II.9) The City shall pursue available and appropriate State and Federal funding sources to support efforts to meet new construction needs of very low-, low, and moderate-income households. The City will market housing opportunities and assist developers with the construction of affordable housing through the following actions:

1. The City will provide financial assistance for the construction of affordable housing to the extent that Redevelopment Housing Set-Aside Funds and other funding sources are available.
2. The City will offer density bonuses for developments that include at least 10 percent very low-income units, 20 percent low-income units, or 50 percent senior units.
3. The City shall reduce or defer fees. The amount of fee reduction or deferral will be based on the financial needs of each development. Affordable housing projects that address the needs of large families or incorporate educational amenities/programs shall receive priority for fee reductions and waivers.
4. The City will negotiate alternative development standards through its planned development process, such as alternative parking standards, street improvement standards, maximum density, setbacks standards, and lot coverage requirements.
5. The City will apply for State or federal funding (such as CDBG or HOME funds) to acquire land, subsidize construction, or provide on- and off-site infrastructure improvement for lower-income housing projects.
6. The City will offer assistance in accessing local, State, and federal funding for affordable housing by applying for such funding on behalf of the affordable housing developer or providing technical assistance or documentation necessary to support an application for funding.

The City will advertise the available State and Federal funding sources to developers or other interested parties through published information available at the Community Development Department's counter and in the general development application packet.

Responsible Agency: City Council, Community Development Department.

Time Frame: Ongoing, 2002–2007.

Achievements: *Winters II Apartments:*
The City approved the 34-unit Winters II multifamily, affordable housing project in 2005. The City and CDA have provided significant assistance for the Winters II project. The project was developed by CHOC of Davis, California and owned by Bruhn Orchards Housing Associates, L.P., a California limited partnership that was established by CHOC. The City was awarded a HOME grant in 2005 and the City loaned $2,850,280 of the HOME funds to CHOC for the Winters II project under favorable terms. The City handled the CEQA and NEPA processing of the project. For NEPA, the staff effort was extensive as City staff prepared a 16-page Environmental Assessment, hired an anthropological consulting firm at the City's expense to survey the project site for potential cultural resources, and expended more than 40 hours in staff time to process the NEPA documentation.

The City CDA purchased the property in 2004 at a cost of approximately $460,000 and then leased the land back to CHOC for a minimal amount. The CDA provided a predevelopment loan in the amount $50,000, a development loan in the amount $150,000, and a grant of $1,400,000 for the project. The two loans are on favorable terms. In addition, the CDA picked up a portion of closing costs for the project.

Orchard Village
The City has submitted an application for CDBG funds totaling $1 million for infrastructure funding to support the affordable rental project proposed by the Central Valley Coalition.

Conclusion: The City has successfully supported the development of affordable housing units by applying to the State for funding and by generating resources through redevelopment set-

aside funds. By working closely with developers of affordable housing, the City has facilitated unit creation and reduced entitlement uncertainty which can increase project risk.

II.10
(II.10)

The City will continue to provide housing rehabilitation assistance to very low- and low-income homeowners and to rental property owners with very low- or low-income tenants. The City will continue to implement, annually review, and revise as needed program guidelines for housing rehabilitation assistance.

The City's Housing Programs Manager publicizes the Housing Rehabilitation Program. Interested homeowners and other applicable parties can acquire information about this program through fliers at the Community Development Department's counter, the City's utility billing mailings, and targeted property mailings.

Responsible Agency: City Council, Community Development Department, CDA.

Time Frame: Ongoing, 2002–2007. Annual review and revisions of program guidelines, as appropriate.

Achievements:

Winters Apartments:
In 2003, the City used Community Development Block Grant Program Income funds in the amount of $185,000 (loan/grant) to assist CHOC, a non-profit developer and manager of multifamily affordable housing projects, with the rehabilitation of the Winters Apartments. The Winters Apartments is a 44-unit multifamily facility that serves very low- and low-income households in Winters. The City's redevelopment agency also provided a $250,000 grant toward the purchase of the Winters Apartments; the apartment complex was at risk of converting to a market-rate facility.

Almondwood Apartments:
In 2007, the City began discussions with the prospective buyer of the Almondwood Apartments, an affordable housing facility, on City CDA financial participation in the project. The apartment complex was constructed in 1983 under the Section 515 U.S. Department of

Agriculture loan program and is at risk of converting to a market-rate facility. The City Council at its December 18, 2007, meeting approved Resolution No. 2007-56 to authorize the issuance of tax-exempt revenue bonds by the California Statewide Communities Development Authority in an amount not to exceed $5,000,000 to assist in financing the acquisition and rehabilitation of the Almondwood Apartments. At the same meeting, the City Council/CDA also directed staff to continue working on a funding proposal to assist the purchaser of the Almondwood Apartments with up to $600,000 in loan/grant funding through the City (Community Development Block Grant and HOME program income) and CDA (low- and moderate-income housing funds) for rehabilitation of the Almondwood Apartments.
The City has committed $178,000 from the City's CDBG revolving loan fund. The developer is seeking $600,000 in subsidy from the City. The City is working on a commitment for the remaining amount of subsidy funds.

New Senior Housing Program:
The City's CDA established a housing rehabilitation program for lower-income senior households in 2006 and began advertising the program in 2007 through the City's monthly newsletter, program brochures, and meetings/presentations with senior citizen groups. In 2007, the housing rehabilitation program provided financial assistance for one lower-income senior household and is in the process of providing assistance to two other lower-income senior households.

Conclusion:

The City has been successful in preserving its affordable housing stock. The City has provided its own funds leveraged with other funds for this purpose.

The City will revise its Senior Housing Program to allow non-seniors who are income qualified to

participate.

II.11
(II.11)

The City will encourage mixed use residential/commercial development in the CBD, neighborhood commercial, and office zones through these:

1. Financial and regulatory incentives for projects that include a specified number of housing units affordable to very low- or low-income households under the City's density bonus ordinance.
2. Use of the planned development process to allow flexible development standards such as reduced or tandem parking, floor area ratio, and lot coverage limits.
3. Assistance in accessing State or Federal funding to subsidize the construction of very low- and low-income housing units.
4. Consideration of form based codes as part of master plans or specific planning efforts to achieve outlined goals of the House Element and the City's General Plan.

The City will promote mixed use developments in the following ways:

1. The City will send property owners in the CBD, neighborhood commercial, and office zones a brochure describing the mixed use options, benefits, and City incentives.
2. The City will prepare an inventory of sites with mixed use potential (based on current site and building conditions) and distribute this information to interested developers.
3. The City will post information about mixed use opportunities and the site inventory in the Community Development Department.
4. The City will contact commercial developers active in northern California who have a track record of successful, small mixed use projects to inform them of opportunities in Winters.

The City will advertise these incentives to developers or other interested parties through published information available at the Community Development Department's counter, in the general development application packet, and on the local community access television channel.

Responsible Agency:	City Council, Community Development Department.
Time Frame:	Prepare mixed use brochure by July 2005, distribute annually and post in the Community Development Department thereafter.

Apply for CDBG planning grant and conduct site inventory by August 2005.

Achievements:

Cradwick and Buckhorn Buildings:
The City participated in the rehabilitation of the Cradwick Building (through CDBG funds and fee waivers/deferrals) in 1998-1999 and the Cradwick now has six studio apartments restricted to low-income households on the second floor. The City also participated in the Phase I rehabilitation of the Buckhorn Building in 2000/2001, but the second floor is still unfinished because the building is constructed of unreinforced masonry.

Anderson Place:
Beginning in 2005 the City entered into discussions with a landowner for the development of a 2.13-acre, infill site with CBD and Office Zoning. Applicants were interested in developing the site, which contains a vacant warehouse/light industrial building, for residential purposes. Staff encouraged the applicants to consider a mixed use project.

In 2006, the applicants submitted a development application for a mixed use project (Anderson Place) with 28 residential units and 9 office suites. Anderson Place was processed with a planned development overlay to provide the project with flexibility on the development standards for lot size, off-street parking, setbacks, and other issues. In June of 2007 the City approved the Anderson Place project via Development Agreement (DA) executed with the applicants.

Because of the decline in the residential housing market, the applicant has decided to delay development of the residential/office development. As a result, the project timing is no longer consistent with the DA. This is not a circumstance limited to the Anderson Place project. In light of the changed real estate market and economy, the City is currently

processing amendments to DAs active in the City to address timing issues. The term of the Anderson Place DA is proposed to be pushed back to December 31, 2016 and the applicant given the discretion as to when to commence with the project during the term of the DA. The City Council will be taking action on this proposed amendment in early June 2008.

Other Projects:
The City's CDA is negotiating a Disposition and DA with a developer for the Monticello project, a mixed use development including 25,000 square feet of commercial space and 10 luxury residential units on a downtown property in the heart of the Downtown, owned by the CDA.

In March 2006, after a lengthy public process, the City adopted the Downtown Master Plan, which provides the vision for the development and redevelopment of the downtown core of Winters. The Downtown Master Plan identified several tools for fulfilling the vision in the Plan. One of those tools is the creation, adoption and use of a Form Based Code for the Downtown Master Plan Area. Cities use Form Based Codes to control the look and type of buildings, streets, landscaping and building details like signs, awnings, and storefronts to create and maintain an interesting, attractive and livable town. Standards for land use, density, setbacks, and design would be set-out in a zoning code-like format that can be used easily by landowners, applicants, business owners, and City staff and officials.

The City is currently working on the development of a Form Based Code for its Downtown core. It is anticipated that the Code will be adopted by summer 2008. The code will cover the downtown core of the City's Downtown Master Plan area.

On November 20, 2007, the City Council approved Ordinance 2007-08 providing for

commercial condominium conversions to provide increased options for commercial development and residential ownership opportunities.

In April 2008, the City was awarded a $70,000 Planning and Technical Assistance CDBG to study the feasibility of the rehabilitation and adaptive reuse of the second floors of three of the City's core historic downtown properties which could lead to a successful mixed use project in at least one of the three buildings.

Conclusion: The City believes that its efforts to secure State and Federal funding for rehabilitating older buildings downtown should continue and has the potential to yield additional affordable housing.

Encouraging the development of residential units along with commercial uses in the downtown area is a City priority designed to have positive impacts on the environment and the downtown economy.

II.12 *(II.12)* The City, acting as the CDA, shall update the Affordable Housing Production Plan as required by Health & Safety Code Section 33413(b)(4) to ensure that sufficient affordable housing is developed with the Redevelopment Project Area to ensure compliance with State law targets.

Responsible Agency: Redevelopment Department, CDA.

Time Frame: Completed March 2003.

Achievements: In 2003, the City's redevelopment agency updated its redevelopment 5-year Implementation Plan including the five-year housing production plan.

Conclusion: Another five-year Implementation Plan is required for the 2009—2013 period.

II.13 **(II.13)** The City will promote energy conservation and encourage solar energy use through the following actions:

1. Continue to implement State-building standards (Title 24 of the

California Code of Regulations) regarding energy efficiency in residential construction. The City shall also adopt an energy efficiency ordinance to exceed the requirements of Title 24; the City shall consider incorporating the "Energy Star" energy efficiency standard into the ordinance.

2. Annually provide information in the *Winters Express* on the availability of funding through the PG&E Energy Partners Program.
3. Provide California Energy Commission Brochures at City Hall.
4. Continue to review proposed developments for solar access, on-site solar energy utilization, site design techniques, and use of landscaping that can increase energy efficiency and reduce lifetime energy costs without significantly increasing housing production costs.
5. Evaluate the feasibility of a solar energy ordinance by working with the Local Government Commission's Stimulating Public-Sector Implementation of Renewable Energy (SPIRE) program. Study potential approaches and incentives for encouraging solar access and the use of solar energy equipment. Recommend an ordinance to the City Council.

Responsible Agency: Community Development Department.

Time Frame: Ongoing, 2002–2007.

Recommend a solar access ordinance to the City Council by August 2005.

Achievements: All new residential projects are required to submit energy calculations to verify that the structures meet the Title 24 requirements for energy conservation. This information is reviewed and checked by the building inspector. The Planning Commission has encouraged residential project applicants to orient their lots in a north-south fashion.

Having adopted the California Building Code several years ago, the City continues to enforce the energy efficiency requirements of Title 24 of the California Code of Regulations.

In 2005, the City approved the Callahan Estates, Creekside Estates, and Hudson-Ogando Subdivision projects and the approvals included

the following energy efficiency measures. These measures exceed the energy efficiency requirements contained in Title 24.

1. Construct a portion of the market rate residential units with photovoltaic solar energy systems capable of producing 2.4 peak rated direct current (DC) kilowatts.
2. Pre-wire the market rate units without photovoltaic solar energy systems for such systems.
3. Construct all units (market rate and affordables) to the Energy Star Standards as defined by the U.S. Environmental Protection Agency.
4. Construct units without dark colored roofing materials.

The above energy efficiency measures were achieved through the use of individual development agreements. The City does not have the authority to exceed the energy efficiency requirements of Title 24; however, the City is working with a Winters resident employed as an energy efficiency consultant on obtaining authorization from the California Energy Commission to exceed energy efficiency requirements of Title 24. If the City is successful, the City would enact the measures as an ordinance.

In 2006, the City Council approved the Winters Highlands Subdivision project and the approval included the following energy efficiency measures, which will exceed the energy efficiency requirements of Title 24.

1. Install photovoltaic solar energy systems capable of producing 2.4 peak rated direct current (DC) kilowatts in the 50 percent of the market rate residential units.
2. Pre-wire the market rate units without

photovoltaic solar energy systems for such systems.

3. Construct all units (market-rate and affordable) to the Energy Star Standards as defined by the U.S. Environmental Protection Agency.
4. Construct units without dark colored roofing.

The above energy efficiency measures were achieved through the use of a DA.

The City in 2006 prepared a brochure on "Tips & rebate information for saving energy in your home." Copies of the brochure have been made available at City Hall for the public.

The City has been successful at requiring solar technology usage through development agreements. The City also reduces fees for projects that use solar technology.

In 2008, the City reduced the building permit fees required for solar installation.

Conclusion: The City continues to be committed to the reduction of resource consumption using the most current technology available.

II.14 (II.14) The City shall continue to cooperate with Yolo County Housing in its administration of the Housing Voucher (Section 8) rental assistance program. The City will assist the Yolo County Housing in developing and distributing information for rental property owners of the benefits of participation in the Section 8 Program and fair housing laws that prohibit discrimination based on source of income. The City will distribute information on the Section 8 Program annually to rental property owners in the City's utility billing. For housing projects receiving City assistance, the City shall require that these developments accept Section 8 rental assistance.

Responsible Agency: Community Development Department, Yolo County Housing.

Time Frame: Assist Yolo County Housing to prepare updated Section 8 Program information by August 2005. Distribute annually in utility billing thereafter.

Achievements:	The Yolo County Housing did not request assistance.
Conclusion:	This Implementation Program will be revised to include other ways the City can support the goals and efforts of the Yolo County Housing.

II.15
(II.15)

The City shall continue its agreement with Yolo County Homeless Services Coordination to provide ongoing homeless services.

Responsible Agency:	City Council, City Manager, Community Development Department.
Time Frame:	Ongoing.
Achievements:	The City continues its participation in the Yolo County Homeless Services Coordination effort. The City participated in the Homeless and Poverty Action Coalition point in time homeless count in January, 2007
Conclusion:	No change recommended. Yolo County Homeless Services Coordination is now called the Yolo County Homeless & Poverty Action Coalition (HPAC).

II.16
(deleted)

The City shall establish a position of Housing Manager through the Community Development Department, either as a staff position or through contract, to coordinate City housing activities, to assist in the implementation of affordable housing programs, and to work with non-profit housing developers to build affordable housing.

Responsible Agency:	City Council, City Manager, Community Development Department, CDA.
Time Frame:	Position established in September 2002 and the Redevelopment Manager and Community Development Director now share the duties.
Achievements:	In 2007, the City created and staffed a Housing Programs Manager position through the CDA.
Conclusion:	The City achieved the goal established in the program, therefore; this program has been

deleted.

II.17 (II.16) The City shall continue to promote equal opportunity for all persons regardless of race, creed, color, religion, sex, ancestry, national origin, disability, age, marital status and sexual orientation. The City shall continue to refer fair housing complaints to the County District Attorney or to the State Fair Employment and Housing Commission. The City shall publicize its fair housing program by placing printed information in schools, libraries, other public buildings and meeting places, and by advertising in the local media.

Responsible Agency:	City Council, Community Development Department.
Time Frame:	Annual distribution, advertising, and posting of information in various City locations. Ongoing referral of discrimination complaints, 2002–2007.
Achievements:	In 2005, 2006, and 2007 the City provided information (in Spanish and English) at City Hall on fair housing laws for the public. City staff continues to refer fair housing complaints to the California Department of Fair Housing and Employment and Legal Services of Northern California.
Conclusion:	No change.

II.18 (II.17) The City shall require that 10 percent of the lots in residential subdivisions of 20 or more lots be marketed to local builders or owner-builders. The City will adopt an ordinance to implement this requirement specifying the procedures for compliance and the definition of local builder or owner-builder. The pricing of these lots shall be based on a real estate analysis.

The City will require residential developers to place an ad in the local newspaper on at least three occasions and to publicly post the availability of the lots.

Responsible Agency:	City Council, Community Development Department.
Time Frame:	Adopt implementing ordinance by August 2005.
Achievements:	In 2005, the City Council approved the Callahan Estates, Creekside Estates, and Hudson-Ogando Subdivisions projects and the Winters Highlands

Subdivision project in 2006. Each project was conditioned to require that a minimum of ten percent of the single-family lots shall be reserved for and sold to local builders or owner-builders. An ordinance was not adopted but the City has imposed this requirement through development agreements.

Conclusion: The City feels that this priority can be negotiated through development agreements and does not require an implementing ordinance.

II.19 (II.18) The City will assist non-profit housing corporations or any another entities seeking to acquire and maintain government-assisted housing developments that could convert to market rate housing. Acquisition will be by negotiated sale. The City will use redevelopment housing set-aside funds to acquire or rehabilitate such units, if necessary, to preserve their use for low-income households.

Responsible Agency: CDA.

Time Frame: 2002–2007.

Achievements: *See discussions regarding Winters Apartments and Almondwood Apartments under program II.10 above.*

Conclusion: The City has successfully preserved affordable housing units which might otherwise have converted to market rate and displaced individuals and families who would not have been able to pay rent at unrestricted levels. The City will establish and maintain a database of units with affordability restrictions which will include ownership information, date of expiration of use restrictions, address, etc.

II.20 *(deleted)* The City shall expand the Wastewater Treatment Facility (WWTF) to accommodate the City's fair share units.

Responsible Agency: Public Works Department, City Council.

Time Frame: Adopt implementing ordinance by August 2005.

Achievements: In 2006, the City Council approved the Winters Highlands Subdivision project. Subsequently, the Council approved an amendment to the DA

that establishes the funding obligation for expansion of the City's WWTF. As a result, the developer of the Highlands project had an obligation of up to $8,000,000 for expansion of the facility.

The City completed the preliminary engineering for the Phase 2 expansion of the WWTF before 2007; however, the City has not begun construction of the Phase 2 project. The existing capacity of the WWTF for an additional 600 residential units, it is estimated that construction of the Phase 2 project will not need to begin for a minimum of three years. The current residential capacity of the WWTF exceeds the City's fair share allocation of 403 housing units as approved by the Sacramento Area Council of Governments (SACOG) for the current period of January 1, 2006, through June 30, 2013.

Conclusion: While the City is still in need of expanded water treatment capacity, there is remaining capacity for 600 homes. Expansion will not be required to meet the City's Regional Housing Needs Allocation for this Planning Period.

II.21 (II.19) The City as part of a comprehensive update of its Zoning Ordinance shall increase its Multifamily Residential (R-3) and High-Density Multifamily Residential (R-4) density ranges to make up for the dwelling units lost during the 2002 re-zoning of R-1 (Single-Family, 7,000 Square Foot Average Minimum) and R-2 (Single-Family, 6,000 Square Foot Average Minimum) parcels. The City shall also update its Zoning Ordinance to clarify that single-family, detached dwelling units that are deed restricted to low- and moderate-income households may fall below the minimum lot sizes, widths, and depths for the R-1 and R-2 Zones. These units shall not count towards determining compliance with the average lot size requirements for the R-1 and R-2 Zones.

Responsible Agency: City Council, Planning Commission, and Community Development Department.

Time Frame: December 2005.

Achievements: No progress was made on this program.

Conclusion: This change is still warranted and will be

undertaken in this Planning Period.

II.22 (II.20) The City shall establish a DRC to expedite processing and approval of residential projects that conform to General Plan policies and City regulatory requirements. The DRC will be formed to help facilitate the development review process by streamlining departmental comments at the beginning of applications and mitigating any potential conflicts later on in the approval process. The DRC brings together representatives from planning, engineering/public works, police, fire, school district, planning commission, and city council to provide pre-application comments for a project. Utilization of the DRC process is at the discretion of the applicant.

Responsible Agency:	Community Development Department.
Time Frame:	The DRC was established in January 2003 and held its first meeting in February 2003.
Achievements:	The DRC met once in 2005 to review the Hudson-Ogando Subdivision project and twice in 2006 to review the Anderson Place, Mary Rose Gardens, and Orchard Village Subdivision projects.
Conclusion:	The City did not formally establish the DRC but finds that the informal approach is meeting its needs. The DRC is formed and meets on an as-needed basis. This Implementation Program will be revised to reflect its current informal, as needed approach.

II.23 (II.21) The City shall revise its in-lieu fee ordinance for affordable housing to more accurately reflect the actual cost of producing an affordable unit.

Responsible Agency:	City Council, Community Development Department.
Time Frame:	July 2005.
Achievements:	In Fall 2007, staff began researching the affordable housing in-lieu fees of other cities. In February 2008, the staff convened a workshop with various stakeholders including representatives from Legal Services, the non-profit and for-profit development community, the City Council, the AHSC, the Planning Commission, and the real estate field to discuss

revising the in-lieu fee, establishing a method for calculating the in-lieu fee on an annual basis, and approaches for dealing with small residential projects. Staff plans to hold a subsequent workshop with the same stakeholders before preparing an in-lieu revision for City Council review and consideration.

Conclusion: The City will continue to move forward with the development of the affordable housing in-lieu fee schedule.

II.24 (II.22) The City shall require that new residential subdivisions incorporate universal design features into a portion of the single-family residences to assist persons with disabilities.

Responsible Agency: Community Development Department, Planning Commission, and City Council.

Time Frame: December 2005.

Achievements: The City Council required conditions of approval related to universal design when it approved the Callahan Estates, Creekside Estates, and Hudson-Ogando Subdivisions projects in 2005, Winters Highlands Subdivision project in 2006 and the Anderson Place Subdivision project in 2007.

New Senior Housing Program:
The CDA established a housing rehabilitation program for lower-income senior households in 2006 and began advertising the program in 2007 through the City's monthly newsletter, program brochures, and meetings/presentations with senior citizen groups. The Senior Rehabilitation program allows for retrofitting.

Rebuilding Together/Safe at Home Program
Rebuilding together provides retrofitting for persons with disabilities. The City supports this organization's efforts by generating referrals, pre-qualifying applicants, and providing materials (e.g., smoke detectors) and support (e.g., building official consults with on more complex issues). The City also helps with

publicity and community outreach.

Conclusion: The City shall continue to require the incorporation of universal design features in all new single-family residences.

The City will also modify its Senior Rehabilitation Program to include non-senior participation.

III. 2008 GOALS AND POLICIES

GOAL II.A

To designate adequate land for a balanced range of housing types and densities for all economic segments of the community.

POLICIES

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

II.A.2 The City shall maintain an adequate supply of residential land in appropriate land use designations and zoning categories to accommodate the City's fair share of projected regional growth and have as a goal a residential vacancy rate of at least 5 percent.

II.A.3 The City shall continue to implement its 15-percent inclusionary housing ordinance for all new housing developments.

II.A.4 The City shall encourage development in the upper one-quarter of the density range in the Medium High-Density Residential designation and require it in the upper one-quarter of the density range in the High-Density Residential designation. Density reduction may be allowed in narrowly defined instances such as when the reduction in overall number of units increases the number of larger, family units in affordable rental developments.

II.A.5 While promoting the provision of housing for all economic segments of the community, the City shall seek to ensure the highest quality in all new residential development.

II.A.6 To address the needs of low-income large families, the City shall promote the development of multifamily rental units with three or more bedrooms.

II.A.7 The City shall pursue available and appropriate State and Federal funding assistance to achieve the new construction objectives of the Housing Element.

II.A.8 The Affordable Housing Steering Committee shall review all residential development proposals involving 15 housing units or more and encourage the applicant to include a higher percentage of affordable units than the minimum inclusionary requirement.

II.A.9 The City shall expedite processing and approval of residential projects that conform to General Plan policies and City regulatory requirements.

II.A.10 The City shall ensure that its policies, regulations, and procedures do not add unnecessary cost to housing production.

II.A.11 The City shall continue to provide for the development of secondary residential units, as required by State law, while protecting the single-family character of neighborhoods.

II.A.12 In accordance with the provisions of State law (Government Code Section 65915-65918), the City shall grant density bonuses on a sliding scare based on the percentage of affordable units in the development up to a total of 35 percent. The City will also provide concessions and incentives for qualifying developments in accordance with State law regarding bonus density.

II.A.13 Residential units that are required to sell or rent at below-market-rates (such as inclusionary or density bonus units) within a housing development that includes market-rate units, the affordable units shall, to the extent reasonable, be visually indistinguishable from the market-rate units. Interspersing the units within the development is preferred but clustering for purposes of sweat equity subdivisions will also be considered.

II.A.14 The City shall allow the installation of mobile homes and factory-built housing on permanent foundations consistent with the requirements of State law and in accordance with the City's residential design standards.

II.A.15 The City shall continue to work with Yolo County Housing, Mercy Housing, Community Housing Opportunities Corporation (CHOC), and other housing groups where appropriate in the administration of affordable housing programs.

II.A.16 The City shall provide incentives to developers to construct ownership housing affordable to low- and moderate-income households and require such housing be provided through the City's Inclusionary Ordinance.

II.A.17 The City shall provide incentives for the development of second-story residential uses over commercial and office uses in the Central Business District and Neighborhood Commercial designations.

II.A.18 The City shall require that 10 percent of the lots in residential subdivisions of 20 or more lots be marketed to local builders or owner-builders.

II.A.19 The City shall provide incentives to non-profit housing developers to construct housing affordable to very low-, low-, and moderate-income households.

GOAL II.B

To encourage the maintenance, improvement, and rehabilitation of the City's existing housing stock and residential neighborhoods.

POLICIES

II.B.1 The City shall encourage private reinvestment in older residential neighborhoods and private housing rehabilitation.

II.B.2 The City shall pursue available and appropriate State and federal funding to meet the rehabilitation objectives of the Housing Element.

II.B.3 The City shall support the revitalization of older neighborhoods by keeping streets and other municipal infrastructure in good repair.

II.B.4 The City shall promote the continued upkeep of existing mobile home parks.

II.B.5 The City shall require abatement of unsafe structures, giving property owners ample opportunities to correct deficiencies.

II.B.6 The City shall promote the preservation of architecturally and historically significant residential structures.

GOAL II.C

To encourage energy efficiency in both new and existing housing.

POLICIES

II.C.1 The City shall require the use of energy conservation features in the design of all new residential structures.

II.C.2 The City shall promote incorporation of energy conservation and weatherization features in existing homes.

GOAL II.D

To ensure the provision of adequate services to support existing and future residential development.

POLICIES

II.D.1 The City shall pursue appropriate State and federal funds, and use Redevelopment funds, for upgrading infrastructure and other public improvements in very low- and low-income neighborhoods.

II.D.2 The City shall require that new residential development pay for the cost of infrastructure and public services needed for that development.

II.D.3 The City shall plan for necessary public facilities and services (including school facilities) in collaboration with other responsible local agencies, so that these facilities and services are available at the time of demand from new residential development.

GOAL II.E

To promote equal opportunity to secure safe, sanitary, and affordable housing for all members of the community regardless of race, creed, color, national origin, religion, sex, marital status, disabilities, sexual orientation or age.

POLICIES

II.E.1 The City shall provide incentives to developers to address special housing needs of low-income households including the physically and mentally disabled, large families, farm workers, the elderly, and female-headed households.

II.E.2 The City shall make information on the enforcement activities of the State Department of Fair Employment and Housing available to the public.

II.E.3 The City shall work with Yolo County and surrounding jurisdictions to address the needs of the homeless on a regional basis.

II.E.4 The City shall cooperate with community-based organizations that provide services or information regarding the availability of services to the homeless.

GOAL II.F

Conserve existing affordable housing.

POLICIES

II.F.1 The City shall support the continued use of Section 8 Housing Choice Vouchers for City residents.

II.F.2 The City shall seek to maintain the affordability of existing subsidized multifamily rental housing.

IV. 2008 IMPLEMENTATION PROGRAMS

The following is a list of programs which will guide the City's land use policies related to residential development for this Planning Period which ends in 2013. Overall, there are several revisions to the City's Zoning Ordinance which will need to be accomplished within the next year. The City will work to make those important changes and to continue its efforts to generate and distribute resources for the development and preservation of affordable housing.

II.1 The City shall maintain the Affordable Housing Steering Committee (AHSC) to review housing projects subject to the City's Ordinance 94-10 as well as any affordable housing development seeking City financial support either directly or via City-sponsored applications for subsidies. The City shall encourage project applicants to receive concurrent reviews by the AHSC and the Development Review Committee (DRC). The AHSC shall also advise the City Council, Planning Commission, and Community Development Agency (CDA/redevelopment) on housing policy, City incentives to encourage the production of affordable housing units above the minimum inclusionary housing requirements, housing policy implementation, and the allocation of the CDA's Tax Increment Housing Set-Aside Funds. The AHSC does not have the power to alter project review, design review, or development standards.

Responsible Agency:	City Council.
Financing:	Small administrative cost to City; application permit fees.
Time Frame:	Ongoing, 2008–2013.

II.2 The City shall continue to implement Ordinance 94-10 (aka Inclusionary Ordinance) that requires at least 15 percent of all new units developed within the City be affordable to very low-, low-, or moderate-income households. Development of the affordable units on-site will normally be preferred. When this is found to be infeasible or inappropriate, the City may allow off-site development of the affordable units, accept in-lieu contributions of cash or land, or may approve a combination of these and other methods. The City shall provide regulatory and financial incentives geared to the financial need of each project, which may include these:

1. The appropriate density bonus for projects meeting requirements of the Density Bonus Ordinance 97-02 (as revised per Implementation Program II-3).
2. Providing financial assistance as funds are available and by connecting buyers with resources such as Mortgage Credit Certificates.

3. Assistance in accessing State or federal funding by lending support to such requests, priority permit processing for entitlements necessary to increase the competitiveness of a funding request, and providing documentation of housing needs that would increase the competitiveness of a funding request.
4. Modified development standards, such as for parking, setbacks, on- or off-site improvements, street improvement standards, and less stringent site plan (design review) requirements under the City's Planned Development Process.

Responsible Agency:	City Council, CDA, Community Development Department.
Financing:	Small administrative cost for application assistance; Redevelopment Affordable Housing Set-Aside Funds as available on a case by case basis for affordable unit development above Ord. 94-70 requirement.
Time Frame:	Ongoing, 2008–2013.

II.3 The City shall revise the Zoning Ordinance to meet current State law requirements for a density bonus. Recent amendments to Government Code Sections 15915-65918 need to be incorporated into the City's Zoning Ordinance section regarding allowable density bonuses.

Incentives the City will consider in conjunction with density bonuses for low-income housing include these:

1. Zoning and development regulatory incentives.
2. Financial incentives.
3. Waiver or modification of development standards.

The City will advertise the above incentives to developers or other interested parties through published information available at the Community Development Department's counter, in the general development application packet, and on the local community access television channel.

As part of the City's overall strategy to administer its affordable housing programs which includes the City Ordinance 94-10 discussed above (Implementation Program II.2), the City shall consult with Yolo County Housing, Mercy Housing, or the Community Housing Opportunities Corporation (CHOC) to develop procedures and guidelines for establishing income eligibility, rent restrictions, and resale controls for the "reserved" units and for maintaining the

"reserved" units as affordable units for the minimum specified period of time. Rent, resale, and occupancy restrictions shall be recorded as deed restrictions against the assisted residential property.

Based on consultation with the Yolo County Housing, Mercy, or CHOC the City shall determine whether monitoring for compliance with affordability requirements shall be contracted to one of the three housing organizations or performed by the City.

Responsible Agency: City Council, Community Development Department, Yolo County Housing, Mercy Housing, and CHOC.

Financing: Application fees; small administrative cost.

Time Frame: Adopt revised density bonus ordinance by June 2009.

Adopt implementing guidelines by October 2009 after consultation with at least one of the three housing organizations.

II.4 The City will revise its Zoning Ordinance with regard to secondary dwelling units to bring it current with State Law. Through the Zoning Ordinance, the City shall continue to allow secondary dwelling units in residential zones subject to criteria concerning floor area, relationship to principal residence, required parking, and other features. Development of secondary residential units shall be encouraged through flexible application of the City's development standards. The City will market this program though an informational brochure distributed annually to single-family property owners. The brochure will also be made available in the following ways:

1. Posted at City Hall, library, senior center, and other public locations.
2. Included annually in utility bill mailings.

To encourage homeowners to create second units with affordable rents for extremely low-, very low- and low-income households, the City shall waive the City impact fees in exchange for deed restrictions limiting rents and occupancy to very low- or low-income households for a minimum of 55 years. If Redevelopment funds are not used, the affordability restriction shall be for a period of not fewer than 30 years.

Responsible Agency: City Council, CDA, Planning Commission, Community Development Department.

Financing: City General Fund

Time Frame: Amend Zoning Code by December 2009 to permit modifications to development standards to encourage the construction of secondary dwelling units.

Prepare brochure and information for utility mailing by January/February 2010 and distribute annually thereafter.

Provide financial assistance as requested for qualifying rent-restricted second unit.

II.5 The City shall continue to permit manufactured homes on permanent foundations in all zones that permit single-family homes according to the same development standards as site-built homes. The Zoning Ordinance will be revised to specifically mention manufactured and factory-built housing. Such housing will be mentioned as specifically being allowed in R-R, R-1 and R-2 zones by right and in R-4 zones with a CUP which is the same for all single-family homes.

Responsible Agency: City Council, Planning Commission, Community Development Department.

Financing: Minor administrative cost.

Time Frame: Update Ordinance by June, 2009.

II.6 The City shall continue to allow for the development of duplexes on corner lots as a permitted use within the single-family zoning designation (R-1 and R-2 zones). The City will promote the construction of duplexes, including duplexes affordable to very low- or low-income households, through the following actions:

1. The City will encourage homebuilders to construct duplexes on corner lots as part of pre-application conferences.
2. The City will provide financial assistance for the construction of affordable duplexes if Redevelopment Housing Set-aside Funds are available at the time of application.
3. The City will provide documentation necessary to support applications for State or federal financial assistance for affordable duplexes.
4. The City will offer reduced or deferred fees for affordable duplexes.
5. For larger projects, the City will negotiate alternative development standards, such as flexible yard and setback requirements through its planned development process.

Responsible Agency:	City Council, CDA, Planning Commission, Community Development Department.
Financing:	Redevelopment Affordable Housing Set-Aside
Time Frame:	Ongoing, 2008–2013.

II.7 The City shall revise the Zoning Ordinance to permit year round emergency shelters in R-3, R-4, C-2, and PQP zones as a permitted use without the requirement for a conditional use permit. Emergency shelters will be subject to the same development and management standards as other permitted uses in zones R-3, R-4, C-3, and PQP, as summarized in the Constraints chapter of the Housing Element. In addition, the City will develop written, objective standards for emergency shelters to regulate the following, as permitted under Chapter 633, Statutes of 2007 (SB 2):

- The maximum number of beds/persons permitted to be served nightly;
- Off-street parking based on demonstrated need, but not to exceed parking requirements for other residential or commercial uses in the same zone;
- The size/location of exterior and interior onsite waiting and client intake areas;
- The provision of onsite management;
- The proximity of other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart;
- The length of stay;
- Lighting;
- Security during hours that the emergency shelter is in operation.

Responsible Agency:	City Council, Community Development Department.
Financing:	Minor administrative cost to the City; permit fees.
Time Frame:	Revise the Zoning Ordinance by June 2009. Distribute information to the Homeless & Poverty Action Coalition (HPAC) and other organizations and agencies by September 2009.

II.8 The City shall encourage development in the upper one-quarter of the density range in the Medium High-Density Residential designation and require it in the upper one-quarter of the density range in the High-Density Residential designation.

According to the Winters Municipal Code Chapter 17.60 (Residential Densities and Standards), the residential density range for the corollary zoning district of Medium High Density Residential designation is 6.1 to 10.0 units per acre. The residential density range for the corollary zoning district of the High Density Residential designation is 10.1 to 20.0 units per acre. The upper one-quarter of the density range in the Medium High Density Residential designation is 9.025 to 10.0 while 17.525 to 20.0 is the upper one-quarter of the density range in the High Density Residential designation.

When a project is proposed in the upper one-quarter of the density range in the Medium High-Density Residential or High-Density Residential designations, the City shall not reduce the project density below 75 percent of the density range, unless there are specific site constraints that make such density infeasible or undesirable. A narrowly-defined exception is in the case of affordable rental housing where a reduction in the overall number of units results in the increase in the number of larger, family units. For affordable multifamily projects proposed in the upper one-quarter of the density range, the City shall provide non-financial incentives (such as reductions in street standards, setback requirements, and parking standards) and shall consider the provision of financial incentives where a financing gap can be demonstrated.

Responsible Agency:	City Council, Community Development Department.
Financing:	Minor administrative cost to the City; permit fees.
Time Frame:	Ongoing, 2008–2013.

II.9 The City shall continue to pursue available and appropriate State and Federal funding sources to support efforts to meet new construction needs of extremely low-, very low-, low-, and moderate-income households. The City will market housing opportunities and assist developers with the construction of affordable housing through the following actions:

- The City will consider on a case by case basis, the provision of financial assistance for the construction of affordable housing to the extent that Redevelopment Housing Set-Aside Funds and other funding sources are available.

- The City will offer density bonuses for developments that include at least 10 percent very low-income units, 20 percent low-income units, or 50 percent senior units.
- The City shall consider reducing or deferring fees. The amount of fee reduction or deferral will be based on the financial needs of each development. Affordable housing projects that address the needs of large families or incorporate educational amenities/programs shall receive priority for fee reductions and waivers.
- The City will negotiate alternative development standards through its planned development process, such as alternative parking standards, street improvement standards, maximum density, setbacks standards, and lot coverage requirements.
- The City will apply for State or federal funding (such as CDBG or HOME funds) to acquire land, subsidize construction, or provide on-and off-site infrastructure improvement for lower-income housing projects.
- The City will offer assistance in accessing local, State, and federal funding for affordable housing by applying for such funding on behalf of the affordable housing developer or providing technical assistance or documentation necessary to support an application for funding.

The City will advertise the available State and Federal funding sources to developers or other interested parties through published information available at the Community Development Department's counter and in the general development application packet.

Responsible Agency: City Council, Community Development Department.

Financing: Community Development Block Grant (CDBG); HOME Investment Partnerships Act Program (HOME); Housing and Urban Development (HUD) 202 or 811 programs; Multifamily Housing Program; Department of Agriculture Rural Housing Services; Redevelopment Housing Set-Aside Funds. (Ability to fund this program will largely depend on projects being brought forward by affordable housing developers and receiving grant/loan funds from State and Federal funding sources through a competitive process.)

Time Frame: Ongoing, 2008–2013.

II.10 The City will continue to provide housing rehabilitation assistance to extremely low-, very low- and low-income homeowners and to rental property owners

with extremely low-, very low- or low-income tenants. The City will continue to implement, annually review, and revise as needed, program guidelines for housing rehabilitation assistance.

Interested homeowners and other applicable parties can acquire information about this program through fliers at the Community Development Department's counter, the City's utility billing mailings, and targeted property mailings.

Responsible Agency:	City Council, Community Development Department, CDA.
Financing:	CDBG funds; HOME funds; CalHome funds; California Housing Finance Agency (CalHFA) HELP Program; and Redevelopment Housing Set-Aside Funds as available (considered on a case by case basis). Ability to fund this program will largely depend on receiving grant/loan funds from State and Federal funding sources through a competitive process.)
Time Frame:	Ongoing, 2008–2013. Annual review and revisions of program guidelines, as appropriate.

II.11 The City will encourage mixed use residential/commercial development in the Central Business District (CBD), neighborhood commercial, and office zones through:

1. Financial and regulatory incentives for projects that include a specified number of housing units affordable to very low- or low-income households under the City's density bonus ordinance.
2. Use of the planned development process to allow flexible development standards such as reduced or tandem parking, floor area ratio, and lot coverage limits.
3. Assistance in accessing State or Federal funding to subsidize the construction of very low- and low-income housing units.
4. The City will continue to implement its Downtown Master Plan.
5. The City will continue to implement its commercial condominium conversion ordinance.
6. The City is working on a Downtown Form Based Code anticipated to be adopted summer 2008.

The City will promote mixed use developments in the following ways:

1. The City will send property owners in the CBD, neighborhood commercial, and office zones a brochure describing the mixed use options, benefits, and City incentives.
2. The City will prepare an inventory of sites with mixed use potential (based on current site and building conditions) and distribute this information to interested developers.
3. The City will post information about mixed use opportunities and the site inventory in the Community Development Department.
4. The City will contact commercial developers active in northern California who have a track record of successful, small mixed use projects to inform them of opportunities in the City.

The City will advertise these incentives to developers or other interested parties through published information available at the Community Development Department's counter, in the general development application packet, and on the local community access television channel.

Responsible Agency: City Council, Community Development Department.

Financing: CDBG planning grant to prepare and distribute site inventory; CDBG, HOME, CalHFA HELP, and Redevelopment Housing Set-Aside Funds for financial incentives as available, on a case by case basis. Ability to fund this program will largely depend on receiving grant/loan funds from State and Federal funding sources through a competitive process.

Time Frame: Prepare mixed use brochure by July 2010, distribute annually, and post in the Community Development Department thereafter.

Apply for CDBG planning grant and conduct site inventory by August 2010.

Provide site inventory and information on mixed use zone to developers by November 2010 and annually thereafter.

II.12 The City, acting as the CDA, shall update the Affordable Housing Production Plan as required by Health & Safety Code Section 33413(b)(4) to ensure that sufficient affordable housing is developed with the Redevelopment Project Area to ensure compliance with State law targets.

Responsible Agency: Redevelopment Department, CDA.

Financing: Redevelopment funds.

Time Frame: September 2008

II.13 The City will promote energy conservation and encourage solar energy use through the following actions:

1. Continue to implement State-building standards (Title 24 of the California Code of Regulations) regarding energy efficiency in residential construction. Annually provide information in the *Winters Express* on the availability of funding through the PG&E Energy Partners Program.
2. Provide California Energy Commission Brochures at City Hall.
3. The City will develop an ordinance specific to energy efficient (aka "green") building standards.
4. Continue to review proposed developments for solar access, on-site solar energy utilization, site design t*echniques, and* use of landscaping that can increase energy efficiency and reduce lifetime energy costs without significantly increasing housing production costs.
5. The City shall study potential approaches and incentives for encouraging energy saving practices

Responsible Agency: Community Development Department.

Financing: Minor administrative cost to the City; permit fees.

Time Frame: Green building ordinance adoption anticipated December 2008. Remainder ongoing, 2008–2013.

II.14 The City shall continue to cooperate with Yolo County Housing in its administration of the Section 8 Housing Voucher rental assistance program. For housing projects receiving City assistance, the City shall require that these projects accept Section 8 rental assistance. The City Housing Manager will meet with the regularly with Yolo County Housing Executive Director to explore avenues for collaboration and mutual support of the City and County's affordable housing goals for extremely low-, very low-, and low-income units.

Responsible Agency: Community Development Department, Yolo County Housing.

Financing: Small administrative cost to the City; Redevelopment Housing Set-Aside Funds.

Time Frame: Ongoing.

II.15 The City shall continue its agreement with Yolo County HPAC to provide ongoing homeless services.

Responsible Agency:	City Council, City Manager, Community Development Department.
Financing:	City General Fund.
Time Frame:	Ongoing.

II.16 The City shall continue to promote equal opportunity for all persons regardless of race, creed, color, national origin, religion, sex, marital status, disabilities, sexual orientation, or age. The City shall continue to refer fair housing complaints to the County District Attorney or to the State Fair Employment and Housing Commission. The City shall publicize its fair housing program by placing printed information in schools, libraries, other public buildings and meeting places, and by advertising in the local media.

Responsible Agency:	City Council, Community Development Department.
Financing:	Small administrative cost to the City.
Time Frame:	Annual distribution, advertising, and posting of information in various City locations. Ongoing referral of discrimination complaints, 2008–2013.

II.17 The City shall require, to the extent practicable, that 10 percent of the lots in residential subdivisions of 20 or more lots be marketed to local builders or owner-builders. The City will implement this goal through negotiated development agreements with residential developers. The pricing of these lots shall be based on a real estate analysis.

The City will require residential developers to place an ad in the local newspaper on at least three occasions and to publicly post the availability of the lots.

Responsible Agency:	City Council, Community Development Department.
Financing:	Small administrative cost to the City; permit fees.
Time Frame:	Ongoing.

II.18 The City will assist non-profit housing corporations or any another entities seeking to acquire and maintain government-assisted housing developments that could convert to market rate housing. Acquisition will be by negotiated sale. The City will use redevelopment Housing Set-Aside Funds to acquire or rehabilitate such units, if necessary, to preserve their use for extremely low-, very low-, and low-income households. To insure sufficient time to prevent the

conversion of income-restricted units, the City will maintain a database of all assisted rental units which will include, address, ownership information, and date of possible conversion.

Responsible Agency: CDA.

Financing: Housing Set-Aside Funds.

Time Frame: 2008–2013.

II.19 The City shall continue to convene its DRC to expedite processing and approval of residential projects that conform to General Plan policies and City regulatory requirements. The DRC was formed to help facilitate the development review process by streamlining departmental comments at the beginning of applications and mitigating any potential conflicts later on in the approval process. The DRC brings together representatives from planning, engineering/public works, police, fire, school district, planning commission, and city council to provide pre-application comments for a project. Utilization of the DRC process is at the discretion of the applicant. The DRC meets on an as-needed basis.

Responsible Agency: Community Development Department.

Financing: Small administrative cost to applicants.

Time Frame: Ongoing.

II.20 The City shall revise its in-lieu fee ordinance for affordable housing to more accurately reflect the actual cost of producing an affordable unit.

Responsible Agency: City Council, Community Development Department.

Financing: General Fund.

Time Frame: December 2008.

II.21 The City shall require that new residential subdivisions incorporate universal design features into a portion of the single-family residences to assist persons with disabilities. The City will also expand eligibility for its low-income, owner-occupied rehabilitation program to include non-senior disabled households.

Responsible Agency: Community Development Department, Planning Commission, and City Council.

Financing: General Fund.

Time Frame: December 2008.

II.22 The City will work to ensure the success of new homeowners by providing pre and post-purchase counseling for all participants in the City's homeownership-based housing programs.

Responsible Agency:	Community Development Department.
Financing:	City redevelopment funds.
Time Frame:	June 2009.

II.23 The City will revise the Zoning Ordinance to indicate that transitional housing and supportive housing are to be treated as residential uses, regardless of zone, subject only to the same permitting processes as other housing in similar zones without undue special regulatory requirements. The Zoning Ordinance shall be revised to make specific mention of transitional and supportive housing and to add language aimed at encouraging and facilitating the development of these housing types.

The City will inform the Yolo County HPAC and other organizations and agencies in Yolo County that provide homeless facilities and services, of the zoning changes and the City's policies regarding the location and approval process for transitional and supportive housing.

Responsible Agency:	Community Development Department, Planning Commission, and City Council.
Financing:	General Fund.
Time Frame:	Revise Zoning Ordinance by June 2009.

II.24 The City shall also revise the Zoning Ordinance to specifically address the development of single-room occupancy dwellings (SROs). The City believes that SROs are an important housing resource for extremely low- and very low-income households. The Zoning Ordinance revision shall be undertaken with the goal of encouraging and facilitating the development of new SRO's and the preservation of existing structures for such use. SRO housing will be allowed by right in R-3 and R-4 zones and with a CUP in C-2 zones.

Responsible Agency:	Community Development Department, Planning Commission, and City Council.
Financing:	General Fund.
Time Frame:	Revise Zoning Ordinance by June 2009.

II.25 The City seeks to provide a variety of housing types. As described in the Housing Needs Assessment, the City is currently and historically an agricultural community and many of its residents provide farm labor. As such, several

affordable housing projects have been undertaken in the City which target agricultural workers and are funded by the Department of Agriculture's Rural Development programs.

The City shall revise its Zoning Ordinance to allow farmworker housing by right in zones R-2, R-3, and R-4. For single, male farmworkers, SRO housing will be permitted in C-2 zones. These zoning changes will provide for by-right development without the requirement for a CUP.

Responsible Agency:	Community Development Department, Planning Commission, and City Council.
Financing:	General Fund.
Time Frame:	Ongoing.

II.26 The City shall establish written procedures for requests of reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act in the application of zoning laws and other land use regulations, policies, and procedures.

The procedure will identify applicability, application requirements, review authority, the review procedure, and findings that will serve the basis for the decision to grant or deny requests for reasonable accommodation. In addition, it will identify the process for appeals of determination.

Responsible Agency:	Community Development Department, Planning Commission, and City Council.
Financing:	General Fund.
Time Frame:	December 2013

V. CITY AND COUNTY HOUSING PROGRAMS

CITY HOUSING PROGRAMS

LAND USE-BASED

Land-use based affordable housing programs use the City's regulatory authority related to zoning to require or encourage the production of affordable units. These programs help to ensure that residential developers produce a variety of housing units which target lower income households in addition to higher income households.

Inclusionary Zoning

The City's Ordinance 94-10 requires at least 15 percent of all new units developed within the City be affordable to very low-, low-, or moderate-income households. Off-site development and in-lieu fee payments are permitted under certain circumstances, but on-site development is preferred. The City provides regulatory and financial incentives to support the goals of this program. (See Implementation Program II.2)

Density Bonus Ordinance

The density bonus ordinance, which is contained in the Zoning Ordinance (Ordinance No. 97–03), provides for greater densities in exchange for development of affordable housing. Density bonuses will be provided for qualified projects in accordance with the Health and Safety Code and Section 65915 et seq. of the Government Code to promote the inclusion of very low- and low-income and senior-housing households. (See Implementation Program II.3)

FINANCIAL ASSISTANCE

The City collects and manages financial resources which are to be provided in the form of a loan or grant for the purposes of preserving the existing stock of affordable housing or increasing the supply of affordable housing. The City generates its own resources through its Community Development Agency (CDA/redevelopment) which serves as the City's redevelopment authority and by collection of any in-lieu funds for affordable housing through its Inclusionary Zoning Ordinance. The City must compete for State and federal funds, the majority of which are distributed by HCD.

Community Development Block Grant Funds

Community Development Block Grant (CDBG) is a federal grant program the funds from which are allocated directly to local governments of substantial size (i.e., entitlement jurisdictions). CDBG funds for smaller jurisdictions, including the City are

allocated to the State which disburses CDBG funds to these "non-entitlement" jurisdictions. CDBG funds can be used to fund a broad range of housing, community development, and economic development activities. The City must compete with other small jurisdictions for these funds. The City accesses CDBG funds from the State, most often, to operate its first-time homebuyer program, its rehabilitation program, and for economic development activities. The City was recently awarded a $70,000 planning grant to study the preservation of historic buildings in downtown.

HOME Investment Partnership Act Program

HOME Investment Partnership Act Program (HOME) is similar to CDBG in that it is a federal program and, being a small city, the City must compete for its share for the State-allocated portion of the grant. The City typically applies for HOME Investment Partnership Act Program (HOME) funds to support development or preservation of a particular affordable housing project and for its revolving loan fund for first-time homebuyers. HOME funds can be used to assist in the provision of affordable housing for specified recipients, under such programs as new construction, acquisition, rehabilitation, and tenant-based rental assistance.

The City was awarded a $2,850,380 HOME grant to fund the development of the Winters II apartment complex developed by CHOC.

Program Income

The City also receives program income from its HOME and CDBG grants via repayments on the original loans back to the City. Use of these funds must meet federal guidelines, but the funds are retained by the City which does not have to compete for this resource. The City uses program income for rehabilitation and first-time homebuyer financing.

Housing Trust Funds (Redevelopment Funds)

The CDA is the City's redevelopment authority. The City's redevelopment project area covers 41 percent of City territory. The City is required by State Redevelopment Law to set aside 20 percent of the property tax increment generated by the redevelopment project area, to support the creation of affordable housing.

The following is a list of the major goals for the CDA low- and moderate-income housing set-aside funds:

1. Ensuring that affordable housing projects at risk of converting to market rate projects remain affordable;
2. Assisting non-profits and others with the construction of additional low-income units; and
3. Rehabilitating affordable housing projects.

Current Housing Resources and Uses

The CDA's unencumbered cash balance for its Low- and Moderate-Income Housing Set-Aside Fund is approximately $3,400,115 as of May 15, 2008. This total represents $572,828 in tax increment and $2,827,287 in bond proceeds. For the fiscal year ending June 30, 2007, the set-aside fund revenues were $420,158. The estimated total of housing set-aside funds for Fiscal Years 2002/2003 through 2006/2007 is $1,300,000. This total does not include any bond proceeds. A portion of the set-aside revenues will be used to payoff redevelopment bonds.

From 2002 through 2007, the City used its Housing Trust Funds in the following manner:

1. Establishment of a first-time homebuyer program;
2. Revising the City's Housing Element;
3. First-time homebuyer loans; and
4. Winters II land purchase, loan and grant.

Planned Housing Resources and Uses

The CDA's estimated housing resources from FY 2007-08 through FY 2012-13 are estimated to consist of housing set aside deposits and proceeds from the 2004 and 2007 tax increment bond issuances. A summary of annual resources from the Winters Community Development Agency 2009-2013 Implementation Plan is shown below. As identified, annual housing resources are projected to be $3.2 million in 2007-08. At the end of the planning period, in 2012-13, annual housing resources are estimated to be $537,000.

Estimated Housing Resources

Item	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	Total
Housing Set Aside Deposit	$370,668	$413,739	$434,426	$456,147	$510,955	$536,502	**$2,722,437**
Proceeds from 2004 TI Bond Issuance [1]	$1,340,270	$1,340,270					**$2,680,540**
Proceeds from 2007 TI Bond Issuance [1]	$1,486,546	$1,486,546					**$2,973,092**
Total Resources	**$3,197,484**	**$3,240,555**	**$434,426**	**$456,147**	**$510,955**	**$536,502**	**$8,376,069**

[1] TI = Tax Increment.

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As required by California Redevelopment Law, the CDA plans to target its 20 percent housing set-aide fund to assist very low and lower income households. Expenditures will be made in at least proportion to the total number of housing units needed in the community for those two income categories that are not being provided by other governmental programs. The number of units needed will be based on the regional

housing needs allocation determined by SACOG. The provision of age-restricted affordable housing units cannot exceed the proportion of the total population that is over 65 years of age. Community Redevelopment Law Section 33334.4 specifies that the goals for compliance with this section must be taken from the 2000 United States Census Data regarding the percentage of the population over 65 years of age.

The CDA will seek to combine its housing fund revenue with other funding sources devoted to the provision of affordable housing to maximize the number of affordable units that can be developed or rehabilitated using available housing funds. In summary, annual deposits to the housing fund for the next five years will be used for the following purposes:

- Assist existing affordable housing programs (e.g., stimulate the rehabilitation of existing single family and affordable multifamily units).
- Pay the CDAs share of other affordable housing where funds are available.
- Match funds for grants for Housing Rehabilitation (HOME, CDBG and CalHFA's HELP Program, and Department of Housing and Community Development (HCD) program funds at the state level and low income housing tax credit equity funds).
- Administer housing activities.
- Retire debt on bond proceeds.

The following projects have been specifically identified for housing fund allocations:

- $1.3 to Orchard Village (all grant funding from bond issuance).
- $300K to Almondwood (CDBG Revolving Loan Fund).
- $300K to Almondwood (Housing Fund Bond Proceeds).

The housing programs undertaken in the project area by CDA and non-CDA developers will address all of the goals and policies set forth in the housing element.

CITY-OPERATED HOUSING PROGRAMS

The City uses the above-listed sources of financing to fund its affordable housing programs. These programs are as follows:

Rental Housing—Construction, Preservation, and Rehabilitation

The City provides subsidy funds to developers of affordable rental housing such as the CHOC, the Central Valley Coalition for Housing, Yolo County Housing, and Mercy Housing to build affordable apartments and townhomes. The City has also provides subsidy funds to ensure continued affordability of rental housing with expiring use restrictions.

In 2003, the City worked successfully with CHOC to preserve the 44-unit Winters Apartments which was at risk of converting from restricted rents for very low income families to market rate. The City used program income generated by its CDBG program and redevelopment funds.

