

SECOND REVISED

CITY OF WINTERS PLANNING COMMISSION AGENDA REGULAR MEETING

Tuesday, July 23, 2013 @ 6:30 PM
City of Winters Council Chambers
318 First Street
Winters, CA 95694-1923
Community Development Department
Contact Phone Number (530) 795-4910 #111
Email: maryjo.rodolfa@cityofwinters.org

Chairman: Bill Biasi
Vice Chairman: Pierre Neu
Commissioners: Lisa Baker, Richard
Kleeberg, Luis Reyes, Patrick Riley,
Joe Tramontana
City Manager: John W. Donlevy, Jr.
Mgmt. Analyst: Mary Jo Rodolfa

I CALL TO ORDER

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 June 19, 2013 special meeting of the Winters Planning Commission

V STAFF/COMMISSION REPORTS

VI DISCUSSION ITEMS:

- A. Swearing in of New and Returning Planning Commissioners and Selection of Chair and Vice Chair of the Winters Planning Commission
- B. Review of Draft Housing Element Update to the Winters General Plan and Start of 30-Day Public Comment Period
- C. Public hearing and consideration to recommend to the City Council approval of a second amendment to the previously approved Development Agreement for development of the property commonly known as the Hudson/Ogando Property between the City of Winters and Winters Investors, LLC is being proposed, pursuant to Government Code sections 65864 through 65869.5 in order to extend the term of the agreement; amend the phasing, affordable housing and park obligation requirements; and change certain public improvement obligation.
- D. Public hearing and consideration to recommend to the City Council approval of a second amendment to the previously approved Development Agreement for development of the property commonly known as the Callahan Estates between the City of Winters and Winters Investors, LLC is being proposed, pursuant to

Government Code sections 65864 through 65869.5 in order to extend the term of the agreement; amend the phasing, affordable housing and park obligation requirements; and change certain public improvement obligations.

VII COMMISSION/STAFF COMMENTS

VIII ADJOURNMENT

POSTING OF AGENDA: PURSUANT TO GOVERNMENT CODE § 54954.2, THE COMMUNITY DEVELOPMENT MANAGEMENT ANALYST POSTED THE AGENDA FOR THIS MEETING ON JULY 15, 2013.



MARY JO RODOLFA, MANAGEMENT ANALYST

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".

MINUTES: THE CITY DOES NOT TRANSCRIBE ITS PROCEEDINGS. ANYONE WHO DESIRES A VERBATIM RECORD OF THIS MEETING SHOULD ARRANGE FOR ATTENDANCE BY A COURT REPORTER OR FOR OTHER ACCEPTABLE MEANS OF RECORDATION. SUCH ARRANGEMENTS WILL BE AT THE SOLE EXPENSE OF THE INDIVIDUAL REQUESTING THE RECORDATION.

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. 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.

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 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.

THE COUNCIL CHAMBER IS WHEELCHAIR ACCESSIBLE

**MINUTES OF THE WINTERS PLANNING COMMISSION
SPECIAL MEETING HELD
JUNE 19, 2013**

DISCLAIMER: These minutes represent the interpretation of statements made and questions raised by participants in the meeting. They are not presented as verbatim transcriptions of the statements and questions, but as summaries of the point of the statement or question as understood by the note taker.

Chairman Biasi called the meeting to order at 6:30 p.m.

PRESENT: Commissioners Lisa Baker, Richard Kleeberg, Pierre Neu, Patrick Riley, Joe Tramontana, And Chairman Bill Biasi

ABSENT: Commissioner Luis Reyes

STAFF: City Manager John W. Donlevy, Jr., and Management Analyst Jenna Moser

PLEDGE: Chairman Biasi led the Pledge of Allegiance.

CITIZEN INPUT: None

CONSENT ITEM:

- 1. Approval of Meeting Minutes of the June 3, 2013, special meeting of the Planning Commission.**

Commissioner Kleeberg moved that the minutes of the June 3, 2013 special meeting of the Planning Commission be approved. Commissioner Neu seconded the motion. The motion was approved unanimously with Reyes absent.

COMMISSION REPORTS: None

STAFF REPORTS: None

DISCUSSION ITEM:

- A. Public Hearing and Consideration of Approval of Lester Farms Bakery Remodel Located at 606 Railroad Avenue, APN 003-151-028:**
 - a. Site Plan/Design Review**
 - b. CEQA Exemption under Section 15301 (Existing Facilities) of the CEQA Guidelines**

City Manager Donlevy provided an overview of the staff report, and outlined a few problems with our current sign ordinance. Donlevy stated that one sign on one side of the building would be allowed currently. Donlevy stated that a review of the sign ordinance is necessary and he will be bringing something forward. Applicant Stan Lester provided a history of his business, and introduced project designer Lance Buck. Mr. Buck then provided an overview of the design and materials board.

Chairman Biasi opened the Public Hearing at 6:47 p.m. No comments were heard.

**MINUTES OF THE WINTERS PLANNING COMMISSION
SPECIAL MEETING HELD
JUNE 19, 2013**

There was discussion regarding the amount of room available for benches and path of travel in front of the building. Donlevy commented that the path of travel would be expanded with pavers and a tree grate. Lester added that he was also going to be installing a bike rack for customers.

Commission comments included commending the applicants for their work on this project, agreement on allowing signs on both awnings and acknowledgment that the store will be closed for most of the construction period. The wall along the gas station side of the building was also discussed and the applicant indicated that they are looking into some type of public art/ mural for that side.

Commissioner Kleberg moved approval of the site plan/design review of Lester Farms Bakery Remodel noting that signs on both awnings are approved and approving the CEQA exemption under Section 15301. Commissioner Baker seconded the motion. The motion carried unanimously with Reyes absent.

COMMISSION/STAFF COMMENTS: City Manager Donlevy noted the upcoming meetings on July 9th and 23rd. Commissioner Neu asked that an item be brought back to discuss the Form Based Code and Sign Ordinance. Donlevy said an item would be coming for a workshop. Commissioner Baker added that a “this, not that” design library be considered.

ADJOURNMENT: Chair Biasi adjourned the meeting at 7:10 p.m.

ATTEST:

Bill Biasi, Chairman

Mary Jo Rodolfa, Management Analyst



**PLANNING COMMISSION
STAFF REPORT**

TO: Honorable Chair and Commissioners
DATE : July 23, 2013
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Mary Jo Rodolfa, Management Analyst *mjr*
SUBJECT: Swearing in of New and Returning Commissioners and Appointment of Chair and Vice Chair of the Winters Planning Commission

RECOMMENDATION:

Staff recommends that the new and returning Commissioners be sworn in and a Chair and Vice Chair of the Winters Planning Commission be appointed.

BACKGROUND:

Effective July 1, 2013, the terms of Planning Commissioners Lisa Baker, Richard Kleeberg, Pierre Neu, and Joe Tramontana expired.

The City Clerk's office advertised the Planning Commission vacancies seeking qualified applicants for consideration. A subcommittee of two Council Members reviewed the applications, conducted interviews and subsequently made a recommendation to the City Council. At its July 16, 2013 the City Council took action to appoint individuals to fill the vacancies. Those individuals will take their oath of office at this evening's meeting.

It is the duty of the sworn Commissioners to select a Chair and Vice Chair from amongst their group. The Chair is responsible for running the meetings, keeping the discussion on track, encouraging fairness and bringing the Commission to the point of decision. The Vice Chair is responsible taking on the duties of the Chair when the Chair is absent.

FISCAL IMPACT:

None



PLANNING COMMISSION
STAFF REPORT

TO: Chairman and Planning Commissioners
DATE: July 23, 2013
FROM: Dan Maguire, Economic Development and Housing Manager *DM*
THROUGH: John W. Donlevy, Jr., City Manager
SUBJECT: Draft Housing Element Update

RECOMMENDATION:

Staff recommends that the Planning Commission take the following actions; 1) Receive the staff report regarding the Draft Housing Element Update; and 2) Provide any comments and/or suggestions regarding the Housing Element Update; and 3) Recommend that the City Council adopt the Housing Element Update, with any revisions made by staff in response to Department of Housing and Community Development comments.

BACKGROUND:

The Housing Element of the General Plan is a comprehensive statement by the City of Winters 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 the Housing Element are an expression of the statewide goal of "attaining decent housing and a suitable living environment of 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 Element identifies and analyzes housing needs, and resources and constraints to meeting those needs. In accordance with State law, the Housing Element is to be consistent and compatible with other General Plan elements. The City's Housing Element Update is due October 30, 2013.