First-Time Homebuyer Program

The City provides loans to qualified homebuyers in the form of "silent" second loans. This program has been used to assist buyers in the Putah Creek Hamlet project and the Cottages at Carter Ranch. It has not been used to fund homebuyers of re-sale homes. For the Cottages at Carter Ranch, the loans are deferred for a period of 30 years; this covers both the principal and the 4-percent simple interest. The City has funded the program through redevelopment agency funds, HOME and CDBG program income, and developer contributions.

Housing Rehabilitation Program for Seniors

The City operates a Housing Rehabilitation Program to maintain residential properties that are occupied by low- (including very low and extremely low-) and moderate-income senior households. A senior household is defined as one in which any applicant or co-applicant is 65 years of age or older. Persons 50 years old or older who meet the Social Security Administration definition for having physical disabilities are also eligible. The primary goal of the program is to get money out in the community to help seniors with critical home repairs.

AFFORDABLE UNIT INVENTORY

Table 1 presents a list of the City's affordable housing projects, the number of units, the type of housing, and the main sources of financing.

DRAFT

Table 1
City of Winters 2008 Housing Element Update
Affordable Unit Inventory

Name	Units		Type	Funding Sources [1]
	Single-Family	Multifamily		
Winters Apartments		44	Rental housing for very low-income families.	Originally funded through Rural Development Administration (RDA) 515, then preserved using CDBG and Redevelopment funds.
Cradwick Building Apartments		6	Low-income studio rentals in mixed-use downtown location.	CDBG, State Rehab Funds (CHRP-R), City fee waivers.
Morgan Street Senior Apartments		38	Rental housing for low-income seniors.	RDA 515, City fee waivers.
Almondwood Apartments		39	Rental units for very low-income families.	RDA 515
Putah Creek Hamlet	76		Single-family, owner-occupied homes for low income families using sweat equity program.	RDA 502, HOME, AHP (Through federal Home Loan Bank)
Cottages at Carter Ranch	30		Single-family, owner-occupied homes for very low to moderate income households as condition of Carter Ranch subdivision via Ordinance 94-10.	Redevelopment, City program income from HOME and CDBG grants
Winters II Apartments		34	Rental housing for very low-income families.	HOME, Redevelopment, City
Total	**106**	**161**		

Source: City of Winters

[1] Representative list, may not include all funding sources.

VI. QUANTIFIED OBJECTIVES

Table 2 summarizes the City's quantified objectives for the period of January 1, 2006, to June 30, 2013. These objectives represent a reasonable expectation of the number of new housing units that will be developed and conserved, and the households that will be assisted over the next five years based on the policies and programs outlined in the previous section.

The City's extremely low-, very low- and low-income requirement for the Planning Period can be met largely by projects already in the pipeline. Two projects have received funding commitments from the City and are sponsored by the Central Valley Coalition for Housing, a non-profit organization. Almondwood Apartments is a 39-unit apartment complex whose use restriction was eligible for termination in 2003. The City has committed $178,000 from its multifamily Community Development Block Grant (CDBG) revolving loan fund and anticipates additional funding commitments in the near term.

The Central Valley Coalition is also undertaking a new construction project that will provide approximately 74 units of affordable housing at affordability levels of 30 to 60 percent of area median. The City has submitted a CDBG grant application (infrastructure in support of affordable housing) for $1 million.

The City anticipates meeting its moderate income goals through higher density, homeownership projects as well as through first-time homebuyer assistance. While development has slowed, the City has several residential developments in the pipeline and anticipates the eventual construction of those projects once the market regains some momentum.

DRAFT

Table 2
City of Winters 2008 Housing Element Update
Qualified Allocation Plan

Category	Extremely Low-Income [1]	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total
Accommodate RHNA Allocation						
New Construction [2] (2006-2008)	38	58	64	68	175	**403**
New Construction (2008-2013)	0	34	0	0	12	**46**
Housing Rehabilitation	23	24	40	68	163	**318**
Conserve Existing Rentals		0	0	0	0	**0**
	15	0	24	0	0	**39**

Source: City of Winters, EPS.

[1] Number of Extremely low-income units and very low-income units based on proportion of need quantified in **Table 9** of Housing Needs Assessment.

[2] Based on housing units completed during this period, including Winters II Apartments and market rate units.

VII. EFFORTS TO ACHIEVE CITIZEN PARTICIPATION

State law requires cities and counties to make a diligent effort to achieve participation by all segments of the community in preparing a Housing Element. Section 65583[c][6] of the California Government Code specifically requires that:

- The local government shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the program shall describe this effort.

The diligent effort required by State law means that local jurisdictions must do more than issue the customary public notices and conduct standard public hearings before adopting a Housing Element. State law requires cities and counties to take active steps to inform, involve, and solicit input from the public, particularly low-income and minority households that might otherwise not participate in the process. Active involvement of all segments of the community can include one or more of these:

- Outreach to community organizations serving low-income, special needs, and underserved populations;
- Special workshops, meetings, or study sessions that include participation by these groups;
- Establishing an advisory committee with representatives of various housing interests; and
- Public information materials translated into languages other than English if a significant percentage of the population is not English proficient.

To meet the requirements of State law, the City has completed the public outreach and community involvement activities described below.

PUBLIC MEETINGS AND HEARINGS

The City conducted a public workshop which included a slide presentation outlining significant information from the Housing Needs Assessment and the Housing Element. After the public workshop, the City held a 30-day public comment period on the Public Review Draft versions of the Housing Needs Assessment and the Housing Element. Copies of both documents were made available to the public in electronic form on the City's website and in hard copy at City Hall.

In advance of that June 9, 2008 workshop and to initiate the 30-day public comment period, the City notified the public via the following mechanisms:

- Publication of a notice through display advertisements in the *Winters Express;*

- Posting on the City's website;
- Posting on the local cable television channel;
- Posting of public notice in City Hall, the public library and the community center; and
- Direct mailing to the following organizations (among others):

St. Anthony Parish	Winters Affordable Housing Steering Committee	Yolo County Homeless Coordinator
Trustees for the Winters Joint Unified School District	Winters Cemetery District	Yolo County Administrator's Office
Yolo County Transportation District	Yolo County Housing	Legal Services of Northern California
Yolo County Local Agency Formation Commission	California Department of Housing and Community Development	Winters Health Care Foundation
Community Housing Opportunities Corporation	Central Valley Coalition for Housing	Mercy Housing California, Mercy Housing System

SUMMARY OF PUBLIC COMMENTS AND RESPONSE THERETO

There were two members of the public in attendance at the June 9, 2008 workshop. A comment was made by a workshop participant that he would prefer that affordable housing units be disbursed throughout a market rate development and indistinguishable from other market rate units.

The City has adopted an inclusionary zoning ordinance which is designed to address this issue to the greatest extent practicable without limiting the number of affordable housing units that can be produced.

There was one set of written comments received during the 30-day public review period. The comments came in written form in a letter addressed to Mayor Martin from Alysa Meyer, Managing Attorney for Legal Services of Northern California, dated August 7, 2008. Below is a summary of her comments and how the comments were addressed in the final Housing Element and Housing Needs Assessment.

Ms. Meyer requested additional information related to the income of persons with disabilities be included in the Housing Needs Assessment.
Data related to poverty levels of persons with disabilities ages 5 through 64 were added to **Table 12** of the Housing Needs Assessment and reference to those figures was added to the text related to persons with disabilities.

Ms. Meyer requested additional information regarding the housing needs and resources for large families.
The information for large families has been enhanced by Comprehensive Housing Affordability Strategy (CHAS) data from the U.S. Dept. of Housing and Urban Development, information regarding the inventory of rental apartments, and market lease up information from a recently-constructed affordable apartment complex.

Ms. Meyer indicated that Table 2 of the Public Review Draft Housing Element did not include information related to the quantified objectives for extremely low-income households.
That correction has been made in **Table 2** as well as referenced in the accompanying text.

VIII. CONSISTENCY WITH OTHER GENERAL PLAN ELEMENTS

State law requires that the Housing Element contain a statement of "the means by which consistency will be achieved with other general plan elements and community goals" (California Government Code, Section 65583[c][6][B]). There are two aspects of this analysis: 1) an identification of other General Plan goals, policies, and programs that could affect implementation of the Housing Element or that could be affected by the implementation of the Housing Element, and 2) an identification of actions to ensure consistency between the Housing Element and affected parts of other General Plan elements. The 1992 adopted (1994 revised) General Plan contains several elements with policies related to housing.

The Housing Element is primarily a housing program assistance document, the implementation of which will not directly impact policies in other General Plan elements. The 2004 Housing Element provided a review of policies for consistency with the General Plan. The following is a list of the Goals and Policies (**Chapter III**) that were revised or added to this Housing Element and comments related to General Plan consistency. Changes from 2004 Housing Element are in italics.

HOUSING ELEMENT GOALS AND POLICIES

Goal A Policy II.A.4	The City shall encourage development in the upper one-quarter of the density range in the Medium High-Density Residential designation and require it in the upper one-quarter of the density range in the High-Density Residential designation. *Density reduction may be allowed in narrowly defined instances such as the addition of larger family units in affordable multifamily projects.*

This change does not alter the density ranges for the two designations and is being done to address an identified affordable housing need—large families.

Goal A Policy II.A.8	The Affordable Housing Steering Committee shall review all residential development proposals *involving 15 housing units* or more and encourage the applicant to include a higher percentage of affordable units than the minimum inclusionary requirement.

The change to the policy only lowers the threshold for which a project will require review by the AHSC.

Goal A Policy II.A.13	Residential units that are required to sell or rent at below-market-rates (such as inclusionary or density bonus units) within a housing development that includes market-rate units, the affordable units shall, to the extent reasonable, be visually indistinguishable from the market-rate units. *Interspersing the units within the development is preferred but clustering for purposes of sweat equity subdivisions will also be considered.*

This change provides flexibility for the development of affordable units and may be providing the means for affordable housing developers to lessen the costs of developing affordable units.

Goal A Policy II.A.16	The City shall provide incentives to developers to construct ownership housing affordable to low- and moderate-income households *and require such housing be provided through the City's Inclusionary Ordinance.*

This change merely clarifies that affordable units shall be constructed in new developments pursuant to the City's inclusionary ordinance.

OTHER GENERAL PLAN POLICIES

The City has reviewed policies in the other elements of the General Plan and has concluded that none of those policies will impede the City's achievement of, or be inconsistent with, the policies of the Housing Element. Housing Element policies primarily relate to housing assistance, housing rehabilitation, equal housing opportunity, residential energy conservation, and other topics not directly affected by policies in the other General Plan elements. Residential energy conservation policies contained in the Housing Element will help contribute to the achievement of General Plan policies for resource conservation.

ATTACHMENT B

Economic & Planning Systems

Public Finance
Real Estate Economics
Regional Economics
Land Use Policy

FINAL DRAFT

2008 HOUSING NEEDS ASSESSMENT

Prepared for:

City of Winters

Prepared by:

Economic & Planning Systems, Inc.

June 17, 2009

EPS #18438

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I. INTRODUCTION

The Housing Needs Assessment (HNA) lays the groundwork for public evaluation of the City of Winters's (City's) housing production efforts by providing a rich source of demographic and housing-related data and land use information. The following sources of information were relied on to complete this HNA:

- United States Census Bureau (Census);
- Sacramento Area Council of Governments (SACOG);
- The State Employment Development Department (EDD);
- State Department of Finance (DOF);
- The City of Winters Community Development Department;
- State Department of Housing and Community Development (HCD);
- United States Department of Housing and Urban Development (HUD) including Comprehensive Housing Affordability Strategy (CHAS) data;
- Yolo County Homeless & Poverty Action Coalition (HPAC); and
- Other sources including affordable housing developers and providers.

The consulting firm of Parsons prepared the City's HNA in 2004 and the City retained Economic & Planning Systems, Inc., (EPS) to update that HNA in conjunction with the 2008 Housing Element update. EPS carried forward some of the Parsons-produced document, particularly the information based on 2000 Census data, in preparing this document for the City.

Following this introductory chapter, the HNA is organized into the following five chapters:

- **Chapter II** includes an analysis of existing housing needs using demographic, economic, and housing permit data. **Chapter II** also includes the discussion of housing needs for special populations;
- **Chapter III** provides a description of the affordable housing programs administered by the City and an inventory of income-targeted housing units;
- **Chapter IV** describes the projected need and areas for potential development;
- **Chapter V** describes potential constraints to residential development; and
- **Chapter VI** discusses energy conservation opportunities and City efforts towards sustainable development practices.

SUMMARY

Overall, the City is characterized by its steadily growing population, the high percentage of family (versus non-family) households, and persons of Latino heritage. The small town has a diverse economic base which includes manufacturing, retail, and public sector jobs. Employment is expected to increase providing the City with a healthy jobs/housing balance.

The residential make up of the City is predominantly single-family. Single-family homes in the City are relatively affordable compared to cities like Davis and Dixon. The City is also fortunate to have a substantial inventory of income-restricted rental units with 34 more units for very low income families having been developed in 2008. The City works closely with affordable housing developers to produce and preserve affordable units.

The special needs populations most represented in the City are large households and female-headed households. There is also a significant farmworker population in the City. There were no homeless people counted during the 2007 homeless survey.

The City has a significant capacity for future residential development and several projects have been proposed. The slow down in the residential real estate market has sidelined most of these projects; however, the City is working with developers to re-negotiate development agreements in an attempt to provide greater incentives for development.

The City is working to enhance its historic small town charm, and integrate smart growth practices, through efforts to redevelop its downtown core. The City has adopted a downtown Master Plan and a commercial condominium-conversion ordinance both aimed at downtown revitalization. As part of that effort, the City will be adopting a form-based code to provide greater certainty for developers and provide incentives through its redevelopment agency for in-fill and re-use projects.

II. HOUSING NEEDS AND OPPORTUNITIES

DEVELOPMENT HISTORY

The City is a modestly growing farming community approximately 35 miles west of Sacramento. The City's history is integrally tied to agriculture and related industries that dominated (and to some extent, still dominate) western Sacramento, Yolo, and northern Solano counties. Its character is closely linked to its location in a rich agricultural area at the foot of the Napa Mountains and to its location along a major interstate travel route. Today, the City is located in an area that still contains many active farms and agricultural operations that have historically affected population trends in the City.

Most of the City's development has occurred within the last 20 years. This growth and change has affected the City's character as well as population size. In earlier decades, much of the population, lifestyle, and employment were related to the production and transportation of agriculture and agricultural goods. During the last 10 to 20 years, residential growth and development in the City have been tied to the suburban expansion of Sacramento, Yolo, and Solano counties. New arrivals have come looking for affordable single-family homes within reasonable commutes to employment centers in the surrounding counties.

Housing in the City is characterized primarily by single-family homes. With market conditions favoring single-family home construction, homebuilders in the community have preferred to serve the single-family home market. Rental units for very-low income households are available within the City at several non-profit sponsored apartment communities and adjacent to the City in Yolo County Housing's (a California Housing Authority) El Rio Villa.

POPULATION CHARACTERISTICS

POPULATION TRENDS

The growth rate in the City between 1990 and 2000 was 32 percent, slightly higher than County's growth rate of 20 percent. Much of the population growth experienced by the City during the past 20 years has been due to its convenient location along Interstate 505, low development costs, and a desire by many residents to enjoy single-family homeownership in a smaller community setting. Population growth and change in the City also has been affected in the past by changes in the agricultural economy and agricultural employment trends.

Table 1 provides population growth information for the City and County between 1990 and 2020. SACOG projections, as refined by EPS, project a 20-percent population increase for the City between 2000 and 2010 and a 23-percent increase between 2010 and 2020. The County is projected to grow at a much slower rate of 11-percent between 2000 and 2010, and a 17-percent growth-rate increase between 2010 and 2020. According to projections, the City is expected to reach a population of approximately 9,054 by 2020.

The number of households in the City increased from 1,506 in 1990 to 1,907 in 2000 (27-percent increase). SACOG/EPS projections show a 13-percent increase in households in the City by 2010 and a 31-percent increase between 2010 and 2020.

The number of persons per household in the City increased from 3.08 in 1990 to 3.21 in 2000. Projections show an increase in persons per household in 2010 and then a return to the 3.21 level in 2020. In comparison, the County had fewer persons per household in 1990 and 2000 than the City did. Projections for County see a decrease from 2.71 persons per household in 2000 to 2.43 in 2020.

Table 1
Winters and Yolo County Population Growth (1990–2020)

Item	1990	2000	2010 [1]	2020 [1]
Population				
Winters	4,639	6,125	7,358	9,054
Yolo County	141,092	168,660	187,204	219,532
Households				
Winters	1,506	1,907	2,160	2,821
Yolo County	50,972	59,375	73,974	90,415
Persons per Household				
Winters	3.08	3.21	3.41	3.21
Yolo County	2.63	2.71	2.53	2.43

"W YC pop growth"

Source: 1990 and 2000 Census, SACOG and EPS.

[1] Projections derived from SACOG data and modified by EPS.

ETHNICITY

An analysis of the City's population between 1990 and 2000 shows the proportion of Whites decreased by 6 percent, while the proportion of Hispanics or Latinos increased by 4 percent (**Table 2**). All other racial and ethnic groups remained small percentages of the City's overall population.

Table 2
Comparison of Race by City, County, and State Population

Race	Winters 1990	Winters 2000	Yolo County 2000	California 2000
Non-Hispanic White	57%	51%	58%	47%
Black	<1%	<1%	2%	6%
Native American	1%	<1%	<1%	1%
Asian/Pacific Islander	1%	1%	10%	11%
Other Race	<1%	<1%	<1%	<1%
Two or More Races [1]	--	2%	3%	3%
Hispanic or Latino	40%	44%	26%	32%

"race comp"

Source: 1990 and 2000 Census.

[1] This is a 2000 Census category only.

AGE OF POPULATION

A comparison of the ages among the City, County, and State populations shows general similarities (**Table 3**). In 2000, the City's median age was slightly higher than the County's and lower than the State's. Individuals younger than 20 comprised 37 percent of the City's population in 2000, compared to 32 percent for the County and 30 percent statewide. Conversely, only 14 percent of City residents were older than 55 in 2000, compared to 15 percent in the County and 19 percent statewide. The larger percentage of minors in the City is consistent with the higher percentage of families with children (**Table 5**).

Table 3
Age Distribution (2000)

Age	Winters	Yolo County	California
Under 5 years	8%	7%	7%
5 to 19 years	29%	25%	23%
20 to 34 years	19%	26%	22%
35 to 54 years	30%	26%	29%
55 to 64 years	7%	7%	8%
65 and over	7%	9%	11%
Median age	31	30	33

"age dist"

Source: 2000 Census.

HOUSEHOLD TYPE AND COMPOSITION

Further insight into the characteristics of the City's population can be gained by examining household composition, such as the proportion of families with children, single adults, and single parents.

The City's population increased slightly faster than the number of households during the 1990s because of increasing household sizes. While the population increased by 32 percent in the decade, the number of households increased by only 27 percent, from 1,506 to 1,907. Of the 1,907 households in 2000, **Table 4** shows that the highest percentage consisted of two-person households; the next-largest percentage was four-person households. The highest percentage of households in County consisted of two-person households; followed by one-person households. The City also had a higher percentage of households with four to six persons than the County.

Table 4
Number of Persons per Household (2000)

	Winters		Yolo County	
Household Size	**Persons**	**%**	**Persons**	**%**
1 Person	276	14.5%	13,829	23.3%
2 Persons	491	25.7%	18,883	31.8%
3 Persons	355	18.6%	10,184	17.2%
4 Persons	420	22.0%	9095	15.3%
5 Persons	212	11.1%	4229	7.1%
6 Persons	85	4.5%	1819	3.1%
7+ Persons	68	3.6%	1336	2.3%

"pph"

Source: 2000 Census.

In addition to household size, household composition provides important indicators of population characteristics and trends (**Table 5**). The 2000 Census reported that 81 percent of all households in the City were family households. More than half of the families (64 percent) were married-couple households. Compared to the countywide population, the City has a substantially higher percentage of family households and families with children. Although most people in the City lived in family households, 19 percent of the households comprised non-family residents. The non-family households were primarily single adults (including seniors). In comparison, the 2000 Census reported 63 percent of all households in the County to be family households and of those, 48 percent were married-couple households.

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Table 5
City of Winters 2008 Housing Element Update
Household Composition by Type (2000)

Household Type	Number of Households		Percentage of Households	
	City	County	City	County
Family Households	**1,547**	**37,468**	**81%**	**63%**
Married Couple Family Households	1,222	28,275	64%	48%
With Children	725	14,503		
Without Children	497	13,772		
Female Householder, no husband present	244	6,580	13%	11%
With Children	159	4,072		
Without Children	85	2,509		
Non-Family Households	**360**	**21,907**	**19%**	**37%**
Living Alone	276	13,829	15%	23%
Householders 65 and over	121	4,352		
Householders under 65	155	9,477		
Others	84	8,078	5%	22%
Total Households	**1,907**	**59,375**	**100%**	**100%**
Group Quarters (Persons)				
Institutionalized persons	6	1,235	100%	16%
Other persons in group quarters	0	6,280	0%	84%
Total Persons in Group Quarters	**6**	**7,515**	**100%**	**100%**

Source: 2000 Census.

"hh comp"

INCOME CHARACTERISTICS

Table 6 shows that the median income level in the City increased by 1.7 percent between 2000 and 2005, from $58,904 to $59,000 inflated to 2006 dollars. The countywide median was lower but increased at a slightly higher rate of 3.7 percent. Wage growth has been stagnant for much of the State during the first half of this decade.

Table 6
Median Household Income (2006 $)

	2000	2005	% Change
Winters	$58,904	$59,900	1.69%
Yolo County	$49,334	$51,128	3.64%

"W YC med inc"

Source: 2000 Census, 2006 American Community Survey, www.City-Data.com and EPS.

Table 7 shows that in 1990, a little more than 4 percent of City households had incomes above $75,000, compared to 26 percent in 2000. Conversely, 32 percent of the City's households had incomes below $25,000 in 1990 and 21 percent had incomes below $25,000 in 2000. These Census figures are not adjusted for inflation which was 32 percent between 1990 and 2000.

Table 7
Household Income (1990 and 2000)

Income	1990 Percentage of Total Households in Winters	2000 Percentage of Total Households in Winters
Under $14,999	17%	11%
$15,000 to $24,999	15%	10%
$25,000 to $34,999	24%	10%
$35,000 to $49,999	21%	20%
$50,000 to $74,999	16%	23%
$75,000 to $99,999	4%	15%
$100,000 to $149,999	<1%	8%
$150,000 or more	<1%	3%

"W hh inc"

Source: Census.

Five income categories are typically used for comparative purposes that are based on a percentage of the county median income and adjusted for household size (**Table 8**). These categories are referred to as "extremely low-income," "very low-income," "low-income," "moderate-income," and "above moderate-income." The median income on which these five categories are based represents the mid-point at which half of the households earn more and half earn less.

Table 8
Definition Used for Comparing Income Levels

Income Category	Definition
Extremely Low Income	Up to 30% of County Median Income
Very Low-Income	31% to 50% of County Median Income
Low-Income	51% to 80% of County Median Income
Moderate-Income	81% to 120% of County Median Income
Above Moderate-Income	121% and above of County Median Income

"inc level defs"

Source: HCD.

Table 9 provides the percentages of County and City residents that are within these income ranges as estimated by the HUD Comprehensive Housing Affordability Strategy (CHAS) database for 2000. The City has a lower proportion of extremely-low income households than the County; the proportion of low-income residents far exceeds that of the County.

Table 9
Income Range by Income Category (2000)

	Winters		Yolo County	
Income Category	Households	% of Total	Households	% of Total
Total [1]	**1,941**	**100%**	**59,264**	**100%**
Extremely Low-Income	147	8%	9,180	15%
Very Low-Income	238	12%	7,277	12%
Low-Income	827	43%	10,019	17%
Moderate-Income and Above	729	38%	32,788	55%

"W YC hh inc range"

Source: 2000 CHAS data (U.S. Dept. of Housing and Urban Development).

[1] Total household figure differs from other tables such as Table 1 that use 2000 Census data rather than CHAS.

The HCD publishes annual income range estimates which are used as the basis for income targeting on many affordable housing-related programs. These limits define the dollar amount of each income level based on a percentage of the estimated median income for the county in which the jurisdiction is located. **Table 10** provides limits for the County for 2008. According to HCD, the estimated 2008 median income for a family of four is $74,000 in the County.

Table 10
Yolo County Income Limits (2008)

Household Size	Extremely Low-Income (30% of Median)	Very Low-Income (50% of Median)	Low-Income (80% of Median)
1 Person	$14,900	$24,850	$39,750
2 Persons	$17,050	$28,400	$45,450
3 Persons	$19,150	$31,950	$51,100
4 Persons	$21,300	$35,500	$56,800
5 Persons	$23,000	$38,350	$61,350
6 Persons	$24,700	$41,200	$65,900
7 Persons	$26,400	$44,000	$70,450
8 Persons	$28,100	$46,850	$75,000

"YC inc limits"

Source: California Dept. of Housing and Community Development, 2008.

POVERTY

The poverty level of income is a federally defined measure of the minimum income needed for subsistence living. The poverty level is an important indicator of severe financial distress, and the rate of poverty in a community (proportion of the population with poverty-level incomes or less) provides important information about individuals and families in the greatest financial need. The dollar threshold for poverty is adjusted each year by the federal government for household size and composition. **Table 11** provides 2007 poverty thresholds for several types of households.

Table 11
Poverty Thresholds (2007)

Single Person 65+	$9,944	Two Adults, One Child	$16,689
Single Person Under 65	$10,787	One Adult, Three Children	$21,100
Two Persons 65+	$12,533	Two Adults, Two Children	$21,027
Two Persons Under 65	$13,884	One Adult, Four Children	$24,366
One Adult, Two Children	$16,705	Two Adults, Three Children	$24,744

"pov thrshld"

Source: Census Bureau, 2007.

The 2000 Census shows that 5 percent of the City's population had incomes below the federally defined poverty level at that time; this is 6 percent lower than reported in the 1990 Census. By comparison, approximately 18 percent of the County's population was below the poverty level (1 percent lower than reported in the 1990 Census). There were 31 female-headed households (18 percent) with children younger than 18 in 2000, compared to the 44 female-headed households reported in the 1990 Census. In 2000, 5 percent or 204 persons 18 and older were below the poverty level, representing a decrease of 4 percent since 1990. The 2000 Census indicated that persons 65 and older had a 6-percent poverty rate (4 percent lower than the 1990 Census).

Poverty rates listed in **Table 12** are based on persons for whom the poverty status is determined and do not reflect persons who live in group quarters; therefore, this report does not reflect 100 percent of the population. Of particular note is the very high rate of poverty experienced by female-headed households with children (18.2 percent). The following statistics on poverty rates are based on 2000 US Census poverty information.

Table 12
Winters Poverty Rates [1] (2000)

Group	Above Poverty Level	Below Poverty Level	Poverty Rate
65 and Over	461	29	5.90%
Under 65	5,615	276	4.70%
Under 18	1,966	101	4.90%
18-64	3,373	175	4.90%
Female-Headed Households with Related Children Under 18	139	31	18.20%
Married Couple Families	1,198	24	2.00%
Black	--	--	--
Native American	--	--	--
Asian	--	--	--
Hispanic or Latino	2,588	100	3.70%
White	3,901	245	5.90%
Persons with Disabilities 5 - 64 [2]	689	92	11.78%

"W pov rates"

Source: 2000 Census.

[1] Data for Black, Native American, and Asian households are not available from Census 2000 because the result from each group is below the minimum threshold of 100.
[2] Data for civilian, non-institutionalized population, based on sample data for Census STF3.

EMPLOYMENT TRENDS

Employment trends also are a key determinant in the type and pace of development that may occur in the City. As summarized in **Table 13**, the City added 456 jobs between 2000 and 2005; a growth rate which, at 5.8 percent, was significantly higher than the County's for that period. SACOG predicts that job growth in the City will continue to outpace the County's with an anticipated 1,047 new jobs between 2005 and 2020.

As displayed in **Table 1**, the City is projected to consist of 2,821 households in 2020 which indicates the City will be experiencing a jobs/housing ratio of 1.03 jobs per household which is an increase from the .94 ratio experienced in 2000.

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Table 13
City of Winters 2008 Housing Element Update
Historical and Projected Employment

City	2000	2005	2010	2020	2035	Absolute Growth (2000-2005)	Average Annual Growth (2000-2005)	Absolute Growth (2005-2020)	Average Annual Growth (2005-2020)
Yolo County									
Winters	**1,415**	**1,871**	**2,160**	**2,918**	**3,898**	**456**	**5.75%**	**1,047**	**3.01%**
Davis	13,514	15,828	16,532	17,439	19,160	2,314	3.21%	1,611	0.65%
Woodland	20,602	23,259	24,739	28,457	32,439	2,657	2.46%	5,198	1.35%
Subtotal	**35,531**	**40,958**	**43,431**	**48,814**	**55,497**	**5,427**	**2.88%**	**7,856**	**1.18%**
Yolo County [1]	**82,641**	**92,042**	**102,512**	**121,034**	**145,413**	**9,401**	**2.18%**	**28,992**	**1.84%**
Winters % of Yolo County	*1.71%*	*2.03%*	*2.11%*	*2.41%*	*2.68%*	*4.85%*		*3.61%*	

Source: SACOG, EPS.

"proj_employ"

[1] Yolo County employment derived from projected growth in County employment between 2005-2010.

Prepared by EPS 6/16/2009

P:\18000\18438 Winters Housing Element\Models\18438 model3.xls

Employment by Industry

Table 14 provides data related to employment of City and County residents. As shown, the top 4 industries for the City's workforce are (1) education, health, and social services; (2) wholesale trade; (3) retail trade; and (4) public administration. Together, these sectors account for slightly more than 46 percent of total employment for City residents. Also noteworthy is City's level of agricultural employment. Compared to Yolo County, City residents are more likely to work in agriculture (see Farm Employment **Table 18**). American Community Survey (ACS) data for 2006, a Census product, are also provided for reference. The ACS is not a 100 percent population count as the decennial census is; therefore, the 2006 data should be used with caution.

In 2003, approximately 2 percent or 210 UC Davis employees lived in the City (approximately 3 percent of the City's population). This number is projected to increase to more than 8 percent, or more than 1,470 residents, by 2015, representing more than 15 percent of the City's population.

Commute Patterns

The City's residents typically commute to their places of employment in Yolo County. Commute patterns of residents living in the City show a strong association of the City to Yolo County, as opposed to Solano County and the Bay Area. In 2000, approximately 30 percent of City residents worked in the City, and more than 61 percent of all City residents worked in Yolo County. Commute patterns of individuals employed in the City show that approximately 55 percent live in the City, with more than 77 percent of those employed in the City living in Yolo County. In 2000, the average time traveled to work was 24.3 minutes.

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Table 14
City of Winters 2008 Housing Element Update
Employment by Industry [1]

Industry	2000 Winters Number	2000 Winters Percentage	2000 Yolo County Number	2000 Yolo County Percentage	2006 [2] Yolo County Number	2006 [2] Yolo County Percentage
Agriculture, forestry, fishing and hunting, and mining	208	7.6%	2,989	3.9%	2,343	2.7%
Construction	209	7.7%	4,259	5.6%	5,133	5.9%
Manufacturing	173	6.3%	4,376	5.7%	4,008	4.6%
Wholesale trade	265	9.7%	3,211	4.2%	3,727	4.3%
Retail trade	260	9.5%	7,722	10.1%	10,929	12.5%
Transportation and warehousing, and utilities	138	5.1%	3,457	4.5%	3,260	3.7%
Information	28	1.0%	1,654	2.2%	1,195	1.4%
Finance, insurance, real estate, and rental and leasing	170	6.2%	3,786	4.9%	3,576	4.1%
Professional, scientific, mgmt., admin., and waste mgmt. svcs.	172	6.3%	7,739	10.1%	8,718	10.0%
Educational, health and social services	500	18.3%	22,275	29.1%	26,264	30.1%
Arts, entertainment, recreation, accommodation and food services	204	7.5%	5,682	7.4%	7,039	8.1%
Other services (except public administration)	177	6.5%	3,622	4.7%	3,752	4.3%
Public administration	224	8.2%	5,875	7.7%	7,305	8.4%
Total	**2,728**	**100.0%**	**76,647**	**100.0%**	**87,249**	**100.0%**

Source: 2000 Census and 2006 American Community Survey

"emp_indust"

[1] Civilian employed population over the age of 16.
[2] American Community Survey data contains a substantial margin of error; therefore, the data should be employed with caution.

Table 15 lists major employers throughout the City. Most of the top employers are public agencies, manufacturers, retail/service establishments, or distribution companies.

Table 15
Major Employers in the City of Winters

Company	Employees
Mariani Nut Company	200 full time, 75 seasonal
Winters Joint Unified School District	220
Buckhorn Group [1]	100
Double M Trucking	70
Pavestone	50
City of Winters	28
Town and Country Market	14 full time, 28 part time
Vintage Paving	9 full time, 10 part time

"W employers"

Source: City of Winters, May 2008.

[1] Includes Buckhorn Restaurant, Putah Creek Café, and Buckhorn Catering.

The EDD produces an annual Occupational Employment and Wage Data estimate by County. **Tables 16** displays a sample of jobs and salaries from the most recent period available and lists the mean annual wage and the 25th and 75th percentile annual wage of the working force for each job category.

Table 16
City of Winters 2008 Housing Element Update
Occupational Employment and Wage Data for Yolo County

Occupational Title	Employment Estimates (Nov. 2004)	Mean Annual Wage (3rd Quarter 2005)	25th Percentile Annual Wage	75th Percentile Annual Wage
Teachers (Preschool School)	310	$28,413	$21,008	$28,954
Teachers (Elementary School)	340	$52,656	-	-
Receptionists and Information Clerks	1,170	$23,046	$19,032	$26,520
Customer Service Reps	610	$31,346	$25,376	$36,546
General Operations Manager	1,140	$97,386	$60,694	$116,917
Maintenance Repair Workers	1,130	$37,710	$29,266	$45,490
Social Workers, Medical and Public Health	40	$51,397	$41,517	$59,509
Registered Nurses	690	$69,680	$62,650	$77,771
Pharmacists	80	$102,357	$98,821	$116,896
Janitors and Cleaners	1,580	$23,338	$19,781	$30,389
Child Care Workers	450	$20,696	$17,763	$23,608
Cashiers	1,600	$21,070	$16,286	$22,506
Service Station Attendants	50	$23,421	$16,474	$32,469
Truck Drivers, Heavy and Tractor Trailer	1,880	$38,750	$30,846	$46,488
Packers and Packagers	1,310	$26,042	$17,410	$34,091
Library Technicians	100	$32,573	$27,706	$36,504
Urban and Regional Planners	40	$67,725	$61,194	$75,254

Source: EDD.

"YC oe&w data"

SPECIAL NEEDS POPULATIONS

Government Code 65583(a)(6) requires an analysis of special needs populations, including the elderly, persons with disabilities, female-headed households, large families, farmworkers, and persons needing emergency shelter. This chapter includes available data available to assess the needs of these specific population groups.

ELDERLY

Persons older than 65 face special housing challenges related to physical and financial conditions. Often times, older adults face declining mobility and self-care capabilities that create special housing needs and challenges for them. Many older adults, even those who own their own homes, face financial challenges because of limited incomes from Social Security and other retirement benefits. Data on the incomes and housing expenses of householders 65 and older indicate that a substantial number (although by no means the majority) of these older adults may need assistance related to these:

- Repair and maintenance of owned dwellings units;
- Modifications to existing homes to better meet mobility and self-care limitations;
- Financial assistance to meet rising rental housing costs for those who do not own; and
- Supportive services to meet daily needs, such as those provided at assisted care residences.

Table 17 compares the number of older adults in 1990 and 2000. The population aged 65 and older has increased more slowly than the total population, as has the population aged 55 and older. However, the total number of older adults in the City continues to increase, so the housing needs of seniors will continue to be a significant aspect of total housing needs in the City.

In 2000, people 55 years and older represented 11 percent of the population, while people 65 years and older represented 8 percent of the population. Between 1990 and 2000, the City experienced a 4-percent decrease in the number of people aged 55 years and older, and a 15-percent increase in the number of people aged 65 years and older.

Table 17
Pattern of Aging of the Winters Population

	1990	2000	Percentage Change
Total Population	4,739	6,125	32%
Population 55+	708	684	-4%
Population 65+	415	477	15%

Source: 1990 and 2000 Census. *"W aging"*

In 2000, the incidents of poverty among the population in the City aged 65 years and older were 5.9 percent; this compares favorably with the 10-percent rate in 1990 (see **Table 12**). Persons between the ages of 18 and 64 had a poverty rate of 4.9 percent; the rate in 1990 was 9 percent. These percentages show that, as a group, persons 65 years and older in the City are not adversely affected by poverty any more than the population aged 18 to 64. It is not unusual for seniors to have low poverty rates, even though a large percentage may be low-income, because of Social Security and other retirement benefits that provide a guaranteed minimum income.

Older adults typically have the highest rates of homeownership of any age group, and the City's senior homeowner population is above the population as a whole. In the City, the proportion of seniors living in owner-occupied housing was 76.2 percent in 2000, compared to 68.9 percent for the total population. Although seniors represent about 7.8 percent of the population, they comprise 18 percent of all homeowners.

The following organizations provide services for seniors or individuals with self-care limitations in the City and Yolo County:

Winters Senior Apartments, located at 400 Morgan Street offers permanent affordable rental units for 38 individuals or couples who can live independently. Residents must be ages 62 or older or disabled and very low income. There are two units which are set up to accommodate persons with disabilities. This project is financed through the U.S. Department of Agriculture Rural Development program and rent is based on ability to pay. As of April, 2008, there was a wait of 3 months to 1 year for a unit.

Winters Senior Center, located at 201 Railroad Avenue (Winters Community Center) in Winters, offers elderly nutritious lunch programs, monthly potluck meetings, speakers on senior issues, and senior recreation activities. The City provides a medical appointments transportation service for senior citizens; the vehicle used for the service is not wheelchair accessible.

People Resources, Inc., located at 70 North East Street, Suite C in Woodland, offers seniors age 60 and older meal services Monday through Friday at six different sites in County: West Sacrament Senior Center, Knights Landing Community Center, Davis Senior Center, Winters Community Center, and the Woodland Senior Center. This program also offers home-delivery service for homebound seniors who are unable to come to the nutrition sites. Areas served through the home-delivery service include Davis, Esparto, Knights Landing, West Sacramento, Winters, and Woodland.

Yolo Adult Day Health Center, located at 20 North Cottonwood Street in Woodland, provides an affordable daytime program of health, rehabilitation and social services that assists adults to remain living at home with as much independence as possible. Participants attend the center one to five days per week and receive nursing care, personal care/grooming, social work services, physical therapy, and recreational and social activities. Lunch is served with specialized diets available. Participants must be 18 years or older, a County resident, and have health problems that interfere with independent living.

PERSONS WITH DISABILITIES

According to 2000 Census data, based on sample information, approximately 15 percent of the City's non-institutionalized, civilian population ages 5 through 64 were estimated to have some form of disability. Approximately 12 percent of that population is also estimated to be living below the poverty line (see **Table 12**). These individuals, whether below or above the poverty line, may have mobility impairments, self-care limitations, or other conditions that may require special housing accommodations or financial assistance. Such individuals can have several special needs that distinguish them from the population at large:

- Individuals with mobility difficulties (such as those confined to wheelchairs) may require special accommodations or modifications to their homes to allow for continued independent living. Such modifications are often called "handicapped access."
- Individuals with self-care limitations (which can include persons with mobility difficulties) may require residential environments that include in-home or on-site support services, ranging from congregate to convalescent care. Support services can include medical therapy, daily living assistance, congregate dining, and related services.
- Individuals with developmental disabilities and other physical and mental conditions that prevent them from functioning independently may require assisted care or group home environments.

- Individuals with disabilities may require financial assistance to meet their housing needs because typically a higher percentage of this group is low-income, and their special housing needs are often more costly than conventional housing.

Some people with mobility or self-care limitations are able to live with their families, who can assist in meeting housing and daily living needs. A segment of the disabled population, particularly low-income and retired individuals, may not have the financial capacity to pay for needed accommodations or modifications to their homes. In addition, even those able to pay for special housing accommodations may find them unavailable in the City.

Disabled persons often require special housing features to accommodate physical limitations. Some disabled persons may experience financial difficulty in locating suitable housing because of the cost of modifications to meet their daily living needs or may have difficulty in finding appropriate housing near places of employment. Although the California Administrative Code (Title 24) requires that all public buildings be accessible to the public through architectural standards, such as ramps, large doors, and restroom modifications to enable handicap access, not all available housing units have these features. In addition, there are other types of physical and design modifications that may be necessary to accommodate various types of disabilities.

According to the 2000 Census, 699 (21 percent) persons between the ages of 21 and 64 had mobility or self-care limitations in the City that might require special housing accommodations and supportive services.

There is one licensed care facility in the City which has capacity for 6 developmentally disabled adults.

FEMALE-HEADED HOUSEHOLDS

Most female-headed households are either single, women over the age of 65, or single females with minor children (mothers or other female relatives). Traditionally, these three groups have been considered special needs groups because their incomes tend to be lower, making it difficult to obtain affordable housing, or because they have specific physical needs related to housing (such as child care or assisted living support for older adults). Single mothers, in particular, tend to have difficulty in obtaining suitable, affordable housing. Such households also have a greater need for housing with convenient access to child-care facilities, public transportation, and other public facilities and services.

Of the 1,907 households in the City in 2000, 244 were female-headed households, or 13 percent of the total households in the City (see **Table 5**). Of the female-headed households, 159, or 65 percent, were female-headed households with minor children. The 2000 Census states that there were 31 female-headed householders below the poverty level (all of whom had related children less than 18 years of age) (see **Table 12**). It may be assumed that most of these households are overpaying for housing (i.e., more than 30 percent of their income), or are experiencing other unmet housing needs. As a result of poverty, female heads of households often spend more on immediate needs such as food, clothing, transportation, and medical care, than on home maintenance, which results in living units falling into disrepair.

LARGE FAMILIES

Large families (usually defined as family households with five or more persons) can have difficulty securing adequate housing because of the need for additional bedrooms (three or more) to avoid overcrowding. Overcrowding is typically defined as more than one person per room, excluding uninhabitable space such as bathrooms and hallways. Low-income large families typically need financial assistance in County to secure affordable ownership housing that meets their space needs. It becomes even more difficult when large families try to find adequate rentals within their budget because rentals typically have fewer bedrooms than ownership housing. Large families tend to have higher rates of overcrowding and overpaying for housing (housing costs that exceed 30 percent of a household's income). Many large families also are composed of immigrants or minorities who may face additional housing challenges because of discrimination or limited language proficiency. To address this problem, the City works with developers to find ways to increase the number of bedrooms in each rental unit

Table 1 displayed the average and projected persons per household for the City and the County. The typical household size in the City is significantly higher than the average County household size with 3.21 average persons per household in the City in 2000. As **Table 31** illustrates, there are no market rate rental apartments with more than 2 bedrooms. Of the City's assisted rental units **(Table 38),** Almondwood has six three-bedroom units; Winters Apartments has six three-bedroom apartments and 12 three-bedroom and 2 four-bedroom units. Of the 161 income-restricted, assisted apartment complexes in the City, there are only 26 units with more than two bedrooms. The recent experience of leasing up Winters II demonstrated that there is a significant demand for family units. Large families in the City not eligible for a unit in Winters II face crowding into smaller units or renting a single-family detached home that may lead to overpayment for housing expenses.

CHAS data from 2000 indicate that there were 50 large households of 5 or more related members at or below 50 percent of County median income. There were 100 large households listed as low income (50 to 80 percent of County median income). CHAS data report that a quarter of all large households were paying more than 30 percent of their income on housing costs.

According to Census data (which may vary from CHAS data), in 2000, 19.1 percent of all households in the City had five or more persons, a significantly higher than the proportion of large families countywide (7.1 percent). Of the total occupied housing units in the City, 255 were owner-occupied households of five or more persons and 110 were renter-occupied households of five or more persons. It is likely that the 110 large family renter households have the greatest needs related to housing availability and affordability.

FARMWORKERS

According to the 2000 Census, 9 percent (245 persons) of the City's total labor force were employed in farming, forestry, and fishing occupations. Because of the predominance of agricultural production in County, it is probable that many farmworkers live in the City and work in other areas of the region. **Table 18** provides data related to farm employment in Yolo County. By far the highest numbers of people employed in farming are low wage farmworkers and laborers involved in crop, nursery, or greenhouse work. Without adjusting for inflation, the wage for that job classification declined by 12 percent from 2001 to 2005. Adjusting for inflation the wage decline is greater than 20 percent for farmworkers.

Table 18
Farm Employment—Yolo County

Employment Type	Employment		Hourly Wage (unadjusted)	
	2000	2004	2001	2005
First-Line Supervisors/Managers of Farming, Fishing, and Forestry Workers	n/a	30	$15.40	$14.45
Agricultural Inspectors	n/a	30	n/a	$15.65
Graders and Sorters, Agricultural Products	110	40	$10.82	$8.59
Agricultural Equipment Operators	n/a	100	n/a	$9.35
Farmworkers and Laborers, Crop, Nursery, and Greenhouse	1,310	1,210	$9.10	$7.98
Farmworkers, Farm and Ranch Animals	n/a	20	n/a	$11.29

"farmworkers"

Source: Employment Development Department.

Farmworkers who are permanent City residents, particularly those who are part of large family households, face many of the same difficulties in obtaining suitable, affordable housing as other low-income families. Sound, affordable housing of sufficient size is a high priority need among farmworker households.

Among the County's main crops are tomatoes, hay, grapes, almonds, and rice. These crops require increased levels of labor during harvest seasons and migrant laborers help farmers to meet their labor needs during peak demand months. To address the regional needs of the migrant farmworker community, the County Housing Authority operates three state-owned migrant farmworker facilities as listed in **Table 19**. According to Yolo County Housing's migrant housing director, the supply of migrant housing approximates the demand for that type of temporary housing. There is no extensive waiting list in Dixon and the facilities in Davis and Madison had vacancies as of May 7, 2008.

To qualify for the housing, the adults must be farmworkers, except that the Davis and Dixon facilities now permit cannery workers. Families must also be relocating from at least 50 miles away. The migrant communities are supported by the State for 180 days; however, growers have requested that the housing remain open beyond the 180 day period and the Housing Authority has been able to cobble together the resources to increase the length of stay for families.

Table 19
Housing for Migrant Workers

Location	Units	Household Type
Madison	88	families and individuals
Davis	62	families and individuals
Dixon	82	families and individuals
Total	**232**	

Source: Yolo County Housing Authority

"migrant"

HOMELESS

The HPAC conducted the HUD-required count of homeless individuals and families on January 30, 2007. There were no homeless individuals identified in the City of Winters.

HUD restricts the definition of homeless people to the following individuals who were residing in the following conditions:

- Emergency shelters,
- Transitional housing,
- Using a hotel, motel, or apartment voucher,
- An unsheltered location not meant for human habitation.

Individuals staying the night in motels without specified vouchers, individuals on waiting lists for vouchers, "couch surfing" in various homes, staying temporarily with friends or family are not included in the count. **Table 20** displays the data from that 2007 count.

An interview conducted with the City's Police Chief, echoed the results of the HPAC survey. The Police Chief indicated that the police force rarely comes across a homeless person and there is no "standing homeless population." There are no motels in the City that could serve as temporary housing. When asked about areas of overcrowding that may be an indication of homelessness via "couch surfing," he responded that there was no such area of overcrowding that has drawn police attention.

With the U.S./Mexican Border being more thoroughly monitored, many would-be migrant farm laborers are forced to remain in the U.S. year round. Such individuals are likely to find that adequate shelter is difficult to come by, especially, when the main goal is to return as much of a pay check to family in Mexico as possible.

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Table 20
City of Winters 2008 Housing Element Update
Yolo County Homeless Census (January 30, 2007)

Location	Men	Women	Gender Unknown	Children (<18)	Total Persons	Families with Children	Persons in Families with Children
Winters	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Davis	47	21	1	17	86	10	27
West Sacramento	82	36	0	20	138	9	31
Woodland	95	45	0	41	181	18	64
Rural	5	1	3	0	9	0	0
Total	**229**	**103**	**4**	**78**	**414**	**37**	**122**

Source: Yolo County Homeless & Poverty Action Coalition

"homeless"

AGENCIES OFFERING PUBLIC ASSISTANCE TO HOMELESS AND OTHER SPECIAL NEEDS GROUPS

Homeless programs are primarily administered at the County level through HPAC. HPAC maintains a list of services for homeless and low-income families. The following is the list of housing and shelter related services.

Emergency Shelter

Davis Community Meals—530.753.9204
Provides beds for single adult men and women for up to seven days, three times per year. Beds provided on a first-come, first-served basis at 1111 H Street, Davis between 5:45 and 9:00 p.m. Additional cold weather shelter beds are available from November–March on a first-come, first-served basis.

Sexual Assault and Domestic Violence Center—530.661.6336
Provides emergency shelter and supportive services for victims of sexual assault and domestic violence.

Short Term Emergency Aid Committee—530.758.5444
Provides motel vouchers for Yolo County residents in need of temporary shelter. Customers must have an agency referral to receive services.

Yolo Crisis Nursery—530.758.6680 or toll-free 877.543.7752 (877.KIDSPLACE)
Provides a safe haven for Yolo County children less than 6 years of age, while parents/caregivers experiencing high levels of stress or significant hardship are provided with support and resources to resolve the crises or cope with the stress. Children may stay up to 30 days. Services are voluntary and confidential.

Yolo Wayfarer Center—530.661.1218
Provides the county's Cold Weather Shelter from mid-November – mid-March. The shelter is open the remainder of the year for Woodland residents. Check-in begins at 6:00 p.m. at 207 Fourth Street, Woodland.

Transitional Housing

Broderick Christian Center—916.372.0200
Provides family transitional housing and supportive services through a case-management approach with life skills classes.

Davis Community Meals—530.753.9204
Provides transitional housing for families and single adult individuals. Includes supportive services through a case-management approach.

Yolo Wayfarer Center—530.661.1218
Provides transitional housing for families and single adult individuals. Includes supportive services through a case-management approach. Family orientation on Tuesdays at 9:00 a.m. at Woodland Methodist Church, 212 Second St. in the Lamp Room (child care provided).

Permanent Supportive Housing

Community Housing Opportunities Corp (CHOC)—530.757.4452
Provides permanent supportive housing opportunities for very low-, low-, and moderate-income households. Call for locations and program details. CHOC owns and manages two apartment complexes in the City.

Davis Community Meals—530.756.4934
Cesar Chavez Apartments - Provides 52 affordable single bedroom apartment units, including 19 units of permanent supportive housing for special needs families and individuals in Yolo County.

Yolo Community Care Continuum—530.758.2160
Provides permanent supportive housing and short-term residential treatment for individuals with mental illness. Also offers day rehabilitation and support and referral services. Call for details. Some programs may require a referral from the County Department of Alcohol, Drug, and Mental Health Services.

Yolo County Housing—530.662.5428
Operates El Rio Villa which is located at 62 Shams Way. Adjacent to the City in the County which provides subsidized housing opportunities for families, the elderly, and disabled persons through administering year-round housing programs. Very low-income households of two or more persons, single people who are age 62 or older, and handicapped or permanently disabled individuals are eligible for the programs. Preference is given to those who live and work in County, veterans, and persons who have become displaced because of poor housing conditions. According to Yolo County Housing, there is a 3- to 5-year waiting list for their permanent housing programs.

HOUSING CHARACTERISTICS

HOUSING COMPOSITION

Table 21 shows annual changes in the composition of the City's housing stock from 1990 to 2007 as estimated by the DOF. The majority of homes in the City are single-family detached units (79 percent). The City added an apartment complex in 2008 which was not included in the Department of Finance estimates provided in **Table 21**. The 34 units

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Table 21
City of Winters 2008 Housing Element Update
Housing Composition Estimates

	Housing Units								
		Single		Multiple					Persons
Year	Total	Detached	Attached	2 to 4	5 Plus [1]	Mobile Homes	Occupied	Vacancy Rate	per Household
1990	1,564	1,155	73	89	152	95	1,506	3.7%	3.080
1991	1,608	1,197	73	91	152	95	1,548		3.030
1992	1,617	1,197	81	91	152	96	1,557		3.090
1993	1,618	1,198	81	91	152	96	1,558		3.080
1994	1,671	1,213	81	91	190	96	1,609		3.030
1995	1,729	1,267	81	95	190	96	1,665	3.7%	2.990
1996	1,781	1,303	81	99	202	96	1,715	3.7%	3.000
1997	1,802	1,324	81	99	202	96	1,735	3.7%	3.010
1998	1,806	1,328	81	99	202	96	1,735	3.9%	3.010
1999	1,833	1,355	81	99	202	96	1,765	3.7%	3.000
2000	1,954	1,522	105	67	182	78	1,907	2.4%	3.209
2005	2,228	1,796	105	67	182	78	2,174	2.4%	3.206
2007	2,234	1,802	105	67	182	78	2,180	2.4%	3.156

"W housing ests"

Source: California Department of Finance City/County Population and Housing Estimates.

[1] The City currently has at least 257 units of multifamily rental housing; therefore, this DOF estimate is lower than actual.

Note: Estimates from the California Department of Finance are calculated with an independent methodology and are different than what the U.S. Census reports.

which became available in 2008 bring the City's total of multifamily units (5+-unit structures) up to an estimated 216. This DOF estimate on the number of multifamily structures is low. There are 161 units of income-restricted rental housing alone and the City also has 5 market rate apartment complexes with 96 units for a total of 257 units of multifamily housing.

Production during the Last Planning Period

The prior Housing Element Planning Period, as defined by HCD was from January 1, 2000 through December 31, 2005. **Table 22** contains permit data tracked by the Construction Industry Research Board (CIRB) and modified by the City's Building Department for the preceding State-defined Planning Period and for 2006 and 2007. The vast majority of housing production in the City overall was of single-family homes; however, in 2006 only three new single-family home were permitted and 34 multifamily units (Winters II affordable apartments) were permitted. Of the three units permitted in 2006, two were second dwelling units. Of the two units permitted in 2007, one was a manufactured home. The following are CIRB definitions:

- *Single-Family Housing*: Includes detached, semi-detached, rowhouse and townhouse units. Rowhouses and townhouses are included when each unit is separated from the adjacent unit by an unbroken ground-to-roof party or fire wall. Condominiums are included in single-family when they are of zero-lot-line or zero-property-line construction; when units are separated by an air space; or, when units are separated by an unbroken ground-to-roof party or fire wall.
- *Multifamily Housing*: Includes duplexes, 3-4-unit structures and apartment-type structures with five units or more. Multifamily housing also includes condominium units in structures of more than one living unit that do not meet the above single-family housing definition.

Table 22
Recent Housing Permit Activity (2000–2007)

Year	Single-Family	Multifamily	Total Permits Issued
2000	40	0	**40**
2001	46	0	**46**
2002	56	0	**56**
2003	100	0	**100**
2004	32	0	**32**
2005	4	5	**9**
2006	3	34	**37**
2007	2	0	**2**
Total	**283**	**39**	**322**

"production"

Source: Construction Industry Research Board, City of Winters

HOUSING OCCUPANCY

Vacancy

Of the 1,954 year-round dwelling units in the City reported by the Census Bureau in 2000, 1,907 units (98 percent) were occupied and 47 units (2 percent) were vacant (**Table 23**). By comparison, 96 percent of the dwelling units in the County were occupied and 4 percent were vacant. **Table 23** also shows that City homeowner and rental vacancy rates were slightly higher than the rates for the County.

Table 23
Housing Occupancy (2000)

Item	Winters	Yolo County	Winters Percentage	Yolo County Percentage
Occupied housing units	1,907	59,375	98%	96%
Vacant housing units	47	2,212	2%	4%
For seasonal, recreational, or occasional use	4	234	<1%	<1%
Total housing units	**1,954**	**61,587**	**100%**	**100%**
Homeowner vacancy rate			2%	<1%
Rental vacancy rate			4%	2%

"housing occ"

Source: 2000 Census.

Homeownership

In 1990 and 2000, homeownership among City households significantly exceeded that of households countywide. The homeownership rate in 1990 for the City was 68 percent, while countywide homeowners represented 52 percent of all households. This same relationship continued in 2000 when the Census reported the City's homeownership rate of 69 percent (1,314 homeowners), and the countywide rate of 53 percent (31,506 homeowners). By comparison, in 2000 homeowners in Woodland represented a little more than 58 percent of the households, while renters represented little less than 42 percent. **Table 24** breaks down homeownership and rental rates among the different ethnic groups as identified by the 2000 Census.

Table 24
Homeownership Rates [1] (2000)

Race	Owners	Renters	Ownership Rate	Rental Rate
Non-Hispanic White	1,013	432	70.1%	29.9%
Black	--	--	--	--
Native American	--	--	--	--
Asian	--	--	--	--
Hispanic or Latino	465	224	67.5%	32.5%
Total	**1,078**	**656**	**62.2%**	**37.8%**

"hmowner rates"

Source: 2000 Census.

[1] Data for Black, Native American, and Asian households are not available from Census 2000 because the result from each group is below the minimum threshold of 100.