ATTACHMENTS:

Draft Housing Element Update
Draft Housing Needs Assessment

DRAFT

2013-2021

HOUSING ELEMENT UPDATE



City of Winters
318 First Street
Winters, CA 95694

July 2013

TABLE OF CONTENTS

I. INTRODUCTION 1

II. EVALUATION OF PREVIOUS HOUSING ELEMENT 3

III. 2013 GOALS AND POLICIES 26

IV. 2013 IMPLEMENTATION PROGRAMS..... 30

V. CITY AND COUNTY HOUSING PROGRAMS..... 38

VI. QUANTIFIED OBJECTIVES 43

VII. EFFORTS TO ACHIEVE CITIZEN PARTICIPATION 45

VIII. CONSISTENCY WITH OTHER GENERAL PLAN ELEMENTS 47

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 PREVIOUS HOUSING ELEMENT

Accomplishments under the 2008 Housing Element are evaluated in this chapter in order to determine the effectiveness of the previous housing element, the City's progress in implementing the 2008 Housing Element, and the appropriateness of the housing goals, objectives, and policies.

Review of the Previous Housing Element

The 2008 Housing Element program strategy focused on achieving an adequate supply of safe, decent housing for all residents of Winters through maintaining and preserving the existing housing stock, preserving the character of Winters' residential neighborhoods, meeting the City's regional housing needs allocations; and providing additional affordable housing. The 2008 Housing Element identified the following goals:

- Goal II.A** **To designate adequate land for a balanced range of housing types and densities for all economic segments of the community.**
- Goal II.B** **To encourage the maintenance, improvement, and rehabilitation of the City's existing housing stock and residential neighborhoods.**
- Goal II.C** **To encourage energy efficiency in both new and existing housing.**
- Goal II.D** **To ensure the provision of adequate services to support existing and future 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.**
- Goal II.F** **Conserve existing affordable housing.**

The 2008 Housing Element included policies and programs to achieve the identified goals. Table 2 analyzes each implementation program provided in the 2008 Housing Element, describing the results of the program and recommending whether each policy or implementation program should be kept, modified, or removed in this update to the Housing Element.

Effectiveness of the Previous Housing Element

The 2008 Housing Element resulted in significant changes to the City's Land Use Code and adoption of an Affordable Housing Program that resulted in the development of very low, low, moderate, and above moderate income housing. Overall, the 2008 Housing Element was very effective in facilitating development of affordable housing and providing a framework to ensure that the City has a safe and decent supply of housing affordable to a range of household income levels.

The 2008 Housing Element addressed the City's housing needs for 2006 through 2013. Table 1 summarizes housing units produced during the RHNA period covered by the 2008 Housing Element.

**Table 1
2006-2013 Regional Housing Needs Allocation Accomplishments**

	Very Low	Low	Moderate	Above Moderate	TOTAL
2008-2013 RHNA	96	64	68	175	403
Units Constructed	72	35	1	5	113
Remaining	24	29	67	170	290

Appropriateness of Housing Element

The overarching goals and policies of the 2008 Housing Element continue to be appropriate and will be generally kept in the Housing Plan, with modifications to streamline or clarify objectives where appropriate. As discussed in Table 1-2, many housing programs continue to be appropriate and the intent of these programs will be kept in the Housing Element and revised to address identified specific housing needs, constraints, or other concerns identified as part of this update.

The policies and programs of the 2008 Housing Element that were developed to modify the City's former Zoning Code have been implemented and will be removed from the Housing Element as they are no longer necessary. The City has experienced a reduction in staffing and budget since the 2008 Housing Element, so programs that are not feasible to implement due to staff or funding constraints will be removed.

This update to the Housing Element will revise existing programs and include new programs, where appropriate, to ensure that the City's priorities are addressed, that requirements of State law are addressed, and that constraints to housing are removed, to the extent feasible. See the Housing Plan for the goals, policies, and programs of this Housing Element.

**Table 2:
Housing Element – Program Evaluation Matrix**

	Program	Evaluation	Recommendation
II.1	<p>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.</p>	<p>AHSC and DRC are active. AHSC involved in numerous discussions throughout the 2008-2013 Housing Element.</p> <p>Orchard Village: In 2011, the 74 unit multi-family rental project was completed and fully leased up, with 73 units affordably restricted. The AHSC had significant input on the affordable housing component of the project and as a result of those discussions; the developer increased the number of family units in the project by 10 units over the original developer proposal. The AHSC recommended the City/CDA provide financial support to the project; with redevelopment agency housing bond proceeds provided as local financial support to the project. The primary funding for the project was the 9% Tax Credit program.</p> <p>Almondwood Apartments: In 2012, the acquisition and rehabilitation of the 39 unit multi-family rental project was completed and new affordability covenants were recorded. The apartment complex was constructed in 1983 under the Section 515 U.S. Department of Agriculture loan program and was at risk of converting to a market-rate facility due to expiring use restrictions. The AHSC recommended the City/CDA provide financial support to the project, with Housing Rehabilitation RLF funding provided as a loan as local financial support to the project.</p> <p>Inclusionary Housing Ordinance Revision: The AHSC reviewed the proposed changes to the City's Inclusionary Housing Ordinance and recommended modifications to the ordinance, with said changes ultimately accepted and adopted</p>	<p>This program has been effective and will be kept in the Housing Element.</p>

**Table 2:
Housing Element – Program Evaluation Matrix
Program**

Program	Evaluation	Recommendation
<p>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:</p> <ol style="list-style-type: none"> The appropriate density bonus for projects meeting requirements of the Density Bonus 	<p>by the City Council (see II.2)</p> <p>In 2013, the AHSC reviewed and has recommended an Affordable Housing Plan (AHP) presented by Winters Investors, the owners of the Hudson/Ogando and Callahan Estates residential housing projects. The AHP proposed the payment of an in-lieu fee for the 12 very-low and the 10 low income units that are the inclusionary requirement of the projects. The proposal is intended to provide additional local leverage to an affordable multi-family project under discussion for a portion of the Grant Avenue Commercial property, and at the same time, provide impetus to the start of construction for these residential projects, which have been stalled by the 2008 fall out in the housing market.</p> <p>City continued implementation of Ordinance 94-10 (aka Inclusionary Ordinance). The City modified Ordinance 94-10, with the January 5, 2010 adoption of Ordinance 2009-18 to encourage small project in-fill development in the Redevelopment Project Area.</p> <p>Achievements: See above</p>	<p>The program will be kept in the Housing Element and will be updated to reference the modifications that occurred during the planning period.</p>

**Table 2:
Housing Element – Program Evaluation Matrix**

Program	Evaluation	Recommendation
<p>Ordinance 97-02 (as revised per Implementation Program II-3).</p> <p>2. Providing financial assistance as funds are available and by connecting buyers with resources such as Mortgage Credit Certificates.</p> <p>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.</p> <p>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.</p>		
<p>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.</p> <p>Incentives the City will consider in conjunction with density bonuses for low-income housing</p>	<p>City revised the Zoning Ordinance to comply with State law requirements for a density bonus, adopting Ordinance 2012-09 on January 15, 2013. City consults with Yolo Housing, CHOC (Sterling Asset Management), and Cambridge Property Management and executed a contract with NeighborWorks Sacramento for contract services.</p> <p>Achievements: Adoption of Ordinance 2012-09</p>	<p>This program will be deleted as it has been implemented and the Zoning Ordinance has been revised accordingly.</p>

**Table 2:
Housing Element – Program Evaluation Matrix**

Program	Evaluation	Recommendation
<p>include these:</p> <ol style="list-style-type: none"> 1. Zoning and development regulatory incentives. 2. Financial incentives. 3. Waiver or modification of development standards. <p>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.</p> <p>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</p>	<p>Neighborworks contract</p>	

**Table 2:
Housing Element – Program Evaluation Matrix**

Program	Evaluation	Recommendation
<p>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.</p>		
<p>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 through an informational brochure distributed annually to single-family property owners. The brochure will also be made available in the following ways:</p> <ol style="list-style-type: none"> 1. Posted at City Hall, library, senior center, and other public locations. 2. Included annually in utility bill mailings. <p>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</p>	<p>City revised the Zoning Ordinance with regard to secondary dwelling units to bring current with State Law, adopting Ordinance 2011-10 on December 6, 2011.</p> <p>Achievements: See above</p>	<p>This program will be deleted as it has been implemented and the Zoning Ordinance has been revised accordingly.</p>

**Table 2:
Housing Element – Program Evaluation Matrix**

Program		Evaluation	Recommendation
	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.		
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.	<p>City continues 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 was revised to specifically mention manufactured and factory-build housing, adopting Ordinance 2011-09 on December 6, 2011.</p> <p>Achievements: Adoption of Ordinance 2011-09</p>	The first portion of this program will be kept in the Housing Element. The second component will be deleted as it has been implemented and the Zoning Ordinance revised accordingly.
II.6	<p>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:</p> <ol style="list-style-type: none"> 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 	<p>City continues to allow and support development of duplexes on corner lots; however, no significant housing activity during this Housing Element.</p> <p>Achievements: See above</p>	This program continues to be appropriate and will be kept in the Housing Element.