An analysis of homeownership rates by age in the City reveals that persons age 45 to 54 years old have the highest ownership rates (**Table 25**). The majority of the age groups in **Table 25** have homeownership rates equal to or above the ownership rate for the City's population as a whole (68 percent), with both the very young (15 to 24) and those ages 25 to 44 years old as exceptions. Persons age 15 to 24 have a substantially higher (two-thirds) rental rate than ownership rate. This is to be expected as persons of this age are just becoming established and generally do not have the means necessary to purchase their own home. On the other end of the spectrum, persons over the age of 75 have homeownership rates well above the City's overall population. Even though persons over the age of 75 are a small percentage of the population as a whole, this ownership rate is unusual, as persons of this age have frequently moved out of their homes and into a care facility.

Table 25
Homeownership Rates by Age (2000)

Age	Owners	Renters	Ownership Rate	Rental Rate
15 to 24	25	49	34%	66%
25 to 34	186	140	57%	43%
35 to 44	385	169	69%	31%
45 to 54	312	101	76%	24%
55 to 64	169	60	75%	25%
65 to 74	114	47	71%	29%
75 and over	123	27	82%	18%
Total	**1,314**	**593**	**69%**	**31%**

"hmowner rate age"

Source: 2000 Census.

Tenure

Analysis of tenure by race and Hispanic or Latino origin for 2000 reveals that the majority of homeowners and renters in the City are White; although, Hispanic or Latino homeowners made up 31.5 percent of owner occupied units and 34.1 percent of renter occupied units (**Table 26**). This disparity of White homeowners and renters is largely a function of population distribution; Whites comprise the largest percentage of the population. Persons of Hispanic or Latino origin make up 44.4 percent of the City's population. Homeownership and rental data for Black, Native American, Asian, and other races is not available from the 2000 Census as the ownership and rental status of each of these groups is below the minimum threshold of 100.

Table 26
Tenure by Race and Hispanic/Latino Origin [1] (2000)

Race	Winters	Percentage	Yolo County	Percentage
	Owner Occupied Units			
Non-Hispanic White	1,013	68.50%	25,792	78.10%
Black	--	--	333	1.00%
Native American	--	--	176	0.50%
Asian	--	--	1,661	5.00%
Hispanic or Latino	465	31.50%	5,033	15.30%
Total	**1,478**	**100.00%**	**32,995**	**100.00%**
	Renter Occupied Units			
Non-Hispanic White	432	65.90%	18,230	62.60%
Black	--	--	821	2.80%
Native American	--	--	297	1.00%
Asian	--	--	3,454	11.90%
Hispanic or Latino	224	34.10%	6,341	21.80%
Total	**656**	**100.00%**	**29,143**	**100.00%**

"race tenure"

Source: 2000 Census.

[1] Persons of Hispanic Origin can be of any race. Data for Black, Native American, and Asian households are not available from Census 2000 because the result for each group is below the minimum threshold of 100. The totals in the percentage columns will not total 100% because of rounding.

AGE AND CONDITION OF HOUSING STOCK

The age and condition of the housing stock provides additional measures of housing adequacy and availability in many communities. Although age does not always correlate with substandard housing conditions, neighborhoods with a preponderance of homes more than 40 years old are more likely than newer neighborhoods to have a concentration of housing in need of deferred maintenance, updating of utilities or interior amenities, rehabilitation, or replacement. Homes with deferred maintenance usually exhibit signs of aging, such as peeling or faded paint, cracked siding, or missing or broken shingles or shakes, which suggest a need for repair or replacement of those components in the near future. Homes in need of rehabilitation require immediate repair or replacement of components in disrepair to avoid health and safety problems. Homes in need of replacement require repair or replacement of so many components

that it may be more cost effective to completely reconstruct the home or demolish and construct a new dwelling.

Table 27 shows that greater than half of all housing units in the City were constructed since 1980 (63 percent). This data reveals that homes in the City are generally less than 30 years old—these newer dwellings are unlikely to need deferred maintenance, rehabilitation, or replacement.

Table 27
Ages of Housing Units

Year Constructed	Number of Units	Percentage
1939 or earlier	136	6%
1940 to 1949	74	3%
1950 to 1959	194	9%
1960 to 1969	190	9%
1970 to 1979	234	11%
1980 to March 1990	762	34%
March 1990 to January 20001 [1]	349	16%
2001-2007 [2]	282	13%
Total	**2,221**	**100%**

"age units"

Source: 2000 Census, California Department of Finance 2001, City of Winters 2008, and CIRB 2008.

[1] Department of Finance Estimates.
[2] City building permits.

In May of 2008, the City Building Inspector, Redevelopment Manager, Housing Programs Manager, and an appraiser conducted a "windshield" housing conditions survey. The survey was conducted in parts of town with the oldest housing stock. A majority of the units in these older parts of town were surveyed and the survey results encompass most, if not all, of the deteriorating housing stock. The housing conditions data are presented in **Table 28**.

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Table 28
City of Winters 2008 Housing Element Update
Housing Conditions Survey (2008)

Item	Single-Family Units		Multifamily Structures		Mobile Homes	
	Number	%	Number	%	Number	%
No Apparent Repair	268	73%	11	26%	83	95%
Modest Repair (e.g., paint, roof, windows)	95	26%	32	74%	4	5%
Major Repair (e.g., foundation, structure)	2	1%	0	0%	0	0%
Replacement (uninhabitable)	0	0%	0	0%	0	0%
Total Surveyed	**365**	**100%**	**43**	**100%**	**87**	**100%**

Source: City of Winters, May, 2008.

OVERCROWDING

In general, overcrowding is a measure of the ability of existing housing to adequately accommodate residents. Too many individuals living in housing with inadequate space and number of rooms can result in deterioration of the quality of life in a community. The U.S. Census defines overcrowding as more than one person per room, excluding uninhabitable spaces such as hallways and bathrooms. Extreme overcrowding is often defined as more than 1.5 persons per room. Overcrowding results when either (1) the costs of available housing with a sufficient number of bedrooms for larger families exceeds the family's ability to afford such housing, or (2) unrelated individuals (such as students or low-wage single adult workers) share dwelling units because of high housing costs. This can lead to overcrowded situations if the housing unit is not large enough to accommodate all of the people effectively.

Table 29 summarizes the overcrowding status in the City and County based on 2000 Census data. Approximately 7.3 percent of the City's occupied housing units were overcrowded, compared to 13 percent reported in the 1990 Census. Approximately 6.2 percent of the County's housing units were overcrowded in 2000, representing a reduction from the 10 percent reported by the 1990 Census.

Table 29
Persons per Room in All Occupied Housing Units (2000)

Persons per Room	City	Percentage	County	Percentage
1.00 or less	1,651	86%	52,543	89%
1.01 to 1.50	135	7%	3,176	5%
1.51 or more	140	7%	3,656	6%

"ppr all units"

Source: 2000 Census.

Table 30 shows that in 2000, 9.9 percent of renter-occupied units and 6 percent of owner-occupied units were defined as overcrowded in the City. In contrast, 9.6 percent renter-occupied and 3.1 percent owner-occupied units were overcrowded in the County. Comparably, there is a higher rate of overcrowding in the City than exists within the housing market countywide.

Table 30
Overcrowding by Tenure

Number of Persons per Room	Rental Units	Percentage of Total Occupied Rental Units	Owner Units	Percentage of Total Occupied Owner Units
Winters				
1.01 to 1.50	56	8.90%	79	6.10%
1.51 or more	62	9.90%	78	6%
Total Winters	**118**	**18.80%**	**157**	**12.10%**
Yolo County				
1.01 to 1.50	2,020	7.20%	1,156	3.70%
1.51 or more	2,688	9.60%	968	3.10%
Total Yolo County	**4,708**	**16.80%**	**2124**	**6.80%**

"overcrowded"

Source: 2000 Census.

HOUSING COSTS

Rental Housing

Table 31 provides current information on rents being charged for non-income-restricted apartments in the City. These market units range from $650 to $900 for apartments and less for the trailers on 11 Baker Street. There are no three bedroom units listed. Single-family homes are also available for rent in the City with an advertised monthly rent of $1,500 for a three bedroom.

The construction of non-income restricted apartment buildings is currently financially infeasible without subsidy given current construction and land costs in contrast to market rents for apartments.

Mobile Home Park

Winters Mobile Home Park is the only mobile home park in the City. This park has 75 mobile home spaces which rent for $340 to $380 per month for the pad and five recreational vehicle (RV) spaces which rent for approximately $400 per month. As referenced in the Housing Condition Survey displayed in **Table 27**, 4 of 75 were evaluated to need modest rehab; the rest are not in need of repair.

Table 31
Market Rate Rentals in Winters

Complex	Units: 1 bedroom	Units: 2 bedrooms	Units: Total	Monthly Rent
Creekside Apartments	16	16	32	$885 to $925
208 Grant Avenue Apts.	0	12	12	$875
108 Grant Avenue Apts.	4	6	10	$800 to $850
East Street Apts.	0	6	6	$900
Sylvestri Apt. (Anderson Ave.)	0	20	20	$650 to $750
11 Baker (trailers)	12	0	12	$500 to $600
Total	**32**	**60**	**92**	

Source: City of Winters, May 2008

The HUD-published 2008 fair market rents for the County area are provided in **Table 32.**

Table 32
Fair Market Rents for Existing Housing in Yolo County (2008)

Studio	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
$783	$829	$1,013	$1,476	$1,570

"YC rents"

Source: Dept. of Housing and Urban Development, February 2008.

Home Prices

Table 33 lists prices of single-family resale homes that were sold in 2007. The highest percentage of homes sold in the City in 2007 was three-bedroom homes (67 percent), followed by four-bedroom homes (24 percent).

HOME PRICES IN SURROUNDING AREAS

Table 34 is a list of median and average resale home prices for the City and other jurisdictions in the region. The median price for all jurisdictions, with the exception of Davis, decreased from 2006 to 2007. Analysts expect the decline in home prices to persist at least through 2008. Winters enjoys relatively affordable home sales prices relative to Davis and Dixon.

Table 33
Resale Houses Sold in Winters (2007)

No. of Bedrooms	Houses Sold	Median	Average	City Range [1]	Percentage of Total
1	0	$0	$0	$0	0.0%
2	1	$355,000	$355,000	$355,000	3.0%
3	22	$446,452	$359,500	$233,000-$1,335,000	66.7%
4	8	$482,000	$575,625	$410,000-$1,200,000	24.2%
5	2	$432,500	$432,500	$345,000-$520,000	6.1%
Total	**33**			**$233,000-$1,335,000**	**100.0%**

"W sold houses"

Source: MetroList MLS, 2007.

[1] According to City staff, homes listed by MLS as having sold for $800,000 or more were most likely located outside City limits.

Table 34
Median Home Prices for Winters and Surrounding Areas (Resale Only)

Jurisdiction	2003	2004	2005	2006	2007
Winters	**$300,500**	**$324,091**	**$396,000**	**$425,000**	**$378,000**
Dixon	$307,500	$400,000	$469,000	$485,000	$451,000
Woodland	$267,000	$330,000	$416,500	$409,300	$348,500
Davis	$378,000	$439,750	$536,000	$540,000	$580,500
Vacaville	$311,750	$365,000	$433,000	$445,000	$390,000

"W med hm price"

Source: DataQuick

LOWER INCOME HOUSEHOLDS OVERPAYING

A standard measure of housing affordability is that average housing expenses should not exceed 30 percent of a household's income. Those who pay 30 percent or more of their income on housing may have trouble affording other necessities; however, individual circumstances that can affect the ability to afford housing vary, such as other long-term debt payments, the number of household members, and other large ongoing expenses (such as medical bills). Since it is impossible to consider each household's individual circumstances, the 30 percent rule provides a general measure of housing affordability for the average household. Data detailing overpayment from the 2000 Census are displayed in **Table 35.**

Based on the most recent 2000 Census data released, 355 (30 percent) homeowners in the City pay 30 percent or more of their income on housing. Approximately 238 of all renters (38 percent) pay 30 percent or more of their income on housing.

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Table 35
City of Winters 2008 Housing Element Update
Housing Expenditures by Income Group (1999)

Income	<$10,000	$10,000-$19,999	$20,000-$34,999	$35,000-$49,999	$50,000+	Total Households [1]
			Renters			
Under 30%	9	9	64	122	127	330
30-34%	17	--	26	16	--	59
35%+	43	69	67	--	--	179
Total Households	**69**	**77**	**157**	**138**	**127**	**568**
			Owners			
Under 30%	--	38	82	67	648	835
30-34%	--	--	--	38	52	90
35%+	27	30	83	93	32	265
Total Households	**27**	**68**	**165**	**198**	**732**	**1,190**

"hsng exps"

Source: 2000 Census.

[1] Vacant units are not included in total households.

AFFORDABILITY TRENDS

Table 36 shows a percentage of affordable rental units at each income level in 2000. According to 2000 Census data, the median gross rent was $692 in the City and $687 in County. People with very low-incomes had few affordable housing options, as only 22 percent of rental units in the City had rents below 30 percent of their income. People with low-incomes had more options than those with very low-incomes. Local rents were primarily within the affordability range of households in the upper end of the low-income range (65 to 80 percent of median income) and moderate-income households. The current inventory of rental apartments provides a significant source of affordable housing for very low income households as displayed in **Table 38** below.

It is important to note that the percentage of rental units affordable in the low- and moderate-income groups is cumulative and includes the percentage from the previous income group. Also, households of many income levels will compete for housing in the same price range, so the existence of lower-cost units does not mean that such units are actually available to lower-income households.

Table 36
Affordability of Rental Housing in Relation to Income (2000)

Income Group	Affordable Rent Limit	Percentage of City Rentals	Total Rentals Available by Income Group	Percentage of County Rentals	Total Rentals Available by Income Group
Very Low	$509	22%	137	20%	5,370
Low	$815	59%	371	60%	16,285
Moderate	$1,223	84%	529	83%	22,568

"aff rent inc"

Source: 2000 Census.

Table 37 provides a comprehensive look at income levels and home prices based on information presented in previous tables. Market rate rental units appear to be affordable for households earning the 80 percent of County median or more. While units sold during 2007 would be considered as being sold at attainable prices for a few families making 120 percent of County median or below, the median sales price for 2007 would have been beyond reach for even moderate income families assuming conventional financing terms.

Table 37
City of Winters 2008 Housing Element Update
Housing Affordability Estimates

Income Level/ Household Size	Income [1]	Attainable Rent [2]	Market Rent [3]	Attainable Home Price [4]	Homes Sold 2007 in Attainable Price Range [5]
	Table 10		*Table 31*		
Very Low Income					
(50% of County Median)					
1 person (1 bedroom)	$23,000	$575	$800	$92,900	0
2 persons (1 bedroom)	$26,300	$658	$800	$108,300	0
3 persons (2 bedrooms)	$29,550	$739	$875	$122,100	0
4 persons (3 bedrooms)	$32,850	$821	$1,500	$136,000	0
Low Income					
(80% of County Median)					
1 person (1 bedroom)	$36,800	$920	$800	$154,100	0
2 persons (1 bedroom)	$42,050	$1,051	$800	$177,300	0
3 persons (2 bedrooms)	$47,300	$1,183	$875	$199,800	0
4 persons (3 bedrooms)	$52,550	$1,314	$1,500	$223,800	0
Median Income					
(100% of County Median)					
1 person (1 bedroom)	$46,000	$1,150	$800	$194,600	0
2 persons (1 bedroom)	$52,600	$1,315	$800	$224,000	0
3 persons (2 bedrooms)	$59,100	$1,478	$875	$252,800	0
4 persons (3 bedrooms)	$65,700	$1,643	$1,500	$282,300	2
Moderate Income					
(120% of County Median)					
1 person (1 bedroom)	$55,200	$1,380	$800	$234,400	0
2 persons (1 bedroom)	$63,000	$1,575	$800	$269,900	1
3 persons (2 bedrooms)	$70,900	$1,773	$875	$304,500	2
4 persons (3 bedrooms)	$78,800	$1,970	$1,500	$339,200	7
Total Units Sold 2007					**33**
Median Sales Price 2007					**$378,000**
					"attainable"

Source: HCD, www.rentometer.com, MetrolistMLS, Dataquick and EPS.

[1] Based on HCD-published medians for Yolo County, February 2007.
[2] Assumes 30% of gross income available for rent. Does not account for utility allowance.
[3] One and 2 bedroom rentals assumed to be apartments, 3-bedroom units assumed to be single family house.
[4] EPS calculation assuming 5% down payment, 6.0% interest, 30-year mortgage, no homeowners' association dues, and 35% of gross income for housing costs.
[5] Represents the number of units sold in the City during 2007 that were at or below the "Attainable Purchase Price." Homes sold may be of any size.

III. City Affordable Housing Developments and Programs

INVENTORY OF ASSISTED RENTAL HOUSING UNITS

The City is fortunate to have five income-restricted apartment complexes serving very low income individuals and families and the elderly. The majority of the City's multifamily units in buildings with 5 or more units are income restricted. **Table 38** displays the list of these rental developments along with the main source of subsidy.

Table 38
Assisted Rental Units

Project Name	Address	Total Units	Type	Expiration Date	Subsidy
Almondwood Apartments [1]	801 Dutton Street	39	Family	2003 [1]	Rural Development Section 515
Winters Senior Apartments	400 Morgan Street	38	Senior	2043	Rural Development Section 515
Winters Apartments	116 E. Baker Street #10	44	Family	2058	CDBG, Redevelopment
Winters II Apartments	116 E. Baker Street	34	Family	2063	HOME, Low Income Housing Tax Credits
Cradwick Building	17 Main Street	6	Studio	2053	CDBG, State Rehab Funds (CHRP-R)
Total		161			

"asstd rent units"

Source: City of Winters California Housing Partnership Corporation.

[1] Project is currently being preserved through change of ownership, rehabilitation and refinancing which should preserve affordability until 2063.

AT RISK PROJECTS

Over the past several decades, hundreds of thousands of affordable rental housing units have been constructed in California with the assistance of federal, State, and local funding (loans or grants) that restricted rents and occupancy of units to low-income households for a specified period. The City contains five such assisted rental housing developments. Once the period of rent/occupancy expires, a property owner may charge market rents. Low-income occupants can be displaced when rents rise to market levels. The housing element must identify any such publicly assisted rental units eligible for conversion, and include a program to address their preservation, if possible.

The inventory of assisted units includes a review of all multifamily rental units under federal, state, or local programs, including HUD programs, State and local bond programs, redevelopment programs, and local in-lieu fees (Inclusionary, density bonus, or direct assistance programs). The inventory also covers all units that are eligible for change to non-low-income housing units because of termination of subsidy contract, mortgage prepayment, or expiring use restrictions.

The City takes an active and supportive role in the preservation of assisted rental housing. The following is a description of two projects that have faced the issue of expiring use restrictions and the efforts to maintain the affordability levels.

WINTERS APARTMENTS

The owner of the Winters Apartments decided to opt out of his 44-unit apartment complex. The complex provides Rural Development Section 515 contracts to all 44 units. CHOC purchased the housing complex, rehabilitated the units, and requested financial assistance from the City. The City provided a grant of $250,000 from redevelopment housing set-aside funds and a loan/grant of $185,000 through the use of Community Development Block Grant Program Income funds.

ALMONDWOOD APARTMENTS

The Central Valley Coalition, a non-profit housing developer, has purchased Almondwood Apartments and is in the process of obtaining financing which will maintain the property's affordability for 55 more years. The City's Redevelopment Agency is currently negotiating a loan and grant agreement with the developer utilizing low-income housing funds with the anticipation that an agreement will be executed summer 2008. As of May, 2008, the City has committed $178,000 of the $600,000 requested by the developer. Additional commitments are anticipated.

VALUE IN PRESERVATION

The cost of conserving the assisted units is estimated to be significantly less than that required to replace the units through new construction. Conservation of assisted units generally requires rehabilitation of the aging structure and re-structuring the finances to maintain a low debt service and legally restrict rents. Construction costs, land prices and land availability are generally the limiting factors to development of affordable housing, it is estimated that subsidizing rents to preserve assisted housing is more feasible and economical than new construction. As an illustration, the Winters II apartments which were recently completed in the City cost an estimated $300,000 per unit to construct, not including land. The preservation of the Almondwood Apartments, mentioned above, is estimated to cost $170,000 per unit.

Acquisition and rehabilitation project include complexities that new construction projects do not. Additional items to consider, however, include the cost of relocating existing tenants, the uncertainty involved with rehabilitating property (i.e., it is difficult to truly predict the level of rehabilitation necessary until the work begins), and the lack

of available subsidy funds for rehabilitation in contrast to new construction projects. Overall, acquisition/rehabilitation projects tend to be more complicated and more difficult to undertake successfully.

There are several non-profit organizations active in the region that have the managerial capacity to own and manage, and have expressed an interested in being notified of the availability of assisted rental housing. **Table 39** lists these organizations.

Table 39
Non-Profit Housing Organizations Interested in Acquiring At-Risk Housing

Organization	Address	City/County
ACLC Inc.	42 N. Sutter Street, Suite 206	Stockton
Affordable Housing Associates	1250 Adison Street, Suite G	Berkeley
Bridge Housing Corporation	One Hawthorne, Suite 400	San Francisco
C. Sandidge and Associates	143 Scotts Valley	Hercules
Central Valley Coalition for Housing	3351 M Street, Suite 101	Merced
Christian Church Homes of Northern CA, Inc.	303 Hegenberger Road, Suite 201	Oakland
Community Housing Developer, Inc.	255 N. Market Street, Suite 290	San Jose
Community Housing Development Corp.	1452 Filbert Street, P.O. Box 1625	Richmond
Community Housing Opportunities Corp.	1490 Drew Avenue	Davis
East Bay Asian Local Development Corp.	310 Eighth Street, Suite 200	Oakland
Eden Housing, Inc.	409 Jackson Street	Hayward
Eskaton Properties, Inc.	5105 Manzanita Avenue	Carmichael
Foundation for Affordable Housing, Inc.	2847 Story Road	San Jose
O.P.E.N. Inc.	P.O. Box 43034	Oakland
Oakland Community Housing, Inc.	405 14th Street, Suite 40	Oakland
Pacific Community Services, Inc.	329 Railroad Avenue, P.O. Box 1397	Pittsburg
Phoenix Programs, Inc.	1875 Willows Pass Road, Suite 300	Concord
Resources for Community Development	2131 University Avenue, Suite 224	Berkeley
Richmond Neighborhood Housing Service, Inc.	500 South 15th Street	Richmond
Rubicon Programs, Inc.	2500 Bissell Avenue	Richmond
Rural CA Housing Corp.	2125 19th Street, Suite 101	Sacramento
Satellite Senior Homes	2526 Martin Luther King Jr. Way	Berkeley
Senior Housing Foundation	1788 Indian Wells Way	Clayton
Vallejo Neighborhood Housing Services, Inc.	610 Lemon Street	Vallejo

"np orgs acq risk"

Source: California Housing and Community Development Department, September 2001.

CITY AFFORDABLE HOUSING PROGRAMS

The City has developed a comprehensive set of land use and financing tools to increase and preserve the supply of affordable housing within its jurisdiction. The following are brief descriptions of those programs. A more comprehensive description of each program is found in the 2008 Housing Element update.

LAND USE PROGRAMS

City Ordinance 94-10 requires at least 15 percent of all new housing units be affordable to persons of very low-, low-, or moderate-income households, with 6 percent of new housing being affordable to very low-income households and 9 percent being affordable to low- or moderate-income households.

The City's Bonus Density Ordinance (97-03) provides for greater densities in exchange for the development of affordable housing. As part of the City's Implementation Programs for the 2008 Housing Element update, the City will undertake a revision to its Bonus Density Ordinance to bring it into compliance with current State law.

FINANCING PROGRAMS

The City generates resources through its redevelopment agency which it uses to finance affordable housing developments. In recent years, the redevelopment funds have been used to support the preservation of the Winters Apartments and the construction of Winters II Apartments.

The City also sponsors HOME applications on behalf of affordable housing developers and accesses Community Development Block Grant funds from the State to support the City's first-time homebuyer and low income, senior housing rehabilitation programs.

IV. FUTURE HOUSING NEEDS

REGIONAL HOUSING NEEDS ALLOCATION (RHNA)

State law (California Government Code Section 65584) requires that each city and county plan to accommodate a fair share of the region's housing construction needs. In urban areas, State law provides for councils of governments to prepare regional housing allocation plans that assign a share of a region's housing construction need to each city and county. In the six-county greater Sacramento region (comprising the counties of Sacramento, Placer, El Dorado, Yolo, Sutter, and Yuba), SACOG is authorized under state law to determine the future housing needs for the region. SACOG adopted a regional housing allocation plan in February 2008, called the "Regional Housing Needs Allocation" (RHNA). This plan covers a seven and one-half years period from January 1, 2006 through June 30, 2013 (Planning Period).

SACOG's methodology is based on regional population and housing forecasts developed for its transportation model. The numbers of housing units assigned in the plan to each jurisdiction are goals that are intended to address the minimum new housing construction need from anticipated population growth in the region.

The housing units allocated in the plan to each city and county are considered minimum needs. Most, if not all, jurisdictions have existing unmet housing needs (such as from overcrowding and overpayment) that should be considered during the preparation of a housing element and which may result in housing construction objectives that exceed the regional allocation. The City must, however, use the numbers allocated under the RHNA to identify measures (policies and ordinances) that are consistent with these new construction goals. While the City also must show how it will provide adequate sites for construction of the required units, it is not obligated to build any of the units itself or finance their construction. According to the RHNA, the City has a total housing construction need of 403 units, which equates to an annual need of roughly 54 units. **Table 40** shows the City's 2006-2013 planning period allocation.

Table 40
Regional Housing Needs Allocation (2006–2013)

Income Level	Dwelling Units: 2006 - 2013 Allocation	Dwelling Units: Constructed since 1/1/06	Dwelling Units: Net Allocation	Percentage of Net Allocation
Very Low-Income	96	34	62	17%
Low-Income	64	0	64	18%
Moderate-Income	68	0	68	19%
Above Moderate-Income	175	12	163	46%
Total	**403**	**46**	**357**	**100%**

"reg hsng nds alloc"

Source: SACOG 2006-2013 Regional Housing Needs Plan, City of Winters, and EPS.

From January 1, 2006 to May 31, 2008, there were 46 units of housing constructed. The majority of the units constructed during this period was developed by CHOC and are for very low income families. **Table 41** below provides the detail associated with the units for which the City can take credit and reduce its RHNA for the subsequent years.

AREAS WITH POTENTIAL FOR RESIDENTIAL DEVELOPMENT

The City has identified 13 parcels with the potential for short and medium term residential development. **Table 42** provides a list of these sites and zoning information. The City estimates that there are approximately 189.46 acres of undeveloped or underdeveloped land which are not impacted by flooding issues that are likely to be developed for residential use during the Planning Period. This land has the potential to accommodate 861 new units in various residential and mixed use developments. The potential for residential development for each site is described in detail below and the sites are identified on **Map 1**.

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Table 41
City of Winters 2008 Housing Element Update
Residential Projects Completed Since Start (January 1, 2006) of Current Regional Housing Needs Plan Perioc

Name	Applicant	Street Name	Acres	Zoning	Zoning Code Density (units/acre)	Under Construction	Units	Note
Winters 2 Apartments	C.H.O.C. for very low-income units	110 E. Baker St. 003-370-15	1.71	R-4	20	Completed in 2007	34	[1]
Winters Townhomes East	JDS Builders	500 E. Main St 038-205-08	0.49	C-1	10	Completed in 2007	5	
Infill	–	Various	–	R-1, R-2	7.3 (R-1), 8.8 (R-2)	–	7	
Total			–				**46**	

Source: City of Winters, April, 2008.

"res projs cmplt"

[1] These units contribute to the City's very low income housing target, as established through the RHNA allocation and counted in Table 40.

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Table 42
City of Winters 2008 Housing Element Update
Winters Vacant Land Inventory

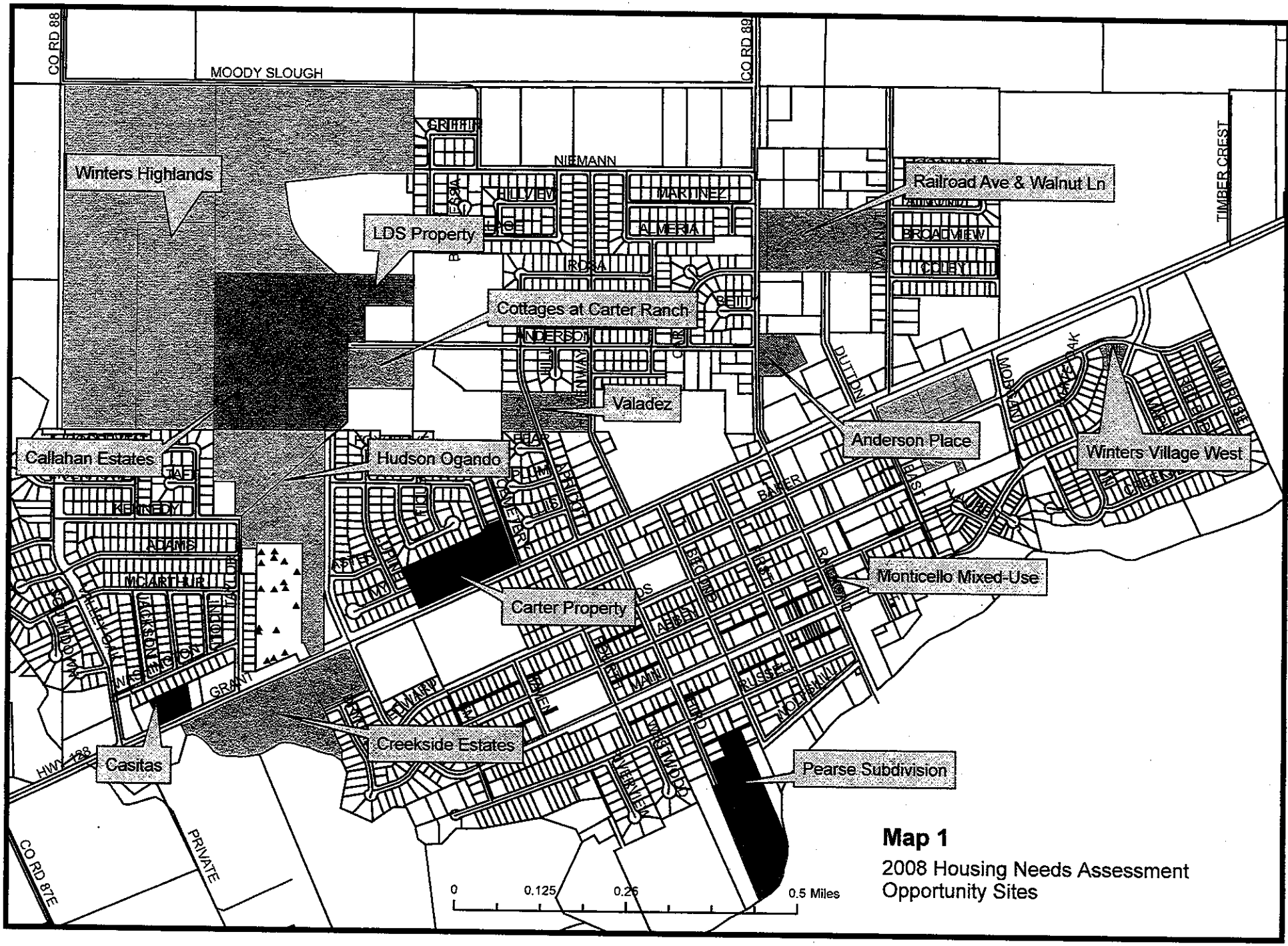
No.	Name	Street Name/APN	Zoning Code Density (units/acre)	Under Construction	Affordability [1] ELI	VLI	LI	Mod	Above Mod	Total Actual or Potential Dwelling Units
Entitled Projects										
1	Cottages at Carter Ranch Phase 2	Cottage Circle 030-391-06	8.8	No	0	0	0	6	0	6
2	Callahan Estates	Anderson Avenue 030-220-22	7.3	No	0	7	7	4	102	120
3	Creekside Estates	Grant Avenue & Main Street 003-430-12 & 003-120-04	8.8	No	0	3	2	1	34	40
4	Winters Highlands	Moody Slough Road 030-220-17, 19, & 33	7.3 (R-1), 8.8 (R-2) & 20 (R-4)	No	0	25	25	15	378	443
5	Hudson-Ogando	Main St. 003-430-13 & 003-430-05	7.3 (R-1) & 10 (R-3)	No	0	5	6	0	61	72
6	Pearse Parcel	Third Street 003-241-1	7.3 (R-1)	No	0	0	0	0	4	4
7	Anderson Place	Railroad Avenue 003-322-20	20 (C-2), 10 (O-F)	No	0	1	2	1	24	28
8	Casitas at Winters	West Grant Avenue 003-450-15,003-450-16,003-450-17	10 (C-1)	No	0	0	0	0	5	5
9	Orchard Village	Railroad Avenue 003-360-05 & 003-360-18	20 (R-4)	No	19	19	35	0	1	74
10	Winters Townhomes	E. Main Street 038-205-08 & 038-190-04	10	No	0	10	0	0	0	10
Unentitled Projects										
1	Carter Property (aka Mary Rose Gardens)	Grant Avenue 003-524-19	8.8	No	0	3	0	4	43	50
2	LDS	Anderson Avenue 030-220-34	7.3	No	0	1	0	2	21	24
3	Valadez	Hemenway Street 003-391-05 & 003-392-01	7.3	No	0	0	0	1	9	10
4	Mariani Properties (Railroad)	Railroad Avenue [3]	C-2	No	0	10	0	15	142	167
5	Mariani Properties (Dutton)	Dutton Street 003-321-01, 003-321-03, 003-321-04	C-2	No	0	4	0	5	51	60
6	Paradise Farms LLC (Liwai Village)	Liwai Village 003-230-17	R-1, O-S	No	0	6	0	10	93	109
Totals					**19**	**94**	**77**	**64**	**968**	**1,222**
RHNA Net Allocation [2]					**38**	**62**	**64**	**68**	**163**	**395**
Surplus (Shortfall)					**(19)**	**32**	**13**	**(4)**	**805**	

Source: City of Winters, April, 2008.

"W vac land inv"

[1] ELI = extremely low income; VLI = very low income; LI = low income; Mod = moderate income; Above Mod = Above moderate income/market rate.
[2] Calculated in Table 40.
[3] This project includes multiple APNs: 003-160-62, 003-160-53, 003-160-03, 003-160-04, 003-160-33, 003-160-63, 003-160-47, 003-160-54, 003-160-48, 003-160-10, 003-160-64, 003-160-25, 003-160-55, 003-160-23

Housing Element Current Project List



Map 1

2008 Housing Needs Assessment Opportunity Sites

Prepared by Jen Michaelis, Winters Community Development Department

The City has received proposals for many residential projects since 2005. With the slow down of the economy, particularly in the residential market, only a small number of infill units and an affordable rental project were, however, constructed since 2005. Though the City has entitled 723 market rate residential units, due to current market conditions, the developers of these units have not moved forward with the developments as of May 2008. To support the eventual development of these projects, the City has been working closely with applicants and renegotiating development agreements as feasible.

The City set the following goals and executed development agreement amendments with three subdivisions in December 2007. The goals of the amendments are:

- Extend the life of development projects.
- Ease cash flow requirements for developers.
- Provide flexibility for timing and phasing of project development.
- Establish a timing scenario for installation of key infrastructure.
- No loss of the intended public benefit.
- Coordination during the economic downturn.

SITE CONTRAINTS AND DESCRIPTIONS

The City Engineer reviewed the 13 sites identified for residential development and indicated that providing water and sewer capacity for each development will not be a problem. A more detailed description of water and sewer infrastructure is provided in **Chapter V.** The flood overlay area is not an issue for the residential portion of any of the identified sites.

Some sites are completely ready for development with utilities stubbed to the site; others will need to build some portion of their infrastructure but the City is ready to serve those sites once the infrastructure is in place. The most significant constraint for all of the following developments is market conditions. As mentioned above, the City is working with several developers, renegotiating development agreements, to assist them in moving forward with their plans.

Entitled Projects

1. Cottages at Carter Ranch Phase II (APN 030-391-06)

The applicant, Sacramento Pacific Development, which completed a 30-unit detached single-family unit development has proposed to develop 6 more units on the north side

of the Rancho Arroyo Detention Facility. The planned units will target moderate income households.

The tentative subdivision map was approved by the Planning Commission in November of 2004. Infrastructure for this project is linked to Callahan Estates. The Carter Ranch Cottages will require an easement from Callahan Estates to resolve drainage issues. The applicant has received an extension for the Tentative Map, and plans to construct the 6 units within the next two years.

2. Callahan Estates (APN 030-220-22)

The City Council approved the First Amendment to the Development Agreement on January 20, 2009 for this 26.436-acre project proposed by the Hoffmann Land Development Company. Zoning for the project site is Single-Family, 7,000 Square Foot Average Minimum (R-1); the project is proposed for 120 single-family dwelling units. The City's 15-percent affordable housing requirement is expected to be achieved through duplexes. The project will contain 7 very low income units, 7 low income units, and 4 moderate income units. The site is within walking distance from intermediate and middle schools, as well as a school district agricultural facility. Due to the current economic situation, neither staff nor project developer can forecast when construction of the project will commence.

3. Creekside Estates (APN 003-430-12 & 003-120-04)

The City Council approved a development agreement and tentative subdivision map for this project on April 19, 2005 for this 13.75-acre project. Zoning for the project site is Single-Family, 6,000 Square Foot Average Minimum (R-2); the project is proposed for 40 single-family dwelling units. The project will contain 3 very low income units, 2 low income units, and 1 moderate income unit. The southerly boundary of Creekside Estate is Dry Creek. As a result, a 50-foot building setback measure from top of the high bank (of Dry Creek) is required for all of the proposed lots that border Dry Creek to ensure creek bank stabilization. The site has frontage on Grant Avenue and Main Street, and development of the project may benefit from the public infrastructure located in Grant and Main.

A Development Agreement for the project was recorded on December 22, 2005. The term of the Development Agreement is six (6) years, commencing on the date it was recorded.

4. Winters Highlands (APN 030-220-17, 19 & 33)

The City Council approved the Second Amendment to the Development Agreement on January 6, 2009. The project is proposed to include 413 single-family and 30 multifamily residences. The project also includes a 10-acre park/open space (wetland) area. The

City's 15-percent affordable housing requirement is expected to be achieved through the multifamily units, duplexes, and possibly some of the small single-family lots. The project will contain 25 very low income units, 25 low income units, and 15 moderate income units. Due to the current economic situation, neither staff nor project developer can forecast when construction of the project will commence.

5. Hudson-Ogando (APN 003-430-13 & 003-430-05)

City Council approved the First Amendment to the Development Agreement on January 20, 2009 for this 15.968-acre development. The developer is proposing to construct 72 single-family units and a 2.149-acre portion of the project site is proposed for a future police/fire/public works corporation yard facility. The City's fifteen percent affordable housing requirement is expected to be achieved through small lot, single-family units. The project will contain 5 very low income units and 6 low income units.

The site is within walking distance of the middle and intermediate schools. A portion of the site will benefit from the infrastructure constructed on Main Street north of Grant Avenue for the completed Carter Ranch project. A portion of this project is anticipated to be developed by Mercy Housing Corporation through its self-help program. Those 11 units will be available for low and very low income households.

Due to the current economic situation, neither staff nor project developer can forecast when construction of the project will commence.

6. Pearse Parcel (APN 003-241-1)

On October 9, 2007 the Planning Commission approved a proposal for a 4 unit parcel map on the south end of Third Street. The applicant will be applying for a map extension in July 2009. No affordable units are proposed within this project.

7. Anderson Place (APN 003-322-20)

The City Council approved the Development Agreement on June 5, 2007 for a mixed use property at 723 Railroad Avenue. The project will contain 28 mostly attached single-family residences. One of the units is to target very low income households. In addition, 2 low income units and one moderate income unit will be included in the Project.

Anderson Place is a priority infill project. On June 3, 2008, the term of the development was extended to December 31, 2016, and the tentative map was extended to December 31, 2013. Due to the current economic situation, neither staff nor project developer can forecast when construction of the project will commence.

8. Casitas at Winters (APN 003-450-15, 003-450-16, & 003-450-17)

The City Council approved a rezone of a commercial property to residential and Planned Development Permit on January 15, 2008. The owner is proposing to develop 5 residential units on the site which is located on West Grant Avenue, east of Tomat's restaurant. No affordable units are proposed within this project.

9. Orchard Village (APN 003-360-05 & 003-360-18)

On January 27, 2009 the Planning Commission approved this 10-acre project located between Grant Avenue and Walnut Lane. The site is zoned High-Density Multifamily Residential (R-4, approximately 5 acres) and Parks and Recreation (P-R, approximately five acres). The R-4 portion of the property has frontage on the existing Railroad Avenue, and the P-R portion of the property has frontage on the existing Walnut Lane. Public sewer and water service are available. The site is not affected by flooding issues. The site can accommodate 88 units; however, the City and the developer will likely reduce the number to 74 units to develop a greater number of larger family units.

The site is currently owned by Central Valley Coalition for Housing, an affordable housing developer. Central Valley Coalition is currently applying for funding which will include RDA 515, Low Income Housing Tax Credits and City subsidy. The income targeting will range from extremely low to low income (30 to 60 percent of median); Within this project 19 extremely low income units, 19 very low income units and 35 low income units are planned.

10. Winters Townhomes (038-205-08 & 038-190-04)

All entitlements for this 15-unit project were approved. The builder constructed the first 5 units and had been prevented from selling the units because of the downturn in the market and some regulatory issues being resolved with the State Department of Real Estate. The first 5 units are currently being rented out. Construction of the additional 10 units is on hold. The 10 units are planned to target very low income households.

The project consists of two parcels (totaling 1.16 acres) located at the intersection of East Main and East Baker Streets. A density bonus of 25-percent and a Planned Development (PD) overlay to provide flexible yard setbacks were incorporated into the project.

Unentitled Projects

1. Carter Property (aka Mary Rose Gardens) (APN 003-524-19)

A planning application was submitted on February 14, 2006 to develop 26 single-family homes and one duplex unit on this 5.69 acre parcel. However, the applicant declined the option to purchase the property. As a result, this project is currently inactive.

The infrastructure of the Carter Ranch Phase I and II Subdivisions—particularly the street, water, and sewer facilities—was designed to incorporate this parcel, which borders both subdivisions, for future residential development. Zoned Single-Family, 7,000 Square Foot Average Minimum, the parcel could accommodate 50 residential units based on 5.11 units per acre. At this property, 3 very low income units and 2 moderate income units are inventoried.

2. Latter-Day Saints Church Property (APN 030-220-34)

The Latter-Day Saints (LDS) Church owns this 3.29-acre parcel, which is zoned Single-Family, 7,000 Square Foot Average Minimum (R-1). The property borders the local LDS church property at the far west end of Anderson Avenue. Development of the property would benefit from the public infrastructure constructed for either Winters Highlands or Callahan Estates or both projects. The site is within walking distance from middle, elementary, and high schools. The property could accommodate 24 dwelling units based on 7.3 units per acre. At this site, 1 very low income unit and 2 moderate income unit are inventoried.

3. Valadez Property (APN 003-391-05 & 003-392-01)

Of the 4.21 acres within this site, 2.792-acres are zoned Single-Family, 6,000 Square Foot Average Minimum (R-2). On October 7, 2008, the City Council changed the zoning classification of the remaining 1.421 acres from PR (parks and recreation) to R-2. Development of this infill site will benefit from adjacent public infrastructure. The east side of the property has direct access to an improved street—including future connections to water, sewer, and storm drain. The site is within walking distance to middle, elementary, and high schools. Development of this parcel would generate 10 dwelling units based on 7.3 units per acre. At this site, 1 moderate unit is inventoried.

4. Mariani Property (Railroad)[1]

This 8.365 acre site is located between East Baker Street and East Abbey Street on Railroad Avenue within the Central Business District. Public sewer and water service

[1] Multiple APNs are associated with this project: 003-160-62, 003-160-53, 003-160-03, 003-160-04, 003-160-33, 003-160-63, 003-160-47, 003-160-54, 003-160-48, 003-160-10, 003-160-64, 003-160-25, 003-160-55, and 003-160-23.

are available. Zoning for this property is currently C-2; up to 20 units per acre are allowed. Development of this site could result in 167 total units. Of those units, 10 are inventoried as very low income units and 15 are inventoried as moderate income units.

5. Mariani Property (Dutton) (APN 003-321-01, 003-321-03, & 003-321-04)

This 3.018 acre site is located on East Grant Avenue between Dutton Street and Walnut Lane within the Central Business District. Public sewer and water service are available. Zoning for this property is currently C-2; up to 20 units per acre are allowed. Development of this site could result in 60 total units. Of those units, 4 are inventoried as very low income units and 5 are inventoried as moderate income units.

6. Paradise Farms, LLC (Liwai Village) (APN 003-230-17)

This 15.01 acre site is located in the southern portion of the City, bounded on the north by Russell Street, on the east by 2nd Street, on the west by 3rd Street, and on the south by open space. Public sewer and water service are available. Zoning for this property is currently R-1, O-S, up to 7.5 units per acre are allowed within the portion zoned R-1. Development of this site could result in 109 total units. Of those units, 6 are inventoried as very low income units and 10 are inventoried as moderate income units.

Comparison of Inventoried Affordable Units and RHNA Requirements

Table 42 summarizes the anticipated projects described above. The table identifies the planned or inventoried affordable unit counts by type and compares them with the City's RHNA of extremely low, very low, low-, and moderate-income units. The comparison indicates that the City's planned and inventoried affordable units for very low and low income households surpass the City's net RHNA allocation. The City's planned and inventoried units for extremely low- and moderate income households, though, are less than the net RHNA allocation. It is important to note that the number of surplus units for very low- and low income households are greater than the deficit units for extremely low- and moderate income households. Taking this into account, the City will work with housing developers on a project-to-project basis to rebalance the mix of new affordable units so that the City meets the net RHNA allocation during the planning period.

Environmental and Infrastructure Constraints

There are no significant environmental or infrastructure constraints pertaining to the anticipated projects described above that would prevent these sites from being developed for residential use within the next 7.5 years. Water, sewer, and other necessary public facilities and services are either available or can be readily expanded to serve these undeveloped or underdeveloped sites. The City charges appropriate development impact fees to ensure those water lines, sewer lines, roads, and other necessary infrastructure to serve new residential development can be extended in a

timely manner. Environmental concerns, such as endangered species or wetlands, do not significantly affect undeveloped and underdeveloped lands within the City's boundaries and would not be a constraint to new development.

DENSITY

Historically, developers in the City have built at densities below what the City's Zoning Ordinance allows. Past construction at less-than-maximum permitted densities was not due to environmental or other constraints that precluded achievement of maximum densities but was due to market factors and builder preferences.

The four examples listed in **Table 43** display the densities for affordable multifamily projects constructed in the City. The past project densities for affordable multifamily projects have ranged from 10.97 to 19.88 dwelling units per acre for the High-Density Multifamily Residential (R-4) zone. The maximum density for R-4 is 20 units per acre. Densities employed in the 1980s will likely not be adequate to facilitate sufficient production of affordable housing. Future affordable multifamily projects will need to be constructed at the upper one-quarter of the R-4 density range and may require density bonuses in some instances.

Table 43
Affordable Housing Densities

Project Name	Constructed	Units	Acreage	Density/Acre
1. Senior Apartments	1994	39	2.196	17.76
2. Almondwood Apartments	1983	39	3.555	10.97
3. Winters Apartments	1982	44	3.4041	12.93
4. Winters II Apartments	2007	34	1.71	19.88

Source: City of Winters

AREAS WITH REDEVELOPMENT OR RE-USE POTENTIAL

Areas with the greatest redevelopment potential in the City are located in the Redevelopment District. The Redevelopment District is approximately 669 acres and consists of one complete part, with one exception area.

7. Monticello Mixed-Use Project

The City is working with a developer that has proposed a mixed use, infill project that will consist of 10 residential units above two floors of commercial space. This project is reflective of the City's goal to increase the residential component in its downtown core using smart growth principals. The site is indicated on **Map 1.**

V. CONSTRAINTS

The purpose of this section is to identify those governmental and non-governmental factors unique to the community that inhibit the development, maintenance, or improvement of housing. The governmental constraints analysis focuses on factors that are within the City's control, not on state, federal, or other governmental policies or regulations that the City cannot affect or modify. There are many such policies and regulations that could affect the City's ability to meet future housing needs and secure adequate funding to construct very low- and low-income housing. These are among other governmental constraints:

- Land use and environmental policies and regulations that could limit the City's ability to designate land in its planning area for future residential development. Examples include agricultural open space and natural habitat preservation; protection of endangered species; and flood control.
- Fiscal and financial constraints related to regional, state, or federal funding for housing, transportation, infrastructure, and services needed to support new residential development.
- State and federal requirements that add to the cost of constructing affordable housing, when public funds are used (such as so called "prevailing wage" requirements).
- Construction codes and regulations that the City must follow for new residential construction that could restrict the use of cost-saving techniques or materials.

While these other governmental requirements meet legitimate public purposes, the City recognizes that they can potentially constrain the availability and affordability of housing to meet the community's future needs.

NON-GOVERNMENTAL CONSTRAINTS

LAND COSTS

Table 44 provides information on single-family and multifamily residential vacant lots for sale and existing multifamily structures for sale in the region (April 2008). The listing prices of the land range from $46,000 to $843,000 per acre. Land costs take into consider multiple variables in addition to location. Land costs are a function of available infrastructure; site attributes such as proximity to services, grade, former use; stage of entitlement; zoning; and market. With the current state of the housing market, it could be argued that land values in some areas are effectively zero and there is no significant market for vacant residentially-zoned land as of this writing. The last residential subdivision project completed in the City was Winters Townhomes on Main Street (5 of the 15 approved units).

Table 44
City of Winters 2008 Housing Element Update
Land and Existing Structure Costs (List Price)

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City	Acres	Existing Units	Mapped Lots	Cost [1]	Cost Per Acre/Unit	Type	Zoning / Designation [2]	Notes
Vacant Land					*per acre*			
Winters	13.75		40	$2,500,000	$181,818	SF Residential	SFR	Approved tentative map/Creekside
Fairfield	1.66		8	$600,000	$361,446	SF Residential	SFR	Final Map
Vallejo	4.11		18	$1,450,000	$352,798	SF Residential		Vesting Tent. Map
Vallejo	14.97			$3,500,000	$233,801	MF Residential		Senior Housing/ Congregate Care Site
Vacaville	9.27			$4,500,000	$485,437		SFR	Undergoing annexation
Vallejo	0.88		18	$399,900	$454,432	MF Residential	HDR	Expired Approval for apt/condo project
Sacramento	0.89		12	$750,000	$842,697	SF Residential	Residential	Approved tentative map
Sacramento	5.00			$1,100,000	$220,000	SF Residential	RD-6	
Lincoln	4.00			$499,000	$124,750	SF Residential	MDR	
Auburn	1.00		4	$395,000	$395,000	SF Residential	Residential	Tentative map
Sacramento	3.50	2		$1,100,000	$314,286	MF Residential	AG / RD20	
Sacramento	13.00		30	$600,000	$46,154	SF Residential	SFR	Approved tentative map
Sacramento	9.94			$749,000	$75,352	SF Residential	AG / RD5	
Sacramento	20.00		220	$3,000,000	$150,000	SF Residential	AG / MDR	Tentative map
Sacramento	5.17		22	$1,760,000	$340,645	SF Residential	RE 1/0.5	Finished Lots
Elverta	20.00			$5,709,980	$285,499	SF Residential	RD5/6	
Antelope	1.99		24	$900,000	$452,261	MF Residential	MFR	Tentative map
Citrus Heights	3.10			$1,742,500	$562,097	SF Residential	RD4/RD5	
Citrus Heights	0.79	2		$350,000	$443,038	SF Residential		
Citrus Heights	6.98	18		$2,175,000	$311,605	Multifamily		
West Sacramento	24.02			$6,005,000	$250,000	SF Residential	Residential - Rural	
Existing Structures					*per unit*			
Vacaville	1.39	21		$1,960,000	$93,333	Multifamily		
Vacaville	1.53	24		$3,800,000	$158,333	Multifamily		
Vacaville	1.03	23		$2,325,000	$101,087	Multifamily		
Vacaville	0.18	2		$595,000	$297,500	Multifamily		
Vacaville	1.03	23		$2,325,000	$101,087	Multifamily		
Vacaville	0.29	6		$999,988	$166,665	Multifamily		

Source: Loopnet, March 2008 & April 2008.

"land&struct costs"

[1] Listings shown indicate general supply and asking price and do not reflect time on market or other adjustments. Land purchases are often subject to significant other costs of entitlement depending on location and level of entitlement.
[2] Zoning and/or General Plan designations are from individual listings where available and have not been confirmed .

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CONSTRUCTION AND LABOR COSTS

Many factors can affect the cost of building a house, including the type of construction, materials, site conditions, finishing details, amenities, and structural configuration. In recent years factors such as materials demanded by China for major construction projects and the price of fuel have adversely impacted overall construction costs. The slow down in residential building can be assumed to have a dampening effect on labor costs, however; materials costs remain high. According to the Engineering News Record, from March 2003 to March 2008, building costs in the San Francisco region increased by 25 percent. The previous Housing Element Update sited construction costs of $70 to $95 per square foot for residential construction, excluding land in 2002. Recent data collected by the City indicate construction costs of $125 to $135 per square foot. Single-family units targeting a more affordable market such as corner duplexes, cost approximately $110 per square foot to develop and may include less expensive interior finishes.

As mentioned previously, the most recent residential project to be completed, Winters II, cost approximately $300,000 per unit not including land costs. The most recent market rate homeownership project to be completed in the City has been temporarily converted to rental, largely as a result of the high cost of construction relative to the current market value of new homes. That project cost an average of $360,000 per unit to build. The oversupply of new homes in the greater Sacramento region will likely keep home prices down to a level that will make additional units difficult to construct given the cost of construction relative to market pricing.

THE COST AND AVAILABILITY OF FINANCING

The City has not identified local constraints to the availability or cost of financing for home purchases or rehabilitation that differ significantly from the availability or cost of financing generally in California. Even in the City's older neighborhoods, there are no barriers to obtaining financing for home purchase, improvement, or construction (other than customary underwriting considerations by lenders).

The financing documents required to maintain affordability via the City's inclusionary program have been reviewed by the Federal Rural Development Administration (RDA) and found to be acceptable to be paired with the RDA's programs and policies for first mortgage lending.

At this time, the credit markets are reacting to the high levels of mortgage defaults, some of which are due to "sub-prime" mortgages with non-traditional terms. Mortgage lenders engaged in risky lending practices which strayed from the traditional 30-year

fixed rate mortgage with a significant down payment requirement. Buyers were able to obtain mortgages with limited or no down payment and in some cases self-certified incomes and accepted loan terms with significant balloon payments and interest rate adjustments.

As the credit markets re-adjust from their major losses and re-tool their underwriting practices, investors are leery of the mortgage markets. This tightening of the credit market may factor negatively into a would-be homebuyer's ability to purchase. Families with little money for down payments or less-than-ideal credit records may find it difficult to obtain a mortgage. On the positive side, interest rates for credit-worthy borrowers are very low and the federal government is taking steps to make mortgage lending more feasible.

Most governmental programs that seek to increase homeownership among low- and moderate-income households rely on loan products that provide fixed interest rates below prevailing market rates, either for the principal loan or for a second loan that provides part of the down payment for home purchase. Many programs offer deferred second loans to facilitate homeownership. **Table 45** shows various monthly payments necessary to service mortgages at various interest rates. On April 18, 2008, El Dorado Savings Bank was offering a 30-year fixed rate loan with no points at 6.125 percent.

Table 45
Monthly Payments and Total Interest at Various Interest Rates

	15-Year Loan			30-Year Loan		
Interest Rate	Payment per $10k	Total Interest Paid	Percentage Difference Payment/Interest	Payment per $10k	Total Interest Paid	Percentage Difference Payment/Interest
5.50%	$81.71	$4,708	--	$56.78	$10,440	--
6.00%	$84.39	$5,189	3.28%/10.22%	$59.96	$11,584	5.60%/10.96%
7.00%	$89.88	$6,179	6.51%/19.08%	$66.53	$13,951	10.96%/20.43%
8.00%	$95.57	$7,202	6.33%/16.56%	$73.38	$16,416	10.30%/15.02%

"mo py tot int"

Source: www.bankrate.com, December 2004.

GOVERNMENTAL CONSTRAINTS

Governmental constraints include land use controls, building codes and their enforcement, site improvements, fees, exactions required of developers, and local processing and permit procedures. Land use controls may limit the amount or density of development, while building codes may set specific building standards that add material costs or limit building space on a site, thus increasing the cost of housing per unit.

LAND USE CONTROLS

The City's General Plan and zoning ordinance regulate land use in the City. All residential land use classifications pose a constraint on residential development in the sense that various conditions, building requirements, and limitations restrict a pure free market ability to construct housing. Land use regulations also have the potential of adding costs to construction, which indirectly may constrain housing. These impacts are measured against the general health and public safety served in the adoption of such regulations. Standards have been determined by the City to establish minimum constraints to provide for adequate separation of buildings for fire protection, air and light between structures, and the intensity of development. Implementation of these standards has not resulted in a serious constraint in providing housing to the various income levels.