**Table 2:
Housing Element – Program Evaluation Matrix**

Program	Evaluation	Recommendation
<p>available at the time of application.</p> <p>3. The City will provide documentation necessary to support applications for State or federal financial assistance for affordable duplexes.</p> <p>4. The City will offer reduced or deferred fees for affordable duplexes. For larger projects, the City will negotiate alternative development standards, such as flexible yard and setback requirements through its planned development process.</p>		
<p>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):</p> <ul style="list-style-type: none"> • 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; 	<p>City revised 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, adopting Ordinance 2011-08 on December 6, 2011.</p> <p>Achievements: Adoption of Ordinance 2011-08</p>	<p>This program will be deleted as it has been implemented and the Zoning Ordinance has been revised accordingly.</p>

**Table 2:
Housing Element – Program Evaluation Matrix**

Program	Evaluation	Recommendation
<ul style="list-style-type: none"> • 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; <p>Security during hours that the emergency shelter is in operation.</p>	<p>City continues to encourage development in the upper one-quarter of the density range in the Medium High-Density Residential; however no development occurred in land so zoned during the Housing Element period. City continues to require it in the High-Density Residential designation, including the 74 unit Orchard Village multi-family project.</p> <p>Achievements: See above</p>	<p>This program has been effective and will be kept in the Housing Element.</p>
<p>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.</p> <p>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</p>		

**Table 2:
Housing Element – Program Evaluation Matrix**

Program	Evaluation	Recommendation
<p>20.0 is the upper one-quarter of the density range in the High Density Residential designation.</p> <p>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.</p>		
<p>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</p>	<p>City provided financial assistance to the new construction multi-family project known as Orchard Village (74 units) and the at-risk multifamily complex known as Almondwood (39 units).</p> <p>Achievements: Orchard Village Apartments</p>	<p>This program has been effective and will be kept in the Housing Element.</p>

**Table 2:
Housing Element – Program Evaluation Matrix**

Program	Evaluation	Recommendation
<p>housing through the following actions:</p> <ul style="list-style-type: none"> • 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 5 percent extremely low-income units, 10 percent very low-income units, 20 percent low-income units, or 50 percent senior units, pursuant to state density bonus law. • 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 extremely low-income households, 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. 	<p>Almondwood Apartments</p>	

**Table 2:
Housing Element – Program Evaluation Matrix**

Program	Evaluation	Recommendation
<ul style="list-style-type: none"> • 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. <p>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.</p>		
<p>II.10</p> <p>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</p>	<p>City continues to have a adopted Housing Rehabilitation program to assist extremely low-, very low- and low income households; however, program implementation has been suspended due to funding constraints resulting from the State’s elimination of Redevelopment and the resultant Redevelopment wind-down process.</p> <p>Achievements: Almondwood Apartments Several SFR Senior Rehabs</p>	<p>This program has been effective and will be kept in the Housing Element.</p>

**Table 2:
Housing Element – Program Evaluation Matrix**

Program	Evaluation	Recommendation
<p>program through fliers at the Community Development Department's counter, the City's utility billing mailings, and targeted property mailings.</p>		
<p>II.11 The City will encourage mixed use residential/commercial development in the Central Business District (CBD), neighborhood commercial, and office zones through:</p> <ol style="list-style-type: none"> 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. 	<p>City continues to encourage mixed use residential/commercial development; however, no significant activity has occurred during the Housing Element period due to economic conditions.</p> <p>On October 6, 2009, the City Council adopted Ordinance 2009-10 pertaining to a Form Based Code for the Downtown. The adoption of the Form Based Code establishes unique allowed use and development standards for the Downtown Form-Based Code area and fosters infill development, provides a user friendly zoning document, provides certainty in the design review process, and simplifies and streamlines the entitlement process.</p> <p>In 2013, the City entered into discussions with affordable housing developers for development of a multi-family apartment project to potentially be located on a portion of the City-owned property commonly referred to as the Grant Avenue Commercial property. The developer is proposing to locate an affordable senior housing project on 1.5 acres of the 4.5 acre property, which is zoned C-2 (Central Business District). This project would result in a mixed use project for the subject property as other portions of the Grant Avenue Commercial property are in escrow for commercial development.</p>	<p>This program continues to be relevant and will be kept in the Housing Element, with revisions regarding the implementation.</p>

**Table 2:
Housing Element – Program Evaluation Matrix**

Program	Evaluation	Recommendation
<p>6. The City is working on a Downtown Form Based Code anticipated to be adopted summer 2008.</p> <p>The City will promote mixed use developments in the following ways:</p> <ol style="list-style-type: none"> 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. <p>The City will advertise these incentives to developers or other interested parties through published information available at the</p>	<p>Achievements: Adoption of Form Based Code</p>	

**Table 2:
Housing Element – Program Evaluation Matrix**

Program		Evaluation	Recommendation
Community Development Department's counter, in the general development application packet, and on the local community access television channel.			
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.	The City has lost the ability to act as a Redevelopment Agency due to State Law; however, significant accomplishments in developing affordable housing were attained prior to the dissolution of Redevelopment Agencies. Achievements: In compliance with State law	Program is no longer applicable and will be deleted.
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 <i>Winters Express</i> 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	The City continues to promote energy conservation and encourage solar energy use. Achievements: Existing Development Agreements for Callahan, Hudson-Ogando, Creekside, and Winters Highlands. Orchard Village	This program has been effective and will be kept in the Housing Element.

**Table 2:
Housing Element – Program Evaluation Matrix**

Program		Evaluation	Recommendation
<p>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.</p>	<p>5. The City shall study potential approaches and incentives for encouraging energy saving practices</p>		
<p>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.</p>	<p>City continues to cooperate with Yolo County Housing on its administration of the Section 8 Housing Voucher rental assistance program. City Housing Manager meets regularly with Yolo County Housing CEO to explore avenues for collaboration and mutual support of City/County affordable housing goals for extremely low-, very low-, and low income units.</p> <p>Achievements: See above</p>	<p>This program has been effective and will be kept in the Housing Element.</p>	
<p>II.15 The City shall continue its agreement with Yolo County HPAC to provide ongoing homeless services.</p>	<p>City has continued its agreement with Yolo County HPAC to provide ongoing homeless services. In 2007, Yolo County and the Cities in the County joined West Sacramento, lead agency for the project, to apply for a Community Development Block grant ("CDBG") to develop a 10 year plan for Ending and Preventing Homelessness throughout the County. The 10-Year Plan was presented and approved by the City Council on January 19, 2010. At the April 20, 2010 City Council</p>	<p>This program has been effective and will be kept in the Housing Element.</p>	

**Table 2:
Housing Element – Program Evaluation Matrix**

Program		Evaluation		Recommendation
		meeting, approved Resolution 2010-20, appointing a City Council member to serve on the Executive Commission.		
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.	Achievements: See above City has continued efforts to promote equal opportunity as outlined. Achievements: See above		This program has been effective and will be kept in the Housing Element.
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.	Achievements: See above City has continued to require that 10 percent of the lots in residential subdivisions of 20 or more lots be marketed to local builders and continues to implement this goal through negotiated development agreements with residential developers. There are currently four such development agreements in place, all containing this requirement. Achievements: See above		This program has been effective and will be kept in the Housing Element.
II.18	The City will assist non-profit housing	City continues to assist non-profit housing corporations seeking		This program has

**Table 2:
Housing Element – Program Evaluation Matrix**

Program	Evaluation	Recommendation
<p>corporations or any other 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.</p>	<p>to acquire and maintain government-assisted housing developments that could convert to market rate housing. During the Housing Element period, the City worked with Central Valley Coalition for Affordable Housing in acquiring and rehabilitating the Almondwood Apartments, 39 units that were at-risk due to expiring USDA program restrictions. City maintains a database of all assisted rental units that include address, ownership information, and date of possible conversion.</p> <p>Achievements: See above</p>	<p>been effective and will be kept in the Housing Element.</p>
<p>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.</p>	<p>The City convenes the DRC to expedite processing and approval of residential projects; however, there have been no residential projects other than the multifamily projects (Orchard Village and Almondwood) during the Housing Element period.</p> <p>Achievements: See above</p>	<p>This program has been effective and will be kept in the Housing Element.</p>
<p>II.20 The City shall revise its in-lieu fee ordinance for</p>	<p>There has been no proposals for development due to the</p>	<p>The program will be</p>

**Table 2:
Housing Element – Program Evaluation Matrix**

	Program	Evaluation	Recommendation
	<p>affordable housing to more accurately reflect the actual cost of producing an affordable unit.</p>	<p>fallout of the housing market and the nexus to housing construction costs make the revision of the in-lieu fee ordinance impractical.</p> <p>Achievements: Not completed; however, the City is in discussions with Winters Investors, owners of the Callahan and Hudson-Ogando developments, with a proposed Affordable Housing Plan that includes payment of an in-lieu fee</p>	<p>kept in the Housing Element and will be revised to be more effective (or more straightforward to implement).</p>
<p>II.21</p>	<p>The City shall require that new residential subdivisions incorporate universal design features in to 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 and non-senior very low-income households.</p>	<p>The City requires new residential subdivisions to incorporate universal design features and those requirements are reflected in the existing Development Agreements.</p> <p>Achievements: See above Rehabilitation Program revisions not completed</p>	<p>This program has been effective and will be kept in the Housing Element.</p>
<p>II.22</p>	<p>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.</p>	<p>The City continues to 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 and contracts with NeighborWorks Sacramento to provide those services.</p>	<p>This program has been effective and will be kept in the Housing Element.</p>

**Table 2:
Housing Element – Program Evaluation Matrix**

Program	Evaluation	Recommendation
<p>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.</p> <p>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.</p>	<p>Achievements: Renewed contract with Neighborworks Sacramento to provide services</p> <p>The City revised the Zoning Ordinance to indicate that transitional housing and supportive housing are to be treated as residential uses, regardless of zone and adopted Ordinance 2012-08 on December 6, 2011 to make specific mention of transitional and supportive housing and to add language aimed at encouraging and facilitating the development of these housing types.</p> <p>Achievements: Adoption of Ordinance 2012-08</p>	<p>This program will be deleted as it has been implemented and the Zoning Ordinance has been revised accordingly.</p>
<p>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</p>	<p>The City revised the Zoning Ordinance to address the development of single-room occupancy dwellings (SROs), adopting Ordinance 2011-07 on December 6, 2011.</p>	<p>This program will be deleted as it has been implemented and the Zoning Ordinance has been revised accordingly.</p>

**Table 2:
Housing Element – Program Evaluation Matrix**

	Program	Evaluation	Recommendation
II.25	<p>allowed by right in R-3 and R-4 zones and with a CUP in C-2 zones.</p> <p>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.</p>	<p>The City revised the Zoning Ordinance to allow farmworker housing by right in zones R-2, R-3, and R-4 and in C-2 zones with the adoption of Ordinance 2012-08 on January 15, 2013.</p> <p>Achievements: Adoption of Ordinance 2012-08</p>	<p>This program will be deleted as it has been implemented and the Zoning Ordinance has been revised accordingly.</p>
II.26	<p>The City shall establish written procedures for requests of reasonable accommodation for persons with disabilities to housing under the Federal Fair Housing Act and the California 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.</p> <p>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</p>	<p>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 Act in the application of zoning laws by or before the target completion date of December 2013 identified in the Housing Element.</p> <p>Achievements: Consultant providing written procedures</p>	<p>This program will be deleted as it has been implemented.</p>

**Table 2:
Housing Element – Program Evaluation Matrix**

Program	Evaluation	Recommendation
requests for reasonable accommodation. In addition, it will identify the process for appeals of determination.		

III. 2013 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 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 and to provide units, when appropriate and feasible, targeted to the City's special needs groups.
- 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 scale 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 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 lower income households including the physically, mentally, and developmentally disabled, large families, farm workers, the elderly, female-headed households, and persons at risk of homelessness.
- 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. 2013 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 2021. The City will work to implement these programs 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

II.2 The City shall continue to implement Ordinance 2009-18 (aka Inclusionary Ordinance) that requires at least 15 percent of all new development projects, with certain exceptions, 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

II.3 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

Responsible Agency: City Council, Planning Commission, Community Development Department.
Financing: Minor administrative cost.
Time Frame: Ongoing.

II.4 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

II.5 The City shall continue 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 as set forth in the Zoning Ordinance.

II.6 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

- II.7** 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 5 percent extremely low-income units, 10 percent very low-income units, 20 percent low-income units, or 50 percent senior units, pursuant to state density bonus law.
 - 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 extremely low-income households, 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

- II.8** 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 Annual review and revisions of program guidelines, as appropriate.

- II.9** 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. Continued implementation of the Downtown Form Based Code.

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

1. 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.
2. The City will post information about mixed use opportunities and the site inventory in the Community Development Department.

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: Ongoing

II.10 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 *techniques*, 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.11** 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.12** 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.13** 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.14** 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.15** The City will assist non-profit housing corporations or any other 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.16** 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.17** 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.18** 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.19 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.20 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. The City will continue to allow farmworker housing as set forth in the Zoning Ordinance

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

Financing: General Fund.

Time Frame: Ongoing.

II.21 The City shall continue to implement its 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.

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

Financing: General Fund.

Time Frame: Ongoing

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

"hsg_resources"

[1] TI = Tax Increment.

As required by California Redevelopment Law, the CDA plans to target its 20 percent housing set-aside 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 3 presents a list of the City’s affordable housing projects, the number of units, the type of housing, and the main sources of financing.

Table 3 Affordable Unit Inventory

Property	Total Units	Subsidized Units	Source	Type	Year Built	Subsidy Expiration
Winters Viillage (formerly Winters II) 116 East Baker Street	34	34	USDA 5	Family	2003	2063
Orchard Village 955 Railroad Avenue	74	73	LIHTC, CTCAC	Family	0	2065
Winters Senior Apartments 400 Morgan Street	38	37	LIHTC, USDA	Senior	1994	2043
Almondwood Apartments 801 Dutton Street	39	38	LIHTC, USDA 538	Family	1984	2052
Winters Apartments 110 East Baker Street	44	44	LIHTC, CTCAC	Family	2007	2058
Cradwick Building 17 Main Street	6	6	CDBG, CHRP-R	Studio	1997	2053
TOTAL	235	232				

VI. QUANTIFIED OBJECTIVES

Table 4 summarizes the City's quantified objectives for the period of January 1, 2013, to December 31, 2021. 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 anticipates that extremely low, very low, and low income housing needs will be accommodated through the very low and low income sites identified in Table 43 of the Housing Needs Assessment. 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.

Table 4 Qualified Allocation Plan

	Extremely Low (<30% of Median Income)	Very Low (30-50% of Median Income)	Low (50- 80% of Median Income)	Moderate (80 to 120% of Median Income)	Above Moderate (120%+ of Median Income)
New Construction	10	66	54	59	130
Rehabilitation	1	2	2	2	-

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

Public Workshop

The City conducted a public workshop in conjunction with a meeting of the Affordable Housing Steering Committee on June 27, 2013. The meeting included a review which outlined significant information from the Housing Needs Assessment and the Housing Element. The meeting was publicly noticed in the June 20, 2013 edition of the Winters Express.

In advance of that June 27, 2013 workshop, 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.

Planning Commission

The Planning Commission considered the Draft Housing Element and Housing Needs Assessment on July 23, 2013. The meeting was publicly noticed in the _____ edition of the Winters Express and was posted at City Hall. The public notice also initiated the start of the 30-day comment period. The Draft Housing Element and Draft Housing Needs Assessment were made available for review at City Hall and on the City's website.

SUMMARY OF PUBLIC COMMENTS AND RESPONSE THERE TO

The comments from the Affordable Housing Steering Committee, stakeholders and public at the June 27 meeting were very positive, particularly as it related to the accomplishments in executing the Implementation Programs from the previous Housing Element. Among the goals identified to be attained during the 2013-2021 Housing Element were revisions to the current City of Winters Housing Rehabilitation program to expand eligibility to non-senior disabled households and to non-senior low- and very-low income households. Participants' comments were very positive regarding the City's success in creating and retaining affordable housing during the 2008-2013 Housing Element. Another comment was the suggestion to add commentary to the Draft Housing Element update to reflect the accomplishments attained in the last Housing Element period regarding the homeless population. The Draft Housing Element commentary was updated to reflect those accomplishments. Additional participants at the meeting included the CEO of Yolo County Housing and the Managing Attorney from Legal Services of Northern California, Yolo County Office.

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 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.*

Policy II.A.4

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 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.

Policy II.A.8

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

Goal A 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.*

Policy II.A.13

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 The City shall provide incentives to developers to construct ownership
Policy II.A.16 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.