Table 46 provides a summary of the City's residential zoning regulations, including minimum lot area, maximum density, setback, height, and parking requirements for single- and multifamily residential districts. The following is a description of the residential districts in the City and the allowable densities.

1. **General Agricultural (A-1).** Designates areas to preserve lands best suited for agricultural use, from rangeland, field crops, orchards, greenhouses, and single-family dwellings on a minimum lot size of five acres.
2. **Rural Residential (R-R).** Intended for rural homes with limited agricultural uses. Density ranges from 0.5 to 1 unit per acre.
3. **Single-Family, 7,000 Square Foot Average Minimum (R-1).** Intended to stabilize and protect the residential characteristics of existing and planned neighborhoods developed with smaller lots to promote the development of single-family homes. Density ranges from 1.1 to 6.2 units per acre.
4. **Single-Family, 6,000 Square Foot Average Minimum (R-2).** Intended to be used for single-family attached and detached homes. Duplexes may be allowed on appropriate corner lots. Density ranges from 6.3 to 7.3 units per acre.
5. **Single- and Multifamily Residential (R-3).** Intended to provide a mix of compatible residential land uses where single- and multifamily dwellings occur at varying degrees of density. Density ranges from 6.1 to 10.0 units per acre.
6. **High-Density Multifamily Residential (R-4).** Intended to provide for high-density multifamily residential units and similar compatible uses. Density ranges from 10.0 to 20.0 units per acre.

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Table 46
City of Winters 2008 Housing Element Update
City of Winters Residential Zoning Requirements with Allowable Residential Development

	A-1 General Agricultural	R-R Rural Residential	R-1 7,000 SF Average Minimum	R-2 6,000 SF Average Minimum	R-3 Multifamily Residential	R-4 High-Density Multifamily Residential
Minimum Lot Area (square feet)	5 acres	1 acre	5,000 [1]	50,001	6,000 SF/10,000 MF	10,000
Maximum Density (units per gross acre)	1 unit per 5 acres	0.5 to 1 unit per acre	4.1 to 6.0	5.4 to 8.8	6.1 to 10.0	10.1 to 20.0
Minimum Lot Width or Depth (feet)	300	100	60, corner lots +10	50, corner lots +10	60 SF/80 MF	80
Alley Setback (feet)	5	5	5	5	5	5
Minimum Front Yard Setback (feet)	25 [2]	25	20/15 for front patios	20/15 for front patios	20 [2]/15 for front patios	20 [2]/15 for front patios
Minimum Side Yard Setback (feet)	20	15	5/10 [3]	5/10 [3]	5/10 [3]	5/10 [3]
Minimum Rear Yard Setback (feet)	15	25	25	20	20	10
Secondary Frontage (feet) [4]	20	20	15	15	20	20
Height Limit (Dwellings) (feet)	45 nonresidential/ 30 residential	30	30	30	35	45
Maximum Site Coverage	N/A	N/A	50% for single-story 45% for two-story	50% for single-story 45% for two-story	60%	70%
	A-1 General Agricultural	**R-R Rural Residential**	**R-1 7,000 SF Average Minimum**	**R-2 6,000 SF Average Minimum**	**R-3 Multifamily Residential**	**R-4 High-Density Multifamily Residential**
			PARKING REQUIREMENTS			
	N/A	N/A	2 spaces per unit (1 covered or enclosed)	2 space per unit (1 covered or enclosed)	≤ 1 bedroom = 1 space per unit,> 2 bedrooms = 2 spaces per unit 0.25 spaces per unit guest parking [5]	
			PERMITTED USES			
Single-Family Dwellings	Permitted Use	Permitted Use	Permitted Use	Permitted Use	Conditional Use	Conditional Use
Two-family Duplex [6]	Not Permitted	Not Permitted	Permitted Use	Permitted Use	Conditional Use	Conditional Use
Multifamily dwellings of three or more	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted Use	Permitted Use
Second Residential Units	Not Permitted	Conditional Use	Conditional Use	Conditional Use	Conditional Use	Conditional Use
Mobile Home Parks	Not Permitted	Conditional Use	Conditional Use	Conditional Use	Conditional Use	Conditional Use
Emergency Shelters	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Conditional Use	Conditional Use
Transitional Housing	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted [7]	Not Permitted [6]
Convalescence and Care Services	Not Permitted	Conditional Use	Conditional Use	Conditional Use	Conditional Use	Conditional Use
Day Care, General [8]	Not Permitted	Conditional Use	Conditional Use	Conditional Use	Conditional Use	Conditional Use
Day Care, Limited [9]	Not Permitted	Permitted Use	Permitted Use	Permitted Use	Permitted Use	Permitted Use

"W res zone req"

Source: City of Winters Zoning Ordinance, 2003.

[1] Lot sizes for detached split-lot duplex affordable housing units shall be a minimum of 3,500 square feet in the R-1 Zone and a minimum of 3,000 square feet in the R-2 Zone. Lot sizes for detached or attached market-rate split-lot duplexes shall be a minimum 13,500 square feet in the R-1 Zone and 11,500 square feet in the R-2 Zone. Duplexes or split-lot duplexes are allowed only on corner lots.
[2] These zones require an additional 1 foot setback for all yards for each 1 foot of building/structure height more than 30 feet. Where the zone may not require an alley, side yard, or rear yard setback, a minimum setback of 20 feet shall be required for any building/structure more than 30 feet in height.
[3] Where a combination of stories occurs, the 10-foot setback shall be situated on the 2-story side. For single-story residences, the 10-foot setback shall be on the garage side.
[4] Add 5 feet if lot is located on a major arterial.
[5] At least 50% of the required spaces shall be covered or enclosed, with a minimum of one covered or enclosed space provided per unit.
[6] For a two-family duplex, 1.5 spaces per unit.
[7] As part of the 2002 Housing Element update, the City will add a policy to the programs section to amend the City's Zoning Ordinance to allow, through a conditional use permit process, transitional housing in the R-3 and R-4
[8] Providing non-medical care and supervision to 7 or more persons on a basis of fewer than 24 hours a day. The use includes childcare operations.
[9] Providing non-medical care and supervision to 6 or fewer persons on a basis of fewer than 24 hours a day. The use includes childcare operations.

Prepared by EPS 6/16/2009

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In addition to the above residential zones, the City's Zoning Ordinance permits residential uses in nonresidential zones through a CUP process (Section 8-1.4205 Winters Zoning Ordinance).

1. Multifamily dwellings are conditionally allowed in the following zones:
    - Neighborhood Commercial (C-1);
    - Central Business District (C-2); and
    - Office (O-F); and
2. Single-Family dwellings are conditionally allowed in the following zone:
    - Open Space (O-S).

The Implementation Programs listed in the 2008 Housing Element propose several revisions to the City's Zoning Ordinance to bring it in compliance with State law. **Table 47** displays current zoning information for special housing types and the changes the City plans to undertake during this Planning Period.

EMERGENCY SHELTER

The City shall revise the Zoning Ordinance to permit year round emergency shelters in R-3, R-4, C-2; and PQP zones as a permitted use without the requirement for a conditional use permit.

Pursuant to Chapter 633, Statutes of 2007 (SB 2), the City has conducted a staff level review of its R-3, R-4, C-2; and PQP zoning districts to identify capacity for an emergency shelter during the planning period. The Granite Bay Commercial site is particularly suitable for use as a new emergency shelter. Located centrally on Grant Avenue between East Street and Morgan Street, the parcel is City-owned and currently zoned C-2. It provides good freeway access and proximity to schools and local shopping. Transit is available less than ¼ mile from the site across Grant Avenue (SR 128) at Lorenzo's Market, a local supermarket. Public sewer and water service are available. Additionally, medical services (Sutter Medical Clinic) are directly across the street (Grant Avenue). The site, zoned C2, is currently vacant. The total acreage for the Granite Bay Commercial site is 5.464 acres (APN 003-370-27-1 is .942, APN 003-370-28-1 is 1.274, APN 003-370-29-1 is 1.01, and APN 003-370-30-1 is 2.238 acres)

Development and conversions to emergency shelter will be subject to the same development and management standards as other permitted uses in zones R-3, R-4, C-3, and PQP, as summarized in the Constraints chapter of the Housing Element. In addition, the City will develop written, objective standards for emergency shelters to regulate the following, as pursuant to Chapter 633, Statutes of 2007 (SB 2).

- The maximum number of beds/persons permitted to be served nightly;
- Off-street parking based on demonstrated need, but not to exceed parking requirements for other residential or commercial uses in the same zone;
- The size/location of exterior and interior onsite waiting and client intake areas;
- The provision of onsite management;
- The proximity of other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart;
- The length of stay;
- Lighting;
- Security during hours that the emergency shelter is in operation.

Revisions to the City's emergency shelter program are described in the City's Housing Element in Program II-7 of Chapter IV.

CUP PROCESS

The CUP process is described in the City's Zoning Ordinance under Article 4, Section 8-1.4205 (Use Permits). In granting a use permit, the Planning Commission or Zoning Administrator, must find all of the following general conditions to be fulfilled by the requested use:

- Use will be in conformity with the General Plan;
- Use is listed as a conditional use in the zone regulations or elsewhere in Section 8-1.4205 of the Zoning Ordinance, or, where an interpretation is necessary, a determination is made by the Community Development Director or Planning Commission that proposed use would require a use permit;
- Use is consistent with the intent and purposes of the zone in which it is located, and will not detrimentally impact the character of the neighborhood;
- Use will not be detrimental to the public health, safety or general welfare;
- Adequate utilities, access roads, drainage, sanitation or other necessary facilities or services will be provided;
- Use will not create a nuisance or enforcement problem in the neighborhood; and
- Use will not result in a negative fiscal impact on the City.

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Table 47
City of Winters 2008 Housing Element Update
Proposed Zoning Changes

Housing Type	Current: Zone Districts	Current: Allowable By Right or with CUP	Planned Changes: Zone Districts	Planned Changes: Allowable By-Right [1] or with CUP
Year-round emergency shelter (homeless)	R-3; R-4; C-2; PQP	CUP	R-3; R-4; C-2; PQP	By-right
Transitional Housing	None	—	R-3, R-4, C-2	By-right
Other Supportive Housing	None	—	R-3, R-4, C-2	By-right
Single-room Occupancy (SROs)	None	—	R-3, R-4, C-2	R-3 and R-4 by-right; C-2
Farmworker Housing	None	—	R-2, R-3, R-4 for year-round and seasonal farmworker households. Also C-2 for single-male farmworkers (SROs). Migrant farmworker housing is provided farmworker facilities in Madison, Dixon and Davis.	By-right
Manufactured and Factory-Built Housing on lots zoned for single-family dwellings	Not specified in Zoning Ordinance	—	RR; R-1; R-2; R-3; R-4 (*GC Sec. 65852.3*)	R-R, R-1 and R-2 by-right; R-3; R-4 with CUP (*same as with all single-family homes*)
Mobile Home Parks	RR; R-1; R-2; R-3; R-4	CUP	RR; R-1; R-2; R-3; R-4 (*GC Sec. 65852.7 and need to comply with maximum density limitations*)	CUP

Source: City of Winters

[1] Must conform to development standards for this district.

PERMITTED USES IN RESIDENTIAL ZONING DISTRICTS

The Winters Municipal Zoning Ordinance designates permitted and non-permitted uses for all developable use types in the City in relation to the City's zoning categories (**Table 46**). Proposed changes are presented in **Table 47**.

BUILDING CODES

Building Codes regulate the physical construction of dwellings and include plumbing, electrical, and mechanical divisions. The purpose of the Building Code and its enforcement is to protect the public from unsafe conditions associated with construction. The City enforces the California Building Code Standards (Title 24) for existing units, new construction, and residential rehabilitation. State law affords local government some flexibility when adopting the uniform codes; the building codes can be amended based on geographical, topological, or climate considerations. Further, State Housing law provides that local building departments can authorize the use of materials and construction methods other that those specified in the uniform code if the proposed design is found to be satisfactory and the materials or methods are at least equivalent to that prescribed by the building codes.
A review of the City's amendments to the uniform codes indicates that they have no substantial impact on the cost of residential development. City amendments to the State Building Code standards are primarily procedural and administrative, such as filing procedures, and to enforce safety procedures in dangerous or unsafe buildings.

DEVELOPMENT FEES

The City charges several permit and development impact fees to cover the cost of processing development requests and providing public facilities and services to new developments. Although these fees are necessary to meet City service standards, they can have a substantial impact on the cost of housing, particularly affordable housing. In creating a development fee structure, the City carefully balanced the need to offset the cost of public services with a level of fees that do not inhibit residential development.

Normally, planning fees would have a minimal impact on housing cost because most fees are flat rate charges, not per unit charges, and can be spread over the entire development. For a modest-sized development proposal, permit fees would typically amount to a few hundred dollars per dwelling unit.

Building, Engineering, and Development Impact fees have a much larger effect than planning fees on the final cost of a home. Such fees include water and sewer impact and hook-up costs, park fees, traffic impact fees, and similar charges. **Table 48** lists the

building and development costs for a single-family unit in a subdivision zoned Medium-Density Residential (R-2) with a livable area of 1,850 square feet, including a 500-square foot garage. For this example, the valuation is based on rates of $125 per square foot for the first 1,500 square feet and $135 per square foot for the remaining 350 square feet of residence and $40 per square foot for the garage for a total construction valuation of $269,750.

Table 49 lists details on City fees for the construction of a 56-unit multifamily development based on an average unit size of 950 square feet, a construction valuation of $5,426,400, and high-density residential (General Plan land use designation) impact fees. This example does not include the construction valuation for the garages, storage units, swimming pool, and community room that may be incorporated into the project. The valuation of this project is based on rates of $102 per square foot for the dwelling units.

SCHOOL IMPACT FEES

The Winters Joint Unified School District impact Fee for both single-family and multifamily development is $3.05 per square foot.

COUNTY IMPACT FEES

The County impact fee applies to both single-family and multifamily developments. There is one single-family impact fee of $3,396.80 per unit and a multifamily fee for 2 or more units of $2,500.30 per unit.

PLANNING FEES

Table 50 lists fees charged by the City for the processing of various land use permits.

ON- AND OFF-SITE IMPROVEMENT REQUIREMENTS

When new developments are constructed there is a need to improve the land on which the development is located, or provide improvements in the general area to properly serve the development. These improvements vary depending on whether the development is located on raw land or an infill site. Typical raw land improvements include the installation of sewers, curbs, gutters, and streets. Many infill sites are already equipped with some if not most improvements, particularly streets. Therefore, there are usually no dedication or easement requirements on such sites. Land improvements require fees, some of which are listed above. The cost of improvements depends on the extent of improvements, the size of the project, and accessibility.

Table 48
City of Winters 2008 Housing Element Update
Single-Family Building Permit and Development Impact Fees

Permit/Development Fee	Amount
Building Permit	$1,944.35
Plumbing Permit	$282.77
Electrical Permit	$219.57
Mechanical Permit	$156.38
CARF	$100.00
Plan Check and Reinspection	$1,263.83
Energy Conservation Surcharge	$94.79
Strong Motion	$26.98
Construction Water	$296.73
Water Service Impact Fee	$3,804.00
Wastewater System Impact fee	$6,320.00
General Storm Drain Impact Fee	$51.00
Streets & Highways Impact Fee	$7,987.00
Public Safety Impact Fee	$1,083.00
Fire Service Impact Fee	$1,645.00
Parks & Recreation Impact Fee	$4,071.00
Monitoring fee	$1,136.00
General Capital Impact Fee	$2,419.00
Non Flood Study Area Impact Fee	$210.00
Park In-Lieu Fee	$900.00
Fire Service Impact Fee	$398.00
Total	**$34,409.39**

"bldg prmt dev imp fees"

Source: City of Winters, March 2008.

Table 49
City of Winters 2008 Housing Element Update
Multifamily Development Building Permit and Development Impact Fees [1]

Permit/Development Fee	Amount
Building Permit	$21,765.11
Plumbing Permit	$2,859.46
Electrical Permit	$2,152.10
Mechanical Permit	$1,444.73
CARF	$150.00
Plan Check and Reinspection	$14,147.32
Energy Conservation Surcharge	$1,061.05
CD and Public Safety Supplement	
Strong Motion	$542.64
Construction Water	$5,969.04
Water Service Impact Fee	$104,384.00
Wastewater System Impact fee	$185,752.00
General Storm Drain Impact Fee	$1,456.00
Streets & Highways Impact Fee	$279,552.00
Public Safety Impact Fee	$143,360.00
Fire Service Impact Fee	$57,568.00
Parks & Recreation Impact Fee	$142,464.00
Monitoring fee	$60,256.00
General Capital Impact Fee	$84,616.00
Non-Flood Study Area Impact Fee	$3,136.00
Park In-Lieu Fee	$50,400.00
Fire System Fee [2]	$2,786.00
Total	**$1,165,821.46**

"mf bgpt dev imp fees"

Source: City of Winters, March 2008.

[1] For prototypical 56-unit structure with average 950 sq. ft. per unit.
[2] Based on seven risers.

Table 50
City of Winters 2008 Housing Element Update
Planning Fees

Process	Amount Charged
Conditional Use Permit	$1,500
Conditional Use Permit/Planned Development Overlay Modifications	$1,100
Site Plan/Design Review Staff Level	$500
Mitigation Monitoring Program (Deposit + T & M)	$2,272
Mitigation Monitoring Plan (City Staff time only)	$846
Variance Planning Commission, first variance	$1,500
Variance Planning Commission, each additional property/site	$363
Variance Zoning Administrator, first variance	$1,300
Pre-Zoning & General Plan Amendment	$4,559
Specific Plan w/General Plan Amendment	$7,869
Initial Study (City staff time only)	$1,500
Negative Declaration (City staff time only)	$846
Environmental Impact Report	T & M
Tentative Subdivision Map, 1 - 4 lots	$669
Tentative Subdivision Map, 5 - 24 lots	$6,000
Tentative Subdivision Map,25 - 49 lots	$8,097
Tentative Subdivision Map, 50 - 99 lots	$8,568
Tentative Subdivision Map, 100 - 200 lots	$9,038
Tentative Subdivision Map, 200+ (each additional 100 or fraction thereof)	$471
Pre-Project Advisory Review Planning Commission	$375
Development Review Committee Meeting	$400
Lot Line Adjustment	$500
Site Plan/Design Review Residential 1 - 4 lots	$750
Site Plan/Design Review Residential 5 - 24 lots	$950
Site Plan/Design Review Residential 25 - 49 lots	$1,150
Site Plan/Design Review Residential more than 49 lots	$1,350
Site Plan/Design Review Multifamily, up to 20 units	$1,500
Site Plan/Design Review Multifamily, over 20 units	$2,000
Exemption (Statutory or Categorical)	$200

"plng fees"

Source: City of Winters, March 2008.

Typical improvements required on site in the City include these:

1. Water: mains, laterals, meters, fire hydrants;
2. Sewer: mains, laterals, cleanouts;
3. Streets: pavement, curb, gutter, sidewalk, lights; and
4. Storm Drain: storm drain lines and inlets.

The improvements listed above are the basic requirements. Some requirements are unique to a particular project and could involve one or more of these:

1. Detention basin for storm water;
2. Sewer lift station;
3. Traffic signal;
4. Soundwall (for noise mitigation) and landscaping;
5. Park construction; and
6. Water well.

Off-site infrastructure improvements could involve one or more of these:

1. Sewer lift station;
2. Expansion of wastewater treatment facilities;
3. Traffic signal;
4. Detention basin for storm water;
5. Construction of sewer mains off site; and
6. Water well.

The above lists are not exhaustive but are some of the more basic, obvious infrastructure requirements, and the City believes that these do not present a constraint to production of affordable housing.

PERMIT PROCESSING PROCEDURES

The time required to process a project varies greatly from one project to another and is directly related to the size and complexity of the proposal and the number of actions or approvals needed to complete the process. It should be noted that each project does not necessarily have to complete each step in the process (i.e., small scale projects consistent with General Plan and zoning designations do not generally require Environmental Impact Reports (EIR), General Plan Amendments, Rezones, or Variances). Also, certain

review and approval procedures may run concurrently. For example, a plan check review for a single-family home could be processed concurrently with the design review.

The City also encourages the joint processing of entitlements for a single project. As an example, a rezone petition may be reviewed in conjunction with the required site plan, a tentative subdivision map, and any necessary variances. **Table 51** identifies the typical processing time most common in the entitlement process. **Table 52** outlines typical approval requirements for a single-family infill project, a 30-unit subdivision, and a 50-unit multifamily project, assuming that the land is zoned appropriately.

Table 51
Application Processing Times

Type of Approval or Permit	Typical Processing Time	Approval Body
General Plan Amendment	24 weeks	City Council
Rezoning	24 weeks	City Council
Conditional Use Permit	8-16 weeks	Planning Commission
Variance	6-8 weeks	Planning Commission
Site Plan/Design Review (Staff Level)	30 days	City Staff
Site Plan/Design Review	6-12 weeks	Planning Commission
Planned Development	24 weeks	City Council
Minor Subdivision (Tentative Map)	24 weeks	City Council
Major Subdivision (Tentative Map)	52 weeks	City Council
Minor Subdivision (Final Map)	Variable	City Council
Major Subdivision (Final Map)	Variable	City Council

"app pross"

Source: City of Winters, May 2009.

Table 52
Typical Processing Procedures by Project Type

Item	Single Family Unit	Single Family Subdivision	Mutlifamily
Typical Approval Requirements by Land Use Type	Site Plan/Design Review	Tentative Map Initial Study/Negative Declaration Site Plan/Design Review Final Map	Site Plan/Design Review Initial Study/Negative Declaration
Estimate Total Processing Time	4 weeks	6-12 months	6-8 months

"processing"

Source: City of Winters, May 2009.

Tables 51 and **52** make several assumptions:

1. The applicant and staff meet several times before submitting the application;
2. The applicant provides a complete application and may need to work with staff to adjust the project before it is initially reviewed and considered by the Planning Commission;
3. There are not significant environmental issues that would require a mitigated negative declaration; and
4. The Planning Commission's approval of the project is not appealed to the City Council.

Similar to other jurisdictions, the City has a number of procedures it requires developers to follow for processing development entitlements and building permits. Although the permit approval process must conform to the Permit Streamlining Act (Government Code Section 65920 (*et seq.*)), housing proposed in the city is subject to one or more of the following review processes: environmental review, zoning, subdivision review, design review, and building permit approval. Individual discussions of each process are included in this section.

Design Review and Permit Processing Procedures

The Design Review process ensures that the development will conform to applicable Specific Plans, Design Guidelines, General Plan Policies, City Codes and applicable Conditions of Approval. Through these development standards, the City tries to promote attractive, compatible architectural design, protect views and preserve natural landforms and existing vegetation. City staff will review an application for design

review along with other possible entitlements for a project. Once accepted as complete, the item will be scheduled for a public hearing before the Planning Commission. Planning Commission action will be based on an evaluation of project compliance with design criteria. Since the Planning Commission is the deciding body for a design review application, the processing time for design review application does not take more or less time than a conditional use permit or a variance.

The City works closely with developers to expedite the entitlement process(es) so as not to put any unnecessary timing constraints on residential development. There are two Permit Review Processes, as set forth by the City's Zoning Ordinance: 1) The administrative process which is used for smaller projects that can be approved by the Community Development Director; and 2) the Public Hearing process which is used for handling projects that are to be reviewed and approved by the Planning Commission.

Affordable Housing Steering Committee

The Affordable Housing Steering Committee (AHSC) is a citizen committee dedicated to implementing the community's housing policies in a quality way. Their emphasis is on open communication with the developer early in the process, often prior to application submittal, to communicate the community's needs and to provide a forum for direction and dialog.

The involvement of the AHSC is beneficial to the developer as it provides a clearer road map to successful development in Winters. Of the five members of the steering committee, two are from the current Planning Commission. In addition, one City Council member serves as a liaison from the City Council to the AHSC. As projects reach the Planning Commission and the City Council, there is already some degree of familiarity with the developer and the proposed project. Early involvement with the AHSC coupled with the fact that the committee is simply advisory does not impede development or affect processing time.

Administrative Permit Process

The Administrative permit process is used for those types of permits that are more routine in nature and smaller in scale. These Administratively processed projects are handled in a smaller manner as Steps 1 through 7 of the Public Hearing Process (see below). Due to the smaller scale of these projects, the project plans are generally routed to fewer departments and agencies for their review and comment, and they have a shorter time period for review. A notice is sent out called a Notice of Intent that allows adjacent property owners the opportunity to request a public hearing. If no public hearing is requested, then a project is approved by the Community Development Director. If a public hearing is requested, then a project is forwarded to and reviewed by the appropriate approving authority.

Public Hearing Process

The following is a summary of the eight (8) steps involved with the Public hearing process:

Step 1– The applicant submits a completed Community Development Department application along with the necessary plans and materials and application fee (e.g. radius list, application fee, etc) as identified on the submittal checklist, to the staff at the Community Development Department.

Step 2– Upon receipt of a complete application, the Community Development Department routes the project plans and materials to multiple City departments for their concurrent review and comment. In some cases due to environmental regulations, the project may also be routed to State and Federal agencies such as the Army Corps of Engineers, U.S. Fish & Wildlife, and California Department of Transportation or others for review and comment. If a project includes affordable housing, the Community Development Department will be scheduled for an advisory review before the Affordable Housing Steering Committee. Usually, a project applicant may desire to receive feedback from the AHSC prior to the application submittal. If that is the case, the AHSC may ask that the project applicant return to the steering committee to review the formal submittal.

Step 3– Within 30 days of submitting an application, the Community Development Department holds a project evaluation meeting with multiple City departments to discuss the project's site/design issues. The applicant, the applicant's engineer, and the applicant's architect may attend this meeting as well. At the meeting, city staff provides written comments from each department (engineering, building, etc) on the project as well as a draft set of recommended conditions of approval. In some cases, the written comments require modifications to the project plans. Note: administratively processed permits generally do not require an evaluation meeting.

Step 4– If following the meeting the project is modified, the applicant is responsible for responding to each department's comments and making sure that each department's comments are adequately addressed before submitting revised plans.

Step 5– Within thirty days (30) of receiving the City's written comments on the project, the applicant submits revised plans to the Community Development Department for redistribution to the applicable Departments for their review and finalization of the project Conditions of Approval. The City has thirty (30) days to determine whether the application as amended is complete.

Step 6– Once all departments have reviewed the revised project plans, Community Development Department staff prepares final Conditions of Approval. These Conditions of Approval are included within the Community Development Department staff report that is forwarded to the approving authority for their review and consideration. At this step, the Community Development Department also prepares the necessary environmental documentation for the project.

Step 7– The Community Development Department will prepare a Public hearing notice for the project (this notice will include the environmental determination).

Step 8– At the Public Hearing, testimony is heard on the project and the approving authority takes final action on the project. The final Conditions of Approval are provided in the Community Development Department's "Notice to applicant" which is mailed out to the applicant the day following the hearing. Note: Permits for new development that include land use and/or zoning issues such as: General Plan Amendments, Rezone and/or Development Agreement Amendments, require three public hearings (one Planning Commission meeting and two City Council meetings). In these cases, the City Council is the final approving authority.

CONSTRAINTS TO HOUSING PERSONS WITH DISABILITIES

Many persons with disabilities require special housing accommodations for on-site supportive services, group living, accessibility, or shared housing arrangements. Areas of the City zoned for multifamily housing and other classifications that permit alternative types of housing for persons with disabilities are generally located with access to public transit, commercial and public services, and sidewalks and street crossing compliant with State and Federal handicapped accessibility standards. The City ensures that new housing developments comply with the California Building Code (Title 24 of the California Code of Regulations) and Federal Americans with Disabilities Act requirements for accessibility.

According to the Winters Municipal Code, Section 17.08.050 (Residential Use Classifications), "Residential Care Facility" means "the rooming and boarding of up to six physically, mentally, or educationally disadvantaged persons for which a license is required by a county, state, or federal agency, and which provides resident staff." Such a facility shall not be included in the definition of a boarding house, rooming house, foster care home, rest home or other similar term which differs in any other way from a single-family dwelling. Residential Care Facilities are conditionally permitted in the R-R

(Rural Residential), R-1 (Single-Family Residential), R-2 (One and Two Family Residential), and R-3 (Multifamily Residential) zones.

Conversely, the Winters Municipal Code, Section 17.08.060 (Public and quasi-public classifications) define Convalescence and Care Services as activities oriented to the healing, recovery, care or support of seven or more sick, injured or terminally ill people. Convalescence and Care Services are conditionally permitted in the R-R (Rural Residential), R-1 (Single-Family Residential), R-2 (One and Two Family Residential), R-3 (Multifamily Residential), R-4 (High Density Residential), and C-1 (Neighborhood Commercial) zones.

General

The City provides reasonable accommodations for persons with disabilities in the enforcement of building codes and the issuance of building permits as consistent with the accessibility design and construction standards contained in the California Building Code. Currently, the City uses the conditional use permit or variance processes for individuals with disabilities to make requests for reasonable accommodations with respect to zoning. The complex findings required under a variance or conditional use permit, though, can act as a constraint on housing for persons with disabilities. To remove this constraint, the City will develop and establish a reasonable accommodation procedure as a unique exception process in zoning and land use for persons with disabilities. The procedure will identify applicability, application requirements, review authority, the review procedure, and findings that will serve as the basis for the decision to grant or deny requests for reasonable accommodation. In addition, it will identify the process for appeals of determination. This new procedure is described under Program II-27 of the Housing Element.

The City has received grant funds on three different occasions for owner-occupied rehabilitation programs. In its advertising for these programs, the City has noted that accessibility retrofit work is an eligible cost. The City, as part of the policies for the 2002 Housing Element update, began requiring universal design features in residential subdivisions through development agreements.

Zoning, Permits and Processes

A review of the City's Zoning Ordinance and related policies and practices does not show the City to be out of compliance with Fair Housing Laws as it pertains to the development, maintenance, and improvement of housing for persons with disabilities. Residential parking standards for persons with disabilities are not different from other parking standards. When a special needs project proponent requests a reduction in parking requirements and can demonstrate a reduced need for parking, the request would likely be addressed during the review of the reasonable accommodation request.

The City's Zoning Ordinance does not have occupancy standards that apply specifically to unrelated adults. The City's General Plan land use element does not require a minimum distance between two (or more) special needs housing facilities.

The City has partnered with Rebuilding Together to utilize their Safe at Home/Home Safety program. While the City does not provide direct financial assistance, the City does assist with program publicity and community outreach. The City uses its community contacts to identify potential program participants. Staff, including the City Building Official, works with Rebuilding Together's local representative to resolve construction problems and challenges. Large scope retrofits such as full ramps (as opposed to transition ramps, which can be done through Rebuilding Together) are being done through the City Senior Rehabilitation program. Staff will look at expanding the City Rehabilitation program to include non-seniors.

Building Codes

The City has adopted the California Building Code, 2007 edition. The City has not made any amendments that might diminish its ability to accommodate persons with disabilities nor has it locally adopted any universal design elements in the building code. As noted earlier, the City provides reasonable accommodations for persons with disabilities in the enforcement of building codes and the issuance of building permits as consistent with the accessibility design and construction standards contained in the California Building Code. One of the proposed implementation programs includes the preparation of an ordinance that would incorporate universal design features in single-family residences.

SECOND UNIT REQUIREMENTS

The City Zoning Ordinance permits secondary housing units as a conditional use in any R-District on any lot subject to Planning Commission's approval (Section 8-1.5307); however, because of a change in State Law, City Staff is no longer enforcing the CUP requirement. One of the proposed Implementation Programs includes a revision of the Zoning Ordinance second unit requirements to reflect changes in State law.

MANUFACTURED HOME AND MOBILE HOME PARK STANDARDS

A manufactured home or a mobile home located outside a mobile home park shall conform to all of the residential use development standards for the zoning district in which it is located. Where manufactured homes are placed in residential districts, the mobile home is required to be attached to a permanent solid foundation system in

conformance with State law and approved by the City. The City's Zoning Ordinance (Section 8-1.6008 A) prohibits mobile homes in the Main Street Historic District. As part of the Implementation Programs of the Housing Element, the Zoning Code will be revised to specifically refer to manufactured and factory built homes.

PARKING REQUIREMENTS

Table 53 provides information on residential off-street parking requirements, subject to Section 8-1.6003 of the City's Zoning Ordinance.

Table 53
Residential Parking Requirements

Residential Land Use	Off-Street Spaces Required
Single-Family [1]	2 per unit 1 must be covered or enclosed
Two-Family/Duplex [1]	1.5 per unit
Multifamily [2]	
≤ 1 Bedroom	1 per unit
≥ 2 Bedrooms	2 per unit
Guest	0.25 per unit
Mobile Home Park	2 per mobile home
Guest	0.25 per unit

"res park req"

Source: City of Winters Zoning Ordinance, 2003.

[1] Requires in-kind replacement when a garage or carport space is converted to another use.
[2] At least 50 percent of the required spaces must be covered or enclosed, with a minimum of one covered or enclosed space provided per unit.

INCLUSIONARY HOUSING PROGRAM

The City's Ordinance 94–10 (aka Inclusionary Ordinance), requires that at least 15 percent of all new units developed in the City be affordable to very low-, low-, or moderate-income households. To prevent the inclusionary Ordinance from impeding development, the City shall provide regulatory and financial incentives and assistance

geared to the financial need of each project. The following options may be considered as needed to facilitate compliance and maintain the financial feasibility of a project.

- **Off-site and In-Lieu Exceptions** - Although development of the affordable units on-site are normally preferred, when this is found to be infeasible or inappropriate, the City may allow off-site development of the affordable units, may accept in-lieu contributions of cash or land, or may approve a combination of these and other methods.
- **Fee Waivers or Deferrals** - The City may grant to a developer a program of waivers, reduction, or deferrals of development fees or administrative fees for the inclusionary units.
- **Density Bonus** - A 25-percent density bonus is available for projects meeting requirements of the Density Bonus Ordinance 97–02 (as revised per Housing Element Program II-3), General Plan Implementation II.3.
- **Funding Assistance**
  - **Local Funding** - Housing set-aside funds may be used to subsidize the production of affordable units.
  - **State/Federal Funding Assistance** – The City may provide assistance in accessing State or Federal funding by lending support to such requests, priority permit processing for entitlements necessary to increase the competitiveness of a funding request, and providing documentation of housing needs that would increase the competitiveness of a funding request.
- **Modified development standards** – The City may make modifications to standards such as for parking, setbacks, on- or off-site improvements, street improvement standards, and less stringent site plan (design review) requirements under the City's Planned Development Process.

FORM-BASED CODE

In March 2006, after a lengthy public process, the City adopted the Downtown Master Plan, which provides the vision for the development and redevelopment of the downtown core of the City. The Downtown Master Plan identified several tools for fulfilling the vision in the Plan. One of those tools is the creation, adoption and use of a Form Based Code for the Downtown Master Plan Area. Cities use Form Based Codes to control the look and type of buildings, streets, landscaping and building details like signs, awnings, and storefronts to create and maintain an interesting, attractive and livable town. Standards for land use, density, setbacks, and design would be set-out in a zoning code-like format that can be used easily by landowners, applicants, business

owners, and City staff and officials. The City is currently working on the development of a Form Based Code for its Downtown core. It is anticipated that the Code will be adopted by summer 2008.

The form-based code helps to reduce the uncertainty for developers and smooth the permitting process by providing up front clarity for proposed projects. Understanding the City's vision in advance reduces the risk and predevelopment expenses for developers and reduces the overall discretionary review process.

PLANNED DEVELOPMENT (PD) OVERLAY

The purpose of the PD overlay is to promote the development of a cohesive and aesthetically pleasing urban structure for the City. The PD overlay allows for the maximum flexibility consistent with the minimum development standards within each underlying zone category. A PD overlay zone may be established where a special design applying greater flexibility for land use provides a clear benefit for the City.

DESIGN REVIEW

The design review process for the City is intended to ensure that the location and configuration of structures and corollary site improvements are visually harmonious with their site and that of surrounding sites and structures. The design review process includes an analysis of proposed architectural styles, construction materials, colors, site landscaping, and similar development criteria. Design review is required before the Planning Commission for approval of the following residential projects:

- New construction of multifamily residential units;
- New construction of any single-family residential unit; and
- Modifications of existing buildings involving collectively significant exterior changes, which may include changes of building materials; addition/deletion of doors, windows, and awnings; or changes to rooflines or parapet walls as determined by the Community Development Director.

The Planning Commission will consider the following aspects for design review of a site plan as applicable:

1. The overall visible mass of the structure(s). This analysis may include review of visible building mass as it relates to property setbacks, building height, roofline profiles, lot coverage, orientation, and the overall size and scale of a building;

2. The use and quality of exterior construction materials, including exterior building colors on new construction only to the extent that it may detract from the desired design theme for a neighborhood;
3. Avoidance of buildings that are characterized by large, blank or unbroken wall planes, as well as buildings that exhibit a general lack of architectural detailing, shadow lines, etc., which collectively lack general visual interest;
4. Effective screening of ground- and roof-mounted mechanical equipment;
5. The use of landscaping, decorative site paving, etc. that provides effective visual screening or softening of the development. Consideration of the appropriate mix of plant materials, plant sizes, etc. pursuant to landscaping criteria contained in Section 8-1.6004 of the City's Municipal Code;
6. Achieve conformity with the Winters Design Guidelines; and
7. In addition to the above, single-family development design review will focus on avoiding the use of repetitive design and site plans. Design review is intended to encourage elements of individuality in residence design through inclusion of features such as modified front and side yard setbacks, varying architectural styles, building siding and roofing materials, and creative use of fencing and landscaping. To the extent possible, designs also should encourage pedestrian activity while reducing emphasis on vehicular access as the local point of a residential lot.

The Planning Commission will make findings relative to compliance with the above seven provisions to approve a site plan. Applicants have the option of filing conceptual (preliminary) site plans for design review in advance of formal site plan review. Conceptual design review allows for submittal of more basic site plan information for an initial review by the Planning Commission. Conceptual design review is to be considered only as an information item and is intended to provide informal feedback to an applicant, who then could consider any comments received by the Planning Commission when preparing the formal site plan.

Design Review (Site Plan Review) for Multifamily Projects

The Winters Residential Design Guidelines impose development standards that are not contained in the City's Zoning Ordinance. Examples include the use of gables, hips, and dormers for roofs; the use of architectural asphalt shingles, concrete or clay tile, and slate or similar visual materials for roofs; and the use of roof structures and embellishments such as louvers, vents, lanterns, pinnacles, cupolas, finials, compounded fascias, parapets and eve moldings. Besides the obvious aesthetic issues, one of the goals, or perhaps the focus, of design review is to ensure that the City's small town character is preserved and enhanced.

The use of multifamily design review has created minimal cost impact on multifamily development because the types of architectural styles and embellishments required by the City do not, by themselves, cost significantly more to construct than other types of architectural styles.

Winters Design Guidelines

The City Residential Design Guidelines were created in a joint effort by the Winter Planning Commission and Winters Economic Development Commission in November 1999. The design guidelines were developed with the specific objectives of facilitating economic and residential development in the City and ensuring that the small town character of the City was preserved.

Downtown Master Plan

The recently-adopted Downtown Master Plan contains design guidelines specific to the central business district.

AFFORDABLE HOUSING STEERING COMMITTEE

The Affordable Housing Steering Committee (AHSC) was established in October 1994. The AHSC is a citizens committee dedicated to implementing the community's housing policies in a quality way. Their emphasis is on open communication with the developer early in the process to communicate the community's needs and to provide a forum for direction and dialog.

The involvement of the AHSC is beneficial to the developer as it provides a clearer road map to successful development in Winters. The AHSC has 2 of the 5 sitting members that are from the current Planning Commission as well as 1 City Council person who participates as City Council liaison. As projects reach the Planning Commission and the City Council, there is already some degree of familiarity with the developer and the proposed project from those Planning Commissioners also serving on the AHSC. The early involvement with the AHSC does not impede development; it facilitates successful development.

In recent years, the role of the AHSC has been to review the affordable plans for new residential projects. The AHSC emphasizes the need to construct affordable units in each project, spread out the affordable units throughout each project, design the affordable units so they blend in with the market rate units, and construct affordable units in each phase of a multi-phased residential project. The AHSC plays an advisory role and project applicants do not incur any application or other fees to appear before

the AHSC. The City schedules a project application before the AHSC early in the planning process to ensure affordable housing issues are resolved in a timely manner before the developer has incurred significant cost. This committee does not have the power to alter project review, design review, or development standards.

The AHSC was initially required to review residential projects of 50 units or more, but since many of the City's affordable housing projects tend to be smaller in size, that threshold has been decreased to 15 units. Because the AHSC becomes involved in the development process during the early stage, often prior to application submittal, and provides only an advisory role, the City does not believe that this change will act as a constraint on housing development. Rather, the City believes that the AHSC is beneficial to the City's affordable housing development objectives.

DEVELOPMENT REVIEW COMMITTEE (DRC)

The DRC was implemented to expedite and streamline the development process. The DRC review process provides for all necessary and critical parties to be present at the same time for development review to provide comments and identify issues early in the process to save time and money.

EXISTING INFRASTRUCTURE

As described in more detail in the Public Services and Facilities Element, the provision of public services to newly developing areas in the City will require expansion of facilities. Water, sewer, drainage, police, fire, parks, schools, and transportation will require improvements in capacity to treat and distribute water, to treat sewage, to handle run-off, and to provide sufficient space and capacity for recreation, public safety, education, and movement of people and goods. In each case, the cost of expansion most likely will be financed through development fees, exactions, assessment districts, or some combination of these.

WATER

The City has completed the design of a new well and has established the appropriate funding mechanisms to complete its construction. Financial mitigation measures have been put in place via development agreements for projects which have been approved by the City. The completion of this well will ensure sufficient water supply for all of the projects listed in **Table 42**.

SEWER

There is sufficient sewer treatment capacity available to accommodate the development projects listed in **Table 42.** The City will require additional sewer capacity in the future; if all proposed developments were to be constructed today, the sewer treatment facilities would be at maximum capacity. The funds to implement a Phase II sewer treatment facility will be available as new development takes place as funding mechanisms have been established.

ENVIRONMENTAL CONSIDERATIONS

The City is subject to both localized and regional flooding. The City's *Storm Drainage Master Plan* (May 1992) proposes improvements to address existing system deficiencies and improvements to address the localized drainage problems associated with new development. A bigger drainage problem is regional flooding associated with Chickahominy and Moody Sloughs which affects much of the northern area within the 20-year Urban Limit Line. The *1992 General Plan* commits the City to undertaking a study to address this regional flooding problem.

Pending completion of the study and identification of a funding mechanism to finance a comprehensive flooding solution, the area contributing to or affected by the 100-year flooding problem is designated in the General Plan as a Flood Overlay Area and is subject to interim land use controls.

Some residential development lying within the Flood Overlay Area may be able to proceed as soon as the flood study has been completed and the City has enacted a funding mechanism to finance the comprehensive flooding solution. Some residential development, however, may not be able to proceed until most flood control measures are implemented.

COORDINATION WITH WATER AND SEWER AGENCIES

The City manages its own water and sewer facilities and does not coordinate with an outside agency for those services. As mentioned above, there is adequate water and sewer capacity to meet the future demands for residential development.

VI. ENERGY CONSERVATION OPPORTUNITIES

GENERAL DESIGN STANDARDS

There are many opportunities for conserving energy in new and existing homes. New buildings, by design, can easily incorporate energy efficient techniques into the construction. According to the Department of Energy, the concept of energy efficiency in buildings is the building envelope, which is everything that separates the interior of the building from the outdoor environment: the doors, windows, walls, foundation, roof, and insulation. All the components of the building envelope need to work together to keep a building warm in the winter and cool in the summer.

Constructing new homes with energy-conserving features, in addition to retrofitting existing structures, will result in a reduction in monthly utility costs. There are many ways to determine how energy efficient an existing building is and, if needed, what improvements can be made. Examples of energy conservation opportunities include installation of insulation or storm windows and doors, use of natural gas instead of electricity, installation or retrofitting of more efficient appliances and mechanical or solar energy systems, and building design and orientation, which incorporates energy conservation considerations.

Many modern building design methods are used to reduce residential energy consumption and are based on proven techniques. These methods can be categorized in three ways:

1. Building design that keeps natural heat in during the winter and keeps natural heat out during the summer. Such design reduces air conditioning and heating demands.

   Proven building techniques in this category include these:

   - Location of windows and openings in relation to the path of the sun to minimize solar gain in the summer and maximize solar gain in the winter;
   - Use of "thermal mass," earthen materials such as stone, brick, concrete, and tiles that absorb heat during the day and release heat at night;
   - Use of window coverings, insulation, and other materials to reduce heat exchange between the interior of a home and the exterior;
   - Location of openings and the use of ventilating devices that take advantage of natural air flow (particularly cool evening breezes);

- Use of eaves and overhangs that block direct solar gain through window openings during the summer but allow solar gain during the winter; and
- Use of zone heating and cooling systems, which reduce heating and cooling in the unused areas of a home;

2. Building orientation that uses natural forces to maintain a comfortable interior temperature. Examples include these:
   - Solar orientation of residences to facilitate the use of solar energy systems for heating and cooling;
   - Minimizing the eastern and western exposure of exterior surfaces; and
   - Location of dwellings to take advantage of natural air circulation and evening breezes; and
3. Use of landscaping features to moderate interior temperatures. Such techniques include these:
   - Use of deciduous shade trees and other plants to protect the home;
   - Use of natural or artificial flowing water; and
   - Use of trees and hedges as windbreaks.

In addition to natural techniques, several modern methods of energy conservation have been developed or advanced during the present century, including these:

- Use of solar energy to heat water;
- Use of tankless water heaters;
- Use of radiant barriers on roofs to keep attics cool;
- Use of solar panels and other devices to generate electricity;
- High efficiency coating on windows to repel summer heat and trap winter warmth;
- Weather-stripping and other insulation to reduce heat gain and loss;
- Use of natural gas for dryers, stovetops and ranges;
- Use of energy efficient home appliances; and
- Use of low-flow showerheads and faucet aerators to reduce hot water use.

Natural space heating can be substantially increased through the proper location of windows and thermal mass. Use of solar panels can generate 1,000 watts of electricity on a sunny day. This can constitute more than enough power for daily residential operations.

SMART GROWTH

The City of Winters strongly believes in Smart Growth principles and strives to plan for its fair share growth while reducing urban sprawl and the impacts of transportation on the environment, the local economy and its citizens' quality of life. The City proposes to accomplish this in many ways:

First, the City is in the process of developing Phase I of the Downtown Streetscape Improvement Project which will create a pedestrian-friendly downtown, with access to transit stops and bike lanes, forming a natural pathway to a thriving, small-scale, walkable commercial district. It is anticipated that this project will be completed by the fall of 2008. With the growth anticipated in the coming years, a welcoming commercial district will encourage residents to stay in town to do their shopping, rather than taking Interstate 505 to Vacaville or Woodland. Proposed landscaping improvements will contribute to the "greening" of the community and reducing the use of asphalt and concrete. The intersection of Main Street and Railroad Avenue, the location of most of the Phase I Improvements, is directly adjacent to one of the City's Yolobus stops (Yolo County Transportation District), and is one block away from another. Multiple upgraded bike racks with improved security features will be located within the project area to further encourage bicycling.

The City was awarded a SACOG grant for Phase II of the Downtown Improvement Project which will commence immediately following Phase I. Phase II will include pedestrian improvements along Main Street, the intersection of Main and First Street and along the downtown alleyways.

Second, the City is encouraging the development of mixed-use, infill development projects that concentrate the population in a central location, as well as commercial, light industrial and industrial development to provide high-paying jobs for local residents. The ultimate goal is to create a community that is not dependent on traditional transportation methods, reduces the use of natural resources, and provides an area where residents can live, work, shop and spend leisure time. The vision for the Downtown Core is to create an epicenter, with a 24-7 population that provides vibrancy and sustainability.

The City's redevelopment agency, the Community Development Agency (CDA), is negotiating a Disposition and Development Agreement with a developer for a mixed-use development including 25,000 square feet of commercial space and 10 luxury residential units on a downtown property in the heart of the Downtown, owned by the CDA. This project represents the first new building in the downtown in more than 30 years. In the past five years, another private developer has rehabilitated three existing

buildings directly east of the new infill project. Several businesses, art studios and restaurants have opened in the rehabilitated buildings, adding to the vibrancy of the core.

The City has also adopted a commercial condominium conversion ordinance which makes the "carving up" of buildings more achievable. The purpose is to create greater opportunities for business owners and residential developers. For example, an owner of a first floor retail establishment could sell his/her upper floors to a residential developer who is interested in rehabilitating the upper floors and providing rental or for-sale housing.

Attachment D

STATE OF CALIFORNIA – THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, GOVERNOR

CENTRAL VALLEY FLOOD PROTECTION BOARD
3310 El Camino Ave., Rm. LL40
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-0685 FAX: (916) 574-0682

July 14, 2009

Nelia Dyer
City of Winters
318 First Street
Winters, CA 95694

Dear Ms. Dyer:

State Clearinghouse (SCH) Number: 2009072027
City of Winters General Plan Update
Initial Study Mitigated Negative Declaration

Staff for the Department of Water Resources has reviewed the subject document and provides the following comments:

The proposed project is located within the jurisdiction of the Central Valley Flood Protection Board (Formerly known as The Reclamation Board). The Board is required to enforce standards for the construction, maintenance and protection of adopted flood control plans that will protect public lands from floods. The jurisdiction of the Board includes the Central Valley, including all tributaries and distributaries of the Sacramento River and the San Joaquin River, and designated floodways (Title 23 California Code of Regulations (CCR), Section 2).

A Board permit is required prior to starting the work within the Board's jurisdiction for the following:

- The placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee (CCR Section 6);

- Existing structures that predate permitting or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the encroachment has not been clearly established or ownership and use have been revised (CCR Section 6);

- A vegetation plan including, but not limited to the sites, vegetation type (i.e. common and scientific name), number, planting spacing and irrigation method that will be within each project area (CCR Section 131).

The permit application and Title 23 CCR can be found on the Central Valley Flood Protection Board's website at http://www.cvfpb.ca.gov/. Contact your local, federal and state agencies, as other permits may apply.

If you have any questions please contact me at (916) 574-0651 or by email jherota@water.ca.gov.

Sincerely,

James Herota
Staff Environmental Scientist
Floodway Protection Section
Division of Flood Management

cc:

Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street, Room 121
Sacramento, CA 95814

PLANNING COMMISSION
STAFF REPORT

TO: Chairman and Planning Commissioners

FROM: Nelia Dyer, Community Development Director

DATE: August 11, 2009

SUBJECT: Public Hearing to Consider a Recommendation to the City Council the Approval of a Resolution finalizing and adopting the Negative Declaration, a Resolution amending the General Plan and an Ordinance adopting the Form-Based Code for Downtown.

RECOMMENDATION: Staff recommends that the Planning Commission take the following actions:

1. Receive Staff Report
2. Conduct Public Hearing
3. Recommend to City Council Adoption of Initial Study/Negative Declaration for Proposed Form-Based Code for Downtown
4. Recommend to City Council Adoption of the Form-Based Code for Downtown which includes:

    a. General Plan Amendment to delineate a portion of the Central Business District as the Downtown Master Plan Area and a portion of that as the Downtown Form-Based Code Area as shown. (Exhibit A and Resolution)

    b. Amendment of the General Plan Central Business District designation to eliminate Floor Area Ratios (FARs) and facilitate mixed use within the Downtown Form-Based Code Area as follows:

        Central Business District (CBD)
        This designation provides for restaurants, retail service, professional and administrative offices, hotels, multi-family residential units, public and quasi-public uses, and similar and compatible uses. <u>Outside of the Downtown Form-Based Code Area,</u> residential densities shall be in the range of 10.1 to 20.0 units per acre; the FAR for offices and commercial uses shall not exceed 2.0 and the FAR for all other uses shall not exceed 0.60. <u>Outside of the Downtown Form-Based Code Area,</u> residential uses shall be subject to discretionary review and approval.

    c. Amendment of General Plan policies to provide for mixed use and allow bed and breakfast inns as a permitted use within the Downtown Form-Based Code Area as follows:

Land Use Policy I.B.4
First priority for ground floor uses in the Central Business District shall be given to retail uses. Outside of the Downtown Form-Based Code Area, new residential and office uses shall be permitted on a case-by-case basis over ground floor retail uses.

Land Use Policy I.D.6
Bed and breakfast inns shall be allowed in residential neighborhoods ~~and the Central Business District,~~ subject to discretionary review and approval by the City.

d. Amendment of the City of Winters Municipal Code to include the Form-Based Code for Downtown as Chapter 17.58 (Ordinance 2009-01)

e. Rezone the C2 (Central Business District), O-F (Office), and a portion of the PQP (Public/Quasi-Public) zoning within the Form-Based Code Area to the following zones as shown on Exhibit A:

   - Main Street DA
   - Railroad Avenue DA
   - Railroad Avenue DB
   - Grant Avenue DA
   - Grant Avenue DB
   - Secondary Street DA
   - Secondary Street DA

BACKGROUND: The City of Winters General Plan calls for a Central Business District Plan (Implementation Program I.6). In March 2006, after a lengthy public process, the City adopted the Downtown Master Plan, which provides the vision for the development and redevelopment of the downtown core of Winters. The Downtown Master Plan focuses on:

- concentrating specialty commercial businesses in the downtown core
- supporting infill development along Railroad Avenue
- improving the Railroad Avenue streetscape
- creating an attractive north gateway to the downtown
- establishing downtown-oriented parking policies
- retaining downtown's historic building character
- improving the Rotary Park/Downtown Green and expanding the Putah Creek Nature Park

The Downtown Master Plan identified several tools for fulfilling the vision in the Plan. One of those tools is the creation, adoption and use of a Form-Based Code for the Downtown Master Plan Area.

Cities use Form-Based Codes to control the look and type of buildings, streets, landscaping and building details such as signs, awnings, and storefronts to create and

maintain an interesting, attractive and livable town. Standards for land use, density, setbacks, and design are presented in a consolidated, graphical format that can be used easily by landowners, applicants, business owners, and City staff and officials.

PROJECT HISTORY: Based upon the vision promulgated by the Downtown Master Plan, the City began preparation of a Form-Based Code which:

- preserves and protects the historic character of Winters' downtown core
- provides for uses which will vitalize the downtown business district
- creates a visually appealing, pedestrian oriented downtown
- promotes environmentally progressive development standards
- fosters infill development
- provides a user-friendly zoning document
- provides certainty in the design review process
- simplifies and streamlines the entitlement process

SUMMARY OF THE PROJECT: The proposed Form-Based Code for Downtown establishes unique allowed use and development standards for the Downtown Form-Based Code Area. It is the intent of these standards to help preserve and protect the existing historic and distinctive character of the Downtown by requiring new construction, remodels and existing development and uses to complement the character and sense of place found in the historic downtown core. Additionally, the application of these standards will ensure that the Downtown will continue to be the pedestrian-orientated shopping, dining, entertainment, and community center of the greater Winters area.

The Form-Based Code for Downtown (Attachment A) would apply to the area shown as DA and DB in the Regulating Plan (Figure 17.58-1, of the Form-Based Code) which is situated along Main Street (from Second to Elliot) and Railroad Avenue (from Wolfskill Street to Anderson Avenue) and includes portions of Abbey, East Abbey, East Edward, East Baker, and Wolfskill Streets. It encompasses approximately 33.5 acres including the historic commercial downtown core.

The proposed draft Form-Based Code for Downtown would be incorporated into the City Zoning Ordinance as Chapter 17.58 and would become the Zoning Code for the Downtown Form-Based Code Area. The City's Zoning Map would also be revised to incorporate the Regulating Plan shown in Figure 17.58-1 of the Form-Based Code for Downtown. There are a total of 65+/- acres of Central Business District/C2 in Winters. The adoption of proposed 33.5 acre Downtown Form-Based Code Area would re-designate 50.8 percent of the Central Business District/C2 area of Winters.

The proposed Form-Based Code for Downtown is comprised of eight sections that provide:

- regulating plan which functions as a zoning map
- definitions
- street typologies
- allowed use regulations
- development standards including parking, signage and landscaping

- architectural and design standards
- special use regulations

The proposed Form-Based Code for Downtown does not create new land uses in the project area. Instead it refines those currently allowed and provides a regulatory framework to create and maintain a visually appealing, pedestrian-oriented historic downtown, which is vitalized and sustainable. Allowed uses are listed according to districts and downtown zones within the districts in Section 17.58.050 of the proposed Form-Based Code for Downtown.