DRAFT

2013-2021
HOUSING NEEDS ASSESSMENT



City of Winters
318 First Street
Winters, CA 95694

July 2013

TABLE OF CONTENTS

I.	INTRODUCTION	1
	Summary.....	1
II.	HOUSING NEEDS AND OPPORTUNITIES.....	3
	Development History	3
	Population Characteristics	3
	Income Characteristics.....	8
	Employment Trends	11
	Special Needs Populations.....	16
	Housing Characteristics	26
III.	CITY AFFORDABLE HOUSING DEVELOPMENTS AND PROGRAMS	36
	Inventory of Assisted Rental Housing Units.....	36
	At Risk Projects.....	36
	City Affordable Housing Programs.....	39
IV.	FUTURE HOUSING NEEDS.....	40
	Regional Housing Needs Allocation (RHNA)	40
	Areas with Potential for Residential Development.....	40
	Areas with Redevelopment or Re-Use Potential	51
V.	CONSTRAINTS.....	52
	Non-Governmental Constraints.....	52
	Governmental Constraints	54
	Existing Infrastructure	79
	Environmental Considerations.....	80
	Coordination with Water and Sewer Agencies.....	80
VI.	ENERGY CONSERVATION OPPORTUNITIES.....	81
	General Design Standards.....	81
	Smart Growth.....	82

Deleted: 41

LIST OF MAPS

Map 1	Opportunity Sites	44
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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 (US Census) 2000 and 2010 Census and American Community Survey (ACS) data;
- Sacramento Area Council of Governments (SACOG);
- State Employment Development Department (EDD);
- State Department of Finance (DOF);
- 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 Economic Planning Systems prepared the City's HNA in 2008. This 2013-2012 Housing Element updates the data from the 2008 HNA where appropriate and carries forward EPS-produced information, where that information is still relevant.

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 108 more units for very low and low income families having been developed in 2008 and 2011. 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 2009 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 25 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 several decades, 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 decreased from 3.21 in 2000 to 3.03 in 2010. Projections show an increase in persons per household by 2020. In comparison, the County has had fewer persons per household since 1990 than the City. Projections for County see a decrease from 2.71 persons per household in 2000 to 2.43 in 2020.

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

Item	1990	2000	2010 [1]	2020 [1]
Population				
Winters	4,639	6,125	6,624	9,054
Yolo County	141,092	168,660	200,849	219,532
Households				
Winters	1,506	1,907	2,186	2,821
Yolo County	50,972	59,375	70,872	90,415
Persons per Household				
Winters	3.08	3.21	3.03	3.21
Yolo County	2.63	2.71	2.53	2.43

Source: SACOG, 2012; Census, 2010; EPS (2020 forecast).

ETHNICITY

An analysis of the City's population shows that slightly more than half the population (51%) is White, closely followed by Hispanic or Latino (44%); other ethnicities represent 1% or less of the City's population (Table 2). Two percent are mixed race (of two or more races).

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Table 2
Comparison of Race by City and, County, Population (2010)

Race	Winters		Yolo County	
	Number	Percent	Number	Percent
Non-Hispanic				
White	3,119	51%	97,942	58%
Black	30	<1%	3,133	2%
Native American	32	1%	1,165	1%
Asian	60	1%	16,390	10%
Pacific Islander	10	<1%	443	<1%
Other Race	8	<1%	396	<1%
Two or More Races	146	2%	5,484	3%
[1] Hispanic or Latino	2,720	44%	43,707	26%

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Source: SACOG, 2012

[1] This is a 2000 Census category only.

AGE OF POPULATION

A comparison of the ages among the City and, County, populations shows general similarities (Table 3). The City's median age (31.1) was slightly higher than the County's (29.5) and lower than the State's (35.2). Individuals younger than 20 comprised 37 percent of the City's population in 2000, compared to 21 percent for the County, 15 percent of City residents were older than 55 in 2000, compared to 16 percent in the County. The larger percentage of minors in the City is consistent with the percentage of families with children and larger household size (Tables 1 and 5).

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Table 3
Age Distribution (2010)

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Age	Winters Number	Percent	Yolo County Number	Percent
Under 5	479	8%	10,964	7%
5 to 9	575	9%	12,264	7%
10 to 14	630	10%	12,177	7%
15 to 19	552	9%	17,219	10%
20 to 24	349	6%	20,797	12%
25 to 34	820	13%	23,677	14%
35 to 44	1,074	18%	23,866	14%
45 to 54	762	12%	20,301	12%
55 to 59	225	4%	6,647	4%
60 to 64	182	3%	4,966	3%
65 to 74	256	4%	8,056	5%
75 to 84	166	3%	5,753	3%
85 and Over	55	1%	1,973	1%
Median Age	31.1		29.5	

Source: SACOG, 2012

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.

From 2000 to 200, the City's population increased at a slightly lower rate than the number of households, as is reflected by the decrease in household sizes. While the population increased by 8 percent in the decade, the number of households increased by 15 percent. Of the 2,186 households in 2010, Table 4 shows that the highest percentage consisted of two-person households (29%); the next-largest percentage was three-person households (20%), followed by one- and four-person households (17% apiece).

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Table 4
Number of Persons per Household

Household Size	2000		2010	
	Persons	%	Persons	%
1 Person	276	14%	365	17%
2 Persons	491	26%	627	29%
3 Persons	355	19%	433	20%
4 Persons	420	22%	365	17%
5 Persons	212	11%	237	11%
6 Persons	85	4%	93	4%
7+ Persons	68	4%	66	3%

Source: 2000 Census; SACOG, 2012

In addition to household size, household composition provides important indicators of population characteristics and trends (Table 5). The 2010 Census reported that 78 percent of all households in the City were family households, a slight decrease from the 2000 proportion of 81 percent. More than half of the families (60 percent) were married-couple households. Although most people in the City lived in family households, 22 percent of the households were non-family households, primarily single adults (including seniors). Eighteen percent of households were headed by a senior (aged 65 or more).

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Table 5
Household Composition by Type

Household Type	2000		2010	
	Number	Percent	Number	Percent
Family Households	1,547	81%	1,711	78%
Married Couple Family Households	1,222	64%	1,322	60%
Households with Own Children	725	38%	846	39%
Female Householder, no husband present	244	13%	255	12%
Non-Family Households	360	19%	475	22%
Living Alone	276	14%	365	17%
Total Households	1,907	100%	2,186	100%
Householders 65 and over	311	16%	385	18%
Group Quarters (Persons)				
Institutionalized persons	6	--	0	--
Other persons in group quarters	0	--	6	--
Total Persons in Group Quarters	6		6	

Source: 2000 Census; 2010 Census

INCOME CHARACTERISTICS

Table 6 shows that the median income level in the City increased by 22 percent between 2000 and 2010, from \$48,678 to \$59,517. The county-wide median remained lower, but increased at a greater rate of 40 percent (from \$40,769 to \$57,077). Wage growth has been stagnant for much of the State during the first half of this decade.

Table 6
Median Household Income

	2000	2006-10 ACS	% Change
Winters	\$48,678	\$59,517	22%
Yolo County	\$40,769	\$57,077	40%

Source: SACOG, 2012.

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Table 7 shows that from 2000 to 2010, City households with incomes above \$100,000 more than tripled, increasing from 11% to 32%. Conversely, 21 percent of the City's households had incomes below \$25,000 in 2000 and 16 percent had incomes below \$25,000 in 2010. These Census figures are not adjusted for inflation which was approximately 13 percent from the end of 2000 to the beginning of 2008.

Table 7
Household Income

Income	2000		2006-10	
	Number	Percent	Number	Percent
Under \$24,999	405	21%	331	16%
\$25,000 to \$49,999	570	30%	440	21%
\$50,000 to \$74,999	435	23%	523	25%
\$75,000 to \$99,999	281	15%	130	6%
\$100,000 or more	204	11%	673	32%

Source: SACOG, 2012

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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

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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 2005-2009. As shown in Table 9, the City has a higher proportion of extremely low, moderate, and above moderate income residents, in comparison to the County. The County has higher proportions of very low and low income residents. The majority of extremely low and low income households in Winters are renters; however, there is a larger proportion of very low income owner households than very low income renter households. The majority of moderate and above moderate income households own their home.