The following table identifies the permitted uses within the Downtown. These allowed use regulations are listed by street type, then by Zoning District (D-A or D-B), as applicable. The uses listed are defined in Section 17.58.050.B (Definitions of Permitted Uses). The symbols in the table are defined as:

P – Permitted Use
C – Conditionally Permitted Use
N – Not Permitted

TABLE 17.58-2: PERMITTED USES

Uses	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
Attached Single-Family Residential	N	N	N	N	P	N	N
Banks and Financial Institutions	P	P	P	P	C	P	P
Bar, Pub and Cocktail Lounge	C	C	C	N	N	C	C
Bed and Breakfast Inn	P[1]	P[1]	P	P	P	P[1]	P
Child Day Care	N	N	N	C	C	N	C
Commercial Recreation and Entertainment	C	C	C	N	N	C	C
Detached Single-Family Residential	N	N	N	C	P	N	N
Government/Institutional	P	P	P	P	C	P	P
Hotel or Motel	P[1]	P[1]	P[1]	P	P	P[1]	P
Live/Work Unit	C	P	P	P	C	N	C
Mixed-Use	P	P	P	P	C	C	P
Multi-Family Residential	C[1]	P[1]	P[1]	P[1]	P	N	P[1]
Neighborhood Commercial	P	P	P	P	C	C	N
Offices	P	P	P	P	C	P	P
Personal Services	P	P	P	P	C	C	P

Uses	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
Religious Institutions	C	C	C	N	N	C	C
Retail Commercial	P	P	P	P	N	P	P
Service Station	N	C	C	N	N	C	C
Sit-Down Restaurants[2]	P	P	P	C	C	P	P
Specialized Agriculture and Processing	C	C	C	C	C	C	C

Notes:

1. Only on the second floor or above.
2. Drive -thus are not allowed within the Downtown Form-Based Code Area (See Section 17.58.070A2d)

The proposed Form-Based Code for Downtown provides development standards (Section 17.58.060), architectural and design standards (Section 17.58.070), special use regulations and standards (Section 17.58.080) to ensure that new/infill development, substantive remodels and ancillary uses will be compatible with the existing historic character of the downtown.

Process: Adoption of the Form-Based Code for Downtown requires a General Plan Amendment, amendment of the City of Winters Municipal Code to include the Form-Based Code for Downtown as Chapter 17.58, and a rezone of a portion of the Central Business District.

General Plan Amendment

Amend the General Plan Land Use Map to delineate the area of the Central Business District, which is covered by the previously adopted Downtown Master Plan, and designate a portion of the Central Business District's Downtown Master Plan Area as the Downtown Form-Based Code Area as shown in Exhibit A.

The General Plan Land Use Standards for the Central Business District require amendment to facilitate mixed use and eliminate of Floor Area Ratios (FARs) within the Downtown Form-Based Code Area. The proposed amendment to the Central Business District Standard is as follows:

Central Business District (CBD)

This designation provides for restaurants, retail service, professional and administrative offices, hotels, multi-family residential units, public and quasi-public uses, and similar and compatible uses. Outside of the Downtown Form-Based Code Area, residential densities shall be in the range of 10.1 to 20.0 units per acre; the FAR for offices and commercial uses shall not exceed 2.0 and the FAR for all other uses shall not exceed 0.60. Outside of the Downtown Form-Based Code Area, residential uses shall be subject to discretionary review and approval.

Two General Plan Land Use Policies also require amendment to facilitate mixed use and provide for Bed and Breakfast inns as a permitted use. The proposed amendments are as follows:

Land Use Policy I.B.4
First priority for ground floor uses in the Central Business District shall be given to retail uses. Outside of the Downtown Form-Based Code Area, new residential and office uses shall be permitted on a case-by-case basis over ground floor retail uses.

Land Use Policy I.D.6
Bed and breakfast inns shall be allowed in residential neighborhoods ~~and the Central Business District,~~ subject to discretionary review and approval by the City.

Zoning
Amendment of the City of Winters Municipal Code to include the Form-Based Code for Downtown Winters as Chapter 17.58

The C2 (Central Business District), O-F (Office), and a portion of the PQP (Public/Quasi-Public) zoning within the Form-Based Code Area needs to be rezoned to street specific D-A and D-B zones as shown in the Regulating Plan (Exhibit A) and defined in the proposed Form-Based Code for Downtown. The proposed changes to the zoning are:

Current Zoning	Proposed Zoning
C2	Main Street DA
C2	Railroad Avenue DA
C2 and O-F	Railroad Avenue DB
C2	Grant Avenue DA
C2 and PQP	Grant Avenue DB
C2	Secondary Street DA
C2	Secondary Street DA

The PQP zoning for the City Hall, Fire Station, Library, Rotary Park, and Community Center properties would remain the same.

Environmental Review: An Initial Study/Negative Declaration for this project was circulated between December 18, 2008 and January 16, 2009 (SCH 200842018). A letter from California Department of Transportation (Caltrans) dated January 16, 2009 was the only comment received.

Caltrans advised that planter strips on Grant Avenue/SR128 will need to comply with their Planting Guidelines; requests that new trees planted on Grant Avenue /SR128 not create fruit or litter conflicts with pedestrian or bicycle use; Maintenance Agreement(s) between the City and Caltrans will be required; and Encroachment Permits will be required for work conducted in the State's right of way. These are all implementation issues that are standard for working with Caltrans and that are known to the City.

Several revisions to further accommodate office and services use have been made to the proposed land uses that would be regulated by the Form-Base Code since the circulation of that Initial Study/Negative Declaration. Based on those changes, a revised Initial Study (Attachment B) was prepared and circulated between July 7, 2009 and August 10, 2009. No Comments have been received as of the August 3, 2009 (the completion date of this report).

Public Outreach and Community Input: To kick-off the process, the City and consultants held two informational workshops on Form-Based Codes in late January 2008 for those interested in the downtown. The workshops provided an overview of Form-Based Codes and opportunity for community members to provide ideas and input on a Code for our downtown. Based on the City's goals for a Code and the feedback received at the January workshops, the consultants and staff prepared a draft Code for a portion of the Downtown Master Plan Area known as the Form-Based Code for Downtown.

The draft Form-Based Code for Downtown was introduced to the Winters community at a workshop on July 2, 2008, which nearly two dozen community members attended. A CD of the draft Form-Based Code for Downtown as well the At-A-Glance sheets was distributed to those in attendance. The draft Form-Based Code for Downtown and At-A-Glance sheets were also posted on the City's website on July 3, 2008, and staff sent an email blast with links to the Code to the downtown email list and members of the Winters Chamber of Commerce. Staff also did a brief presentation on the Code at the Chamber's July 11, 2008 meeting.

On July 29, 2008, a joint Planning Commission and City Council workshop was held to receive public comment on the draft and so the Commission and Council could provide feedback and direction to staff and the consultants. Based on the results and direction from the workshop, the draft was finalized for the purposes of CEQA analysis and the adoption process.

A second Planning Commission workshop was held to solicit feedback and receive public comment on the proposed Allowed Uses in the Downtown Form-Based Codes Area on May 26, 2009. Two realtors and the Executive Director of the Winters Chamber of Commerce provided comments. Staff received the following feedback and comments from the Planning Commission and community members who attended the workshop:

- Consider broadening the conditionally allowed uses on secondary streets to include additional restaurant uses.

- First floor lobbies for second floor hotels should be considered

- Additional consideration should be given to the use of detached single family residential structures for either commercial/office space or residential uses per Ordinance #2006-06

- Opportunities for future review of Form-Based Code after it is adopted

Staff Recommendation: Staff recommends the Planning Commission recommend to the City Council the approval of the Initial Study/Negative Declaration and the Form-Based Code as presented. Staff did revise the May 26th draft Form-Based Code to allow sit-down restaurants in the Secondary Street D-B zone in response to Planning Commission comments from the May 26th workshop. First floor hotel lobbies would be considered an ancillary use and would be addressed via project review during the design review process. There is no set review process for the Form-Based Code itself; however, it can be reviewed and amended at anytime per the provisions of Chapter 17.28 (Zoning Amendments) in the Winters Municipal Code.

The use of the existing detached single family residences within the Form-Based Code Area was brought up by the Planning Commission and two realtors during the May 26th workshop. Within the Form-Based Code Area there are 11 detached single family residential structures that appear to be in residential use at this time. Staff has given additional consideration to the use of detached single family residential structures for either commercial/office space or residential uses per Ordinance #2006-06. The following policies are relevant:

> Winters General Plan Policy - I.B.4: First priority for ground floor uses in the Central Business District shall be given to retail uses. New residential and offices uses shall be permitted on a case-by-case basis over ground floor retail uses.
>
> Downtown Master Plan Development & Design Guidelines – Downtown Core 1: Residential units should be allowed on upper floors to support local commercial businesses and to create a lively "all hours" downtown.
>
> Downtown Master Plan Development & Design Guidelines – Downtown Core 10: First floor retail, restaurant, and/or other "specialty" commercial space should be provided on Main Street and Railroad Avenue. First floor office is not recommended; first floor residential use in strongly discouraged.

While residential use in the downtown is plainly expected, even encouraged, it is clearly intended to be secondary to commercial uses and not to be located within the pedestrian realm of first floor/street level. This is a long standing vision for the downtown and, notwithstanding Ordinance 2006-06, staff continues to recommend that detached single family residential structures not be a permitted use within the Form-Based Code Area. Staff recommends that the existing units phase out into retail, commercial, office, bed and breakfast, or other specialty commercial uses per the vision of the Downtown Master Plan in accordance with Chapter 17.104 (Nonconforming Uses) of the Winters Municipal Code (Attachment F).

Fiscal Impact: The General Plan requires fiscal neutrality from development. The Form-Based Code for Downtown Winters is expected to facilitate economic development and redevelopment of the downtown core, which, in turn, would generate sales tax, provide jobs, and additional economic opportunity. Thus the project is expected to provide fiscal benefit to the City.

ATTACHMENTS:

Exhibit A	Regulating Plan showing delineation of Downtown Master Plan Area, proposed Form-Based Code Area, and proposed land use zones
Attachment A	Proposed Form-Based Code for Downtown
Attachment B	Initial Study/Negative Declaration
Attachment C	Letter from California Department of Transportation (Caltrans) dated 1/16/09
Attachment D	Resolution 2009-06 Amending the City of Winters General Plan and Land Use Map
Attachment E	Ordinance 2009-01 Adding Chapter 17.58 to the Winters Municipal Code Regarding a Form-Based Code for Downtown
Attachment F	Chapter 17.104 (Nonconforming Uses) of the Winters Municipal Code

Exhibit A

City of Winters Form-Based Code For Downtown Regulating Plan

LEGEND

Zoning Districts

- D-A: Downtown A
- D-B: Downtown B
- PQP - Public Quasi Public (parks, City Hall, Fire station)
- Downtown Master Plan Boundary

Street Typology

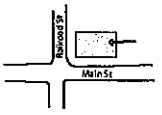
- Avenue (Grant Avenue)
- Avenue (Railroad Street)
- Main Street
- Secondary Streets
- Dashed Infrastructure are proposed to continue the grid pattern

Street Hierarchy

Highest (Primary)
- Main Street
- Railroad Street
- Secondary Streets
- Grant Avenue

Lowest (Secondary)

Example:



This building is located at the intersection of Main Street and Railroad Street types. Main Street is higher than Railroad Street in the Hierarchy of Street Types, therefore the building should follow Main Street requirements.

Attachment A

CHAPTER 17.58: FORM-BASED CODE FOR DOWNTOWN DOWNTOWN ZONING DISTRICTS (D-A, D-B) ALLOWED USES AND FORM-BASED DEVELOPMENT STANDARDS

SECTIONS IN THIS CHAPTER:

17.58.010 Purpose, Intent, and Applicability

17.58.020 Introduction to the Form-Based Code for Downtown

17.58.030 Form-Based Code for Downtown Definitions

17.58.040 Regulating Plan and Street Typologies and Standards

17.58.050 Allowed Use Regulations

17.58.060 Development Standards

17.58.070 Architectural and Design Standards

17.58.080 Special Use Regulations and Other Standards

17.58.010 PURPOSE, INTENT, AND APPLICABILITY

A. Chapter Purpose and Intent. The purpose of this Chapter is to establish unique allowed use and development standards for properties within the Downtown Master Plan Area of Winters. These standards are intended to help preserve and protect the existing, historic, and distinctive character of the downtown by requiring new construction and remodels and existing development to complement the existing built environment. Through the application of these standards, the Downtown will continue to be the pedestrian-oriented shopping, dining, entertainment, and living center of the greater Winters area.

B. Applicability of Standards and Entitlement Review. The Downtown Master Plan Area has been divided into Downtown-A (D-A) and Downtown-B (D-B). These Districts are shown on the Regulating Plan (Figure 17.58-1). The standards of this Chapter apply to all property zoned either Downtown-A (D-A) or Downtown-B (D-B). All qualifying projects under Section 17.36.020 (Requirements for Design Review) within the D-A or D-B zones shall be subject to Design Review prior to issuance of building permit. Additionally, those uses that require a use permit as listed in Section 17.58.050 (Allowed Use Regulations) shall obtain a Use Permit prior to establishment of the use.

The application of both the Zoning District and the Regulating Plan (see Section 17.58.030 for definition) are described in more detail in Sections 17.58.020.A (Defining the Form-Based Code for Downtown) and 17.58.030 (Regulating Plan and Street Typologies and Standards). Generally, the Zoning District designation (D-A or D-B) defines the character and allowed use provisions for the subject site while the Regulating Plan defines the development standards (setbacks, building typology, street standards).

C. Applicability of Regulating Plan Standards. Generally, the development standards applicable to a property shall be those for the respective zone (either D-A or D-B) and street frontage as reflected in the Regulating Plan. However, for those properties that face onto multiple street frontages (e.g., a corner lot or a double frontage lot), the following shall apply:

1. **Site Development:** The development standards applicable to the site shall be reflective of the individual sides of the lot. For instance, if a corner lot faces Street A and Street B, then that side of the lot facing Street A shall be developed consistent with the standards for Street A and the side facing Street B shall be developed consistent with the standards for Street B. At the corner, the design shall merge and unify the two standards together such that:

   a. The more restrictive setback requirement shall prevail on that side of the corner. For instance, if Street A has a five foot build to line and Street B has a zero foot build to line, then that side facing Street A

shall be located at the five foot build to line and the side facing Street B shall be located at the zero foot build to line (note: in this example, the building is not centered on the corner; this is consistent with the intent of this provision).

b. The more restrictive design standards shall prevail on that side of the corner, provided the two standards are architecturally integrated together. For instance, if Street A allows for a Stoop frontage and Street B does not, a Stoop may be developed along the Street A frontage, but at the corner the design of the building must architecturally transition into a frontage type that is allowed along Street B. The same shall be true for allowed building types, storefront regulations, sign types, and landscaping. Only those features allowed on that frontage may be developed on said frontage.

2. **Allowed Uses:** The least restrictive use provisions shall apply to the entire lot, provided that the primary entrance for the use either faces the street with the least restrictive use regulations or (preferred) faces the intersection/street corner. For instance, if a corner lot faces Street A and Street B and Street A allows a particular use by right and Street B requires a conditional use permit for the same use, then the use shall be allowed by right on that lot provided the primary entrance to the use is located facing Street A or (preferred) facing the intersection/at the corner.

3. **Parking:** Parking requirements are generally based on the use of the building; however, where there is a conflict based upon street frontages, the more restrictive/higher parking ratio shall prevail (e.g. 1.75 spaces per unit are required, not 1.5 spaces per unit) across the entire site.

17.58.020 INTRODUCTION TO THE FORM-BASED CODE FOR DOWNTOWN

A. Defining the Form-Based Code for Downtown. The Form-Based Code for Downtown is the regulating document for development within the Winters Downtown Master Plan Area. The Form-Based Code for Downtown recognizes the historic character of the Downtown and identifies a special set of development standards, allowed use regulations, and other special use regulations that, when applied to new construction and qualifying remodels/expansions (as identified in Section 17.36.020, Requirements for Design Review), will ensure that the historic character is positively complemented.

The standards in this Chapter are presented in a format that is unique to the Downtown – through a Form-Based Code. Form-Based zoning provides a method of regulating development to achieve a desired urban form. Form-Based provisions address the relationship between building facades and the public realm, the form and mass of buildings, and the size, character and type

of streets and blocks. The central focus of Form-Based provisions is the regulating plan that designates the appropriate form (and character) of development rather than only distinctions in land-use types, which is the basis of conventional zoning.

This Form-Based Code for Downtown also includes regulations for the street – the space between buildings. Part of the historical context of the Downtown includes how individual developments relate and interact with the street. This is because the street acts as a unifying thread across all development.

B. Relationship to Other Zoning Provisions. Generally, the regulations of this Chapter shall govern development within the Downtown – specifically within the D-A and D-B Zoning Districts. In cases where there is a conflict between the provisions of this Chapter and the regulations elsewhere in the Zoning Code, this Chapter shall prevail. However, with regard to topics that this Chapter is silent on, provisions elsewhere in the Zoning Code shall prevail.

C. Administration of the Form-Based Code for Downtown.

1. Review of Development Applications. Generally, review of development applications (e.g., Design Review, Use Permit, and Variance) located within the Downtown (D-A, D-B) Zoning Districts is the responsibility of the Planning Commission. The designated approval authority for each planning permit is listed under the regulations for each permit type:

a. Use Permit – Chapter 17.20

b. Variances – Chapter 17.24

c. Design Review – Chapter 17.36

2. Amendments to the Form-Based Code for Downtown. Amendments to the Form-Based Code for Downtown shall be processed like any other Zoning Code Amendment as described under Chapter 17.28 (Zoning Amendments).

3. Findings for Approval. When approving an application for a development application and/or amendment to the Form-Based Code for Downtown, the designated approving authority shall, in addition to any other findings required by this Zoning Code, make the following findings:

a. Development Application – That the proposed development complies with the regulations of the Form-Based Code for Downtown, promotes the spirit of the Downtown by integrating into the fabric of its DNA and complementing the architectural quality of the Downtown.

b. Amendment to the Form-Based Code for Downtown – The proposed amendments to the Form-Based Code for Downtown are consistent with the intent of the Form-Based Code for Downtown by helping to preserve and protect the existing, historic, and unique character of the Downtown.

17.58.030 FORM-BASED CODE FOR DOWNTOWN DEFINITIONS

The following terms are used throughout the Form-Based Code for Downtown and are defined as follows:

Building Type. Defines the type of structure based on massing, layout, and use. (See section 17.58.060.E for further discussion.)

Build-to Line (BTL). An urban setback dimension that delineates the maximum distance from the property line a front or street side building façade can be placed. Typically, build-to lines range from 0'-10'.

Bulkhead. The portion of a commercial façade located between the ground and the bottom of the street level display windows. It is typically constructed of stone, brick, or concrete.

Dwelling Unit. Any room or group of connected rooms that have sleeping, cooking, eating, and bathroom facilities, and are intended for long term occupation.

Expression Line. An "expression line" is an architectural embellishment that delineates the end of the ground floor and the start of the second floor of a building.

Façade. The architecturally finished side of a building, typically facing onto a public right-of-way or street.

Form-Based Code (FBC). A development code emphasizing the regulation of building form, scale, and orientation, rather than zoning and land use.

Frontage Line. A lot line fronting a street, public right-of-way, paseo, plaza, or park.

Height. The vertical distance of a building measured between the point where the final grade intersects a building or its foundation to the highest point of the building directly above that point.

Regulating Plan. A Regulating Plan designates building form and streetscape standards based on location, street hierarchy, and character. More specifically,

it addresses how development interacts with the street and how the street is developed, and it defines the development standards (setbacks, building typology, street standards).

Setback. The required distance between a property line and a building or ancillary structure.

17.58.040 REGULATING PLAN AND STREET TYPOLOGIES AND STANDARDS

A. Establishment of the Regulating Plan and Street Hierarchy and Character. In addition to the application of the Downtown (D-A or D-B) Zoning Districts, development within the Downtown is also governed by the Regulating Plan. The Regulating Plan "codes" development based upon the street it is located along. This plan is based on the following street hierarchy and character, and as illustrated on the Regulating Plan (see Figure 17.58-1, The Regulating Plan):

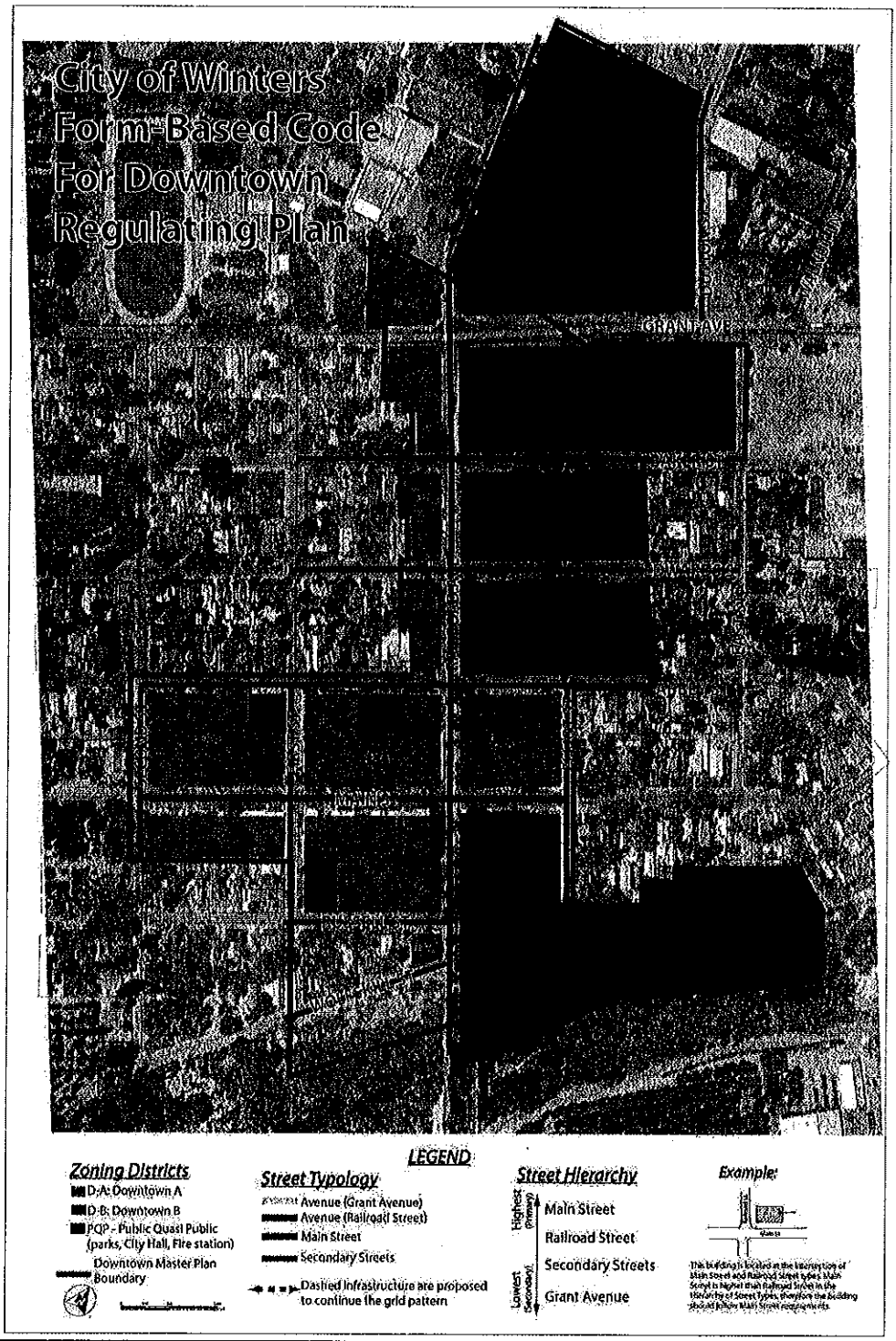
1. **Main Street** – Main Street is the historic commercial heart of Downtown Winters and the social soul of the community. It is pedestrian-oriented and the focus is on the preservation and rehabilitation of existing buildings, as well as the development of new infill structures that are compatible with the uniquely small town character of the district. This area benefits from the presence of specialty retail businesses, restaurants, nightlife, and tourism-oriented services.

2. **Railroad Avenue** – Railroad Avenue was traditionally lined with packing sheds for the local fruit and nut industry and rail-transported goods. Due to its industrial past, Railroad Avenue benefits from larger lots than Main Street. Currently, this area is in transition and is expected to eventually shift to mixed-use commercial, live/work, and residential infill development.

3. **Secondary Streets** – The secondary streets of Downtown Winters display a mix of local retail and residential development. They have a more intimate nature than the other areas and this is reflected in the narrower sidewalks and streets, and abundance of street trees and landscaping.

4. **Grant Avenue** – Grant Avenue is the gateway to Downtown Winters and more automobile-oriented than the other areas. As a gateway, new development and street improvements along both sides of Grant Avenue should be coordinated to create an attractive, small town boulevard frontage the encourages visitors to shop and explore downtown.

FIGURE 17.58-1: THE REGULATING PLAN



B. Street Typologies and Standards. The purpose of this section is to provide roadway standards that will facilitate the creation of streets that are inviting, multimodal public places for vehicular traffic, bicyclists, and pedestrians. These streetscape typologies and standards are unique to Chapter 17.58 and are intended to implement the vision of the 2006 Winters Downtown Master Plan.

1. Street Typologies. The Streetscape Typologies allowed in zones D-A and D-B are listed below:

a. Avenue (Grant Avenue and Railroad Avenue). Avenues connect districts or regions and are capable of carrying a high amount of vehicular traffic while still maintaining a higher quality pedestrian environment and retail-supporting urban edge. This street typology may be used in place of an Arterial.

The landscaping strip along the sides of the roadway should be designed to facilitate the safe passage of pedestrians. It is suggested that the strip include a continuous landscaped area between the edge of the curb and the sidewalk. This area should include street trees and lighting designed at a pedestrian scale. Landscape strips should be a minimum of five feet wide, where feasible, in the area south of Grant Avenue. Additionally, Grant Avenue corridor pedestrian pathways are designated to be at least eight feet wide with landscape strips that are also eight feet wide. This width allows large tree canopy shade for pedestrians, and creates a buffer from high volume traffic.

Wherever an Avenue intersects with another Avenue, Main Street, or a Neighborhood Street, the intersection should be designed to enhance pedestrian safety and convenience. Features may include pedestrian bulbouts, differentiated accent paving within the intersection, in-street crossing lights (if there is no crosswalk signal), and pedestrian refuge areas within the medians of Avenues.

b. Main Street. Street trees should frequently interrupt the parking lanes to soften visual impact of the parked vehicles and to help cool the air heated by the pavement.

Diagonal parking and wide sidewalks should create a safe, inviting environment for both pedestrians and motorists.

Wherever a Main Street intersects with an Avenue or a Neighborhood Street, the intersection should be designed to provide pedestrians with safe passage. Features may include pedestrian bulbouts, differentiated accent paving within the intersection, and in-street crossing lights (if there is no crosswalk signal).

Turning movements typically occur from within the main travel lanes: however, short (one to two car-lengths) turn pockets may be provided at some intersections in lieu of parking on one side of the street.

c. Secondary Streets. Neighborhood streets are home to the majority of residential development in Downtown Winters as well as a few small offices and neighborhood-serving retail stores. These streets have a more intimate nature than the other areas and due to this, landscaping and larger street trees should frequently interrupt the parking lanes to soften visual impact of the parked vehicles and to help cool the air heated by the pavement.

d. Alley. Alleys are narrow public drives serving commercial and residential development. In commercial developments, alleys provide the primary service access and loading areas for businesses.

Customer entrances may also be located off of alleys. In addition, if it does not obstruct the flow of vehicular and pedestrian traffic, portions of the alley may be used for outdoor retail space, patios, art gardens, and related uses. In residential development, parking should be accessed via alleys.

Alley street lighting and landscaping should be designed at a pedestrian scale with an emphasis on creating an inviting, safe and secure environment. Additionally, landscaping shall not impede automobile or pedestrian visibility within or immediately adjacent to an alley.

e. Paseo. Paseos are local and private pathways serving pedestrians and bicyclists only, and may also provide limited service access during specified periods of the day. In addition, if it does not obstruct the flow of pedestrian traffic, portions of the paseo may also be used for outdoor dining, retail space, patios, art gardens, and related uses.

These types of "streets" are not shown on the regulating plan but are appropriate to include in the D-B district as part of a unified development plan to connect uses and activities in a pedestrian orientation without additional public right-of-ways. Paseos could also be used in the D-A district when connecting front (street) and rear (alley) activity areas of the commercial block.

Paseo street lighting and landscaping should be designed at a pedestrian scale. Larger canopy trees should be used where possible for shade.

2. Street Typology Standards. The following table displays associated standards for each Street Typology.

TABLE 17.58-1: STREET TYPOLOGY STANDARDS

	Grant Avenue	Railroad Avenue	Main Street	Secondary Streets	Alley	Paseo
Thoroughfare Type:	Avenue	Avenue	Collector	Local	Alley	Pathway
Right-of-Way Width:	60'-126'	60'-80'	60'	44' – 60'	15 – 25'	20'–100'
Through Traffic Lanes:	2-4 Lanes	2 Lanes	2 Lanes	2 Lanes [1]	1 Lane	Emergency Only
Turning Lanes:	N/A	N/A	Optional Turn Pockets	N/A	N/A	N/A
Parking Lanes:	N/A	9.5' wide min, Diagonal, Each Side	9' wide min., Diagonal, Each Side	9' wide, Parallel, One or Two Sides	N/A	N/A
Planter Strip Width	8'	5'	4'	4'	N/A	N/A
Curb Radius:	25' [2]	25'	25'	25'	25'	25'
Bike Facilities:	On-street, stripped	On-street, stripped	On-street, not stripped	On-street, not stripped	N/A	Designated Bicycle Lane(s)

Notes:

1. While Wolfskill Street is identified as a Secondary Street, due to its narrow width it is only improved to a narrow one-lane one-way street.
2. Twenty five feet is ideal but actual curb radius shall be determined in consultation with CalTrans and the City Engineer.

17.58.050 ALLOWED USE REGULATIONS

This section lists allowed uses by zoning district within the Downtown Form-Based Code Area. The zoning districts are shown on the Regulating Plan (Figure 17.58-1). This list is not meant to be comprehensive and does not regulate building character or design, but instead delineates the types of uses allowed within a building. These allowed use regulations are unique to Chapter 17.58 and are intended to implement the vision of the 2006 Winters Downtown Master Plan.

A. Principally Permitted Uses: The following table identifies the permitted uses within the Downtown. These allowed use regulations are listed by street type, then by Zoning District (D-A or D-B), as applicable. The uses listed are defined in Section 17.58.040.B (Definitions of Permitted Uses). The symbols in the table are defined as:

P – Permitted Use

C – Conditionally Permitted Use

N – Not Permitted

TABLE 17.58-2: PERMITTED USES

Uses	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
Attached Single-Family Residential	N	N	N	N	P	N	N
Banks and Financial Institutions	P	P	P	P	C	P	P
Bar, Pub and Cocktail Lounge	C	C	C	N	N	C	C
Bed and Breakfast Inn	P[1]	P[1]	P	P	P	P[1]	P
Child Day Care	N	N	N	C	C	N	C
Commercial Recreation and Entertainment	C	C	C	N	N	C	C
Detached Single-Family Residential	N	N	N	C	P	N	N
Government/Institutional	P	P	P	P	C	P	P

Uses	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
Hotel or Motel	P[1]	P[1]	P[1]	P	P	P[1]	P
Live/Work Unit	C	P	P	P	C	N	C
Mixed-Use	P	P	P	P	C	C	P
Multi-Family Residential	C[1]	P[1]	P[1]	P[1]	P	N	P[1]
Neighborhood Commercial	P	P	P	P	C	C	N
Offices	P	P	P	P	C	P	P
Personal Services	P	P	P	P	C	C	P
Religious Institutions	C	C	C	N	N	C	C
Retail Commercial	P	P	P	P	N	P	P
Service Station	N	C	C	N	N	C	C
Sit-Down Restaurants[2]	P	P	P	C	C	P	P
Specialized Agriculture and Processing	C	C	C	C	C	C	C

Notes:

1. Only on the second floor or above.
2. Drive -thus are not allowed within the Downtown Form-Based Code Area (See Section 17.58.070A2d)

B. Definitions of Permitted Uses

1. Attached Single-Family Residential. A building designed exclusively for occupancy by one family on a single lot that has zero side yard setbacks, and shares a party wall with the adjacent building(s) (e.g., townhouse).

2. Banks and Financial Institutions. Financial institutions such as banks and trust companies, credit agencies, holding companies, lending and thrift institutions, and investment companies. Also includes automated teller machines (ATMs)

3. Bar, Pub and Cocktail Lounge: Establishments, including brew pubs, which are primarily designed, maintained, operated, used or intended to be used for the selling and on-site consumption of beer, wine and/or distilled spirits. Food sales may be incidental to the bar use. Live

entertainment may also be offered as an incidental use if conducted within a building. The storage and sale of alcoholic beverages, including a liquor store, is included in this classification.

4. Bed and Breakfast Inns. Residential structures with up to four bedrooms rented for overnight lodging, where meals may be provided subject to applicable Health Department regulations. A Bed and Breakfast Inn with more than four guest rooms is considered a hotel or motel.

5. Child Day Care. A State licensed facility which provides non-medical, care, protection and supervision, to children under 18 years of age, on a less than 24-hour basis. Commercial or non-profit child day care facilities includes infant centers, preschools, sick-child centers, and school-age day care facilities. These may be operated in conjunction with a school or church facility, or as an independent land use

6. Commercial Recreation and Entertainment. Establishments providing indoor or outdoor recreation and entertainment services including: bars, movie theaters, dance halls, electronic game arcades, bowling alleys, billiard parlors, ice/rolling skating rinks, health clubs, skateboard parks.

7. Detached Single-Family Residential. A building designed exclusively for occupancy by one family on a single lot. This classification includes manufactured homes (defined in California Health and Safety Code Section 18007).

8. Government/Institutional. This use includes government agency and service facilities (e.g. post office, civic center, police department, fire department), as well as public educational facilities, and publicly owned parkland.

9. Hotel or Motel. A facility with guest rooms or suites, with or without kitchen facilities, rented to the general public for transient lodging. Hotels typically include a variety of services in addition to lodging; for example, restaurants, meeting facilities, personal services, etc. Also includes accessory guest facilities such as swimming pools, tennis courts, indoor athletic facilities, accessory retail uses, etc.

10. Live/Work Unit: An integrated housing unit and working space, occupied and utilized by a single household in a structure, either single-family or multifamily, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes:

a. Complete kitchen space and sanitary facilities in compliance with the city building code; and

b. Working space reserved for and regularly used by one or more occupants of the unit.

11. Mixed-Use. Mixed-Use facilities are characterized by commercial retail use on the ground floor, and office, hotel, or residential uses on the upper floors.

12. Multi-Family Residential. A building designed and intended for occupancy by two or more families living independent of each other, each in a separate dwelling unit, which may be owned individually or by a single landlord (e.g., duplex, triplex, quadplex, apartment, apartment house, condominium). Also includes senior housing.

13. Neighborhood Commercial. A pedestrian oriented market store oriented to the daily shopping needs of the surrounding residential areas. Neighborhood markets are less than 8,000 square feet in size and operate no more than 18 hours a day. Neighborhood markets may include deli or beverage tasting facilities that are ancillary to the market/grocery portion of the use. Alcohol sales are allowed for off-site consumption, or on-site consumption as part of the beverage tasting facility only.

14. Offices. This use includes businesses providing direct services to consumers (e.g. insurance companies, utility companies), professional offices (e.g. accounting, attorneys, doctors, dentists, employment, public relations, real estate), and offices engaged in the production of intellectual property (e.g. advertising, architectural, computer programming, photography studios).

15. Personal Services. Establishments providing non-medical services as a primary use, including, but not limited to barber and beauty shops, clothing rental, dry cleaning pick-up stores with limited equipment, day spas, laundromats (self-service laundries), printing and reproduction, business support services, shoe repair shops, and tailors. These uses may also include accessory retail sales of products related to the services provided.

16. Religious Institutions. Facility operated by religious organizations for worship, or the promotion of religious activities (e.g. churches, mosques, synagogues, temples) and accessory uses on the same site (e.g. living quarters for ministers and staff, child day care facilities which were authorized in conjunction with the primary use. Other establishments maintained by religious organizations, such as full-time educational institutions, hospitals and other potentially related operations (e.g. recreational camp) are classified according to their respective activities.

17. Retail Commercial. Stores and shops selling multiple lines of merchandise. These stores and lines of merchandise include but are not limited to art galleries, bakeries (all production in support of on-site, sales), clothing and accessories, collectibles, department stores, drug stores, dry goods, fabrics and sewing supplies, florists and houseplant stores, furniture, home furnishings and equipment, general stores, gift shops, hardware, hobby materials, musical instruments, parts and accessories, newsstands, pet supplies, specialty shops, sporting goods and equipment, and stationery stores.

18. Service Stations. A retail business selling motor vehicle fuels, related products and providing vehicle services. Body work is not permitted. Boundary landscaping is required along all property lines abutting streets, except for driveways. Landscaped areas shall have a minimum width of five feet, and shall be separated from abutting vehicular areas by a wall or curbing at least six inches higher than the abutting pavement. Planters at the pump islands are encouraged.

19. Sit-Down Restaurants. A retail business selling food and beverages prepared and/or served on the site, for on-premise consumption where most customers are served food at tables, but may include providing food for take-out. Also includes coffee houses, and accessory cafeterias as part of office and industrial uses. Alcohol sales are allowed for on-site consumption only.

20. Specialized Agriculture and Processing. Establishments that provide locally produced foods and spirits including but not limited to produce, cheese, beer, and wine for retail, on-site sale. This use includes on-site agricultural processing in support of the on-site retail activities.

17.58.060 DEVELOPMENT STANDARDS

Development standards are intended to encourage, protect, and preserve the historic urban image of Downtown Winters. They are also intended to improve overall aesthetic appearance and to serve as an incentive for private investment in the Downtown area.

An important initiative of the Winters Form-Based Code for Downtown is to clearly spell out development standards that shape the desired urban form. Building intensities are regulated through conformance to the prescribed development standards and design guidelines (e.g. height, setbacks, parking, form, massing). These standards are designed to simplify, streamline, and customize the standards and requirements described in the Winters Zoning

Ordinance (Winters Municipal Code Title 17) and to encourage preservation, investment, and revitalization of property in the Downtown area.

A. General Development Standards

1. Mandatory Conformance. Standards listed in this section, as well as architectural and design standards listed in Section 17.58.070 are mandatory requirements that must be satisfied for all new projects and modifications to existing development. Projects shall be reviewed for conformance with these provisions as part of Design Review. For "qualifying modifications" to existing development that only require issuance of a Building Permit, conformance with these standards shall be reviewed as part of Plan Check during Building Permit review. "Qualifying modifications" are all modifications to a structure except repair, restoration, or reconstruction of a structure where such work, as determined by the Community Development Director, maintains the outer dimensions and surface relationships of the existing structure (e.g., repainting, replacement of windows or doors with matching size and style, repair of exterior materials such as stucco, brick, and wood).

2. Area-Wide Maximum Allowable Residential Development. The maximum allowable residential development in Downtown Winters is 20 dwelling units per acre.

B. Height Requirements: The maximum height of 45' in Downtown Winters is intended to preserve the compact, walkable, historic downtown core while simultaneously stimulating economic development in the commercial heart of the City.

Table 17.58-3 displays height requirements for each Downtown Winters district.

TABLE 17.58-3: HEIGHT REQUIREMENTS

Maximum Height	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
	45'	45'	45'	35'	35'	45'	45'

The Zoning Administrator or Planning Commission may approve architectural features such as tower elements, elevator service shafts, and roof access stairwells that extend above the height limit. Telecommunications antennas and service structures located on rooftops may also exceed the maximum building height but shall be hidden to the maximum extent possible using appropriate screening and "stealth" technologies.

As part of the Design Review, and on the recommendation of the Planning Commission, the City Council may approve buildings that exceed the maximum height adopted in the D-A or D-B zones.

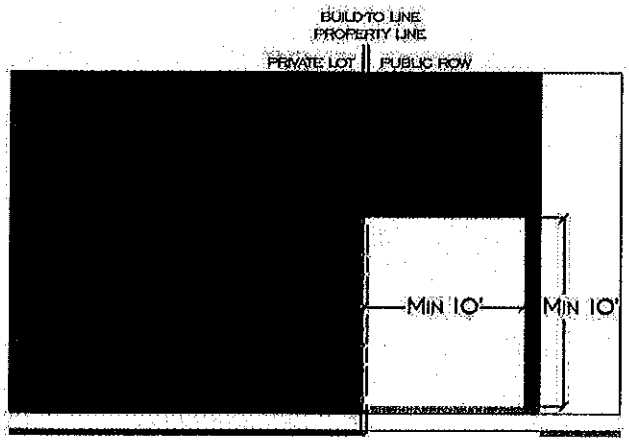
C. Frontage Types: Frontage type refers to the architectural composition of the front façade of a building; particularly concerning how it relates and ties into the surrounding public realm. The Downtown Winters frontage types are intended to enhance social interactions in the historic downtown retail core while simultaneously providing appropriate levels of privacy in residential areas. Allowed frontage types in the different districts and along the four street types are listed in Table 17.58-5 and defined below. An "X" means that the frontage type is allowed; a blank cell means that the frontage type is not allowed.

TABLE 17.58-4: ALLOWED FRONTAGE TYPES

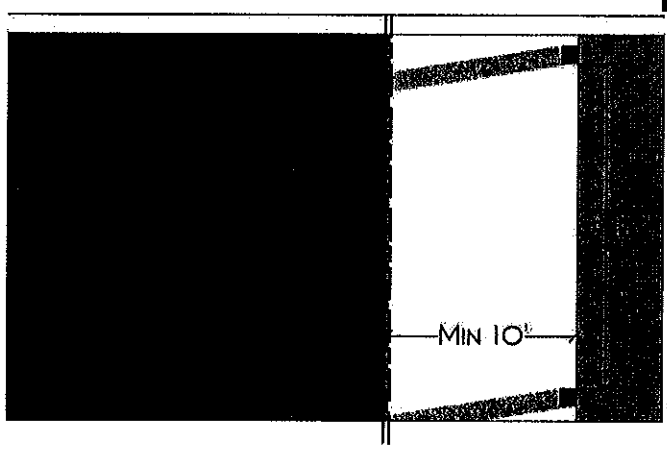
Allowed Frontage Types	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
Arcade	X	X	X	X	X		
Gallery	X	X	X	X	X		
Storefront	X	X	X	X	X	X	X
Stoop				X	X		
Door Yard/Terrace			X	X	X		
Porch				X	X		
Neighborhood Yard				X	X		
Alley/Paseo	X	X	X	X	X		X

ARCADE

Section



Section – Plan



- Depth = 10ft. minimum from the build-to line to the inside column face
- Height = 10 ft. minimum clear
- 75% - 100% of the building front

An Arcade frontage is nearly identical in character to the Gallery frontage except that the upper stories of the building may project over the public sidewalk and encroach into the public right-of-way.

The sidewalk must be fully absorbed within the colonnade so that a pedestrian may not bypass it.

This frontage is typically for retail use.

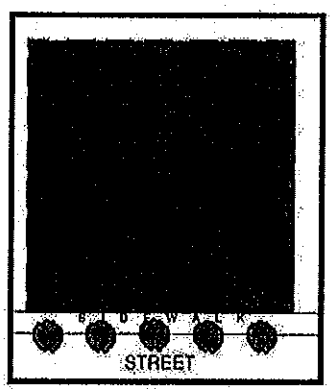
An encroachment permit is needed to construct this frontage type.

Table 17.58-5 Arcade Setback Requirements

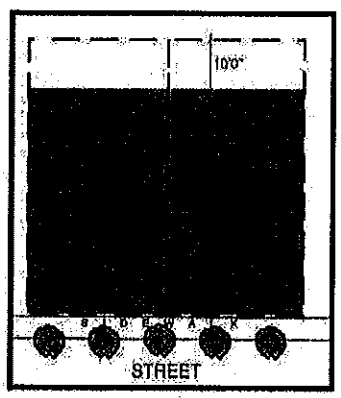
Building Placement	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
"Build To" Front Line[1]	0'	0'	0'	0'	0'		
Minimum Side Yard	0'	0'	0'	0'	0'		
Minimum Rear Yard[2]	0'	10'	20'	10'	20'		

1. "Build To" lines are defined as the edge where the public right-of-way ends and the private property boundary begins. It is the maximum distance from the property line a front or street side building façade can be placed. Typically, build-to lines range from 0'-10'.
2. Alley loaded garages may be located with a 0' rear yard setback.

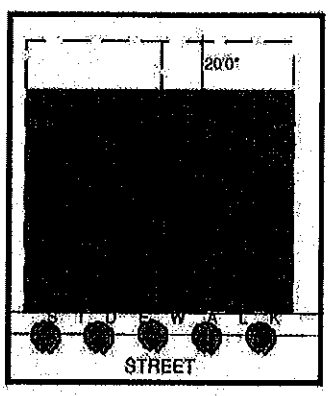
Building Placement



Main Street

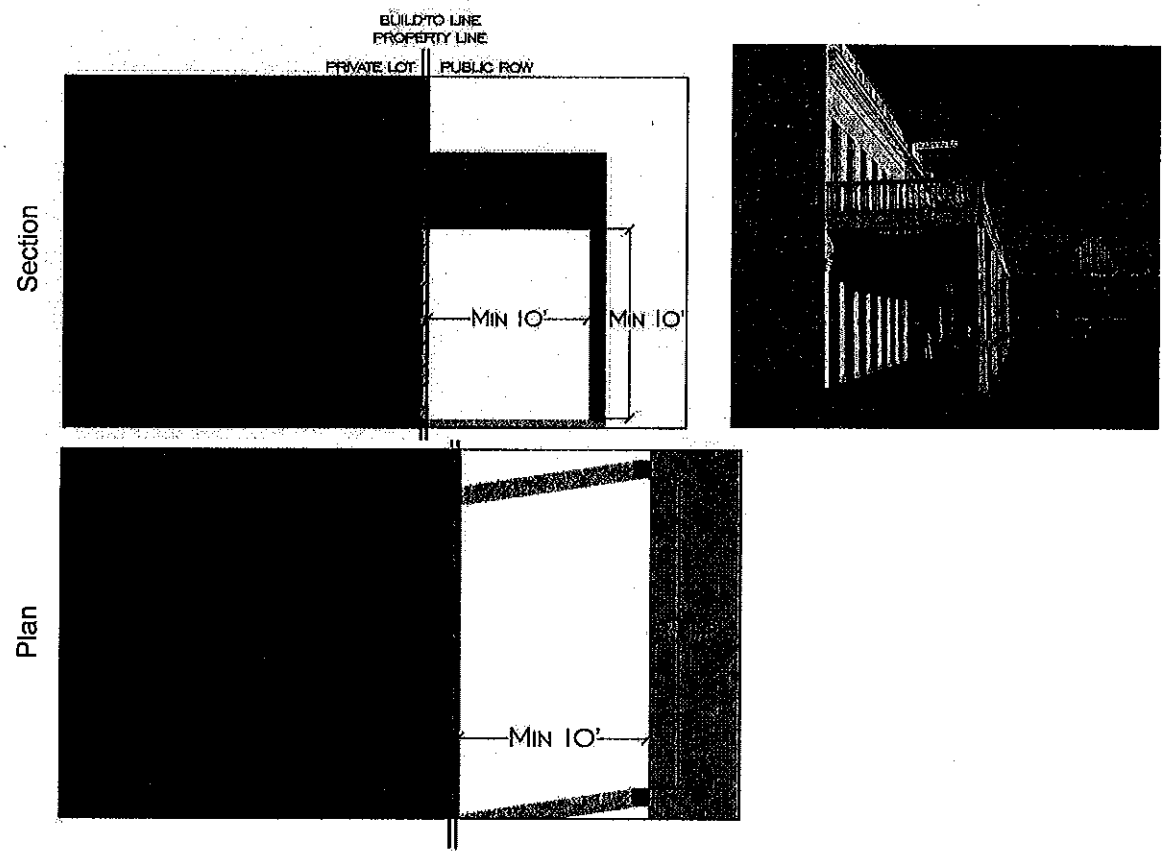


Railroad Avenue D-A
Secondary D-A



Railroad Avenue D-B
Secondary Street D-B

GALLERY



- Depth = 10ft. minimum from the build-to line to the inside column face
- Height = 10 ft. minimum clear
- 75% - 100% of the building front

A Gallery frontage is characterized by a façade which is aligned close to or directly on the right-of-way line with the building entrance at sidewalk grade, and with an attached colonnade that projects over the public sidewalk and encroaches into the public right-of-way.

The sidewalk must be fully absorbed within the colonnade so that a pedestrian may not bypass it.

This frontage is typically for retail use.

An encroachment permit is needed to construct this frontage type.

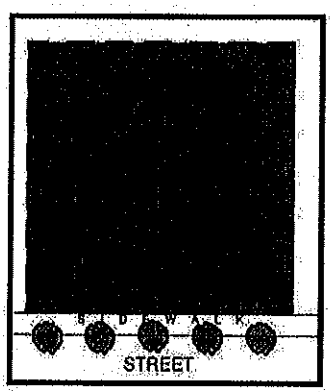
Table 17.58-6 Gallery Setback Requirements

Building Placement	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
"Build To" Front Line[1]	0'	0'	0'	0'	0'		
Minimum Side Yard	0'	0'	0'	0'	0'		
Minimum Rear Yard[2]	0'	10'	20'	10'	20'		

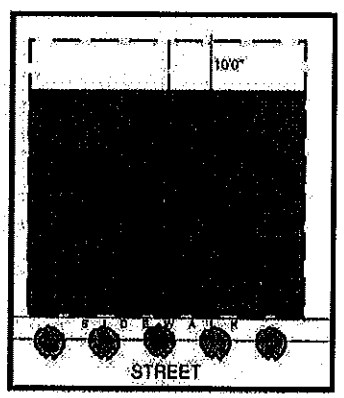
1. "Build To" lines are defined as the edge where the public right-of-way ends and the private property boundary begins. It is the maximum distance from the property line a front or street side building façade can be placed. Typically, build-to lines range from 0'-10'.
2. Alley loaded garages may be located with a 0' rear yard setback.

Note: A blank cell indicates that frontage type is not allowed in that zone.

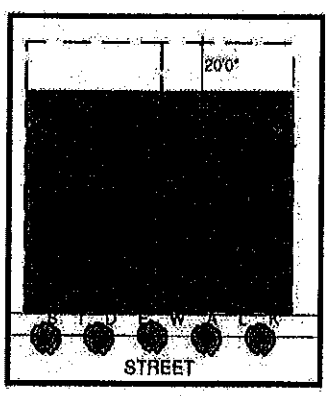
Building Placement



Main Street



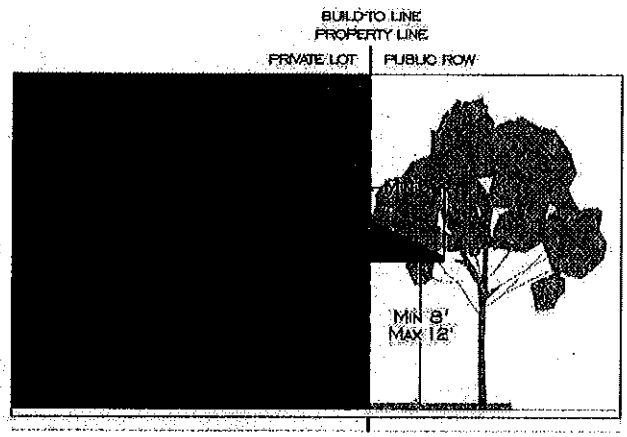
Railroad Avenue D-A
Secondary D-A

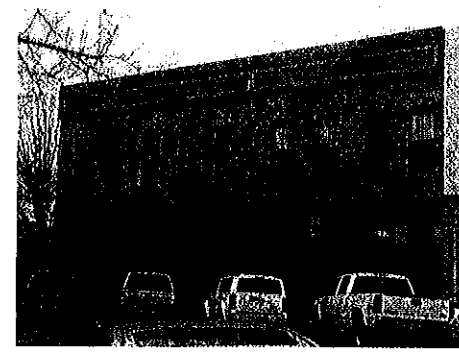


Railroad Avenue D-B
Secondary Street D-B

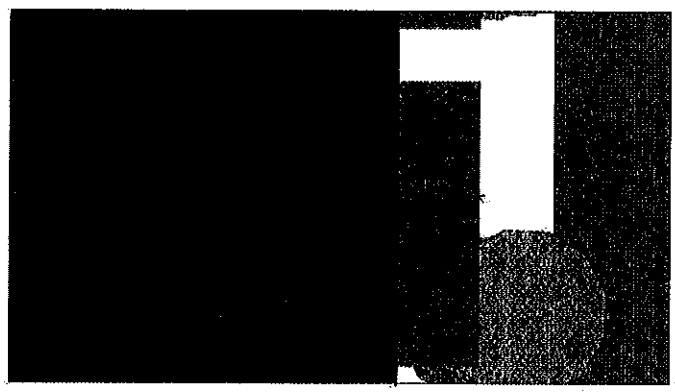
STOREFRONT

Section





Plan



- Depth = 5ft. minimum over the sidewalk
- Height = 8 ft. minimum clear, 12 ft maximum
- Minimum of 50% of the overall building frontage

A Storefront frontage is characterized by a façade which is aligned close to or directly on the right-of-way line with the building entrance at sidewalk grade.

Storefront frontage has substantial glazing on the ground floor.

Storefront frontages provide awnings or canopies cantilevered over the sidewalk.

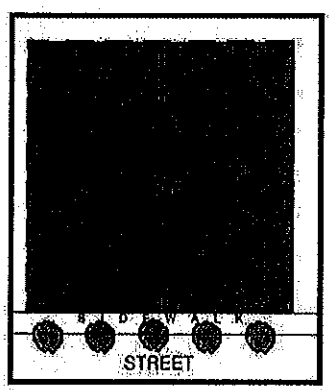
Building entrances may either provide a canopy or awning, or alternatively, may be recessed behind the front building façade.

Figure 17.58-7 Storefront Setback Requirments

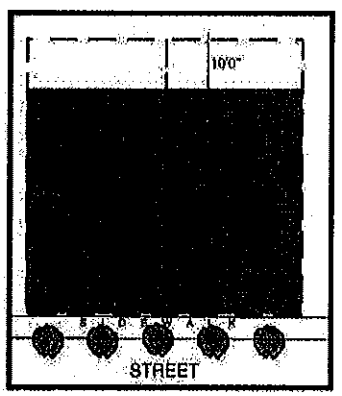
Building Placement	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
"Build To" Front Line[1]	0'	0'	0'	0'	0'	10'	10'
Minimum Side Yard	0'	0'	0'	0'	0'	15'	15'
Minimum Rear Yard[2]	0'	10'	20'	10'	20'	20'	20'

1. "Build To" lines are defined as the edge where the public right-of-way ends and the private property boundary begins. It is the maximum distance from the property line a front or street side building façade can be placed. Typically, build-to lines range from 0'-10'.
2. Alley loaded garages may be located with a 0' rear yard setback.

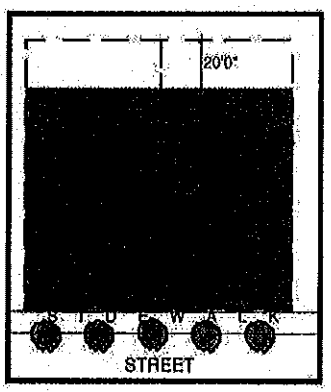
Building Placement



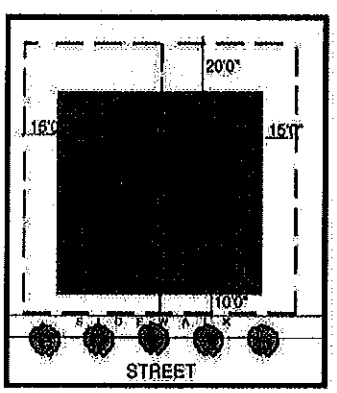
Main Street



Railroad Avenue D-A
Secondary Street D-B

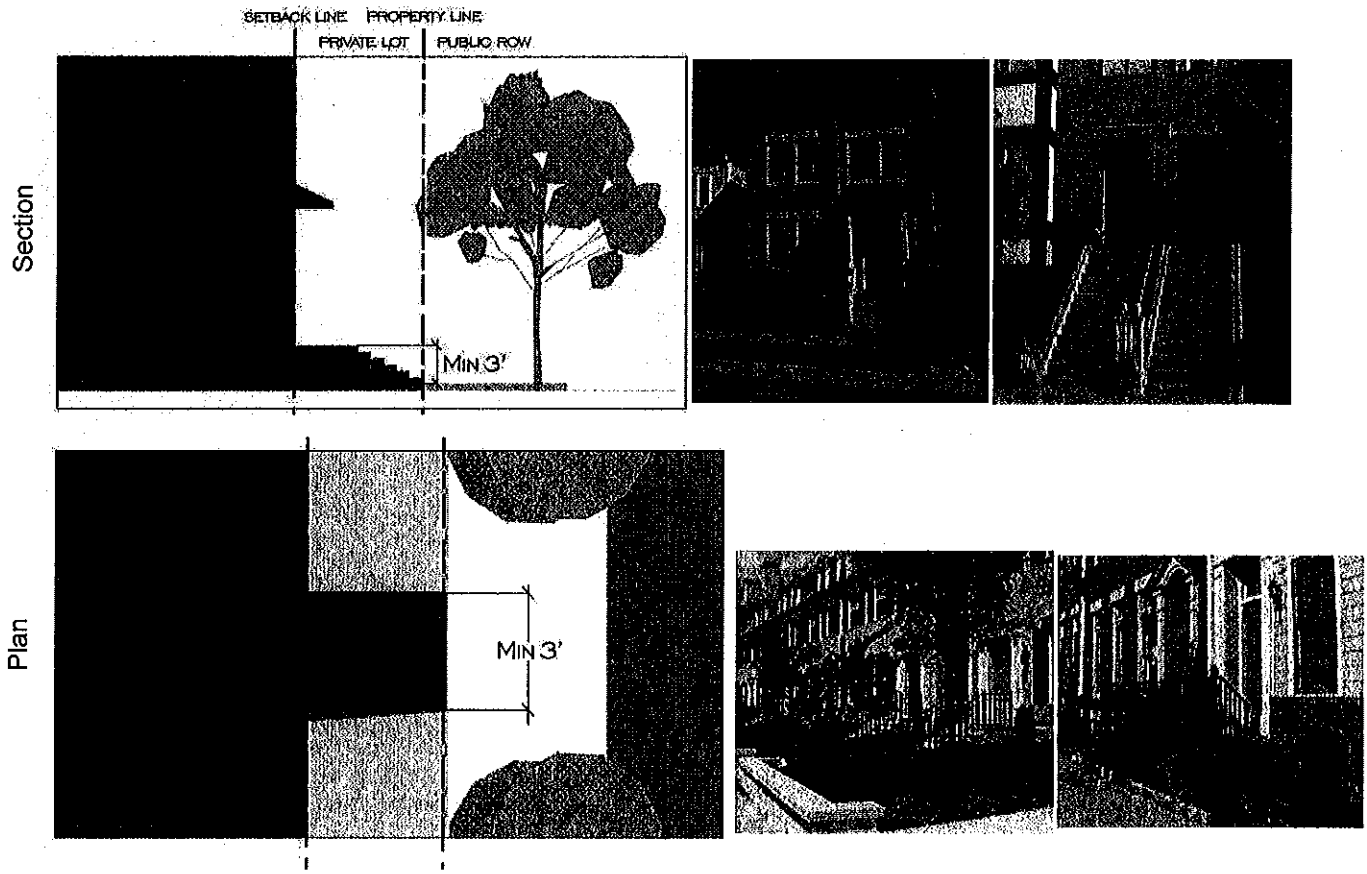


Railroad Avenue D-B
Secondary Street D-B



Grant Avenue

STOOP



- Stoops must rise to a minimum of 3' above grade.
- Stoop is a minimum of 3' wide.