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Table 9
Income Range by Income Category (2010)

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Income	Owner		Renter		Total	
	Households	% of Total	Households	% of Total	Households	% of Total
Winters	1,408	66%	734	34%	2,142	100%
Extremely Low Income	24	2%	220	30%	244	11%
Very Low Income	145	10%	55	7%	200	9%
Low Income	139	10%	189	26%	328	15%
Moderate Income	475	34%	70	10%	545	25%
Above Moderate Income	625	44%	200	27%	825	39%
Yolo County	36,895	55%	30,610	45%	67,505	100%
Extremely Low Income	2,035	3%	8,285	12%	10,320	15%
Very Low Income	2,600	4%	5,825	9%	8,425	12%
Low Income	4,780	7%	5,870	9%	10,650	16%
Moderate Income	6,720	10%	5,720	9%	12,440	18%
Above Moderate Income	20,760	31%	4,910	7%	25,670	38%

Source: SACOG, 2012

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

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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 2013. According to HCD, the estimated 2008 median income for a family of four is \$76,900 in the County.

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Table 10
Yolo County Income Limits (2013)

Household Size	Extremely Low-Income (30% of Median)	Very Low-Income (50% of Median)	Low-Income (80% of Median)	Moderate-Income (120% of Median)
1 Person	\$16,150	\$26,950	\$43,050	\$64,600
2 Persons	\$18,450	\$30,800	\$49,200	\$73,850
3 Persons	\$20,750	\$34,650	\$55,350	\$83,050
4 Persons	\$23,050	\$38,450	\$61,500	\$92,300
5 Persons	\$24,900	\$41,550	\$66,450	\$99,700
6 Persons	\$26,750	\$44,650	\$71,350	\$107,050
7 Persons	\$28,600	\$47,700	\$76,300	\$114,450
8 Persons	\$30,450	\$50,800	\$81,200	\$121,850

Source: California Dept. of Housing and Community Development, 2007.

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 guideline for poverty is adjusted each year by the federal government for household size. **Table 11** provides 2013 poverty guidelines for several types of households.

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Table 11
Poverty Guidelines (2013)

Persons in Family/Household	Poverty Guideline
1	\$11,490
2	15,510
3	19,530
4	23,550
5	27,570
6	31,590
7	35,610
8	39,630

For families/households with more than 8 persons, add \$4,020 for each additional person.
Source: Federal Register Vol. 78, No. 16, January 4, 2013.

The 2007-2011 ACS conducted by the Census Bureau shows that 9.5 percent of the City's population had incomes below the federally defined poverty level at that time; this is 4.5 percent higher than reported in the 2000 Census. Female-headed households with children younger than 18 in 2000 had a 5.8 percent poverty rate, compared to the 1.6 percent female-headed households reported in the 2000 Census. In 2007-2011, 9.4 percent 18 and older were below the poverty level, representing an increase of 4.4 percent since 2000. Persons 65 and older had a 7.7 percent poverty rate, compared to 6 percent in 2000.

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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. The highest reported poverty rate, 18.9 percent, was reported for married couple families with related children under 5.

Table 12
Winters Poverty Rates [1] (2007-2011)

Group	
All People	9.5%
65 and Over	7.7%
Under 18	9.6%
18-64	9.7%
All Families	7.3%
With related children under 18	9.0%
Married couple families	9.2%
Married couple families with related children under 5	18.9%
Families with female householder, no husband	3.3%
Female-headed family with children under 18	7.1%

Source: SACOG, 2012; 2007-2011 American Community Survey
[1] Data is only provided as a percentage

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 306 jobs between the 2000 Census and the 2006-2010 ACS; a growth rate which, at 10 percent, was significantly lower than the County's 18 percent increase in employment for that period. Local jobs in the City are projected to increase from 1,990 in 2008 to 3,116 in 2035. It is noted that the 2035 estimate is less than the number of employed residents in 2006-2010, meaning that a significant number of residents will continue to commute outside the City.

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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 0.79 local jobs per household.

**Table 13
Historical and Projected Employment**

	Number of Residents Employed		SACOG Estimates – Local Jobs by Job		
	2000	2006-10	2008	Site 2020 Forecast	2035 Forecast
	Yolo County	76,648	90,422	102,379	113,383
Winters	2,927	3,233	1,990	2,239	3,116

Source: US Census, 2000; SACOG, 2012

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) ~~construction~~; (3) ~~transportation, warehousing, and utilities~~; and (4) ~~information~~. 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). ACS) data for 2006-2010 are also provided for reference.

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 2007-2011, approximately 54.6 percent of all City residents worked in the City or Yolo County. The most common method of travel to work was a car, truck, or van (91.5 percent); other forms of travel to work include walking (5.6 percent), public transportation (0.6 percent), and bicycle (0.4 percent). In 2007-2011, the average time traveled to work was 26.5 minutes.

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Table 14
Employment by Industry

	2000		2006-2010		2006-2010	
	Number	Percentage	Winters	Yolo County	Number	Percentage
Agriculture, forestry, fishing and hunting, and mining	208	8%	306	3,075	9%	3%
Construction	209	8%	481	5,163	15%	6%
Manufacturing	173	6%	227	4,111	7%	5%
Wholesale trade	265	10%	144	2,325	4%	3%
Retail trade	260	10%	370	9,508	11%	11%
Transportation and warehousing, and utilities	138	5%	317	3,632	10%	4%
Information	28	1%	50	1,625	2%	2%
Finance, insurance, real estate, and rental and leasing	170	6%	73	4,588	2%	5%
Professional, scientific, mgmt., admin., and waste mgmt. svcs.	172	6%	202	9,508	6%	11%
Educational, health and social services	500	18%	509	27,761	16%	31%
Arts, entertainment, recreation, accommodation and food services	204	8%	228	7,456	7%	8%
Other services (except public administration)	177	7%	194	3,951	6%	4%
Public administration	224	8%	132	7,719	4%	9%
TOTAL	2,728	100.0%	3,233	90,422	100.0%	100.0%

Source: 2000 Census; SACOG, 2012

[1] Civilian employed population over the age of 16.

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
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.

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 2000 and 2010. The population aged 65 and older has increased by 26 percent, more slowly than the total population which has increased by 32 percent. 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.

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Between 2000 and 2010, the largest increase in the City's senior population occurred in the 65 to 69 (from 128 to 204), while the greatest rate increase was in the 95 to 99 cohort which increased by 167% (5 persons).

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Table 17
Pattern of Aging of the Winters Population

	2000	2010	Percentage Change
Total Population 65 and Over	477	601	26%
65 to 69	128	204	59%
70 to 74	128	142	11%
75 to 79	95	99	4%
80 to 84	71	76	7%
85 to 89	37	52	41%
90 to 94	14	19	36%
95 to 99	3	8	167%
100+	1	1	0%

Source: 2000 Census; SACOG, 2012.

In 2010, the incidence of poverty among the population in the City aged 65 years and older was 7.7 percent, an increase from 5.9 percent in 2000. Persons between the ages of 18 and 64 had a poverty rate of 9.7 percent; the rate in 2000 was 4.9 percent. These percentages show that, as a group, persons 65 years and older in the City are not more adversely affected by poverty than the population aged 18 to 64. It is not unusual for seniors to have lower 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 73 percent in 2010, compared to 68.9 percent for the total population. Although seniors represent about 9 percent of the population, they comprise 13 percent of all homeowners. Table 18 shows tenure by age for the senior population.

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Table 18
Tenure – Senior Households

	65 to 74 years		75 to 84 years		85+ years		Total Senior Households	
	#	%	Number	%	#	%	#	%
	2000	311						
Owner	114	37%	91	29%	32	10%	237	76%
Renter	47	15%	21	7%	6	2%	74	24%
	2010	385						
Owner	166	43%	74	19%	42	11%	282	73%
Renter	53	14%	35	9%	15	4%	103	27%

Source: SACOG, 2012

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 Sacramento 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. More recent data regarding the poverty rates of disabled persons is not available for cities of Winters' size. Persons with disabilities, 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

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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, 1,055 persons aged 5 or more had a disability and 699 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 (see Table 19). The 2000 Census data is the most recent data available as the American Community Survey does not provide disability data for communities under 20,000.

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Table 19
Disabled Population

	Total Civilian Noninstitutionalized Population aged 5 and Over	With a Disability		Ages 21 to 64 with a Disability and Self-Care Limitation	
		Number	Percent	Number	Percent
2000	5,616	1,055	19%	699	12%

Source: SACOG, 2012; EPS, 2008

Developmentally Disabled Persons

The persons with a disability category includes persons with developmental disabilities. "Developmental disability" means a disability that originates before an individual attains age 18 years, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual." This term includes mental retardation, cerebral palsy, epilepsy, autism, and disabling conditions found to be closely related to

mental retardation or to require treatment similar to that required for individuals with mental retardation, but does not include other handicapping conditions that are solely physical in nature.