A stoop frontage is characterized by a façade which is aligned close to the frontage line with the ground story elevated from the sidewalk to provide privacy for the ground floor uses.

The entrance is usually an exterior stair or landing which may be combined with a small porch or roof.

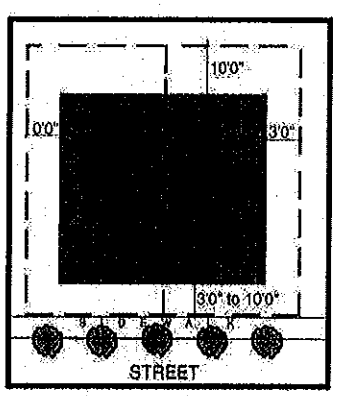
The Stoop frontage type is suitable for ground floor residential uses with short setbacks.

Figure 17.58-8 Stoop Setback Requirements

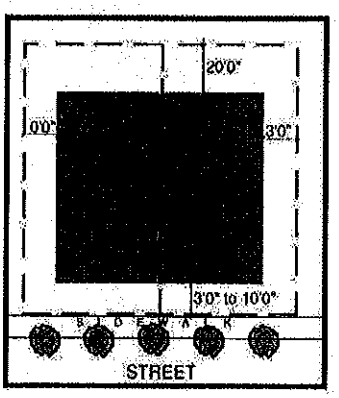
Building Placement	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
Front Setback Line				3' to 10'	3' to 10'		
Minimum Side Yard				0' to 3'	0' to 3'		
Minimum Rear Yard*				10'	20'		

* Alley loaded garages may be located with a 0' rear yard setback.
Note: A blank cell indicates that frontage type is not allowed in that zone.

Building Placement

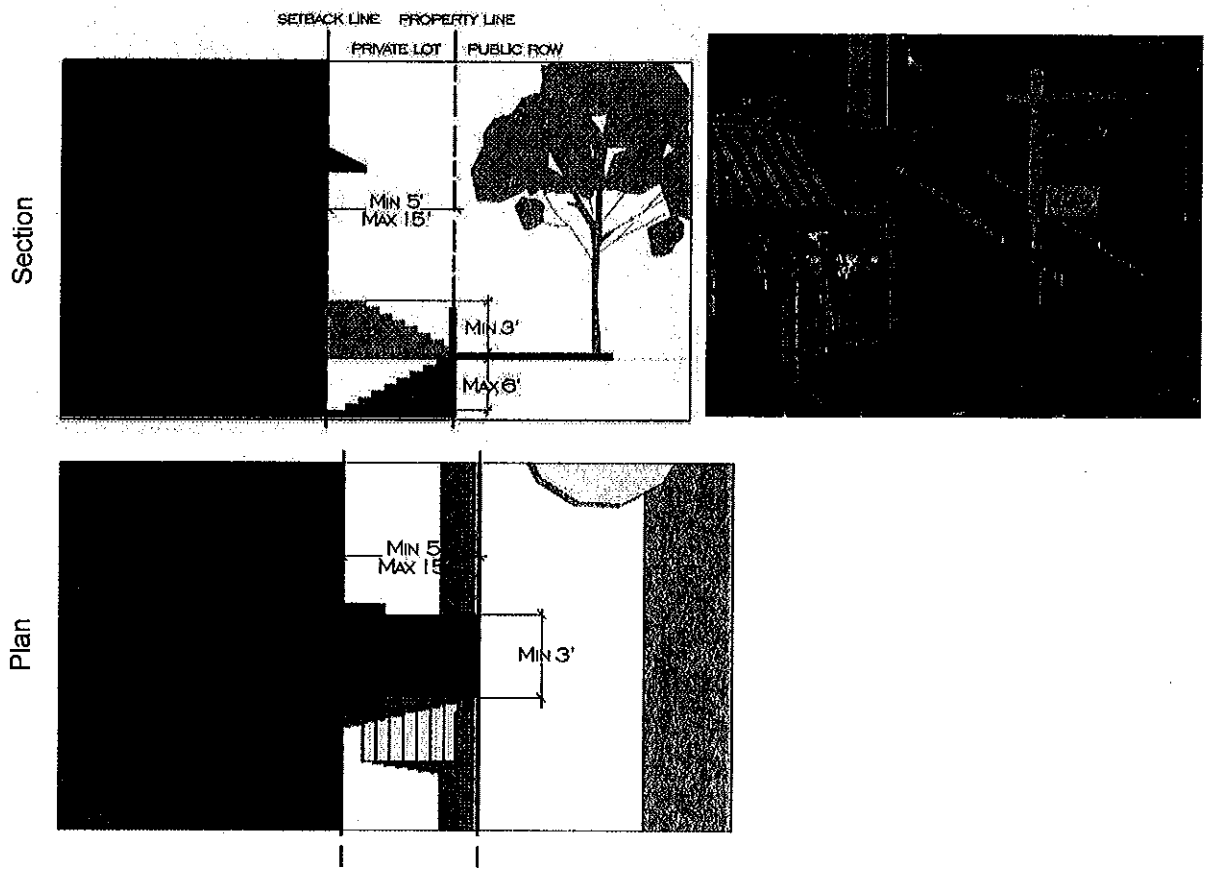


Secondary Streets D-A



Secondary Streets D-B

DOOR YARD/ TERRACE



- Minimum of 3' above grade,
- Minimum of 3' wide.

A Door Yard/Terrace frontage is characterized by a façade that is set back from the street property line and multiple levels of the building directly accessible from the street.

Door Yard/Terrace is a variation on the Stoop frontage, but it provides opportunities for multiple levels of commercial/retail easily accessible from the street.

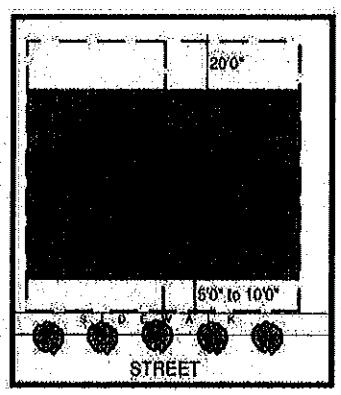
Could also be used for a lower-level commercial use with office or residential on the second level.

Figure 17.58-9 Door Yard/Terrace Setback Requirements

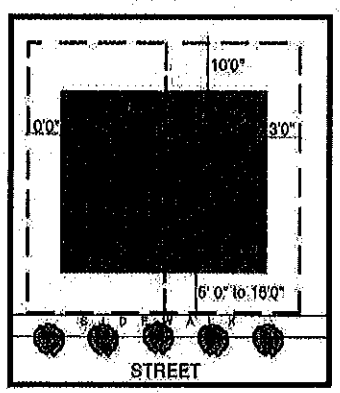
Building Placement	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
Front Setback Line			5' to 10'	5' to 15'	5' to 15'		
Minimum Side Yard			0'	0' to 3'	0' to 3'		
Minimum Rear Yard*			20'	10'	20'		

* Alley loaded garages may be located with a 0' rear yard setback.
Note: A blank cell indicates that frontage type is not allowed in that zone.

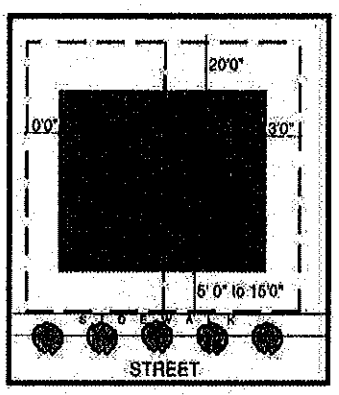
Building Placement



Railroad Avenue D-B

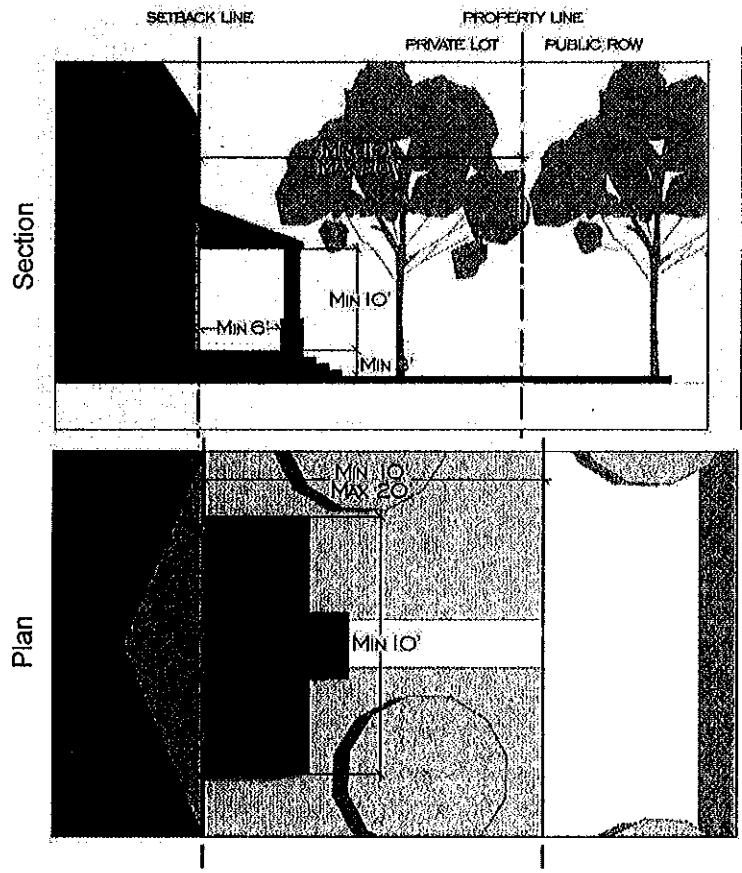


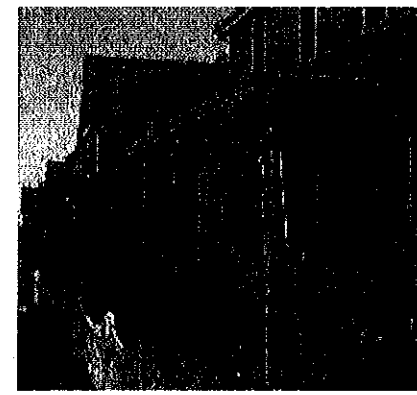
Secondary Streets D-A



Secondary Streets D-B

PORCH





- Minimum of 10' tall (clear).
- Minimum of 6' deep (clear).
- Porch height must be a minimum of 3' above grade.
- Minimum of 10' wide

This frontage type is characterized by a façade which is set back from the property line with a front yard, and by a porch which is appended to the front façade.

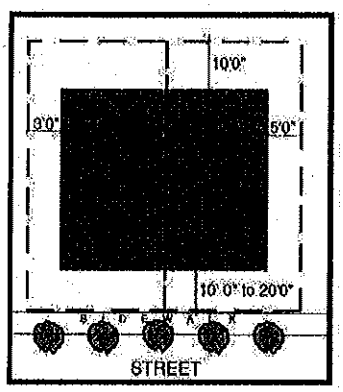
The porch may encroach into the front setback.

Figure 17.58-10 Porch Setback Requirements

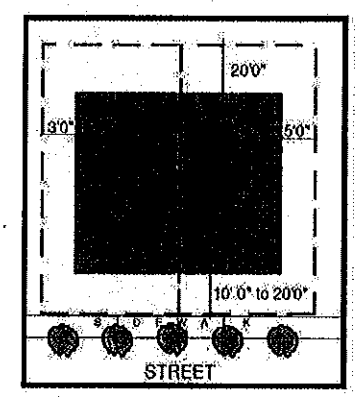
Building Placement	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
Front Setback Line				10' to 20'	10' to 20'		
Minimum Side Yard				3' to 5'	3' to 5'		
Minimum Rear Yard*				10'	20'		

* Alley loaded garages may be located with a 0' rear yard setback.
Note: A blank cell indicates that frontage type is not allowed in that zone.

Building Placement

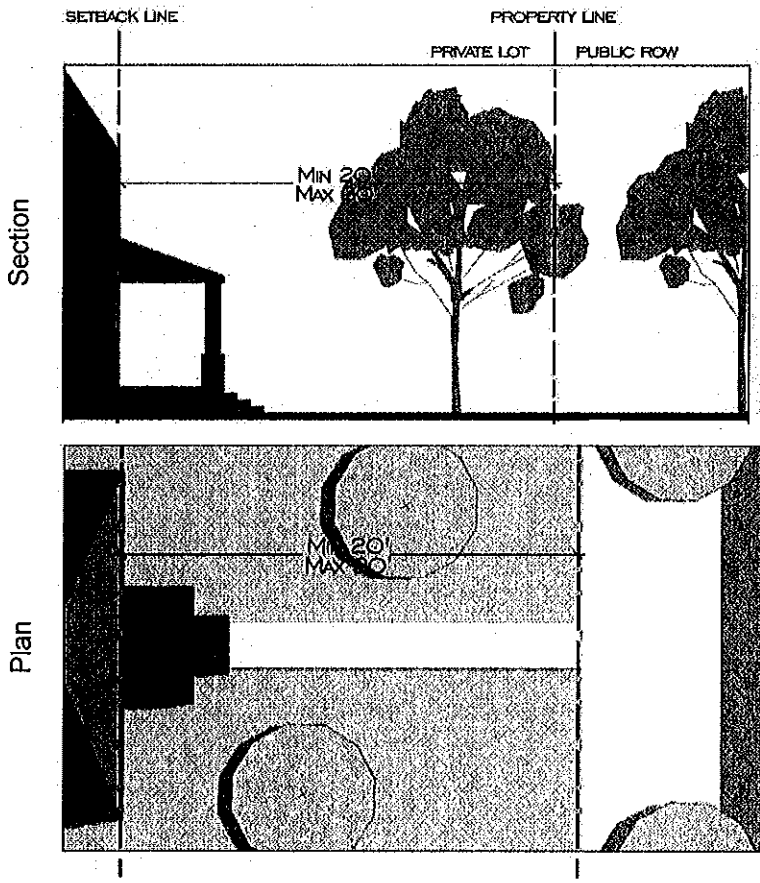


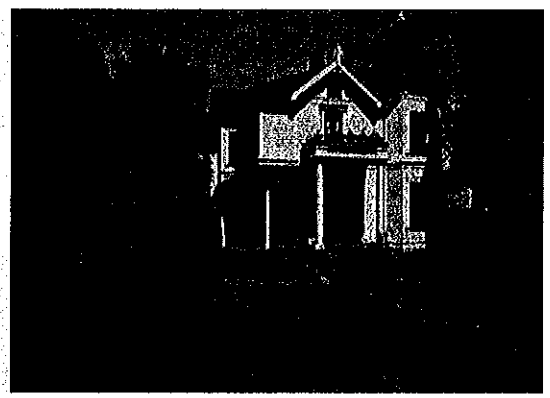
Secondary Streets D-A



Secondary Streets D-B

NEIGHBORHOOD YARD





- Minimum 20 foot setback,
- Maximum 30 foot setback

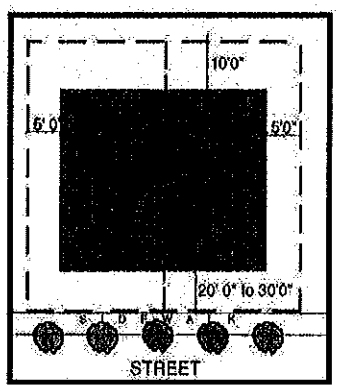
A Neighborhood Yard frontage is characterized by deep front yard setbacks. The building façade is set back substantially from the front property line. The resulting front yard is unfenced and is visually continuous with adjacent yards, supporting a common landscape. Porches and/or stoops are not required, though they are recommended.

Figure 17.58-11 Neighborhood Yard Setback Requirements

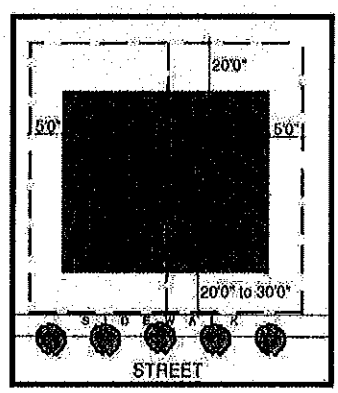
Building Placement	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
Front Setback Line				20' to 30'	20' to 30'		
Minimum Side Yard				5'	5'		
Minimum Rear Yard*				10'	20'		

* Alley loaded garages may be located with a 0' rear yard setback.
Note: A blank cell indicates that frontage type is not allowed in that zone.

Building Placement

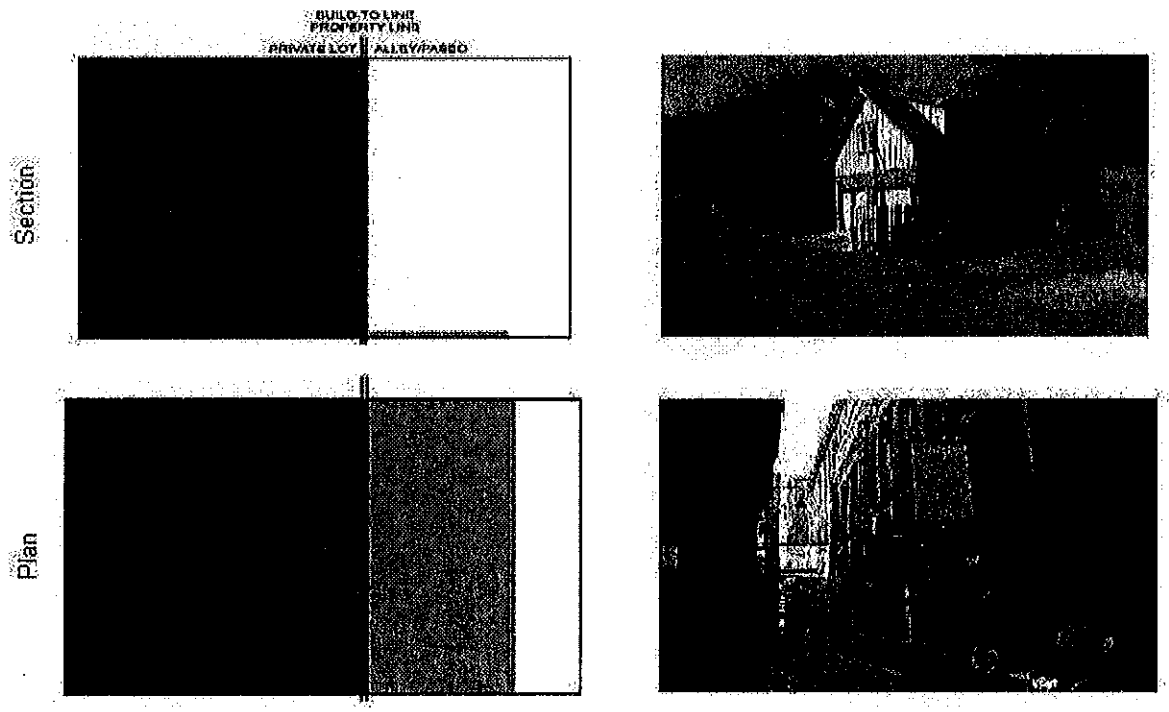


Secondary Streets D-A



Secondary Streets D-B

ALLEY/PASEO



An alley is a narrow public drive serving commercial and residential development. In commercial developments, alleys provide the primary service access and loading areas for businesses.

Paseos are local and private pathways serving pedestrians and bicyclists only, and may also provide limited service access during specified periods of the day. In addition, if it does not obstruct the flow of pedestrian traffic, portions of the paseo may also be used for outdoor dining, retail space, patios, art gardens, and related uses.

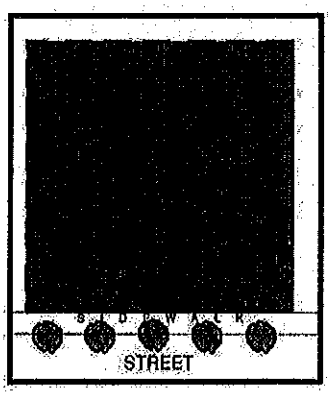
In commercial areas this type of frontage allows for buildings along the property line as well as the integration of courtyards into the property. When a ground-level courtyard is developed for a commercial or mixed use building, the courtyard may encompass any portion of the façade (e.g. 0% to 100%). The maximum depth of the courtyard, as measured from the alley or paseo, is 35% of the lot depth.

Figure 17.58-12 Alley/Paseo Setback Requirements

Building Placement	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
"Build To" Front Line[1]	0'	0'	0'	0'	0'		
Minimum Side Yard	0'	0'	0'	0'	0'		
Minimum Rear Yard[2]	0'	0'	0'	0'	0'		

1. "Build To" lines are defined as the edge where the public right-of-way ends and the private property boundary begins. It is the maximum distance from the property line a front or street side building façade can be placed.

Building Placement



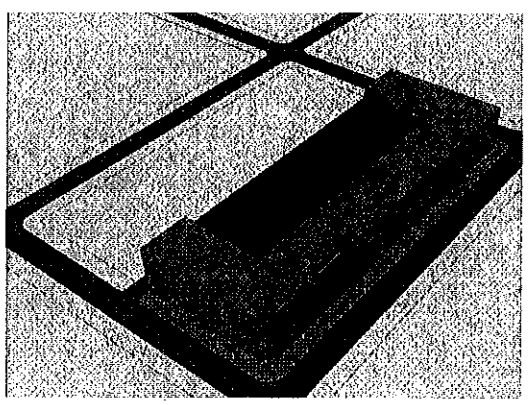
All Streets and Avenues

E. Building Types: The following building types are intended to provide a variety of flexible building styles appropriate for the small town character of Winters that can be used to guide future development. Allowed building types in the different districts and along the four street types are listed in Table 17.58-6 and defined below. An "X" means that the building type is allowed; a blank cell means that the building type is not allowed.

TABLE 17.58-13: ALLOWED BUILDING TYPES

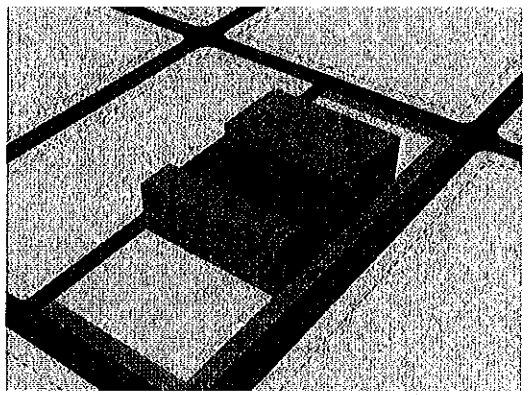
Allowed Building Types	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
Half Block Liner	X	X	X	X	X		
Infill	X	X	X	X	X		
Terraced		X	X	X	X	X	X
Front Yard Housing				X	X		
Rowhouse			X		X		
Courtyard Housing			X		X		

1. Half Block Liner. An attached building with a frontage of approximately one-third to one-half the length of a Downtown block, and zero side yard setbacks. It is used for mixed-use, residential, and commercial development.



Half-Block Liner

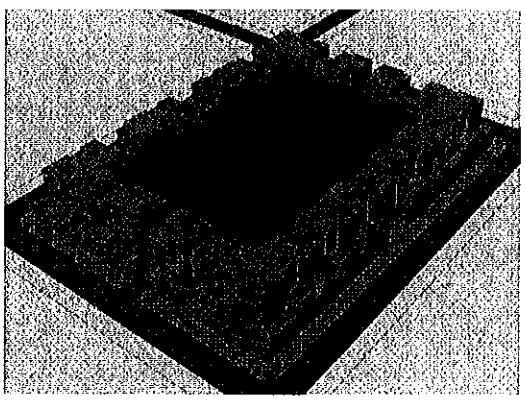
2. Infill. An attached building with a frontage that is less than one-third the length of a Downtown block, and zero side yard setbacks. It is used for mixed-use, residential, and commercial development.



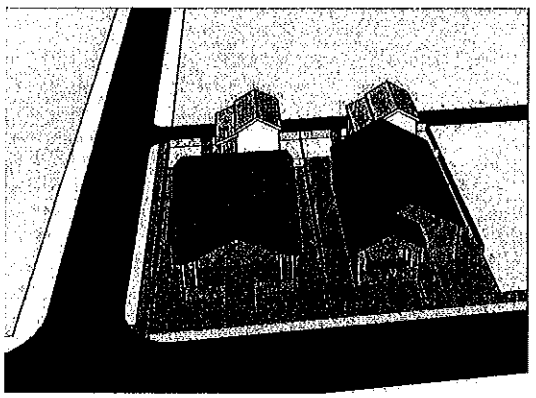
Infill Lot

3. Terraced. A mixed-use, residential, or commercial building characterized by individual units that are accessed via multi-leveled outdoor terraces. The terraces are intended to be semi-public spaces that are extensions of the public realm.

4. Front Yard Housing. A detached building designed as a single-family residence, duplex, triplex, or quadplex. Front Yard Housing is accessed from the sidewalk adjacent to the street build-to line.

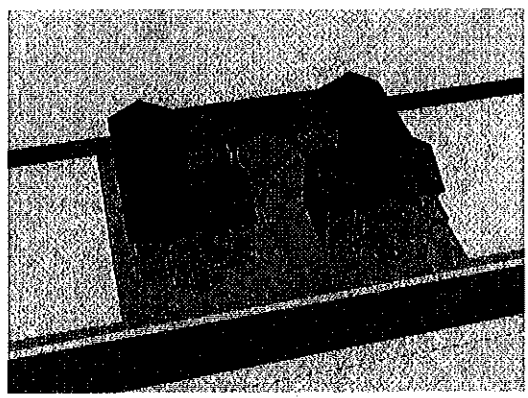


Terraced Lot



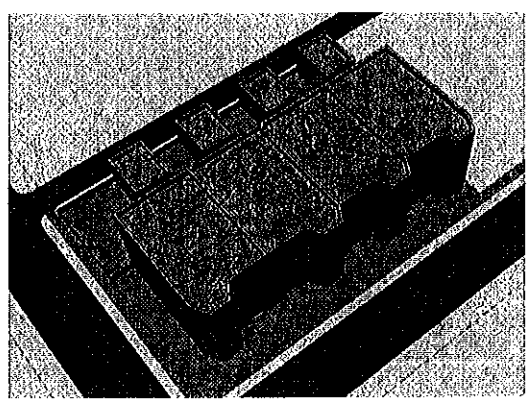
Front Yard Housing

5. Rowhouse. Two or more detached two- or three-story dwellings with zero side yard setbacks. A Rowhouse may be used for non-residential purposes



Courtyard Housing

6. Courtyard Housing. A group of dwelling units arranged to share one or more common courtyards upon a qualifying lot in any zone. Dwellings take access from the street or the courtyard(s). Dwelling configuration occurs as townhouses, apartments, or apartments located over or under townhouses. The Courtyard is intended to be a semi-public space that is an extension of the public realm.



Rowhouse

F. Storefront Regulations: The following storefront standards are intended to provide continuity of building form at street level in Downtown Winters. Additionally, standards are meant to enhance the relationship between buildings and the sidewalk, subsequently encouraging more pedestrian activity.

Table 17.58-7 lists the storefront design standards. "Tags" refer to those elements labeled in **Figure 17.58-11** and described below (Storefront Design Standard Definitions). These standards shall also apply to alley and paseo development.

TABLE 17.58-14: STOREFRONT DESIGN STANDARDS

Storefront Standards	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
Storefront Width *Tag "a"*	10' – 40'	20' – 50'	20' – 50'	15' – 35'	15' – 35'	20' – 50'	20' – 60'
Ground Floor Height *Tag "b"*	12' – 18'	12' – 18'	12' – 18'	10' – 15'	10' – 15'	12' – 20'	12' – 20'
Bulkhead Height *Tag "c"*	1.5' – 3'	1.5' – 3'	1.5' – 3'	1.5' – 3'	1.5' – 3'	0' – 4'	0' – 4'
Inset of front door from "Build-To" line *Tag "d"*	3' – 7'	3' – 7'	2' – 7'	2' – 6'	2' – 6'	2' – 5'	2' – 5'
Maximum Awning Extension from Building *Tag "e"*	6'	6'	6'	5'	5'	6'	6'

Storefront Design Standard Definitions.

a. Storefront Width. Refers to the front façade width as measured from one corner of the front façade to the other.

b. Groundfloor Height. Refers to the height of the front façade's first story as measured from the sidewalk level to the top of the "expression line". An "expression line" is an architectural embellishment that delineates the end of the ground floor and the start of the second floor of a building.

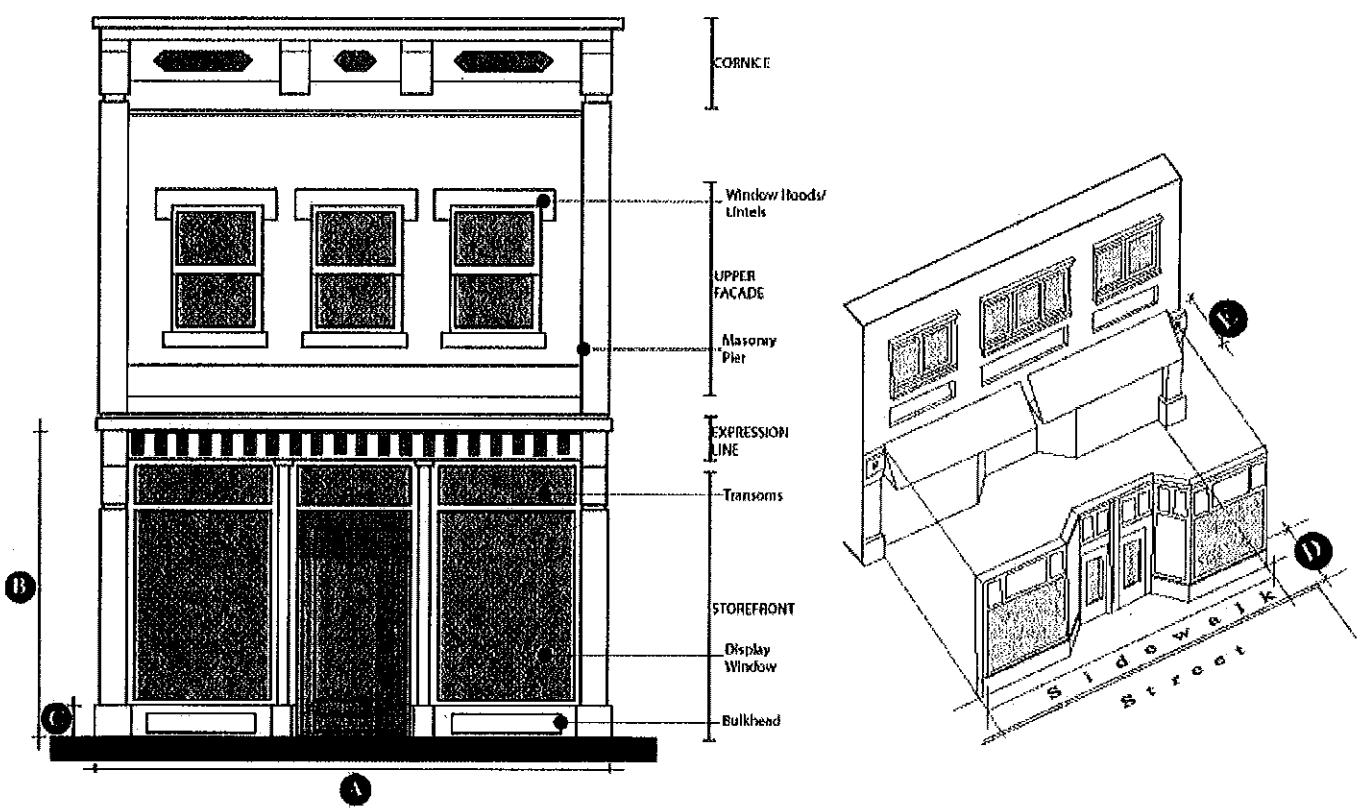
c. Bulkhead Height. Refers to the height of the bulkhead which is the portion of a commercial façade located between the ground and the bottom of the street level display windows. It is typically constructed of stone, brick, or concrete.

d. Inset of Front Door from "Build-To Line". Refers to the distance from the front door of the building to the "build-to line". A "build-to line" is an urban setback dimension that delineates the maximum distance from the property line a front building façade can be placed. Typically, build-to lines range from 0'-10'. See table 17.58-7 for build-to line regulations in Downtown Winters.

e. Maximum Awning Extension from Building. Refers to the maximum distance allowed between the building and the end of a fully extended awning. An awning is a temporary shelter that is supported from the exterior wall of a building. It is typically constructed of canvas or a similar fabric that is sturdy and flexible.

Storefront Standards	
A	Storefront Width
B	Groundfloor Height
C	Bulkhead Height
D	Inset of Front Door from "Build-To Line"
E	Maximum Awning Extension from Building

FIGURE 17.58-11: STOREFRONT DESIGN STANDARDS



G. Parking. Parking requirements are intended to encourage pedestrian activity and economic growth in Downtown Winters. Parking facilities should be located in the back or sides of buildings in order to maintain a continuous retail façade for pedestrians along downtown streets.

1. Allowable Parking Types. Allowable parking types listed in Table 17.58-8 and defined below. An "A" means that the parking type is allowed; a "P" means that the parking type is preferred and highly encouraged. A blank cell means that the parking type is not allowed.

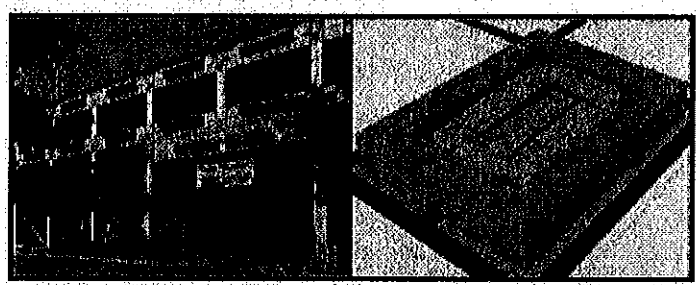
TABLE 17.58-15: PARKING

Allowed Parking Types	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
Surface Parking – Behind Building	P	P	P	A	A	P	P
Surface Parking – Next to Building		A	A	A		A	A
Alley Access	A	A	P	P	P	A	A
Parking Structure		A	A				A
Tucked Under Building		A	A		A	A	A
Allowed Parking Ratios	**Main Street**	**Railroad Avenue**		**Secondary Streets**		**Grant Avenue**	
		D-A	D-B	D-A	D-B	D-A	D-B
Commercial	1 sp/400 sf	1 sp/400 sf		1 sp/400 sf		1 sp/400 sf	
Office	1 sp/500 sf	1 sp/500 sf		1 sp/500 sf		1 sp/500 sf	
Residential	N/A	1.5 sp/unit		1.75 sp/unit		N/A	
Allowed Bicycle Parking Ratios	**Main Street**	**Railroad Avenue**		**Secondary Streets**		**Grant Avenue**	
		D-A	D-B	D-A	D-B	D-A	D-B
Commercial/Office	0.3 sp/1000 sf	0.3 sp/1000 sf		0.3 sp/1000 sf		0.3 sp/1000 sf	
Residential	N/A	1 sp/unit		1 sp/unit		N/A	

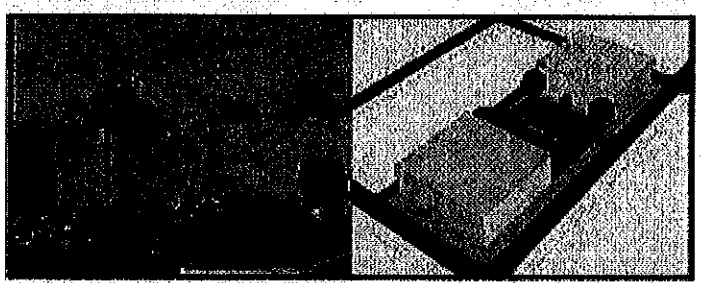
FIGURE 17.58-11: PARKING TYPES

Behind Structure

Alley Access



Parking Structure



Next to Structure

Tucked Under

2. Parking Standards.

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.

a. Locating parking lots between the front property line and the building store front is prohibited. Instead, parking should be located to the rear of buildings.

b. When off-street parking in the rear is not possible, the visual impact of headlight bleed and the asphalt parking surface shall be minimized by landscaped berms and/or walls with a maximum height of three feet.

c. Rear parking lots should be designed and located contiguously, or adjacent to alleys, so that vehicles can travel from one private parking lot to the other either directly or via an alley without having to enter a street. This may be achieved with reciprocal shared access agreements.

d. In order to minimize conflicting vehicle turning movement along major roadways, the City encourages shared access drives within and between integrated non-residential developments. This reduces the number of driveway curb cuts. The City also encourages reciprocal access between non-residential developments to provide for convenience, safety, and efficient circulation. If incorporated, a reciprocal access agreement shall be recorded with the land by the owners of abutting properties to ensure that there will be continued availability of the shared access.

e. Parking areas that accommodate a significant number of vehicles should be divided into a series of connected smaller lots. Landscaping and offsetting portions of the lot are effective in reducing the visual impact of larger parking areas.

f. Demarcation of parking spaces should be legible, and the spaces should be adequate but not overly generous.

g. Locate rear parking lots or structure entries on side streets or alleys in order to minimize pedestrian/vehicular conflicts.

h. Create wide, well-lit, landscaped pedestrian walkways connecting onsite pedestrian circulation systems in parking lots to offsite public sidewalks and building entries.

i. The layout of parking areas should be designed so that pedestrians walk parallel to moving cars.

j. Parking structures (privately owned and operated) are encouraged to incorporate retail and/or office space on the street level of the structure. This prevents the structure from becoming a pedestrian "dead zone" in Downtown Winters.

H. Landscaping. Landscaping in Downtown Winters should be pedestrian-oriented and reflect and enhance the area's small town charm. These provisions emphasize the use of potted plants, trees, landscaping along urban streetscapes, and within urban parking lots. Landscaping shall be provided on-site consistent with the standards set forth below.

1. Landscaping Standards.

a. Street Trees. Street trees shall be provided every 30 feet on center within the required landscape area. Tree selection shall be from the City's adopted street tree list and as approved to the satisfaction of the Community Development Director.

b. Standard Design Concepts.

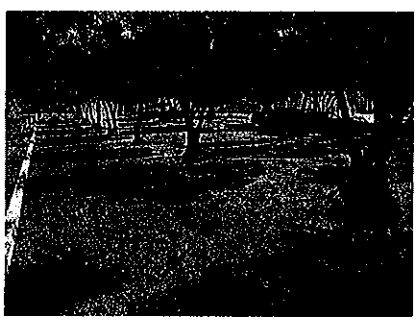
i. Use landscaping to complement the architecture, provide visual interest, to minimize the impact of incompatible land uses, and to establish a transition between adjacent developments. Plant materials can absorb sound, filter air, curtail erosion, provide shade, and maintain privacy.

ii. Provide landscaping to break up blank walls, shade pedestrians, accent entries, and soften the connection of paving for vehicles to buildings.

iii. Landscaping strips on public streets should be wide enough for canopy shade that is consistent with the street width. See standards for landscape area width in section 17.58.040.

iv. The use of alternative types of landscaping strip ground cover is strongly encouraged. Standard grass strip is discouraged.

v. 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.



Tree canopies in parking lots provide shade

vi. In surface parking lots, 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.

vii. Placement of trees and shrubs should not conflict with vehicular overhangs, traffic and visibility patterns, and onsite structures.

viii. Owners of vacant lots without any structures shall seed and turf the lot(s) on a regular basis, or appropriately secure the lot(s), or allow the lot(s) to be maintained by neighborhood residents as a community garden.

ix. Owners of vacant lots that contain structures shall maintain the existing landscaping on a regular basis so that the lot(s) remain tidy, attractive and not become overgrown or a nuisance.

x. Landscape should be oriented in accord with the demands of the species for sunlight, and its susceptibility to the prevailing wind.

c. Irrigation. Irrigation of landscaping shall only be directed onto the landscaping. Spillover onto hardscape shall be minimized to the maximum extent feasible.

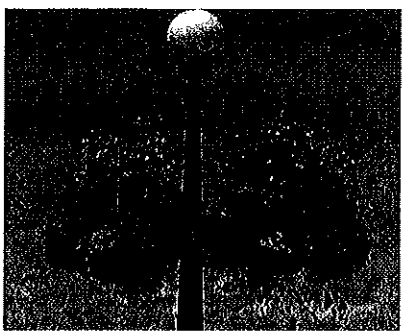
d. Tree Grates/Guards

i. Install structural soil systems to direct new root growth downward below hardscape areas. This helps to postpone root damage caused to the surrounding hardscape and structures. Additional service life may be achieved by providing deep watering and air to root systems as appropriate when trees are planted within five feet of any permanent structure/paving/curb. Structural soil systems are preferred over root barriers as they are often more effective.

ii. A minimum of six feet of structural soil shall be provided for trees. The area of enhanced root zone environment shall be enlarged beyond this minimum according to the species size planted. The structural soil can be provided under tree grates and pavement.

iii. Trees and landscaping installed in parking lots should be protected from vehicle damage by a minimum six-inch tall concrete curb surrounding the planter area. Planter barriers to protect landscaping should also be designed with intermittent curb cuts to allow parking lot runoff to drain into landscape areas.

iv. Tree grates should be utilized at passages to provide a continuous walking surface while providing adequate space for the tree to grow.



Hanging baskets beautify the Downtown.

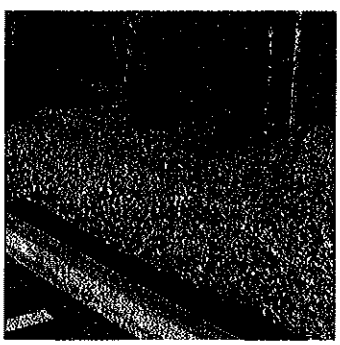
e. Pots and Planters

i. Boxed and container plants in decorative planters of ceramic, terra cotta, metal, wood, or stucco should be used to enhance public areas.

ii. Large planters may also be incorporated into seating areas. Such planters should be open to the earth below and be provided with a permanent irrigation system.

iii. Hanging flower baskets enhance the beauty of the Downtown and are encouraged. Supports and irrigation systems for hanging flower baskets should be considered for lamp posts, arcades, galleries and porches.

f. Water Quality and Urban Runoff in Redevelopment Areas. Because of the proximity of the Downtown to Putah Creek and the potential impact of urban activities on the natural environment, water quality and urban runoff in redevelopment areas is of particular concern. The use of bioswales and landscaped water quality basins represent the preferred approach to urban runoff and stormwater quality control in the D-B Zone. Such features add aesthetic character, utilize natural materials, and serve as a functional element that allows for stormwater management.



A small bioswale along the edge of a parking area.

i. Bioswales and similar natural landscaped runoff control facilities shall be used to enhance appearance of stormwater management methods and allow for groundwater recharge.

ii. Bioswales shall be used to collect surface runoff before it crosses pavement areas and to reduce ponding and damage to walkways. Bioswales shall be graded to direct water away from paved areas into detention basins.

iii. Bioswales shall utilize a slope that is steep enough to prevent ponding and shallow enough to slow water velocity. Soils must not readily drain water; the goal is to get cleaner water to flow downstream. Recommended slopes of one to four percent should be used. Flow should be sufficiently low enough to provide adequate residence time within the channel. Flow depth should not be taller than the vegetation (a maximum depth of four inches

in recommended). Final design of bioswales shall be subject to approval of the City Engineer.

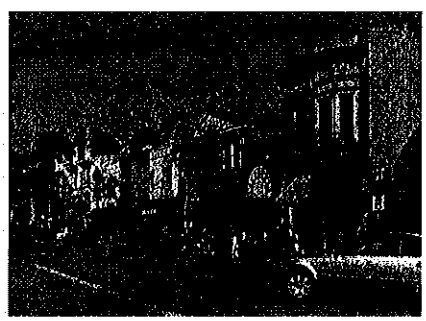
iv. Porous paving shall be considered when designing paved areas. If used, porous paving shall first be approved and shall be applied as directed by the City Engineer.

17.58.070 ARCHITECTURAL AND DESIGN STANDARDS

The purpose of these Architectural and Design Standards is to guide preservation, improvements, renovations, and future development in Downtown Winters. These provisions describe and illustrate architectural and design standards that are appropriate for Downtown Winters. They establish the criteria used by the City in reviewing proposed development, and are intended to encourage high quality design and development, creativity and innovation in Downtown Winters.

Please note that the mandatory development standards contain the words "shall", "must", or "will". Standards that contain the word "should" mean that an action is required unless a determination is made that the intent of the standard is satisfied by other means.

A. Site Design. Siting involves a project's relationship to the property, the street, and adjacent buildings. In the downtown area, buildings should be sited in ways that provide a comfortable and safe environment for pedestrians while accommodating vehicles.



Buildings should meet the front setback lines to create a continuous building street wall

1. Building Siting

a. Most of the building "streetwall" should meet the front setback lines, except for special entry features, architectural articulation, and plaza areas or other public spaces.

b. Residential buildings should be oriented towards the street for safety considerations as well as to encourage social interaction among neighbors.

2. Compatibility with adjacent uses

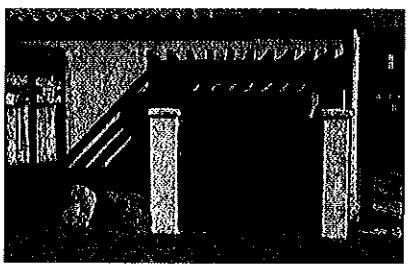
a. Commercial uses shall reduce potential nuisances to adjoining residential property by locating trash enclosures, loading areas, and restaurant vents away from residential uses and by proper screening of utilities and equipment.

b. Commercial uses developed as part of a mixed-use project (with residential units) should not be noise intensive.

c. A 15 foot minimum landscaped buffer should be provided between a commercial or mixed-use structure and an adjoining residential parcel unless the type of building use calls for a wall to be located along the property line and the wall(s) include a sound-reducing design.

d. Drive-thus are not allowed within the Downtown Form-Based Code Area.

3. Refuse, Storage, and Equipment Areas



Trash bins and other service areas should be located away from public streets and be screened from view

a. Trash storage must be fully enclosed and incorporated within the main structures or separate freestanding enclosures. Where practical, storage at each unit is preferred over common enclosures. Trash storage cannot be placed under stairways.

b. All trash and garbage bins should be stored in an approved enclosure. Refuse containers and service facilities should be screened from view by solid masonry walls with wood or metal doors. Chainlink fencing with slating is generally discouraged. Use landscaping (shrubs and vines) to screen walls and help deter graffiti.

c. Trash enclosures should allow convenient access for commercial tenants. Siting on-site service areas in a consolidated and controlled environment is encouraged.

d. Trash enclosures should be located away from residential uses to minimize nuisance for the adjacent property owners. The enclosure doors should not interfere with landscaping, pedestrian, or vehicle path of travel.

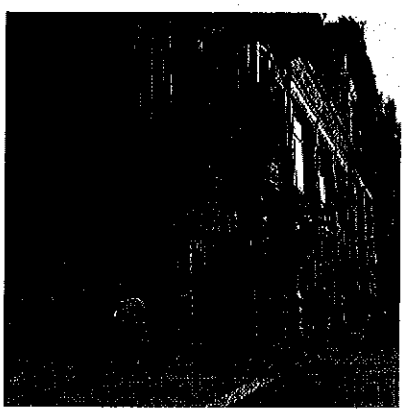
e. Trash enclosures should be architecturally compatible with the project.

f. Refuse storage areas that are visible from an upper story of adjacent structures should provide an opaque or semi-opaque horizontal cover/screen to reduce unsightly views. The screening should be compatible with the design of adjacent development and shall be approved by the Fire Department.

g. Every public, quasi-public, commercial, or mixed-use development containing two or more units or businesses shall provide at least one publicly accessible on-site trash receptacle.

h. Public trash cans along the street or a paseo may not be located near eating areas.

i. Location and design of trash storage and enclosures is subject to approval by the Fire Department.



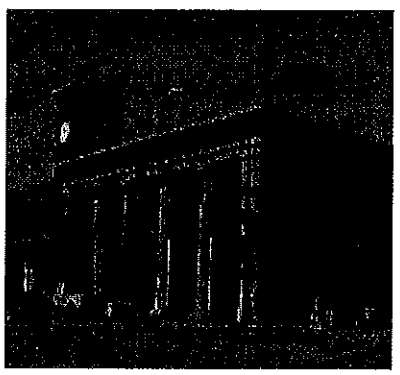
Buildings at street corners should be oriented to both intersecting streets with a building entrance fronting directly onto the corner

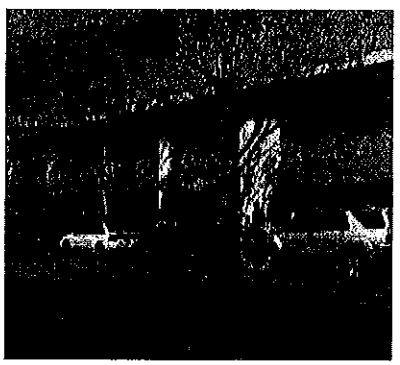
B. Architectural Standards. The purpose of the Architectural Standards is to guide improvements, renovations, and future development in Downtown Winters to be consistent with the vision and goals for the area as detailed in the Downtown Master Plan and this zoning code. These guidelines describe and illustrate building and landscape designs that are appropriate for Downtown Winters. They establish the criteria used by the City in reviewing proposed development, and are intended to encourage high quality design and development, creativity and innovation.

1. General Design Standards

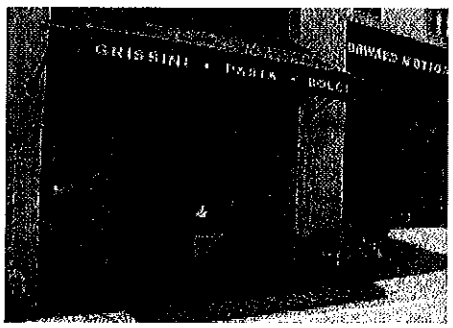
a. Awnings and overhangs should be used in conjunction with street trees to provide visual interest and shade for pedestrians.

b. Any seismic structural upgrading should be conducted in the interior of the building, if possible, unless the structural elements blend into the architecture of the exposed façade. Seismic structural upgrades shall not block or alter the original design of storefront windows.





Facades of larger buildings should be divided into pedestrian scaled modules



Primary facades should create a high level of transparency along the street

2. Building Height, Form, and Mass

a. Incorporate elements such as covered walkways, building arcades, and trellises into the design of large structures which provide a transition to the human scale, particularly at the ground.

b. Create a comfortable and human scale of structures.

c. Corner buildings should have a strong tie to the front setback lines of each street. Angled building corners or open plazas are encouraged at corner locations.

d. On sites with multiple structures, buildings should be linked visually and physically. These links can be accomplished through architecture and site planning, such as trellises, colonnades or other open structures combined with landscape and walkway systems.

e. As a general rule, the scale of building(s) on a site edge should be compatible with the scale of adjoining development. Where surrounding development is of a small scale, large-scale buildings should be located internal to the site and transition down in scale as the outer edge of the site approaches.

f. Do not place the backs of buildings along a street frontage. Include entrances or public views into the site or building. If the rear of the building must be located along a street because of site constraints, then architectural detailing shall be included that provides the illusion of being a front to the building.

g. Building mass should be parallel or on axis with adjacent street(s).

3. Facades, Windows, and Doors

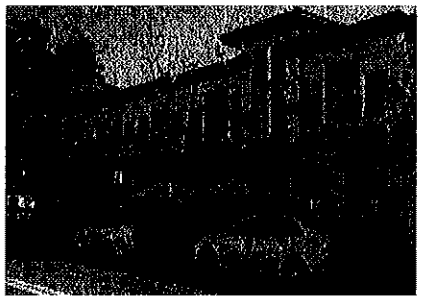
a. Design building entrances as prominent and easily identifiable; also, form a transition between the exterior and interior. Provide building entries with adequate lighting for security. Any building with more than 75 feet of street frontage should have at least one primary entry.

b. Building entrances should be designed to protect patrons and employees from the elements.

c. Elements of architecture including window and door placement shall be designed to add variety and interest to the project.

d. Windows shall not be blocked from inside a building due to retail display racks, plywood sheets, posters, et cetera.

e. Additional sunlight should be brought into large developments through the use of atriums and skylights.



Durable materials should be used, particularly at ground level, where they are more visible

f. The use of security grills at windows and doors is highly discouraged. If security grilles are necessary, they shall be placed inside the building, behind the window display area, or otherwise hidden from public view.

g. The physical design of buildings facades should vary at least every 50 linear feet (quarter block). This can be achieved through such techniques as:

- Architectural Division into multiple buildings,
- Break or articulation of the façade,
- Significant change in facade design,
- Placement of window and door openings, or
- Position of awnings and canopies.

h. The design of the project shall be expressed on all exterior elevations of the building.

i. If maintaining a horizontal rhythm or alignment as a result of infill construction is not feasible, the use of canopies, awnings, or other horizontal devices should be included to maintain a (shared) horizontal rhythm.

j. Mullions - "true divided light" windows or sectional windows are recommended where a divided residential window design is desired; "snap-in" grilles or mullions shall not be used.

k. Primary building entrances should be oriented toward the street.

l. In no case shall any façade consist of a blank wall.

4. Roofs and Upper Story Details

a. Roofs should be given design considerations and treatment equal to that of the rest of the building exteriors.

b. Roofline elements should be developed along all elevations.

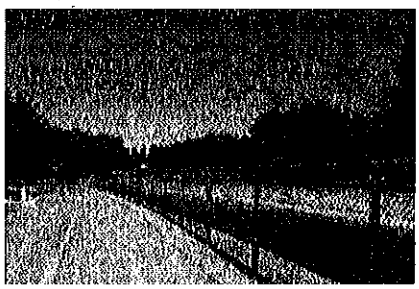
c. Articulate side and rear parapet walls by using height variations, relief elements, and thoughtfully designed scuppers, downspouts, and expansion joints.

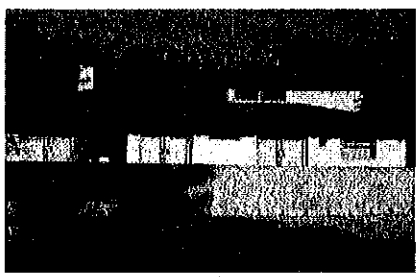
d. Cornice lines of new buildings (a horizontal rhythm element) should transition with buildings on adjacent properties to avoid clashes in building height.

e. The visible portion of sloped roofs should be sheathed with a roofing material complementary to the architectural style of the building and other surrounding buildings.

f. The flat roofs of commercial buildings are encouraged to be used for outdoor lounges and dining areas when appropriate.

g. Access to roofs should be restricted to interior access only.