While the US Census reports on mental disabilities, which include developmental disabilities, the Census does not identify the subpopulation that has a developmental disability. The Alta County Regional Center maintains data regarding people with developmental disabilities, defined as those with severe, life-long disabilities attributable to mental and/or physical impairments, and reports that there are 1,187 developmentally disabled persons in Yolo County. Countywide, 78% of developmentally disabled persons reside with a parent or relative and the remaining 22% live in group living or care/supportive facilities. Winters has a population of 46 developmentally disabled persons. Table 20 identifies the developmentally disabled population in Winters by age.

Developmentally disabled persons may live with a family in a typical single family or multifamily home, but some developmentally disabled persons with more severe disabilities may have special housing needs that may include extended family homes, group homes, small and large residential care facilities, intermediate care, and skilled nursing facilities and affordable housing such as extremely low /very low /low income housing (both rental and ownership), Section 8/housing choice vouchers, and single room occupancy-type units (North Bay Regional Center 2012). There is one licensed care facility in the City which has capacity for 6 developmentally disabled adults.

Table 20
Developmentally Disabled Population by Age (Zip Code 95694)

Age Range	0 to 14	15 to 22	23 to 54	55 to 64	65 +	Total
Population	19	11	14	2		46

Source: SACOG, 2012

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 2,186 households in the City in 2010, 255 were female-headed families, or 12 percent of the total households in the City (see Table 5). Of the female-headed households, 164, or 64 percent, were female-headed households with minor children (see Table 21). The ACS data identifies that there 3.3% of female-headed householders were below the poverty level and 5.8% of female-headed households with children under 18 were under the poverty level. As a whole, female-headed households have a

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lower poverty rate (3.3%) than all families (7.3%) and female-headed households with children under 18 have a lower poverty rate than all families with children under 18 (7.1% compared to 9.0%) (see Table 12). While the poverty rates for female-headed households are not disproportionately high, single-parent households often have a higher ratio between their income and living expenses than families with two income-earners. Therefore, finding affordable, decent, and safe housing can be more difficult for single parent and female-headed households.

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Table 21
Female-Headed Families

	Female Headed Family	Female Headed Family With children under 18	Female Headed Family With No children under 18	
	Number	Number	% of Female Headed Families	% of Female Headed Families
2000	244	159	65%	35%
2010	255	164	64%	36%
Change	11	5	3%	7%

Source: SACOG, 2012

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 22
Household Size versus Bedroom Size by Tenure

Tenure	5 Person Households			6 Person and Larger Households		
	3 BR Units	House-holds	<Shortfall>/Excess	4+ BR Units	House-holds	<Shortfall>/Excess
Owner	771	159	612	380	101	279
Renter	264	78	186	25	57	<32>

Source: SACOG, 2012

Table 22 compares household size by tenure to the unit size of owner and renter housing. As Table 22 illustrates, there are adequate three-bedroom owner and renter units for five-person households. However, there is a shortfall of rental units for 6-person and larger households.

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Of the City's assisted rental units (Table 43), Almondwood has six three-bedroom units; Winters Apartments has ; Orchard Village (constructed during the RHNA period) has 32 three-bedroom units and four four-bedroom units; Winters Village (formerly Winters II) has 12 three-bedroom and two four-bedroom units. 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. The 2000 CHAS data is the most recent available data as updated CHAS data by household size was not provided in the SACOG data package.

According to Census data (which may vary from CHAS data), in 2010, 18 percent of all households in the City had five or more persons, a significantly higher than the proportion of large families countywide (10 percent). Of the total occupied housing units in the City, 260 were owner-occupied households of five or more persons and 135 were renter-occupied households of five or more persons. The large family renter households, particularly those with 6 or more persons, have the greatest needs related to housing availability and affordability.

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FARMWORKERS

In Yolo County, there were 2,430 farm workers identified in the 2011 ACS, a 20 percent increase from the 2007 USDA survey (SACOG, 2012). The 2011 data does not identify the number of days worked per year; however, the 2007 USDA data identified that 49% of the County's farm workers worked less than 150 days of the year. According to SACOG data, 266 persons of the City's total labor force were employed in farming, forestry, and fishing occupations, an increase of 9 percent since 2000 as shown in Table 23. 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. Detailed data regarding the specific occupations and wage levels of the City residents employed in farming, forestry, and fishing occupations is not available at the City level. In its Occupational Employment Statistics (OES) Survey Results, EDD reports that Yolo County, part of Sacramento-Arden Arcade-Roseville MSA, mean hourly wages in the agricultural industry range from \$9.47 for farmworker and laborers working in the crop, nursery, and greenhouse categories to \$30.01 for first-line supervisors/managers (see Table 24).

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Table 23
Farm Employment—Winters

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Occupation	2000	2007-2011	Change
Farming, fishing, and forestry	245	266	9%

Source: US Census, 2000; SACOG, 2013

Table 24
Farm Employment and Wages – Yolo County

Occupational Title	May 2012 Employment Estimates	Mean Hourly Wage	Mean Annual Wage
First-Line Supervisors/Managers of Farming, Fishing, and Forestry Workers	170	\$30.01	\$62,433
Agricultural Inspectors	80	\$22.80	\$47,435
Farmworkers and Laborers, Crop, Nursery, and Greenhouse	2,060	\$9.47	\$19,698
Farmworkers, Farm and Ranch Animals	130	\$12.97	\$26,975
Agricultural Workers, All Other	(3)	\$22.67	\$47,165
TOTAL	2,437		

Source: EDD, 2013

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 25](#). 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.

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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 25
Housing for Migrant Workers

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

"migrant"

Source: Yolo County Housing Authority

HOMELESS

The HPAC conducted the HUD-required count of homeless individuals and families on January 29, 2009. There were no homeless individuals identified in the City of Winters. This is consistent with the findings of the January 30, 2007 count by HPAC which also did not locate any homeless persons in Winters. Using HUD criteria, the 2009 HPAC survey identified homeless people as individuals who were residing in the following conditions:

- Emergency shelters,
- Transitional housing, including using a voucher, but originally came from the sheets or emergency shelter,
- A 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. The count identified 491 homeless persons, with 489 of the homeless persons located in the County's largest cities (Davis, West Sacramento, and Woodland) and only two of the homeless persons located in a rural area.

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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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 26 shows annual changes in the composition of the City’s housing stock from 2000 to 2012. The majority of homes in the City are single-family detached units (72 percent). The City’s stock of 2-4 unit and 5+ unit structures has increased considerably, with multi-family units representing 19 percent of the City’s housing stock, an increase from 13 percent in 2000. Attached single family units represent 5 percent of the housing stock and mobile homes represent 4 percent of the housing stock.

Table 26
Housing Composition Estimates

	Total	SF detached	SF attached	2-4 units	5+ units	Mobile Homes
2000	1,967	1,532	106	67	183	79
2010	2,271	1,804	106	67	216	78
2012	2,371	1,715	109	183	276	88
change 2000-2012	21%	12%	3%	173%	51%	11%

Source: SACOG, 2012.

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- Deleted: The City added an apartment complex in 2008 which was not included in the Department of Finance estimates provided in Table 21.
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Production during the Last Planning Period

The prior Housing Element planning period, as defined by HCD was from January 1, 2006 through June 30, 2013. 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 2016-2013 planning period. The vast majority of housing production in the City overall was affordable multi-family units. In 2006, the Winters II affordable apartment project was permitted and in 2010, the 74-unit affordable Orchard Village project was permitted. Five single family homes, including one manufactured home and two second dwelling units, were permitted. 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.

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Table 27
Recent Housing Permit Activity (2006-2013)

Year	Single-Family	Multifamily	Total Permits Issued
2006	2	34	36
2007	3	0	3
2008	0	0	0
2009	0	0	0
2010	0	0	0
2011	0	0	0
2012	0	74	74
2013	0	0	0
TOTAL	5	108	113

Source: City of Winters, 2013

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HOUSING OCCUPANCY

Vacancy

From 2000 to 2010, the vacancy rate in Winters increased from 2 percent (41 units) to 5 percent (113 units) as shown in Table 28. The majority of vacancies were in units for rent or for sale (65 units), with the remaining vacant units either rented or sold but not occupied (7 units), for seasonal, recreational, or occasional use (12 units), or other types of vacancies (29 units).

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Table 28
Housing Occupancy

	Total Vacant	For Rent	For Sale	Rented or Sold, Not Occupied	Seasonal, Recreation, Occasional Use	Other Vacant
2000	41	0	17	0	0	24
2010	113	40	25	7	12	29
Change	176%		47%			21%

Source: 2000 Census; SACOG, 2012.