Undesirable Fencing

5. Walls and Fences

a. Walls and fences should be integrated with the overall building and site design, and shall not exceed three feet in height in the front or side yards in order to avoid the appearance of being a "fortress".

b. The use of chain link, fabric, or concrete block fencing is prohibited.

c. Fencing shall not obscure the front elevation of the primary structure on the property. Therefore, front yard privacy fences should not be allowed. Structural members of a fence should be turned in to face into the property.

d. The finished side of the fence should be presented to the street. On corner lots, the guidelines apply to the front yard and street side yard of the property.

6. Building Materials and Colors

a. Buildings and structures should be constructed with durable, low-maintenance, and timeless building materials of the same or higher quality as surrounding developments.

b. Metal seam, clay tile, concrete tile, or a similar grade of roofing material shall be used on all visible pitched roofs.

c. Factory-built, prefabricated, pre-manufactured buildings, portable, and similar structures, while generally discouraged, may be allowed and shall be designed in accordance with these Standards.

d. All building materials shall be properly installed.

e. Horizontal material changes should not occur at external corners, but may occur at interior corners, or at other logical terminations.

f. Reflective materials should not be used to clad a building; however, if reflective materials must be used to protect the integrity of the architectural design, then the material absolutely shall not be a nuisance to the occupants of the existing surrounding structures, or a safety hazard to any type of traffic.

g. 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, etc, must be hidden.

Mixed-Use Development

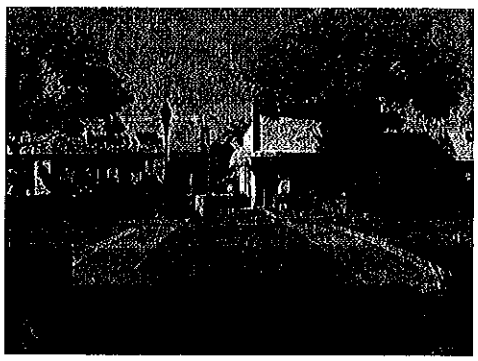
h. Mixed-use commercial developments that contain residential units on the upper levels shall utilize materials with known vibration and sound-reduction qualities in order to minimize noise impacts.

i. Corrugated metal is an acceptable building material as long as it is not visible from a public street. However, it is acceptable for corrugated metal to be visible from an alley.

j. Colors should be consistent with a historic small rural town including, but not limited to, shades of brown and dark reds, yellows, and greens. A wide variety of colors should be considered, and accent colors are encouraged. In no case shall color be used to deny a project, except that black as a primary building color shall be prohibited due to its severe nature. Brick shall not be painted unless it has been determined by the Community Development Department that the brick has lost its "fire face" and painting is necessary to assist in slowing the degradation of the brick and mortar.

k. Stucco is discouraged for use as a building material unless it exhibits a high quality of workmanship and finish.

7. Hardscape Materials



Pedestrian pathways are distinguished through the use of colored materials.

a. Hardscape materials used in pedestrian-oriented spaces such as plazas, paths and sidewalks shall be attractive, durable, slip-resistant, of high quality, and compatible in color and pattern with a project's design. Surfaces in pedestrian circulation areas shall be constructed from materials that provide a hard, stable surface and that permit maneuverability for people of all abilities.

b. Pedestrian pathways crossing an on-site vehicle drive aisle, loading area, or parking area, shall be made identifiable by the use of an alternative hardscape material such as pavers, patterned, stamped or colored concrete.

c. The primary hardscape materials used for pedestrian spaces shall be high quality poured in place concrete and silver-toned concrete.

8. Franchise/Corporate

a. The scale, design, and materials of franchise/corporate architecture should be consistent with adjacent buildings.

b. The City recognizes the unique development constraints for corporate retailers to accommodate the sales volume and vehicle parking demand of its users. The City encourages creative design solutions for franchise retail development to minimize the "one size fits all" look of corporate architecture.

Provide adequate security lighting for pedestrians

9. Security

a. Create a secure development for both the site and its occupants by minimizing opportunities for crime and undesirable activities through natural surveillance, access control, and activities.

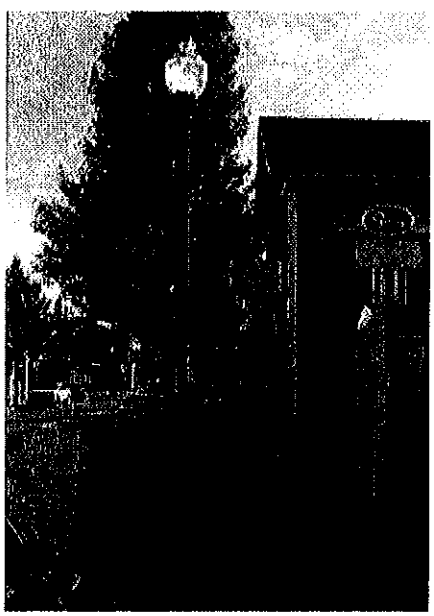
b. Locate buildings and windows to maximize visibility of entryways, pathways, and parking lots.

c. Adequate security and safety lighting for pedestrians from parking spaces to all building entries and exits shall be provided.

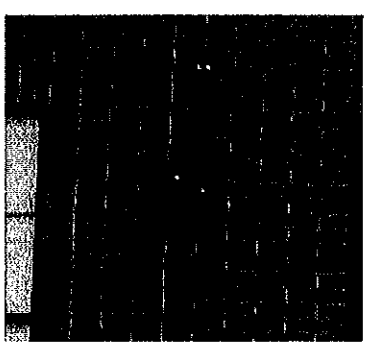
d. Street addresses for commercial, public, or multi-use residential buildings shall be easily visible on the front of the building both during the daytime, and at night.

C. Lighting. In Downtown Winters lighting fixtures within developments should be attractively designed to complement the architecture of the project and surrounding development, and should improve the visual identification and safety of residences and businesses. Additionally, consideration should be given to the effects of light pollution on the environment, as well as energy conservation technologies.

1. General Design Standards



Lighting should provide security and visual interest



Lighting directed downward (down lit) with shielding

a. Lighting shall provide security and visual interest.

b. All exterior doors, aisles, passageways and recesses shall be equipped with a lighting device providing a minimum maintained one foot-candle of light at ground level during hours of darkness. Vandal resistant covers should protect lighting devices.

c. Decorative accent lighting and fixtures above the minimum one foot-candle illumination levels of surrounding parking lots should be provided at vehicle driveways, entry throats, pedestrian paths, plaza areas, and other activity areas.

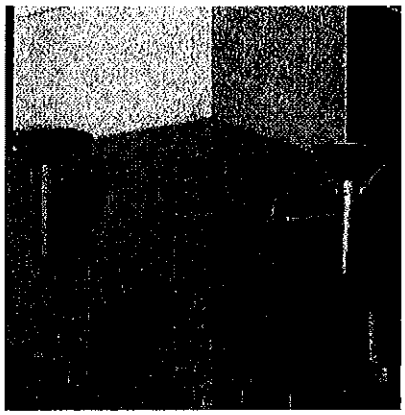
d. Exterior lighting shall be sited and installed in a manner to minimize glare and light spillage beyond property lines. Outdoor light fixtures shall be the lowest wattage necessary to accomplish adequate lighting. Lighting shall be downlit, shielded, and directed away from areas not intended to be 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.

e. Lighting fixtures should be attractively designed to complement the architecture of the project.

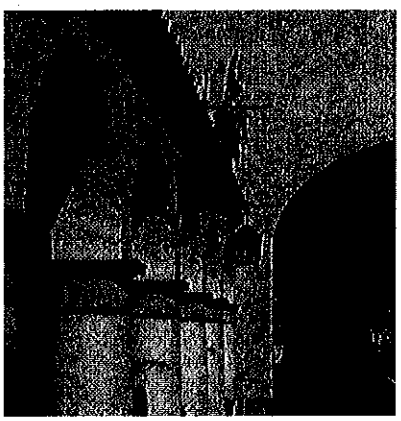
f. Lighting should improve visual identification of residences and businesses and create an inviting atmosphere for passersby.

g. Wall mounted lights should be used to the greatest extent possible to minimize the total number of freestanding light standards.

h. Parking lot lighting fixtures should not exceed 35 feet in height. When within 50 feet of residentially zoned properties, fixtures should not exceed 20 feet.



Wall-mounted lights should be used to the greatest extent possible



Lighting should add drama and character to a building while being consistent with its character

i. Light standards within parking lots should be designed with raised bases to protect them from damage by vehicles.

j. Provide street lighting that is scaled for the pedestrian while still meeting vehicular needs. On local streets and within project sites, fixtures should be primarily oriented towards pedestrian's needs. On major streets, light fixtures serve to both illuminate pedestrian areas and roadways. Consider the location and intended audience when choosing a light fixture for a project.

k. Lighting for a parking lot or structures should be evenly distributed and provide pedestrians and drivers with adequate visibility and safety level at night.

l. Lighting shall be maintained along the pathway of "urban trails" (i.e. those between buildings and in dense areas of the City) at a level sufficient to make the trail and abutting landscaping visible and safer at night while not detracting from the physical and aesthetic aspects of the trail and spilling onto abutting residential uses. Light fixtures should be vandal resistant.

m. The light source used in outdoor lighting should provide a white light for better color representation and to create a more pedestrian friendly-environment.

n. Low pressure sodium lamps are prohibited.

o. Lighting should be consistent with the historic small town character of Winters.

D. Sign Design. Signs in the Downtown Form-Based Code Area are regulated by Chapter 17.80 (Signs) of the Winters Municipal Code. The following design standards are intended to guide the design of signs in the downtown and will be used as a basis of consideration for review of sign permits and management of signs in the downtown.

Design, color, materials, size, and placement are all important in creating signs that are architecturally attractive and integrated into the overall site design. Signs that are compatible with the surroundings and effectively communicate a message will promote a quality visual environment.

a. General Design Standards

i. Design signs in harmony with the style and character of the development and as an integral design component of the building architecture, building materials, landscaping, and overall site development.

ii. Sign letters and materials should be professionally designed and fabricated.

iii. Exposed conduit and tubing (raceway) is prohibited. All transformers and other equipment shall be concealed.

iv. All signs shall be maintained in good repair, including the display surface, which shall be kept neatly painted or posted.

v. The exposed back of all signs visible to the public shall be suitably finished and maintained.

vi. The use of retractable awnings as a signage tool is acceptable.

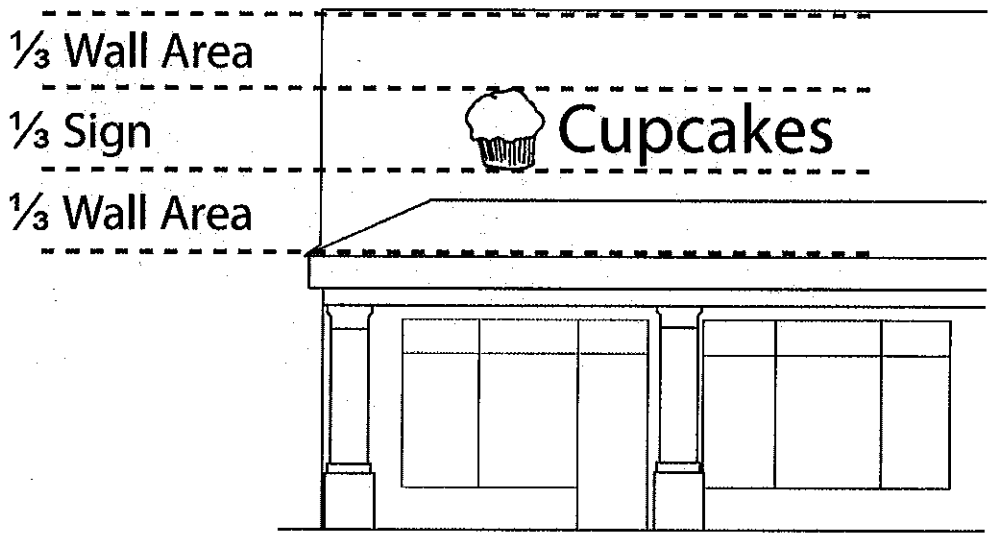
vii. Non-conforming City-designated "Heritage Signs" shall be protected.

b. Placement

i. Signs should be generally free of obstructions when viewed from different angles. However, trees or other landscaping that grows to a point that it obstructs the view of a sign or makes it illegible shall not be grounds for removal or trimming of the plant(s).

ii. Utilize a consistent proportion of signage to building scale, such as 1/3 text to 2/3 wall area or 1/4 text to 3/4 wall area. See Figure 17.58-14 (Text Scale).

FIGURE 17.58-14: TEXT SCALE



c. Materials.

i. Paper and cloth signs are appropriate for interior temporary use only and are not permitted on the exterior of a building.

ii. A-frame signs shall be constructed of architecturally compatible materials such as metal or wood. Plastic or similar material A-frame signs are prohibited.

ii. The use of neon is permitted in the D-A zone if it fits with the style of the architecture (e.g.; art deco) and is not a nuisance (e.g., produce glare) to the surrounding properties.

Sign Tips: Colors and Materials

- Use exterior materials, finishes, and colors in harmony with, or an upgrade to, those of the buildings or structures on site.

- The selected materials need to contribute to the legibility of the sign. For example, glossy finishes are often difficult to read because of glare and reflections.

- Contrast is an important influence on the legibility of signs. Light letters on a dark background or dark letters on a light background are most legible.

- Limit the total number of colors used in any one sign. Small accents of several colors may make a sign unique and attractive, but the competition between large areas of many different colors decreases readability.

Exterior materials, finishes, and colors should be the same or similar to those of the building or structures on site.

d. Sign Legibility.

i. Avoid spacing letters and words too close together. Crowding of letters, words or lines will make any sign more difficult to read. Conversely, over-spacing these elements causes the viewer to read each item individually, again obscuring the message. As a general rule, letters should not occupy more than 75% of the sign panel area.

Sign Tips: Legibility

- Use a brief message whenever possible. Fewer words help produce a more effective sign. A sign with a brief, succinct message is easier to read and looks more attractive.

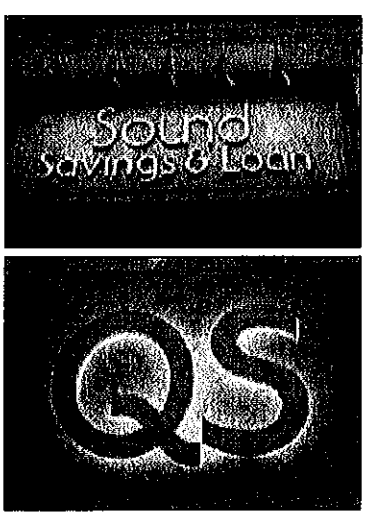
- Limit the number of lettering styles in order to increase legibility. A general rule to follow is to limit the number of different letter types to no more than two for small signs and three for large signs.

- Use symbols and logos in the place of words whenever appropriate. Pictographic images will usually register more quickly in the viewer's mind than a written message.

- Avoid hard-to-read, overly intricate typefaces and symbols. Typefaces and symbols that are hard to read reduce the sign's ability to communicate.

A brief message with simple lettering is easy to read and identify.

e. Sign Illumination



Light source must be directed against the sign such that it does not shine into adjacent property or cause glare for motorists and pedestrians.

i. The light from an illuminated sign shall not be of an intensity or brightness that will create glare or other negative impact on residential properties in direct line of sight to the sign;

ii. Whenever indirect lighting fixtures are used (fluorescent or incandescent), care shall be taken to properly shield the light source to prevent glare from spilling over into residential areas and any public right-of-way.

iii. Internally illuminated plastic box "canned" signs are prohibited. Individually illuminated channel letters are acceptable.

iv. Signs shall not have blinking, flashing, or fluttering lights, or other illumination devices that have a changing light intensity, brightness, or color;

v. Light sources shall utilize energy efficient fixtures to the greatest extent possible and shall comply with Title 24 of the

California Code of Regulations (California Building Standards Code).

Sign Tips: Illumination

- If the sign can be illuminated by an indirect source of light, this is usually the best arrangement because the sign will appear to be better integrated with the building's architecture. Light fixtures attached to the front of the structure cast light on the sign and the face of the structure as well.

- Individually illuminated letters should be backlit. Signs comprised of individual letters mounted directly on a structure can often use a distinctive element of the structure's facade as a backdrop, thereby providing a better integration of the sign with the structure.

Spotlights are preferred for wall and projecting signs.

17.58.080 SPECIAL USE REGULATIONS AND OTHER STANDARDS

The following Special Use Regulations is to address concerns and provide standards for the following types of development and issues specific to Downtown Winters. These standards are intended to provide guidance to planners, developers, builders, businesses, and residents to ensure consistency with the vision and goals defined in the Downtown Master Plan and this zoning code.

A. Live/Work. Live/work units are built spaces that function predominantly as work spaces and secondarily as residences.

Live/work units shall comply with the following standards:

1. The unit must contain a cooking space and bathroom in conformance with applicable building standards.

2. Adequate and clearly defined working space must constitute no less than fifty percent of the gross floor area of the live/work unit. Said working space shall be reserved for and regularly used by one or more persons residing there.

3. At least one residence in each live/work unit shall maintain at all times a valid city business license for a business on the premises.

4. Persons who do not reside in the live/work unit may be employed in a live/work unit when the required parking is provided.

5. Customer and client visits are allowed when the required parking is provided.

6. No portion of a live/work unit may be separately rented or sold as a commercial space for a person or persons not living on the premises, or as a residential space for a person or persons not working on the premises.

B. Newspaper racks. For the purpose of this section, "newspaper rack" is defined as any type of unattended device placed upon or abutting any public right-of-way for the vending, display, or free distribution of, newspapers, news periodicals, or other written materials.

1. Permission to install a newspaper rack requires an Encroachment Permit from the City of Winters.

2. No person shall place, erect, install, service, stock or maintain any newspaper rack or courtesy bench which obstructs or intrudes upon, in

whole or in part, any public right-of-way. A minimum of 4 feet of clear walkway must be maintained.

3. Newspaper racks shall not be located directly in front of a building entrance.

4. Newspaper racks may not be anchored to a light pole, street sign, or other similar street element.

5. Any vendor choosing to distribute free publications in Downtown Winters shall use modular newspaper racks provided and maintained by the City. Individual privately owned free-standing newspaper racks shall not be permitted for the purpose of distributing free publications.

C. Public Art. For the purpose of this section, "public art" in Downtown Winters is defined as permanent or temporary works of art in the public realm, whether part of a building or free-standing.

1. Public art shall be incorporated into public plazas, parks, and municipal buildings. Additionally, the incorporation of public art into private development projects is strongly encouraged.

2. Possible types of public art include but are not limited to the following options:

a. Building features and enhancements such as bike racks, gates, benches, water features, or shade screens, which are unique and/or produced in limited editions by a professional artist.

b. Landscape art enhancements such as walkways, bridges, or art features within a garden.

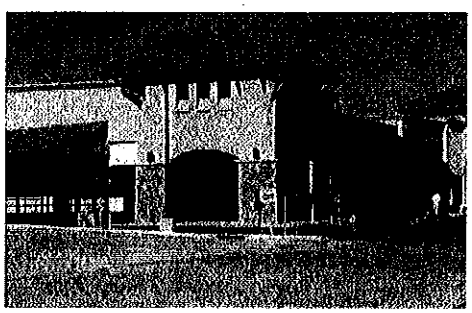
c. Murals or mosaics covering walls, floors, and walkways. Murals may be painted or constructed with a variety of materials, including the use of imbedded and nontraditional materials.

d. Sculptures, which can be freestanding, wall-supported or suspended, kinetic, electronic, and made of endurable materials suitable for the site.

e. Fiberwork, neon, or glass artworks, photographs, prints, and any combination of media including sound, film, and video systems, or other interdisciplinary artwork applicable to the site. The use of light, sound, film, and video shall not create a nuisance for neighboring properties.

f. Community arts projects resulting in tangible artwork, such as community murals, sculptures, or kiosks.

D. Storefront Vacancy. For the purpose of this section, a "storefront vacancy" in Downtown Winters is defined as a vacant commercial ground floor (street level) space in any otherwise occupied or unoccupied building.



Appropriately maintained storefronts

1. Vacant storefronts shall be properly locked and secured to prevent unauthorized trespassing during the period of vacancy.

2. The exterior façade of vacant storefronts shall be maintained by the property owner at the same level of quality as surrounding occupied storefronts and buildings.

3. Property owners of vacant storefronts shall implement creative temporary alternative uses of storefront window areas such as utilizing them as a display area for community info, public art by local artists, and merchandise from other stores.

4. Property owners of vacant storefronts shall consult with the City's Economic Development staff regarding possible available tenants.

5. Vacant storefronts shall not be boarded up, or otherwise appear derelict or abandoned.

6. An adequate level of exterior security lighting shall be regularly maintained regardless of storefront occupancy status.

Attachment B

NEGATIVE DECLARATION

Pursuant to Title 14, Chapter 3, Sections 15070 and 15071 of the California Code of Regulations, the **City of Winters** does prepare, make, declare, publish, and cause to be filed with the County Clerk of Yolo County, State of California, this Negative Declaration for the Project, described as follows:

PROJECT TITLE: Form Based Code for Downtown Winters

PROJECT DESCRIPTION: The project is the adoption and implementation of the Form Based Code for Downtown Winters including the following:

1) General Plan Amendment to delineate a portion of the Central Business District as the Downtown Master Plan Area and a portion of that as the Downtown Form Based Code Area. The Downtown Master Plan was adopted by the City in 2006.
2) Amend General Plan Central Business District designation to eliminate Floor Area Ratios within the Downtown Form Based Code Area.
3) Amend General Plan policies to provide for mixed use and allow bed and breakfast inns as a permitted use within the Downtown Form Based Code Area.
4) Amendment of the City of Winters Municipal Code to include the Form Based Code for Downtown as Chapter 17.58
5) Rezone project area from C-2 to the following zones:

- Main Street DA
- Railroad Avenue DA
- Railroad Avenue DB
- Grant Avenue DA
- Grant Avenue DB
- Secondary Street DA
- Secondary Street DA

PROJECT LOCATION: Downtown Winters - Main Street from Second Street to Elliott Street and Railroad Avenue from Wolfskill Street to just north of Anderson Avenue and includes portions of Grant Avenue, Abbey, East Abbey, East Edward, East Baker, and Wolfskill Streets. It encompasses approximately 33.5 acres.

NAME OF PUBLIC AGENCY APPROVING PROJECT: City of Winters, City Council

CONTACT PERSON: Nelia Dyer, Community Development Director (530) 795-4910 ext 114

NAME OF ENTITY OR AGENCY CARRYING OUT PROJECT: City of Winters

NEGATIVE DECLARATION: The City of Winters has determined that the subject project, further defined and discussed in the attached Environmental Checklist/Initial Study will not have any significant effects on the environment. As a result thereof, the preparation of an environmental impact report pursuant to the California Environmental Quality Act (Division 13 of the Public Resources Code of the State of California) is not required. The attached Environmental Checklist/Initial Study has been prepared by the City of Winters in support of this Negative Declaration. Further information including the project file and supporting reports and studies may be reviewed at the Community Development Department, Winters City Hall, 318 First Street, Winters, California, 95694. Documents are also available at:

http://cityofwinters.org/community_dev/community_reports.htm

MITIGATION MEASURES: Mitigation measures have not been identified for the project.

Nelia Dyer, Community Development Director
City of Winters

July 8, 2009

ENVIRONMENTAL CHECKLIST AND INITIAL STUDY

Project Title: **Form-Based Code for Downtown Winters** is comprised of the adoption and implementation of the following:

1) General Plan Amendment to delineate a portion of the Central Business District as the Downtown Master Plan Area and a portion of that as the Downtown Form-Based Code Area. The Downtown Master Plan was adopted by the City in 2006.
2) Amend General Plan Central Business District designation to eliminate Floor Area Ratios within the Downtown Form-Based Code Area.
3) Amend General Plan policies to provide for mixed use and allow bed and breakfast inns as a permitted use within the Downtown Form-Based Code Area.
4) Amendment of the City of Winters Municipal Code to include the Form-Based Code for Downtown as Chapter 17.58
5) Rezone project area from C-2 to the following zones:
   - Main Street DA
   - Railroad Avenue DA
   - Railroad Avenue DB
   - Grant Avenue DA
   - Grant Avenue DB
   - Secondary Street DA
   - Secondary Street DA

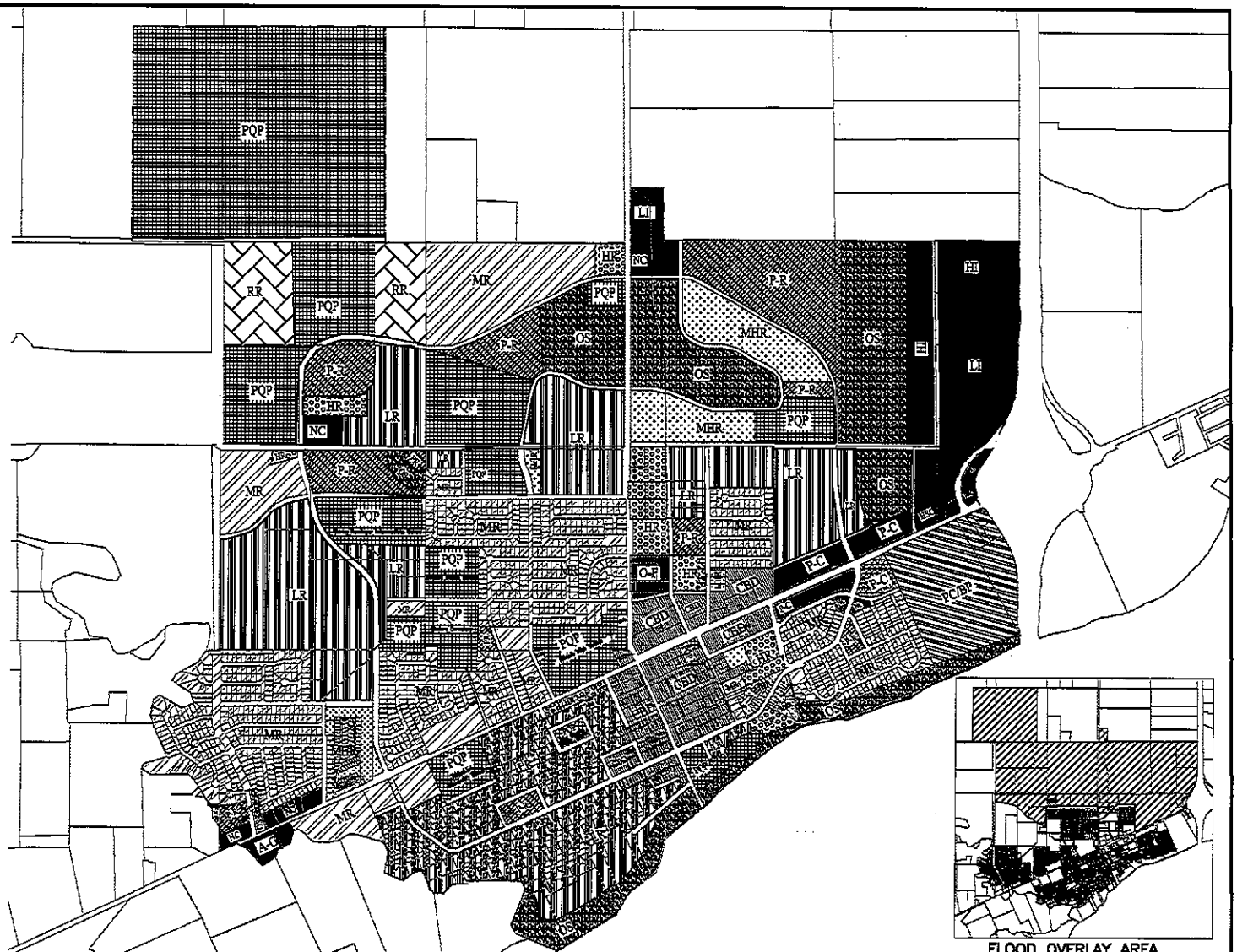
Lead Agency: City of Winters
Community Development Department
318 First Street
Winters, CA 95694

Lead Agency Contact: Nelia Dyer, Community Development Director
(530) 795-4910 x114

Project Location: The Form-Based Code for Downtown project area boundaries are located within the Central Business District (Figure 1) of downtown Winters. The area, as depicted on Figure 17.58.1, covers Main Street from Second Street to Elliott Street and Railroad Avenue from Wolfskill Street to just north of Anderson Avenue and includes portions of Grant Avenue, Abbey, East Abbey, East Edward, East Baker, and Wolfskill Streets. It encompasses approximately 33.5 acres.

GENERAL PLAN LAND USE DIAGRAM

- AGRICULTURE (AG)
- RURAL RESIDENTIAL (RR)
- LOW DENSITY RESIDENTIAL (LR)
- MEDIUM DENSITY RESIDENTIAL (MR)
- MEDIUM/HIGH DENSITY (MHR)
- HIGH DENSITY RESIDENTIAL (HR)
- NEIGHBORHOOD COMMERCIAL (NC)
- CENTRAL BUSINESS DISTRICT (CBD)
- HIGHWAY SERVICE COMMERCIAL (HSC)
- OFFICE (OF)
- PLANNED COMMERCIAL (PC)
- PLANNED COMMERCIAL BUSINESS PARK (PC/BP)
- LIGHT INDUSTRIAL (LI)
- HEAVY INDUSTRIAL (HI)
- PUBLIC/QUASI-PUBLIC (PQP)
- PARKS & RECREATION (PR)
- OPEN SPACE (OS)
- URBAN LIMIT LINE
- CITY LIMITS



DESIGNED BY					
DRAWN BY					
CHECKED BY					
	REV.	DATE	DESCRIPTION	BY	APP'D

SCALE: 1" = 400'

PONTICELLO ENTERPRISES
CONSULTING ENGINEERS
327 College Street, Suite 105
Woodland, CA 95695
Phone: (530) 666-5663
Fax : (530) 666-5693

GENERAL PLAN AMENDMENT MAP
JUNE 2003
CITY OF WINTERS

SCALE: 1" = 1/4 Mile
FILE: GENERAL PLAN
DATE: Jun. 2003
JOB NO. 099001

SHEET 1 OF 1

Project Sponsor: City of Winters
318 First Street
Winters, CA 95694

General Plan Designation(s): Central Business District (CBD)

Zoning: Central Business District (C-2)

Existing Conditions:

Surrounding land uses include:

North – Commercial and Single Family Residential

West – Single Family Residential and Public/Quasi Public

East – Single Family Residential and Commercial

South – Single Family Residential, Public/Quasi Public, and Putah Creek

The commercial core of Winters was established in the 1870's and slowly expanded to its current size by the 1940's. Existing uses include retail and neighborhood commercial, restaurants, bars, art galleries, office, mixed uses, medical services, single and multifamily residential, live music venue, agri-processing, financial services, lodging, governmental offices, personal services, childcare, city park, gas stations and auto repair.

Background: The City of Winters General Plan calls for a Central Business District Plan (Implementation Program I.6). In March 2006, after a lengthy public process, the City adopted the Downtown Master Plan, which provides the vision for the development and redevelopment of the downtown core of Winters. The Downtown Master Plan focuses on:

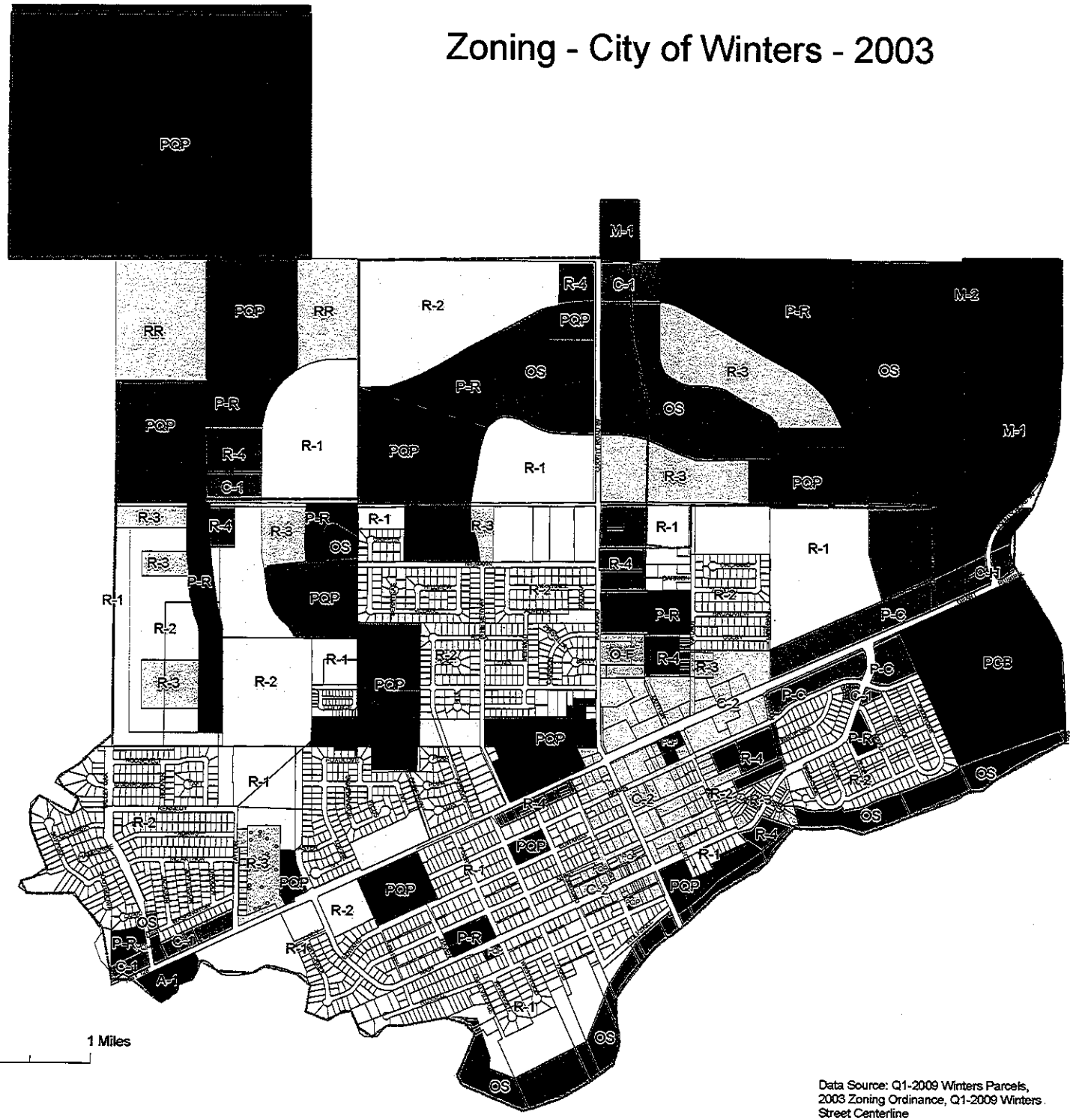
- concentrating specialty commercial businesses in the downtown core
- supporting infill development along Railroad Avenue
- improving the Railroad Avenue streetscape
- creating an attractive north gateway to the downtown
- establishing downtown-oriented parking policies
- retaining downtown's historic building character
- improving the Rotary Park/Downtown Green and expanding the Putah Creek Nature Park

The Downtown Master Plan identified several tools for fulfilling the vision in the Plan. One of those tools is the creation, adoption and use of a Form-Based Code for the Downtown Master Plan Area.

Zoning - City of Winters - 2003

Zoning Districts

- A-1 General Agriculture
- C-1 Neighborhood Commercial
- C-2 Central Business District
- C-H Highway Service Commercial
- M-1 Light Industrial
- M-2 Heavy Industrial
- O-F Office
- O-S Open Space
- P-C Planned Commercial
- P-R Parks & Recreation
- PCB Planned Commercial Business Park
- PQP Public Quasi Public
- R-1 Single Family Residential (7,000)
- R-2 Single Family Residential (6,000)
- R-3 Multi-Family Residential
- R-4 High Density Multi-Family Residential
- R-R Rural Residential
- City Limit



Data Source: Q1-2009 Winters Parcels, 2003 Zoning Ordinance, Q1-2009 Winters Street Centerline

Author: Jenna Michaelis, Community Development

Cities use Form-Based Codes to control the look and type of buildings, streets, landscaping and building details like signs, awnings, and storefronts to create and maintain an interesting, attractive and livable town. Standards for land use, density, setbacks, and design are set-out in a consolidated, graphical format that can be used easily by landowners, applicants, business owners, and City staff and officials.

Project History: Based upon the vision promulgated by the Downtown Master Plan, the City began preparation of a Form-Based Code which:

- preserves and protects the historic character of Winters' downtown core
- provides for uses which will vitalize the downtown business district
- creates a visually appealing, pedestrian oriented downtown
- promotes environmentally progressive development standards
- fosters infill development
- provides a user-friendly zoning document
- provides certainty in the design review process
- simplifies and streamlines the entitlement process

To kick-off the process, the City and consultants held two informational workshops on Form-Based Codes in late January 2008 for those interested in our downtown. The workshops provided an overview of Form-Based Codes and opportunity for community members to provide ideas and input on a Code for our downtown. Based on the City's goals for a Code and the feedback received at the January workshops, the consultants and staff prepared a draft Code for a portion of the Downtown Master Plan Area known as the Form-Based Code for Downtown.

The draft Form-Based Code for Downtown was introduced to the Winters community at a workshop on July 2, 2008 which nearly two dozen community members attended. A CD of the draft Form-Based Code for Downtown as well the At-A-Glance sheets were distributed to those in attendance. The draft Form-Based Code for Downtown and At-A-Glance sheets were also posted on the City's website and staff sent an email blast with links to the Code to the downtown email list and members of the Winters Chamber of Commerce. Staff also did a brief presentation on the Code at the Chamber's July 11, 2008 meeting.

On July 29, 2008 a joint Planning Commission and City Council workshop were held to receive public comment on the draft and so the Commission and Council could provide feedback and direction to staff and the consultants. Based on the results and direction from the workshop the draft was finalized for the purposes of CEQA analysis and the adoption process.

An additional Planning Commission and community workshop was held on May 26, 2009, which specifically focused on the proposed permitted uses in the Form-Base Code.

Previous Relevant Environmental Analysis:
The 1992 General Plan was the subject of a certified Environmental Impact Report that examined the environmental impacts associated with adoption of the General Plan. On May 19, 1992 the City Council adopted Resolution No. 92-13 certifying the two-volume EIR (SCH#91073080) prepared for the City General Plan and adopting the City General Plan. The General Plan EIR assumed a Central Business District as shown in Figure 4 (revised, page E&R-52, FEIR, May 8, 1992). The Central Business District remains the same today and the assumed land uses have not changed from those used for the EIR analysis. The EIR is on file at the City of Winters Community Development Department.

An Initial Study/Negative Declaration for this project was circulated between December 18, 2008 and January 16, 2009 (SCH 200842018). A letter from California Department of Transportation (Caltrans) dated January 16, 2009 was the only comment received.

Caltrans advised that planter strips on Grant Avenue/SR128 will need to comply with their Planting Guidelines; requests that new trees planted on Grant Avenue /SR128 not create fruit or litter conflicts with pedestrian or bicycle use; Maintenance Agreement(s) between the City and Caltrans will be required; and Encroachment Permits will be required for work conducted in the State's right of way. These are all implementation issues that are standard for working with Caltrans and that are known to the City.

Several revisions to further accommodate office and services use have been made to the proposed land uses that would be regulated by the Form-Base Code since the circulation of that Initial Study/Negative Declaration. This Initial Study has been prepared to incorporate those changes to the project.

Description of the Project:
The proposed Form-Based Code for Downtown establishes unique allowed use and development standards for the Downtown Form-Based Code Area. It is the intent of these standards to help preserve and protect the existing historic and distinctive character of the Downtown by requiring new construction, remodels and existing development and uses to complement the character and sense of place found in the historic downtown core. Additionally, the application of these standards will ensure that the Downtown will continue to be the pedestrian-orientated shopping, dining, entertainment, and community center of the greater Winters area.

The Form-Based Code for Downtown (Attachment A) would apply to the area shown as DA and DB in the Regulating Plan (Figure 17.58-1, of the Form-Based Code) which is situated along Main Street (from Second to Elliot) and Railroad Avenue (from Wolfskill Street to Anderson Avenue) and includes portions of Abbey, East Abbey, East Edward, East Baker, and Wolfskill Streets. It encompasses approximately 33.5 acres including the historic commercial downtown core.

The proposed draft Form-Based Code for Downtown would be incorporated into the City Zoning Ordinance as Chapter 17.58 and would become the Zoning Code for the

Downtown Form-Based Code Area. The City's Zoning Map would also be revised to incorporate the Regulating Plan shown in Figure 17.58-1 of the Form-Based Code for Downtown. There are a total of 65+/- acres of Central Business District/C2 in Winters. The adoption of proposed 33.5 acre Downtown Form-Based Code Area would re-designate 50.8 percent of the Central Business District/C2 area of Winters.

The proposed Form-Based Code for Downtown is comprised of eight sections that provide:

- regulating plan which functions as a zoning map
- definitions
- street typologies
- allowed use regulations
- development standards including parking, signage and landscaping
- architectural and design standards
- special use regulations

The proposed Form-Based Code for Downtown does not create new land uses in the project area. Instead it refines those currently allowed and provides a regulatory framework to create and maintain a visually appealing, pedestrian orientated historic downtown, which is vitalized and sustainable. Allowed uses are listed according to districts and downtown zones within the districts in Section 17.58.050 of the proposed Form-Based Code for Downtown.

The following table identifies the permitted uses within the Downtown. These allowed use regulations are listed by street type, then by Zoning District (D-A or D-B), as applicable. The uses listed are defined in Section 17.58.040.B (Definitions of Permitted Uses). The symbols in the table are defined as:

P – Permitted Use

C – Conditionally Permitted Use

N – Not Permitted

TABLE 17.58-2: PERMITTED USES

Uses	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
Attached Single-Family Residential	N	N	N	N	P	N	N
Banks and Financial Institutions	P	P	P	P	C	P	P
Bar, Pub and Cocktail Lounge	C	C	C	N	N	C	C
Bed and Breakfast Inn	P[1]	P[1]	P	P	P	P[1]	P
Child Day Care	N	N	N	C	C	N	C

Uses	Main Street	Railroad Avenue		Secondary Streets		Grant Avenue	
		D-A	D-B	D-A	D-B	D-A	D-B
Commercial Recreation and Entertainment	C	C	C	N	N	C	C
Detached Single-Family Residential	N	N	N	C	P	N	N
Government/Institutional	P	P	P	P	C	P	P
Hotel or Motel	P[1]	P[1]	P[1]	P	P	P[1]	P
Live/Work Unit	C	P	P	P	C	N	C
Mixed-Use	P	P	P	P	C	C	P
Multi-Family Residential	C[1]	P[1]	P[1]	P[1]	P	N	P[1]
Neighborhood Commercial	P	P	P	P	C	C	N
Offices	P	P	P	P	C	P	P
Personal Services	P	P	P	P	C	C	P
Religious Institutions	C	C	C	N	N	C	C
Retail Commercial	P	P	P	P	N	P	P
Service Station	N	C	C	N	N	C	C
Sit-Down Restaurants[2]	P	P	P	C	C	P	P
Specialized Agriculture and Processing	C	C	C	C	C	C	C

Notes:

1. Only on the second floor or above.
2. Drive -thus are not allowed within the Downtown Form-Based Code Area (See Section 17.58.070A2d)

The proposed Form-Based Code for Downtown provides development standards (Section 17.58.060), architectural and design standards (Section 17.58.070), special use regulations and standards (Section 17.58.080) to ensure that new/infill development, substantive remodels and ancillary uses will be compatible with the existing historic character of the downtown.

Other public agencies whose approval may be required (e.g., permits, financing approval, or participation agreement): None.

Other Project Assumptions: The Initial Study assumes compliance with all applicable State, Federal, and local codes and regulations including, but not limited to, City of Winters Improvement Standards, the California Building Code, the State Health and Safety Code, and the State Public Resources Code.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below potentially would be significantly affected by this project, as indicated by the checklist on the following pages.

- □ Aesthetics
- □ Agricultural Resources
- □ Air Quality
- □ Biological Resources
- □ Cultural Resources
- □ Geology and Soils
- □ Hazards and Hazardous Materials
- □ Hydrology/Water Quality
- □ Land Use and Planning
- □ Mineral Resources
- □ Noise
- □ Population and Housing
- □ Public Services
- □ Recreation
- □ Transportation/Traffic
- □ Utilities and Service Systems
- □ Mandatory Findings of Significance
- ■ None Identified

DETERMINATION:

On the basis of this initial evaluation:

■ I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

□ I find that although the Proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

□ I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

□ I find that the Proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis described in the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

□ I find that although the Proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to the earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project. Nothing further is required.

Signature

July 6, 2009
Date

Nelia Dyer, Community Development Director
Printed Name

City of Winters
Community Development Department
Lead Agency

ENVIRONMENTAL CHECKLIST

Introduction

Following is the environmental checklist form presented in Appendix G of the CEQA Guidelines. The checklist form is used to describe the impacts of the Proposed Project. A discussion follows each environmental issue identified in the checklist. Included in each discussion are project-specific mitigation measures recommended as appropriate as part of the Proposed Project.

For this checklist, the following designations are used:

Potentially Significant Impact: An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.

Potentially Significant Unless Mitigation Incorporated: An impact that requires mitigation to reduce the impact to a less than significant level.

Less Than Significant Impact: Any impact that would not be considered significant under CEQA relative to existing standards.

No Impact: The project would not have any impact.

Instructions

1. A brief evaluation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, potentially significant unless mitigation is incorporated, or less than significant. "Potentially significant impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Potentially Significant Unless Mitigation Incorporated" means "Less Than Significant With Mitigation Incorporated". It applies where incorporation of mitigation measures has reduced as effect from "Potentially Significant Impact" too a "Less Than Significant Impact". The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).

5. Earlier analyses may be used where, pursuant to tiering, a program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:

    a. Earlier Analysis Used – Identify and state where available for review.

    b. Impacts Adequately Addressed – Identify which effects from the above checklist were within the scope of and adequately addressed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c. Mitigation Measures – For effects that are "Potentially Significant Unless Mitigation Incorporated" describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources in the form of a source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format in selected.

9. The explanation of each issue area should identify: a) the significance criteria or threshold, if any, used to evaluate each question; and b) the mitigation measures identified, if any, to reduce the impact to less than significant.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. *Would the project:*				
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	■
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	☐	☐	☐	■
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	■
d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☐	■

Discussion

a. *No Impact.* The proposed Form-Based Code would provide design guidelines which are expected to preserve the existing scenic character of the downtown and surrounding vistas. The maximum height limit would remain at 45 feet. The Downtown Form-Based Code Area is planned for urban development and existing residential, commercial, and municipal development surrounds the area. For these reasons, the proposed Form-Based Code would not substantially or adversely affect views of a scenic vista.

b. *No Impact.* The project area does not contain any protected scenic resources. The roadways are not listed or designated as a "scenic highway" and are not designated as scenic resources by the General Plan.

c. *No Impact.* The proposed Form-Based Code for Downtown will preserve the existing historical character of the downtown area and ensure that future development will be consistent and supportive of that character.

d. *No Impact.* The proposed Form-Based Code would not create additional light and glare in the area. The Form-Based Code for Downtown requires that exterior lighting shall be sited and installed in a manner to minimize glare and light spillage. The Form-Based Code for Downtown provides development guidelines which ensure that building exteriors will not be highly reflective or create glare which would adversely impact surrounding land uses.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
2. AGRICULTURE RESOURCES: *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:*				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	■
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	■
c. Involve other changes in the existing environment which, due to their location or nature, could result in loss of Farmland, to non-agricultural use?	☐	☐	☐	■

Discussion

a. *No Impact.* The downtown is not designated as Prime Farmlands, Unique Farmlands, or Farmlands of Local Importance on the City's Important Farmlands Map (1992 General Plan Background Report, Figure VIII-2). The Yolo County Important Farmland Map (California Department of Conservation, 2004) designates the downtown as Urban and Built-Up Land.

b. *No Impact.* The project is located within the existing developed commercial core of downtown Winters. No part of the downtown is under a Williamson Act contract nor immediately adjacent to any lands under Williamson Act contract. In addition, the downtown is not located immediately adjacent to any lands zoned for agricultural uses. The farmlands located to the south are separated and buffered by the Putah Creek riparian corridor.

c. *No Impact.* Implementation of the Form-Based Code for Downtown will have no impact on the conversion of other properties to non-agricultural uses or loss of farmland in general. The downtown is located in an area which has been urbanized for over 100 years. The farmlands located to the south are separated and buffered by the Putah Creek riparian corridor.

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

Discussion

The proposed Form-Based Code for Downtown provides design guidelines for the Winters' downtown. It also calibrates allowed land uses to emphasize pedestrian friendly, mixed use development and redevelopment within the existing commercial core of downtown Winters. An indirect result of the project would be the continued development of Central Business District with commercial, office and residential uses. This development would release air emissions; however, this area has been planned for these land uses since at least 1992. The 1992 General Plan EIR analyzed the potential impacts of development of the entire Commercial Business District (see pages193 through 205 of the Draft EIR and pages E&R 31 through 32 of the Final EIR) and found air quality impacts to be significant and unavoidable. The City Council adopted a Statement of Overriding Considerations accepting these unavoidable impacts (Resolution 92-13, Exhibit C, adopted May 19, 1992) which is hereby relied upon for this analysis.

a. *Less Than Significant.* The proposed Form-Based Code would not conflict with or obstruct implementation of applicable air quality plans, because the development that would result from implementation of this project is consistent with land uses planned for the site in the City General Plan since at least 1992. Build-out of the City's 1992 General Plan is included in the air emissions inventory for the Sacramento region which is included in applicable air quality plans. These impacts have already been

analyzed under the 1992 General Plan EIR and determined by the City Council to be unavoidable but acceptable. The prior adopted Statement of Overriding Consideration is relied upon in this determination. Implementation of the subject project will result in no new impacts not already analyzed in the prior EIR and therefore, the impact in this category is considered less than significant as allowed under CEQA including Sections 15152(f)(1) and 15153(c) of the State CEQA Guidelines and other sections that may apply.

b, c, d. *Less Than Significant.* Yolo County is designated as non-attainment for ozone under both State and federal standards and non-attainment for PM10 under State standards.

POLLUTANT	ATTAINMENT FOR FEDERAL STANDARD	ATTAINMENT FOR STATE STANDARD
Ozone	No/Severe	No/Serious
NOx	Yes	Yes
PM10	Yes	No
SOx	Yes	Yes
CO	Yes	Yes

Reactive organic gases (ROG) and nitrogen oxides (NOx) react readily with sunlight to form harmful ozone that forms in the lower atmosphere. ROG and NOx are known as ozone precursors and are therefore regulated by the CARB and local air districts.
Air quality impacts fall generally into two categories: short-term emissions due to construction and long-term impacts due to project operation. Construction activities associated with implementation of the SGMPU and development that may indirectly result would generate fugitive dust and particulate matter from grading, trenching and earthmoving activities. NOx and ROGs would be generated from diesel fumes associated with the operation of construction equipment. General Plan Policy VI.E.6 requires controls for construction-related dust.

Operational emissions are comprised of vehicle emissions and area source emissions. Development resulting from the proposed Form-Based Code would increase mobile source emissions in the air basin due to vehicle trips to and from the downtown. Area source emissions are generated through the use of conventional fireplaces, woodburning stoves, consumer products and landscaping equipment. General Plan Policies VI.E.1, VI.E.2, VI.E.3, and VI.E.11 require coordination with the Yolo-Solano Air Pollution Control District to ensure maximum feasible mitigation for project specific

impacts including mitigation plans for large non-residential projects. These policies would be implemented for each future project through the CEQA process.

The potential for air quality impacts from the construction and development that may result from the proposed Form-Based Code is unchanged from the original analysis in the 1992 General Plan EIR. These impacts have already been analyzed under the 1992 General Plan EIR and determined by the City Council to be unavoidable but acceptable. The prior adopted Statement of Overriding Consideration is relied upon in this determination. Implementation of the subject project will result in no new category is considered less than significant as allowed under CEQA including Sections 15152(f)(1) and 15153(c) of the State CEQA Guidelines and other sections that may apply.

e. *Less Than Significant.* The potential for impacts due to objectionable odors would be unchanged from the original analysis and would result primarily from commercial-residential interfaces and industrial-residential interfaces. In some cases this can be addressed through reliance on buffers between uses or other operational controls, which would be addressed on a case-by-case basis as future development applications are received. In other cases the impact remains unavoidable, which is consistent with the determination reached in the 1992 General Plan EIR.

The prior adopted Statement of Overriding Consideration is relied upon in this determination regarding regional air quality emissions. Implementation of the subject project will result in no new impacts not already analyzed in the prior EIR and therefore, the impact in this category is considered less than significant as allowed under CEQA including Sections 15152(f)(1) and 15153(c) of the State CEQA Guidelines and other sections that may apply.

Climate Change: Assembly Bill 32 adopted in 2006 established the Global Warming Solutions Act of 2006 which requires the State to reduce greenhouse gases (GHGs) by approximately 25 percent by 2020. GHGs contribute to global warming/climate change and associated environmental impacts. The major GHGs that are released from human activity includes carbon dioxide, methane, and nitrous oxide. The primary sources of GHGs are vehicles (including planes and trains), energy plants, and industrial and agricultural activities (such as dairies and hog farms). New development results in the direct and indirect release of GHGs.

"Climate change" as a specific or distinct topic was not mentioned in the 1992 General Plan; however, the related topics of pedestrian-friendly land use and design features, transportation and circulation, energy efficiency, air quality, and waste management were addressed and are prominent in that document. These policies are effective in reducing GHGs and minimizing impacts from climate change.

The proposed Form-Based Code for Downtown does not change to the goals or land uses provided for in the General Plan. As such, the project would result in no intensification of development beyond that already approved in 1992. In fact, the mixture of uses in downtown Winters could produce more "internal" or "linked" trips in

the area, as more people live, work, and recreate within the town, and trips to other parts of Yolo County, Vacaville and the region for services are reduced. While this planned land use mixture preceded the passage of AB 32, it will none-the-less be able to assist with implementation through compliance with goal statements already contained in the City's General Plan. The existing General Plan includes the following policies relevant to this topic:

- Urban limit line (Policy I.A.2)
- Jobs housing balance (Policy I.A.6, I.E.2)
- Pedestrian and bicycle orientation (I.A.8, III.G.1 – III.G.6, VIII.A.4, VIII.B.1 – VIII.B.3, VIII.C.3)
- Infill and reuse (Policy I.B.2, I.B.5, II.B.1 – II.B.6)
- Interconnected grid streets and alleys (Policy III.A.9, VIII.C.2)
- Transit (Policy III.B.1, III.B.2, III.B.3)
- Trip reduction (Policy III.C.1, III.C.2, III.C.3, III.C.4)
- Protection of habitat (Policy VI.C.1 – VI.C.10, VI.D.1 – VI-D.9)
- Protection of air quality (VI-E.1 – VI.E.11)
- Energy conservation (II.C.1, II.C.2, VI-F.2 – VI.F.5)
- Emergency response (VII.D.1 – VII.D.4)
- Open space (VIII.A.6)
- Tree canopy (VIII.D.1 – VIII.D.6)

Compliance with these policies will be effective in minimizing GHG emissions and climate change impacts from this already planned Central Business District.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
4. BIOLOGICAL RESOURCES. *Would the project:*				
a. Have a substantial adversely effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	■	☐
b. Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	■	☐
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	■	☐
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	☐	☐	■	☐
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	■	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	■

Discussion

a - d. *Less Than Significant.* The project area is the existing Central Business District which has been urbanized for over 100 years. The proposed Form-Based Code for Downtown primarily promulgates design guidelines for the Winters' downtown. It also provides for the intensification of pedestrian friendly, mixed use development and redevelopment within the existing commercial core of downtown Winters. An indirect result of the project would be the continued development of Central Business District with commercial, office and residential uses. Discretionary projects in the City are required to submit, among other things, a site specific biological resources inventory as a part of the development application, in order to complete the project-level CEQA analysis (City Council Resolution 2005-15, adopted April 19, 2005). This report would identify habitats and species on or near the site and mitigations for potential impacts that could result.

The potential for impacts to biological resources on a regional or cumulative level as a result of implementation of the project is unchanged from the original analysis in the prior 1992 General Plan EIR. These impacts have already been analyzed under the 1992 General Plan EIR and determined by the City Council to be unavoidable but acceptable. The prior adopted Statement of Overriding Consideration is relied upon in this determination. Implementation of the subject project will result in no new impacts not already analyzed in the prior EIR and therefore, the impact in this category is considered less than significant as allowed under CEQA including Sections 15152(f)(1) and 15153(c) of the State CEQA Guidelines and other sections that may apply.

e. *Less Than Significant.* General Plan Policies VI.C.1 through VI.C.10, and VI.D.1 through VI.D.9, establish various requirements to protect and preserve the City's biological resources. For example, General Plan Policy VI.C.5 establishes a "no net loss" threshold for special-status species. Notwithstanding these policies, the City in 1992 concluded that impacts to biological resources resulting from implementation of the General Plan would be significant and unavoidable. The potential for impacts to biological resources on a regional or cumulative level as a result of implementation of the project is unchanged from the original analysis in the prior 1992 General Plan EIR. The prior adopted Statement of Overriding Consideration is relied upon in this determination. Implementation of the subject project will result in no new impacts not already analyzed in the prior EIR and therefore, the impact in this category is considered less than significant as allowed under CEQA including Sections 15152(f)(1) and 15153(c) of the State CEQA Guidelines and other sections that may apply

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f. *No Impact.* No Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan has been adopted for the downtown. Yolo County and the Cities are in the process of developing a countywide plan, but it is not complete. There is no impact in this category.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
5. CULTURAL RESOURCES. *Would the project:*				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☐	■	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☐	■	☐
c. Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	■	☐
d. Disturb any human remains, including those interred outside of formal cemeteries.	☐	☐	■	☐

Discussion

a-d. *Less Than Significant.* The proposed Form-Based Code for Downtown establishes design guidelines for the Winters' downtown. These guidelines are structured to preserve and protect the historic character of the existing downtown core including the National Register status of the first block of Main Street. The City's Historic Preservation Ordinance (Winters Municipal Code Chapter 17.108) applies to projects located within the City. Discretionary projects in the City are also required to submit, among other things, a site-specific cultural resource assessment as a part of the development application, in order to complete the project-level CEQA analysis (City Council Resolution 2005-15, adopted April 19, 2005). This report would identify known historical, archaeological, paleontological, and/or human remains on the site habitats, a characterization of the relative sensitivity of the site for such unknown resources, and required mitigation measures. General Plan Policies V.F.1 and V.F.2 address archeological resources and require that construction stop and appropriate mitigation through the State Archaeological Inventory occur if potential sub-surface resources are uncovered.

Section 7050.5 of the California Health and Safety Code states that, when human remains are discovered, no further site disturbance shall occur until the county coroner has determined that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, in the manner provided in Section 5097.98 of the Public Resources Code. If the coroner determines that the remains are not subject to his or her authority and the remains are recognized to be those of a Native American,

the coroner shall contact the Native American Heritage Commission within 24 hours. Compliance with these requirements would ensure that impacts on cultural resources are less than significant.

Issues		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-Than-Significant Impact	No Impact
6.	**GEOLOGY AND SOILS.** *Would the project:*				
	a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i. Rupture of a known earthquake fault as delineated on the most recent Alquist - Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	■	☐
	ii. Strong seismic ground shaking?	☐	☐	■	☐
	iii. Seismic-related ground failure, including liquefaction?	☐	☐	■	☐
	iv. Landslides?	☐	☐	■	☐
	b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	■	☐
	c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	■	☐
	d. Be located on expansive soils, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	■	☐
	e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	■

Discussion

a-d. *Less Than Significant.* The Alquist-Priolo Special Studies Zones Act of 1972 regulates development near active faults to mitigate the hazard of surface fault rupture and prohibits the development of structures for human occupancy across the traces of active faults. There are no parts of the City located within an Alquist-Priolo Special Studies Zone. According to the Seismic Risk Map of the United States, Winters is in Zone 3. Within Zone 3, the potential for earthquakes is low; however, there is the possibility for major damage (VIII to X on the Modified Mercalli Scale from a nearby earthquake). A rating of VIII to X on the Modified Mercalli Scale generally means the Richter scale magnitude would be between 6.0 to 7.9. Effects associated with this

intensity range from difficulty standing to broken tree branches to damage to foundations and frame structures to destruction of most masonry and frame structures.

Any major earthquake damage within the City is likely to occur from ground shaking and seismically-related ground and structural failures. Local soil conditions, such as soil strength, thickness, density, water content, and firmness of underlying bedrock affect seismic response. Seismically-induced shaking and some damage should be expected to occur during an event, but damage should be no more severe in the project area than elsewhere in the region. Framed construction on proper foundations constructed in accordance with Uniform Building Code requirements is generally flexible enough to sustain only minor structural damage from ground shaking. Therefore, people and structures would not be exposed to potential substantial adverse effects involving strong seismic ground shaking, and this would be a less than significant impact.

Discretionary projects in the City are required to submit, among other things, a site-specific geotechnical study as a part of the development application, in order to complete the project-level CEQA analysis (City Council Resolution 2005-15, adopted April 19, 2005). This report would identify known and potential geological hazards and identify measures to address such hazards. General Plan Policies VII.A.1 through VII.A.3 address geological hazards and require compliance with applicable State codes and requirements.

The proposed Form-Based Code would not result in new geological impacts or exposure to new hazards beyond what was analyzed in the General Plan EIR. Impacts in these areas are considered less than significant.

e. *No Impact.* The City does not allow septic systems. All projects are required to connect to wastewater treatment facilities. Therefore, there is no potential for impact.

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

Discussion

a-c. *Less Than Significant.* During construction, oil, diesel fuel, gasoline, hydraulic fluid, and other liquid hazardous materials would be used. Similarly, paints, solvents, and various architectural finishes would also be used. If spilled, these substances could pose a risk to the environment and to human health. In the event of a spill, the City of Winters Fire Department is responsible for responding to non-emergency hazardous materials reports. The use, handling, and storage of hazardous materials

are highly regulated by both the Federal Occupational Safety and Health Administration (Fed/OSHA) and the California Occupational Safety and Health Administration (Cal/OSHA). Cal/OSHA is responsible for developing and enforcing workplace safety regulations. Both federal and State laws include special provisions/training for safe methods for handling any type of hazardous substance. The City currently complies with the City's Emergency Response Plan, and the Yolo County Hazardous Waste Management Plan.

Project-specific land uses and operations that might involve the use, transport or disposal of hazardous materials would be analyzed on a case-by-case basis for each future development project. Because the routine transport, use, and disposal of hazardous materials is regulated by federal, State, and local regulations, this impact is considered less than significant.

d. *Less Than Significant.* Discretionary projects in the City are required to submit, among other things, a site-specific Phase One Environmental Site Assessment (ESA) as a part of the development application, in order to complete the project-level CEQA analysis (City Council Resolution 2005-15, adopted April 19, 2005). This report would identify known and potential hazards and identify measures to address such hazards.

The proposed Form-Based Code would not result in new hazards or exposure to new hazards beyond what was analyzed in the General Plan EIR. Impacts in this area are considered less than significant.

e,f. *No Impact.* The City is not within two miles of any public or private airports or air strips, and is not within the runway clearance zones established to protect the adjoining land uses in the vicinity from noise and safety hazards associated with aviation accidents. Therefore, there would be no impact.

g. *Less Than Significant.* The proposed Form-Based Code would likely have a beneficial effect on emergency planning for the City by improving circulation in the Central Business District. This would be considered less than significant under CEQA.

h. *No Impact.* The project area in the urbanized Central Business District in downtown Winters and does not qualify as "wildlands" where wildland fires are a risk; therefore, no adverse impact would occur in this categories.

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

Discussion

The proposed Form-Based Code for Downtown provides design guidelines for the Winters' downtown. It also calibrates allowed land uses to emphasize pedestrian friendly, mixed use development and redevelopment within the existing commercial

core of downtown Winters. An indirect result of the project would be the continued development of Central Business District with commercial, office and residential uses.

This development could result in hydrological impacts; however, this area has been planned for these land uses since at least 1992. The 1992 General Plan EIR analyzed the potential impacts of development of Winters downtown (see pages 169 through 178 of the Draft EIR and page E&R 29 of the Final EIR; see also pages 105 through 113 of the Draft EIR and pages E&R 19 through 21) and found hydrology impacts to be less-than significant, with the exception of water quality impacts from increased runoff into Putah Creek and Dry Creek which was found to be significant and unavoidable. The City Council adopted Findings of Fact documenting these conclusions (Resolution 92-13, adopted May 19, 1992) which are hereby relied upon for this analysis. Included in those Findings was a Statement of Overriding Considerations accepting the unavoidable water quality impacts (Resolution 92-13, Exhibit C, adopted May 19, 1992) which is hereby relied upon for this analysis.

a,f. *Less Than Significant.* Surface water quality can be adversely affected by erosion during project construction, or after the project is completed, if urban contaminants in stormwater runoff are allowed to reach a receiving water (e.g. Putah Creek and/or Dry Creek). Construction activities disturbing one or more acres are required by the Central Valley Regional Water Quality Control Board (CVRWQCB) to obtain a General Construction Activity Stormwater Permit and a National Discharge Elimination System (NPDES) permit. These permits are required to control both construction and operation activities that could adversely affect water quality. Permit applicants are required to prepare and retain at the construction site a Stormwater Pollution Prevention Plan (SWPPP) that describes the site, erosion and sediment controls, means of waste disposal, implementation of approved local plans, control of post-construction sediment and erosion control measures and maintenance responsibilities, and non-stormwater management controls. Dischargers are also required to inspect construction sites before and after storms to identify stormwater discharge from construction activity, and to identify and implement controls where necessary.

In addition, the proposed Form-Based Code for Downtown includes for requirements for bioswales and porous paving for additional, beneficial storm water management.

Compliance with required permits and beneficial storm water management requirements would ensure that runoff during construction and occupation of the downtown would ensure that runoff does not substantially degrade water quality. Therefore, this is a less than significant impact.

b. *No Impact.* There are no facilities specifically proposed for recharge as a part of the Form-Based Code for Downtown; however some recharge will occur incidentally through the use of porous paving and required incorporation of bioswales and other, similar, natural runoff control measures into future projects. A significant portion of the project area is covered with impervious surfaces and has been for at least 50 years. As such, the area is not identified for recharge and has been planned for additional

development since at least 1992. Therefore, it can be concluded that further development of the project area would not substantially affect the aquifer.

The City of Winters would supply groundwater to the development that is anticipated by the General Plan to build out the downtown. Therefore there are no new impacts in this category.

c,d,e. *Less Than Significant.* Drainage improvements and incidental development that occurs as a result of the on-going development and infill of the downtown area would minimally change absorption rates, drainage patterns, and the rate and amount of surface runoff, but would not alter the course of a river or stream. The City's storm drainage system has been planned to accommodate development and infill of the Central Business District as indicated in the General Plan. Run-off from development that may proceed as a result of the project is already planned for within the drainage system. Therefore any increase in runoff is considered less than significant.

g,h. *No Impact.* The project does not fall within the City's General Plan Flood Overlay Area. The site is designated on federal FEMA floodplain maps as Zone X (outside of the 100-year floodplain). As such there would be no impact.

i. *Less Than Significant.* The City is located approximately 10 miles east of the Monticello Dam on Lake Berryessa. Failure or overtopping of the dam could result in severe flooding of the Winters' area and loss of life. However, this occurrence, which is addressed in the Yolo County Emergency Plan, is not considered a likely or substantial risk. Therefore, the proposed Form-Based Code would not expose individuals to a substantial risk
from flooding as a result of the failure, and the impact would be less than significant.

j. *No Impact.* The project area is not located near any large bodies of water that would pose a seiche or tsunami hazard. In addition, there are no physical or geologic features that would produce a mudflow hazard. Therefore, no impact would occur.

Issues		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
9.	**LAND USE AND PLANNING.** *Would the project:*				
a.	Physically divide an established community?	☐	☐	☐	■
b.	Conflict with any applicable land use plans, policies, or regulations of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating on environmental effect?	☐	☐	☐	■
c.	Conflict with any applicable habitat conservation plan or natural communities conservation plan?	☐	☐	☐	■

Discussion

a. *No Impact.* Ongoing development and infill of the Central Business District consistent with the City General Plan and development patterns of the downtown since the late 1800's. The proposed Form-Based Code for Downtown provides design guidelines for the Winters' downtown. It also calibrates allowed land uses to emphasize pedestrian friendly, mixed use development and redevelopment within the existing commercial core of downtown Winters. An indirect result of the project would be the continued development of Central Business District with commercial, office and residential uses. The project would enhance and connect the established commercial district and residential community of the City, not divide it. Therefore, no impact would occur.

b. *No Impact.* The General Plan and zoning ordinance currently designates the downtown for commercial and mixed uses. There is no conflict between the proposed Form-Based Code and applicable land use plans, policies, and regulations. Therefore no impact would occur.

c. *No Impact.* No Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan has been adopted for the downtown. Yolo County and the Cities are in the process of developing a countywide plan, but it is not complete. Therefore no impact would occur.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
10. MINERAL RESOURCES. *Would the project:*				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	☐	☐	■	☐
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	■	☐

Discussion

a,b. *Less than Significant.* The downtown is not designated as a mineral resource zone or locally important mineral resource recovery site. The continued development and infill of the downtown would not result in the loss of any known mineral resources. Impacts would be less than significant.

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

Discussion

a-d. *Less Than Significant.* The Noise Element of the City of Winters General Plan establishes standards for the evaluation of noise compatibility (including land use compatibility standards, exterior noise levels limits, and interior noise level limits) and requirements for noise studies. The City has both a Noise Ordinance and Standard Specifications that regulate construction noise. These regulations restrict construction activities to 7:00am to 7:00 pm Monday through Friday only (holidays excluded).

Development and infill projects subject to the Form-Based Code for Downtown would also be subject to these policies and regulations. The General Plan EIR examined the potential for impact from full development of the General Plan and determined that this impact was less than significant. There are no new noise impacts that would result from the proposed Form-Based Code for Downtown. Impacts in these categories remain less-than-significant.

e. *No Impact.* The nearest public airport is over six miles away and the project area is not within an airport land use plan. There is no potential for exposure to excessive air traffic noise, so no impact would occur.

f. *No Impact.* The project area is not located near a private airstrip and would not be exposed to noise from the private airstrip, so no impact would occur.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
12. POPULATION AND HOUSING. *Would the project:*				
a. Induce substantial growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	■	☐
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	■	☐
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	■	☐

Discussion

a. *Less Than Significant.* The commercial and residential uses allowed by the proposed Form-Based Code for Downtown in the project area are consistent with the 1992 General Plan assumptions for the area. Therefore, infrastructure, services, and utilities are master planned to accommodate the proposed level of growth. Future site specific proposals will be subject to consideration under CEQA at the project level. The downtown is the commercial center of an urbanized area and does not require the extension of roads and other infrastructure. Because all aspects of the project are consistent with the planning assumptions of the General Plan, the project would not be considered growth inducing. This impact is less than significant.

b,c. *Less Than Significant.* The project involves no displacement of housing or people. Impacts would be less than significant in these categories.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
13. PUBLIC SERVICES. *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*				
a. Fire protection?	☐	☐	■	☐
b. Police protection?	☐	☐	■	☐
c. Schools?	☐	☐	■	☐
d. Parks?	☐	☐	■	☐
e. Other public facilities?	☐	☐	■	☐

Discussion

a and b. *Less Than Significant.* The Winters Fire Protection District provides primary fire protection service to the project area. The City of Winters Police Department provides primary police protection service. The proposed Form-Based Code could increase demand for these fire and police protection services by increasing the amount of development and businesses within the Departments' service areas. This increase in development is consistent with City plans for the downtown, as reflected in the General Plan.

Development within the downtown would also contribute taxes and fees toward the City's General Fund, which would be used, in part, to fund fire and police protection services needed by the project. Because the downtown is already within the City, the proposed Form-Base Code would not increase the size of the service area of the Fire District or Police Department. However, the City's fiscal health over the years has been severely impacted by actions of the State. The potential sales tax funds generated by the tenants of future retail buildings would be beneficial to the City. Thus, the proposed Form-Based Code would have a less than significant adverse impact.

c. *Less Than Significant.* The City is served by the Winters Joint Unified School District, which serves the City of Winters and surrounding unincorporated areas of Yolo and Solano Counties. The District is comprised of the John Clayton Kinder School,

Waggoner Elementary School (grades 1-3), Shirley Rominger Intermediate School (grades 4-5), Winters Middle School (grades 6-8), Winters High School (grades 9-12) and Wolfskill Continuation High School.

Funding for schools and impacts for school facilities is preempted by State law. Policies I.F.2, I.F.3, IV.H.5, and IV.H.6 of the General Plan related to funding and timing of school facilities have been superseded by State law (Proposition 1A/SB 50, 1998, Government Code Section 65996) which governs the amount of fees that can be levied against new development. Payment of fees authorized by the statute is deemed "full and complete mitigation." These fees are used to construct new schools.

Because the future development would be required to pay applicable school fees and because the amount of these fees is pre-empted by the State, the increase in students is considered by law to be a less than significant impact.

d. *Less Than Significant.* The City requires the development of parkland in conjunction with subdivision development at a ratio of 7 acres per 1,000 persons (General Plan Policy V.A.1). Therefore, impacts in this category would be less than significant.

e. *Less Than Significant.* Development that could result from the proposed project would create incremental increases in demand for other services and facilities in the City of Winters. However, because this growth would be consistent with the General Plan, there would be no new impacts beyond what was already analyzed in the General Plan EIR. This impact is less than significant.

Issues	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
14. RECREATION.				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	■	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	■	☐

Discussion

a . *Less Than Significant.* See discussion of Item 13(d). The General Plan requires residential development to provide parkland at a ratio of 7 ac per 1,000 population. Therefore, the potential for impacts to off-site parks will be mitigated to a less than significant level by the provision of new park facilities as new residential development occurs.

b. *Less Than Significant.* The proposed Form-Based Code for Downtown provides for commercial recreation and entertainment uses as consistent with Central Business District analyzed by the 1992 General Plan EIR. Because these uses of the project area are consistent with the planning assumptions of the General Plan, the project would not be considered growth inducing. This impact is less than significant.

Issues		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
15.	**TRANSPORTATION/CIRCULATION.** *Would the project:*				
a.	Cause an increase in traffic which is substantial in relation to the existing load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	■	☐
b.	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	■	☐
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	■
d.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	■	☐
e.	Result in inadequate emergency access?	☐	☐	■	☐
f.	Result in inadequate parking capacity?	☐	☐	■	☐
g.	Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	■	☐

Discussion

The proposed Form-Based Code for Downtown provides design guidelines for the Winters' downtown. It also calibrates allowed land uses to emphasize pedestrian friendly, mixed use development and redevelopment within the existing commercial core of downtown Winters. An indirect result of the project would be the continued development of Central Business District with commercial, office and residential uses. This development could result in transportation and circulation impacts; however, this area has been planned for these land uses since at least 1992. The 1992 General Plan EIR analyzed the potential impacts of development of the downtown (see pages 71 through 96 of the Draft EIR and pages E&R 15 through 17 of the Final EIR) and found traffic impacts to be less than significant. The City Council adopted Findings of Fact documenting these conclusions

a, b, f. *Less Than Significant* Discretionary projects in the City are required to submit, among other things, a site-specific traffic and circulation study as a part of the development application, in order to complete the project-level CEQA analysis (City

Council Resolution 2005-15, adopted April 19, 2005). The General Plan Transportation and Circulation Element contains policies that address circulation using various modes, and parking. The proposed project would not result in new traffic impacts beyond what was analyzed in the General Plan EIR. Impacts in these areas are considered less than significant.

c. *No Impact.* The project area is not located near an airport and it does not include any improvements to airports or change in air traffic patterns. No impact would occur.

d,e. *Less Than Significant* The proposed project could result in the upgrades to the street grid in the downtown to improve aesthetics and walk-ability; however all new roadway construction would be built according to adopted City standards and specifications. For this reason, the potential for design hazards would be less than significant.

g. *Less Than Significant* The proposed project facilitates and expands policies, plans, and programs supporting alternative transportation, including appropriate pedestrian and bicycle route connections. Therefore, this impact would be less than significant.

Issues		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
16.	**UTILITIES AND SERVICE SYSTEMS.** *Would the project:*				
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	■	☐
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	■	☐
c.	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	■	☐
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	■	☐
e.	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	■	☐
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	■	☐
g.	Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	■	☐

Discussion

a. *Less Than Significant.* Development within the City, including the Downtown Form-Based Code Area, is required to connect to the City's sewage treatment plant for wastewater treatment. The City's plant is permitted by the State and must meet applicable water quality standards. Land uses envisioned in were analyzed in the previous General Plan EIR and not anticipated to generate wastewater that contains unusual types or levels of contaminants. Therefore, the project is not expected to inhibit the ability of the Winters Wastewater Treatment Plant (WWTP) to meet State water quality standards. For these reasons, this would be a less than significant impact.

b,e. *Less Than Significant.* All development within the City would receive sewer and water service from the City of Winters. The City of Winters Wastewater Treatment Plant (WWTP) currently has a capacity of 0.92 million gallons per day (mgd). The estimated number of new dwelling unit equivalents (DUEs) that could be served under current capacity is approximately 700 to 800 DUEs. In exchange for funding of Phase Two of the WWTP, the Winters Highlands project has commitment from the City that Phases I (69 units), II (127 units), and III (54 units) of the Highlands project (for a total of 250 units) will receive capacity from the existing plant. The City will continue to monitor the WWTP to assess available capacity. The Phase 2 expansion of the WWTP will bring the capacity to 1.2 mgd. The timing of this expansion is not set. The Phase 2 expansion will need to take place before full build out. No project is allowed to build without available sewer and water service. Therefore, these impacts are considered less than significant.

c. *Less Than Significant.* Development within the Downtown Form-Based Code Area will be required to connect to the City's stormwater drainage system. This development would result in no new impacts to the storm water drainage system's capacity and availability than already anticipated under the General Plan and therefore there are no new impacts in this category. As development occurs, the City's stormwater drainage system is regularly re-examined to determine what, if any, new facilities are needed for adequate service. Actual construction of the projects proposed within the Downtown Form-Based Code Area will require subsequent environmental review once more detailed project information is available. The proposed Form-Based Code for Downtown includes for requirements for bioswales and porous paving for additional, beneficial storm water management. The subject proposed adoption of the Form-Based Code for Downtown is consistent with the General Plan and as such was fully analyzed in the prior 1992 General Plan EIR as summarized herein. This is a less than significant impact.

d. *Less Than Significant.* Development resulting from the proposed project would be served by the City's municipal water supply. This development would result in no new impacts to water supply and availability than already anticipated under the General Plan and therefore there are no new impacts in this category. As development occurs, the City's water system is regularly re-examined to determine what, if any, new facilities are needed for adequate service. No project is allowed to build without available water service. This is a less than significant impact.

e, f. *Less Than Significant.* Solid waste from the downtown is and will be collected by the City of Winters and disposed of at the Yolo County Central Landfill, a 722-acre facility. The landfill has a capacity of 11 million tons with capacity for planned growth through 2025. The Form-Based Code Area has been planned for commercial and residential development since at least 1992. This land uses provided for within the Downtown Form-Based Code Area and the proposed Form-Based Code is part of the planned growth for which the landfill has been sized and therefore solid waste generated by the project would not have unanticipated impacts on the life of the landfill. Therefore, this impact is considered less than significant.

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

Discussion

a-c. *Less Then Significant* The full range of impacts from this project were anticipated and examined in the 1992 General Plan EIR on which this analysis relies. Impacts to biological resources, cumulative air quality, loss of agricultural land, and water quality were identified as significant and unavoidable and a Statement of Overriding Considerations was adopted by the City Council. There are no new impacts associated with the project that were not previously analyzed and mitigated. Impacts in these categories are therefore considered less than significant.

Attachment C

DEPARTMENT OF TRANSPORTATION
DISTRICT 3 – Sacramento Area Office
VENTURE OAKS, MS 15
P. O. BOX 942874
SACRAMENTO, CA 94274-0001
PHONE (916) 274-0635
FAX (916) 274-0648
TTY (530) 741-4501

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January 16, 2009

08YOL0053
03-YOL-128 PM 8.770
Form Based Code for Downtown Winters
Negative Declaration
SCH# 2008122063

Ms. Kate Kelly
City of Winters
318 First Street
Winters, CA 95694

Dear Ms. Kelly:

Thank you for the opportunity to review and comment on the Negative Declaration for the proposed Form Based Code for Downtown Winters on approximately 33.5 acres. This proposed project would adopt and implement a form based code in Downtown Winters on Main Street from Second Street to Elliott Street; Railroad Avenue from Wolfskill Street to just north of Anderson Avenue, including portions of Grant Avenue, Abbey, East Abbey, and East Edward, East Baker, and Wolfskill Streets. Grant Avenue is State Route (SR) 128 and subject to Caltrans standards. Our comments are as follows:

- The Planter Strip Width reflected on "Table 17.58-1: Street Typology Standards" will be required to comply with Caltrans Planting Guidelines Section 902.3 in the Highway Design Manual. The width will vary depending on the design speed of the Grant Avenue/SR 128 facility.

- Please ensure any new street trees planted on Grant Avenue/SR 128 do not drop litter or fruit that would conflict with pedestrian or bicycle movement.

- A Maintenance Agreement is needed between Caltrans and the City of Winters in order to maintain elements within the Caltrans right of way, including but not limited to street trees, landscaping, irrigation, tree grates/guards, pots/ planters and water runoff.

- An Encroachment Permit will be required for any work conducted in the State's right of way, such as sign placement, traffic control, light installation, landscaping, or drainage pattern changes. A cost estimate for the work within the State's right of way will be reviewed to determine whether it triggers the need for a "project funded by others" designation. Maintenance of landscaping or sidewalks built within the State's right of way becomes the responsibility of the local jurisdiction. To secure an application, please contact the Encroachment Permits Central Office at (530) 741-4403, or go online at http://www.dot.ca.gov/hq/traffops/developserv/permits.

Please provide our office with copies of any further actions regarding this project. If you have any questions regarding these comments, contact La Nae Van Valen at (916) 274-0637.

Sincerely,

Alyssa Begley

ALYSSA BEGLEY, Chief
Office of Transportation Planning – South

cc: State Clearinghouse

Attachment D

RESOLUTION NO. 2009-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS AMENDING THE CITY OF WINTERS GENERAL PLAN AND LAND USE MAP

WHEREAS, the City of Winters adopted its General Plan on May 19, 1992, and has periodically updated the Housing Element, with the last updated Housing Element adopted on _____ (collectively "General Plan"); and

WHEREAS, the Land Use Map of the General Plan was last updated in June 2003; and

WHEREAS, the City desires to help preserve and protect the existing historic and unique character of the downtown area of the City by requiring new construction, remodels and existing uses to complement the character and sense of place found in the historic downtown core; and

WHEREAS, the City has prepared a Form Based Code for Downtown that furthers the above goal by establishing unique development standards for the Downtown Form Based Code Area; and

WHEREAS, the application of the standards in the Form Based Code will ensure that the Downtown will continue to be the pedestrian-orientated shopping, dining, entertainment, and community center of the greater Winters area; and

WHEREAS, in order to facilitate the adoption of the Form Based Code for Downtown and rezone part of the Central Business District of the City of Winters, amendments to the City's General Plan are necessary ("General Plan Amendments"); and

WHEREAS, a proposed Initial Study/Negative Declaration for the Form Based Code for Downtown were released on July 7, 2009, for the thirty (30) day public review period which ended on August 10, 2009; and

WHEREAS, the General Plan Amendments necessary to facilitate the adoption of the Form Based Code will not have any significant effects on the environment, and therefore are exempt from environmental review pursuant to the California Environmental Quality Act; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Winters hereby declares and finds the following:

A. Recitals. The above recitals are true and correct and serve in part as a basis for this decision.

B. General Plan Amendments. The following amendments are made to the City of Winters General Plan.

1. The General Plan Land Use Map (last amended June 2003) of the City of Winters is hereby amended to reflect those changes shown on "Figure 17.58-1: The Regulating

Plan" of the Form Based Code for Downtown," attached hereto and incorporated herein by reference as Exhibit 1.

2. The description of the Central Business District, located on page 12 of the General Plan shall be amended to read as follows:

   Central Business District (CBD)

   This designation provides for restaurants, retail service, professional and administrative offices, hotels, multi-family residential units, public and quasi-public uses, and similar and compatible uses. Outside of the Downtown Form Based Code Area, residential densities shall be in the range of 10.1 to 20.0 units per acre; the FAR for offices and commercial uses shall not exceed 2.0 and the FAR for all other uses shall not exceed 0.60. Outside of the Downtown Form Based Code Area residential uses shall be subject to discretionary review and approval.

3. Land Use Policy I.B.4 is amended to read as follows:

   First priority for ground floor uses in the Central Business District shall be given to retail uses. Outside of the Downtown Form Based Code Area new residential and office uses shall be permitted on a case-by-case basis over ground floor retail uses.

4. Land Use Policy I.D.6 is amended to read as follows:

   Bed and breakfast inns shall be allowed in residential neighborhoods subject to discretionary review and approval by the City.

PASSED AND ADOPTED this _____ day of _____, 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: APPROVED:

_____ _____

City Clerk Mayor

1189346.2

Attachment E

ORDINANCE NO. 2009-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINTERS ADDING CHAPTER 17.58 TO THE MUNICIPAL CODE REGARDING A FORM BASED CODE FOR DOWNTOWN AND REZONING AREAS IN THE DOWNTOWN CENTRAL BUSINESS DISTRICT

The City Council of the City of Winters does ordain as follows:

SECTION 1. Adoption of Form Based Code for Downtown

Chapter 17.58 entitled "Form Based Code for Downtown," attached hereto as Exhibit 1 and hereby incorporated as though fully set forth herein, is added to the City of Winters Municipal Code.

SECTION 2. Rezoning of Areas in Downtown Master Plan

The City of Winters Zoning Map, amended in June 2003, is hereby amended to reflect the rezoning from Central Business District (C-2), Office (O-F) and a portion of the public/quasi-public (PQP) zoning to Downtown D-A and D-B zones as those changes are shown on Exhibit 2 "Figure 17.58-1: The Regulating Plan" of the Form Based Code for Downtown, attached hereto and incorporated herein by reference.

SECTION 3. Adoption of CEQA Documentation

The City Council hereby finds and determines that a Negative Declaration is the appropriate level of review for the rezoning and adoption of the Form Based Code for Downtown. The initial study shows that there is no substantial evidence in light of the whole record before the City Council that the proposed rezoning and adoption of the Form Based Code for Downtown may have a significant effect on the environment.

SECTION 4. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Winters hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to any such decision or preemptive legislation.

SECTION 5. Effective Date.

This Ordinance shall be in full force and effective thirty (30) days after its adoption and shall be published and posted as required by law.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Winters, California, held on _____, and was passed and adopted at a regular meeting of the City Council held on _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

1188883.2

Attachment F

Title 17 ZONING

Chapter 17.104 NONCONFORMING USES, STRUCTURES AND LOTS

17.104.010 Nonconforming uses.

17.104.020 Nonconforming structures.

17.104.030 Nonconforming lots.

17.104.010 Nonconforming uses.

A. Continuing Existing Buildings and Uses.

Except as otherwise provided in this title, any use of land, buildings or structures which is legally nonforming due to the adoption of previous zoning regulations, or a subsequent amendment to the zoning regulations contained in this title, may be continued. Except as provided for in this chapter, no legal, nonconforming use of land, buildings or structures shall be enlarged, expanded or intensified in any manner.

B. Continuing Conditional Uses.

Any use lawfully existing at the time of the adoption of these zoning regulations, or a subsequent amendment to this title, which use is listed as a conditional use in the zone in which it is located, shall remain a nonconforming use, and in no case shall the use be enlarged, expanded or intensified in any manner until a use permit has been obtained pursuant to the provisions of this title.

C. Extension of Nonconforming Uses in Buildings.

Upon an application for a use permit, the planning commission may permit the extension of a nonconforming use throughout those parts of an existing building which were designed or arranged for the use prior to the date the use of the building became nonconforming, if no structural alterations, except those required by law, are made therein.

D. Changes to Other Nonconforming Uses.

Upon an application for a use permit, the planning commission may permit the substitution of one nonconforming use for another nonconforming use which is determined by the planning commission to be of the same or more restrictive nature. Whenever a nonconforming use has been changed to be more restrictive use or conforming use, the more restrictive use or conforming use shall not be changed back to a less restrictive use or to a nonconforming use.

The nonconforming use shall not continue if more than fifty (50) percent of the area or fifty percent (50) of the use has been destroyed.

E. Cessation of Uses.

1. For the purposes of this chapter, a use shall be deemed to have ceased when it has been discontinued, either temporarily or permanently, whether with the intent to abandon the use or not, for a continuous time period as set forth in this chapter.

2. A building or structure which has been occupied by a nonconforming use shall not again be used for nonconforming purposes when the use has ceased for a continuous period of twelve (12) months or more.

3. Land on which there is a nonconforming use not involving any building or structure, except

minor structures, including but not limited to buildings containing less than three hundred (300) square feet of gross floor area, fences and signs, where the use has ceased for one month or more, shall not again be used for nonconforming purposes, and the nonconforming use of land shall be discontinued, and the nonconforming buildings or structures shall be removed from the premises within six months after the first date of cessation of use. (Ord. 2003-04 § 24; Ord. 97-03 §2 (part): prior code § 8-1.6011)

17.104.020 Nonconforming structures.

A. Nonconforming Structures—Continuation.

Structures which were legally constructed, but are now nonconforming as to setbacks, floor area, landscaping, parking or other development regulations of this title may continue to be used.

B. Nonconforming Structures—Improvement.

Any expansion of a nonconforming structure must be in conformance with current zoning and building codes. Where the health, safety or general welfare are found to be at issue, the city building official may require that modifications be made to existing nonconforming structures as part of the expansion.

C. Repair of Unsafe or Unsanitary Buildings.

The provisions of this title shall not prevent the strengthening or restoring to a safe condition any part of any nonconforming building or structure declared unsafe by the building department or declared unsanitary by the Yolo County health department.

D. Replacement of Damaged or Destroyed Nonconforming Buildings.

1. Any nonconforming building or structure damaged or destroyed by fire, flood, explosion, wind, earthquake, war, riot or other calamity or act of God, may be restored or reconstructed and a nonconforming use continued if one exists; provided, repair or reconstruction is begun within one year and completed within two years of the date of the damage.

2. Nonconforming structures which are demolished or require major structural repairs in order to maintain the viability of the structure, as determined by the community development director, may be re-established only in conformance with Section 17.104.010(E)(3) or with development standards of this title.

E. Expansion of Legal Nonconforming Buildings.

Regardless of any other provision of this title, a building which retains its nonconforming status shall be allowed to expand, enlarge or intensify, if the following findings can be affirmatively made by the zoning administrator:

1. The use will not impair other uses in the vicinity, which uses are consistent with the zone;

2. The curtailment of full privileges for the residential use may contribute to the premature conversion of land and unnecessarily loss of housing inventory;

3. If the expansion does not encroach into required yard setbacks and is consistent with other applicable development standards of this title. (Ord. 97-03 § 2 (part): prior code § 8-1.6013)

17.104.030 Nonconforming lots.

Legally created nonconforming lots (lots which are nonconforming due to either their size and/or shape) may be developed in accord with current development standards, provided minimum required. setback and open space requirements, as applicable, can be met. Development of nonconforming lots should be designed to provide consistency with the character and style of

development in the surrounding neighborhood. (Ord. 97-03 § 2 (part): prior code § 8-1.6013)

<< previous | next >>

PLANNING COMMISSION STAFF REPORT
August 11, 2009

TO: Chairman and Planning Commissioners

BY: Nelia Dyer – Community Development Director

SUBJECT: Informational Item – Winters Healthcare Foundation Administrative Office at 310 Main Street

---

Staff recommends that the Planning Commission provide feedback to staff on the Winters Healthcare Foundation (WHF) administrative office at 310 Main Street. The WHF is using the Winters Church of Christ building at 310 Main Street to house administrative offices, as a meeting space of clinic staff and the board of directors, and to provide overflow workstations for clinic staff to work on various quality improvement projects.

The current land use/zoning matrix is does not permit office use in a residential zone (R-1); however, according to Winters Municipal Code Section 17.20.030 (Use Permits), a determination can be made by the community development director or planning commission that the proposed use would require a use permit where an interpretation is necessary. Therefore, this application will come before the Planning Commission for consideration of a Conditional Use Permit on August 25.

A description of the proposed use is attached. When reviewing the project description, please consider the use permit findings listed in WMC Section 17.20.030:

C. Findings.

In granting a use permit, the planning commission or zoning administrator, with due regard to the nature and condition of all adjacent structures and uses, the zone within which the structures and uses are located, and the general plan, shall find all of the following general conditions to be fulfilled:

1. The requested use will be in conformity with the general plan;

2. The requested use is listed as a conditional use in the zone regulations or elsewhere in this section, or, where an interpretation was necessary, a determination was made by the community development director or planning commission that the proposed use would require a use permit;

3. The requested use is consistent with the intent and purposes of the zone in which it is located, and will not detrimentally impact the character of the neighborhood;

4. The requested use will not be detrimental to the public health, safety or general welfare;

5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities or services will be provided;

6 The requested use will not create a nuisance or enforcement problem within the neighborhood; and

7. The requested use will not result in a negative fiscal impact upon the city.

Where one or more of these findings cannot be made, the use permit application shall be denied.

Nelia "Nellie" Dyer, AICP
Community Development Director
City of Winters
318 First Street
Winters, CA 95694

January 9, 2009

Dear Nelia,

Thank-you for taking the time to meet with me and Joyce to discuss questions related to the administrative office space we are using at 310 Main Street. We look forward to working with you and Gene to facilitate any processes necessary to bring us into compliance with local codes and regulations with regard to building use and planning/zoning.

Here is a current rundown of our hours, staff, and operations at this site:

OFFICES:

- There are generally 1-6 employees on site at any given time during regular business hours M-F 8am to 5:30pm, including:

  Executive Director
  CFO
  Project Coordinator/Bookkeeper
  Insurance biller/ Administrative Assistant (2)
  Outreach Coordinator

MEETINGS:

- Board Meeting (monthly in the evening)
- Staff Meetings (weekly over the lunch hour)
- Health promoter meetings (Usually our "Promotora Group" lead by the Outreach Coordinator-similar to staff meeting but much smaller held in the evening)
- Community Meetings as required (possibly twice a year for 30-50 people?)

Please feel free to contact me or Joyce should you need any further information prior to your visit Monday. Thanks again for your willingness to work with us through this process.

Sincerely,

Chris Kelsch,
Executive Director, WHF

Winters Healthcare Foundation, Inc.
310 Main Street, P.O. Box 674Winters, Ca 95694
Telephone: 530-795-5200 Fax: 530-795-5300www.wintershealth.org

PLANNING COMMISSION STAFF REPORT
August 11, 2009

TO: Chairman and Planning Commissioners

BY: Nelia Dyer – Community Development Director

SUBJECT: Informational Item – Tile Mosaic on Public Restroom Facility in Rotary Park

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Stafff recommends that the Planning Commission provide feedback to staff on the proposed tile mosaic on the public restroom facility in Rotary Park. This is a Public Art project sponsored and administered by the Winters Chamber of Commerce to enhance the restroom facility in Rotary Park. An anonymous donor wishes to make a donation to provide mosaic tile work on the facility. The mosaic tile work would be created by The Clayground of Winters and include the north and west walls of the facility. The artists at The Clayground will lay out the design and then affix it to mortarboards using Thinset mortar. Dna Hoover of Winters will prepare the facility walls by grinding them down to 3/16" of flat. Thinset mortar will be troweled onto the walls and the mosaic tile panels will then be permanently installed using hex cap concrete screws. Grout will cover the screw heads. In case of damage, the individual tiles can be removed and replaced, if necessary. Initiation of this project can begin upon approval of the overall work.

Presently, the Winters Municipal Code (WMC) is silent on a review process for Public Art projects; however, according to WMC Section 17.36.020 (Requirements for design review), design review shall be required before the planning commission for:

"(m)odifications to existing buildings involving collectively significant exterior changes, which may include changes of building materials, addition/deletion of doors, windows and awnings, changes to rooflines or parapet walls, etc., as determined by the community development director. In making a determination as to the significance of a proposed exterior building change, the director shall be guided by the potential for the proposed project to result in substantial visual alteration of the building in question as viewed from the street including the secondary frontage and its relative overall importance to the visual quality of the surrounding area. The review shall be at the discretion of the community development director."

This project is scheduled for a public hearing and consideration of design review at the August 25th Planning Commission meeting. In the meantime, the Chamber of Commerce Vision Committee, in conjunction with the City of Winters, is in the process of developing a standard operating policy for future Public Art projects.

When reviewing the project, please consider the criteria for review in WMC Section 17.36.040:

17.36.040 Criteria for review.

The planning commission shall consider the following aspects for design review of a site plan, as applicable:

A. The overall visible mass of the structure(s). This analysis may include review of visible building mass as it relates to property line setbacks, building height, roofline profiles, lot coverage and the overall size and scale of a building, and the orientation of the proposed building(s) to the street and adjoining properties;

B. The proposed use and quality of exterior construction materials striving for long-term compatibility with the general setting of the subject property and visual character of the general neighborhood. Exterior building colors, on new construction only, may also be considered, but only to the extent that they may detract from the desired design theme for a neighborhood;

C. Avoidance of buildings which are characterized by large, blank or unbroken wall planes, as well as buildings which exhibit a general lack of architectural detailing, shadow lines, etc., which collectively lack general visual interest. Uniform treatment of all building elevations shall be required unless such treatment is found unnecessary, on a case-by-case basis;

D. Effective screening of ground- and roof-mounted mechanical equipment;

E. The use of landscaping, decorative site paving, etc. which provides effective visual screening or softening of the development, as necessary. The planning commission shall consider the appropriate mix of plant materials, plant sizes, etc. pursuant to landscaping criteria contained in Chapter 17.76.

F. Achieve conformity with the Winters design guidelines, as applicable.

G. With respect to single-family residential production housing, the above design criteria shall be considered, but with the design review focus on avoiding use of repetitive designs and site plans. Design review should encourage elements of individuality in residence design through inclusion of features such as modified front and side yard setbacks, varying architectural styles, building siding and roofing materials, creative use of fencing and landscaping, and/or other design features. To the extent possible, designs should also encourage pedestrian activity while reducing emphasis on vehicular access as the focal point of a residential lot. (Ord. 2001-04 (part): prior code § 8-1.4211 (D))

17.36.050 Action on design review applications.

The planning commission shall make findings relative to compliance with the provisions of Section 17.36.040 prior to approving a site plan for design review. The planning commission may impose conditions of approval to ensure conformance with the above design provisions. (Ord. 2001-04 (part): prior code § 8-1.4211 (E))

PLANNING COMMISSION STAFF REPORT
August 11, 2009

TO: Chairman and Planning Commissioners

BY: Nelia Dyer – Community Development Director

SUBJECT: Informational Item – Renovation of City Parking Lot at First and Abbey Streets

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Staff recommends that the Planning Commission provide feedback to staff on the proposed renovation of the City's parking lot at First and Abbey Streets (See Attachment A). The City is proposing to remove 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). 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 B, 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.

The Winters Municipal Code (WMC), Chapter 2.16 (Planning Commission) states that the Planning Commission shall:

"review landscape plans and condition new development as appropriate regarding such items as street trees, public parkways and median, trees in residential front yards, border treatments and parking lots intended for public use, and public streets."

While this proposed project does not involve landscaping, staff (in the past and present) has determined that new or renovation of existing parking lots require Design Review (Site Plan) approval. Therefore, this project is scheduled for a public hearing and consideration of design review (site plan) at the August 25th Planning Commission meeting.

When reviewing the project, please consider the criteria for review in WMC Section 17.36.040:

17.36.040 Criteria for review.

The planning commission shall consider the following aspects for design review of a site plan, as applicable:

A. The overall visible mass of the structure(s). This analysis may include review of visible building mass as it relates to property line setbacks, building height, roofline profiles, lot coverage and the overall size and scale of a building, and the orientation of the proposed building(s) to the street and adjoining properties;

B. The proposed use and quality of exterior construction materials striving for long-term compatibility with the general setting of the subject property and visual character of the general neighborhood. Exterior building colors, on new construction only, may also be considered, but only to the extent that they may detract from the desired design theme for a neighborhood;

C. Avoidance of buildings which are characterized by large, blank or unbroken wall planes, as well as buildings which exhibit a general lack of architectural detailing, shadow lines, etc., which collectively lack general visual interest. Uniform treatment of all building elevations shall be required unless such treatment is found unnecessary, on a case-by-case basis;

D. Effective screening of ground- and roof-mounted mechanical equipment;

E. The use of landscaping, decorative site paving, etc. which provides effective visual screening or softening of the development, as necessary. The planning commission shall consider the appropriate mix of plant materials, plant sizes, etc. pursuant to landscaping criteria contained in Chapter 17.76.

F. Achieve conformity with the Winters design guidelines, as applicable.

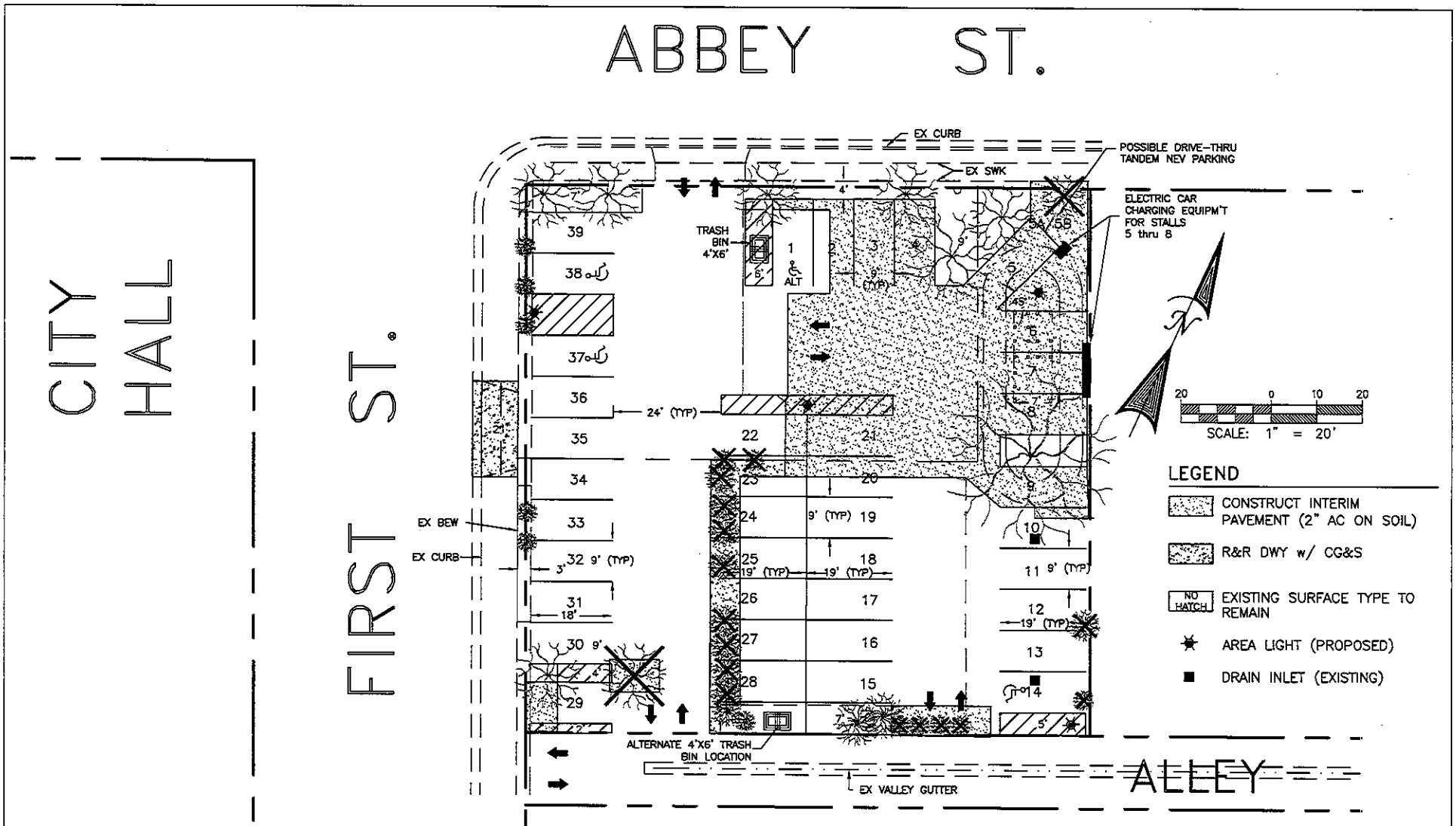
G. With respect to single-family residential production housing, the above design criteria shall be considered, but with the design review focus on avoiding use of repetitive designs and site plans. Design review should encourage elements of individuality in residence design through inclusion of features such as modified front and side yard setbacks, varying architectural styles, building siding and roofing materials, creative use of fencing and landscaping, and/or other design features. To the extent possible, designs should also encourage pedestrian activity while reducing emphasis on vehicular access as the focal point of a residential lot. (Ord. 2001-04 (part): prior code § 8-1.4211 (D))

17.36.050 Action on design review applications.

The planning commission shall make findings relative to compliance with the provisions of Section 17.36.040 prior to approving a site plan for design review. The planning commission may impose conditions of approval to ensure conformance with the above design provisions. (Ord. 2001-04 (part): prior code § 8-1.4211 (E))

ATTACHMENTS:

A. Preliminary Improvement Concept of the First Street Parking Lot
B. Core Block A (From the Downtown Master Plan, Approved in March 2006)



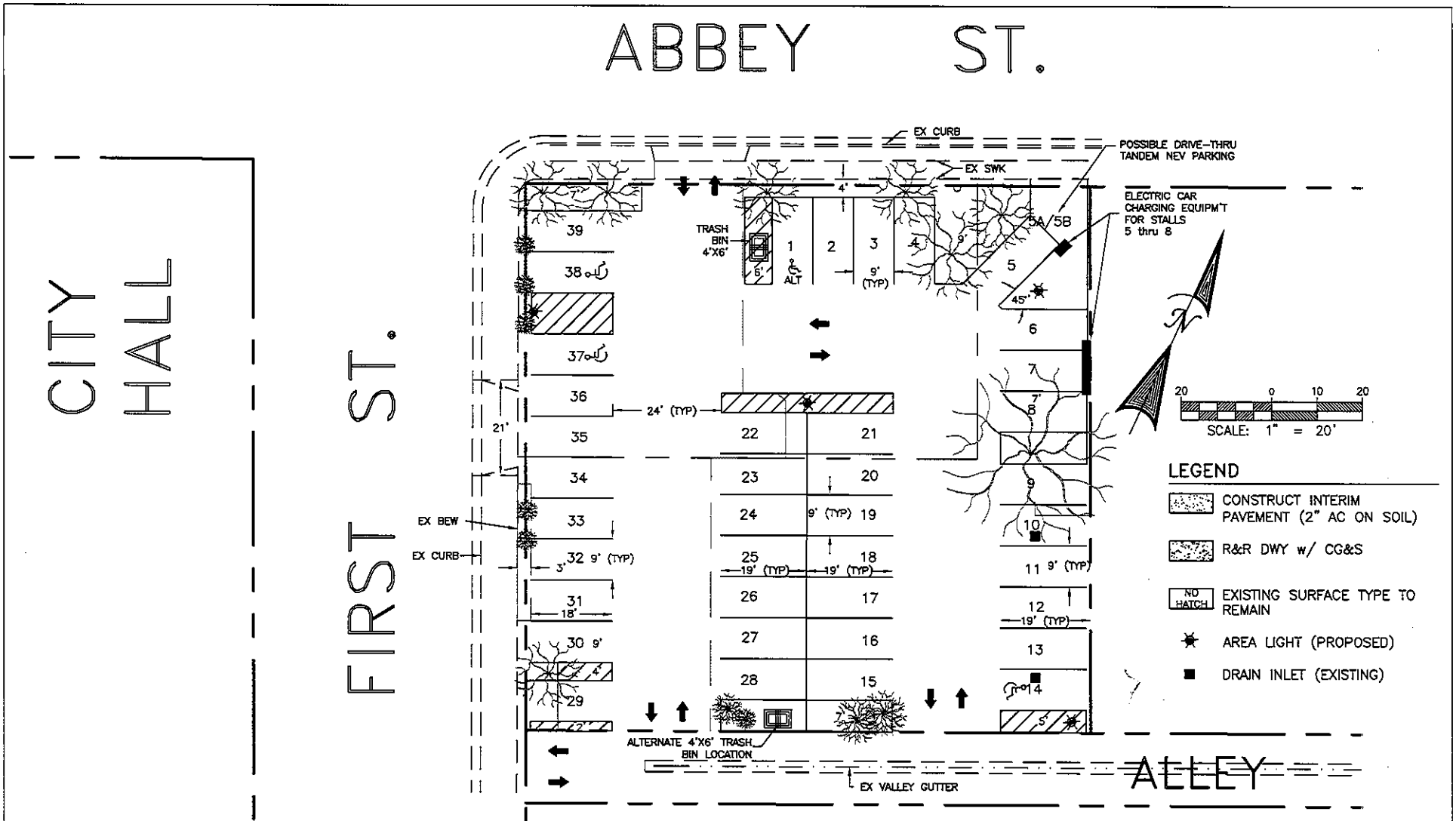
PRELIMINARY – NOT FOR CONSTRUCTION

FIRST STREET PARKING LOT

PRELIMINARY IMPROVEMENT CONCEPT

PREPARED BY : PONTICELLO ENTERPRISES – AJU

REV. 22JUL2009



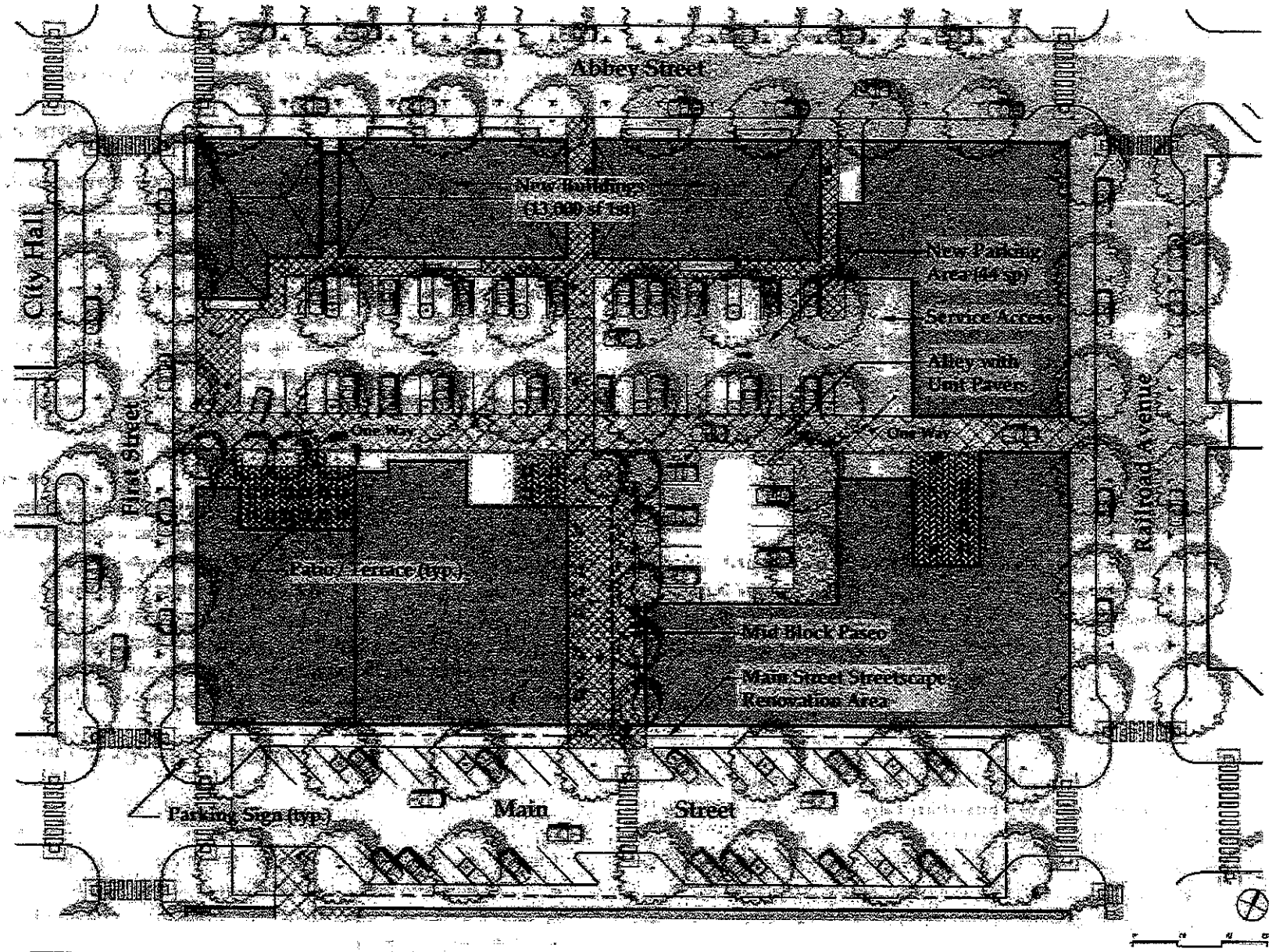
PRELIMINARY – NOT FOR CONSTRUCTION

FIRST STREET PARKING LOT

PRELIMINARY CONCEPT–PARKING LAYOUT ONLY

PREPARED BY : PONTICELLO ENTERPRISES – AJU

REV. 22JUL2009


Abbey Street
City Hall
First Street
Railroad Avenue
New Building
(13,000 sf 1st)
New Parking
Area (44 sp)
Service Access
Alley with
Unit Pavers
One Way
One Way
Paso / Terrace (typ.)
Mid Block Paseo
Main Street Streetscape
Renovation Area
Parking Sign (typ.)
Main
Street

Core Block A