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Homeownership

In 2000 and 2010, homeownership among City households significantly exceeded that of households countywide. The homeownership rate in 2000 for the City was 69 percent, while countywide homeowners represented 53 percent of all households. This same relationship continued in 2010, when the Census reported the City's homeownership rate of 65 percent, and the countywide rate of 53 percent. As is shown in Table 29, 65% of households in Winters own their home and 35% rent. The homeownership rate has decreased by 4 percent since 2000.

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Table 29
Tenure (2010)

	2000 Number	Percent	2010 Number	Percent
Winters				
Owner	1,314	68.9%	1,425	65.2%
Renter	593	31.1%	761	34.8%
Yolo County				
Owner	31,506	53.1%	37,416	52.8%
Renter	27,869	46.9%	33,456	47.2%

Source: SACOG, 2012

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 30). The majority of the age groups in Table 30 have high homeownership rates that are similar to the city-wide homeownership rate (65.2 percent). The exception to this are the younger age groups, which have lower ownership rates; 88 percent of homeowners age 15-24 rent and 59 percent of homeowners age 25-34 rent. 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.

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Deleted: 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.

Table 30
Homeownership Rates by Age (2010)

Age Group	Owner		Renter	
	Number	Percent	Number	Percent
15 to 24 years	8	1%	59	8%
25 to 34 years	117	8%	170	22%
45 to 54 years	259	18%	171	22%
45 to 54 years	476	33%	146	19%
55 to 64 years	283	20%	146	19%
65 to 74 years	166	12%	53	7%
75 to 84 years	74	5%	35	5%
85+ years	42	3%	15	2%
TOTAL	1,425	100%	761	100%

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Source: SACOG, 2012

Table 31 identifies homeownership rates by income level. The lowest ownership rate, 10 percent, is among extremely low income households with incomes less than 30 percent of the area median income. The highest ownership rate is among moderate income households earning 80 to 100% of the median income.

Table 31
Homeownership Rates by Income Level (2010)

	<= 30% of Median Income		30-50% of Median Income		50-80% of Median Income		80-100% of Median Income		100% or more of Median Income	
	#	%	#	%	#	%	#	%	#	%
Owner	24	10%	145	73%	139	42%	475	87%	625	76%
Renter	220	90%	55	28%	189	58%	70	13%	200	24%
TOTAL	244	11%	200	9%	328	15%	545	25%	825	39%

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Source: SACOG, 2013

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 32 shows that greater than half of all housing units in the City were constructed since 1980 (55 percent). This data reveals that most homes in the City are generally less than 30 years old—these newer dwellings are unlikely to need deferred maintenance, rehabilitation, or replacement.

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Table 32
Ages of Housing Units

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Year Constructed	Number of Units	Percentage
Built 1939 or earlier	196	9%
Built 1940 to 1949	152	7%
Built 1950 to 1959	185	8%
Built 1960 to 1969	187	8%
Built 1970 to 1979	290	13%
Built 1980 to 1989	545	24%
Built 1990 to March 2000	412	18%
March 2000 to 2004	261	11%
Built 2005 to 2010	43	2%
Total in 2010	2,271	100%

Source: SACOG, 2012

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 33.

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Table 33
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.

Table 34 identifies housing units in Winters with substandard conditions. Substandard, in this case, means a housing unit that has one or more of four housing unit problems: lacks a kitchen, lacks plumbing, has more than 1 persons per room, or has cost burden greater than 30%. A total of 2,142 occupied housing units were identified in Winters as part of the CHAS data. Of these occupied housing units, 44% have some type of housing problem. While the specific housing problem is not identified, it is anticipated that households earning 100% or more of median income primarily have housing problems associated with overpayment since this income group can typically afford a housing with a kitchen and plumbing, as well as an adequately sized unit to accommodate the family. The majority of extremely low, very low, and low income units that have a housing problem are renters.

Table 34
Estimate of Substandard Units

	Occupied Unit with 1 or More Problems	<= 30% of Median Income	30-50% of Median Income	50-80% of Median Income	80-100% of Median Income	100% or more of Median Income
Owner	580	25	145	95	65	250
Renter	360	160	55	115	35	0
TOTAL	940	185	200	210	100	250

Source: SACOG, 2012

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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 35 summarizes the overcrowding status in the City and County based on 2010 Census data. Approximately 7 percent of the City's occupied housing units were overcrowded, compared to 7.5 percent reported in the 2000 Census. Approximately 5 percent of the County's housing units were overcrowded in 2010, representing a reduction from the 6 percent reported by the 2000 Census. In Winters, there are no severely overcrowded units (units that have more than an average of 1.51 persons per room).

Comparably, there is a slightly higher rate of overcrowding in the City than exists within the housing market countywide. However, while the majority of overcrowded units in the City are owner occupied, the majority of overcrowded units in the County are renter occupied.

Table 35
Persons per Room in All Occupied Housing Units (2010)

	Total Occupied Units	Owner Occupied Units		Renter Occupied Units		Owner & Renter Occupied Units 1.0 or less
		Over-crowded	Severely Over-crowded	Over-crowded	Severely Over-crowded	
Winters	2,155	95	0	65	0	1,995 / 93%
Yolo County	67,500	695	180	1,740	725	64,160 / 95%

Source: SACOG, 2012

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- Deleted: 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.
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HOUSING COSTS

Rental Housing

Very few units are currently available for rent in Winters. Two bedroom apartment units are listed from \$900 to \$1,050 (rent.com, 2013) and a survey of rental units on Craigslist.com identified three units with rates ranging from \$1,200 for a two bedroom/one bath home to \$2,000 for a three bedroom/two bath home on a large lot.

The median gross rent from the 2006-2010 ACS was \$984, an increase of 42 percent from the 2000 gross rent of \$692 (SACOG, 2012).

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- Deleted: 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 33](#), 4 of 75 were evaluated to need modest rehab; the rest are not in need of repair.

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The HUD-published [2013](#) fair market rents for the County area are provided in [Table 37](#).

Table 36
Fair Market Rents for Existing Housing in Yolo County (2008)

Studio	One Bedroom	Two Bedroom	Three Bedroom	Four Bedroom
\$741	\$801	\$1,082	\$1,594	\$1,860

Source: HUD, 2013

Deleted: Table 31
Market Rate Rentals in Winters

Complex	1 be
Creekside Apartments	
208 Grant Avenue Apts.	
108 Grant Avenue Apts.	
East Street Apts.	
Sylvestri Apt. (Anderson Ave.)	
11 Baker (trailers)	
Total	

Source: City of Winters, May 2008

Home Prices

From 2003 to 2007, the median sales price of a home in Winters increased from \$300,500 to \$378,000. RealtyTrac reports a current median sales price of \$300,000, it is likely that this includes more expensive homes typically on large lots in the Winters zip code that are in the unincorporated County. According to MetroListMS, recent home sales in Winters have ranged from \$109,00 for a two-bedroom/one bath home to \$332,000 for a four bedroom/three bath home, with a median price of \$210,000. While MetroListMLS shows three sales over \$329,00, these homes are located in the unincorporated area of the County in the vicinity of Winters.

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Deleted: 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).

There are 11 homes currently listed for sale in Winters, with a median sales price of \$262,5000 and a range from \$155,000 for a 1,490 square foot four bedroom/two bath home to \$315,000 for a 1,474 three bedroom/two bath home.

As shown in [Table 37](#), median home values have increased from \$147,800 in 2000 to \$349,300, an increase of 58%. Home values in Yolo County increased comparably.

Table 37
Median Housing Value,

	2000	2006-2010	
Yolo County	\$164,400	\$391,300	58%
Winters	\$147,800	\$349,300	58%

Source: SACOG, 2012

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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.

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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 38**.

Based on the 2005-2009 CHAS data provided by SACOG, 894 (41 percent) of the 2,155 households in the City pay 30 percent or more of their income on housing. As summarized in Table 38, the majority of households overpaying for housing are homeowners. The income group with the most households overpaying is the above moderate income group with 235 households overpaying, followed by the extremely low income group with 184 households overpaying.

Table 38
Households by HUD Income Category Paying 30-50% of Income for Housing

	TOTAL	Extremely Low Income ≤30% of Median	Very Low Income 30-50% of Median	Low Income 50-80% of Median	Moderate 80 to 100% of Median	Above Moderate 100%+ of Median
Owner						
Paying 30-50%	359	4	20	60	55	220
Paying 50% +	185	20	105	35	10	15
Renter						
Paying 30-50%	165	65	10	55	35	0
Paying 50% +	185	95	45	45	0	0
Total Households Overpaying		184	180	195	100	235

Source: SACOG, 2012

AFFORDABILITY

Table 39 shows a percentage of affordable rental units at each income level in 2013. According to SACOG data, the median gross rent was \$984 in the City. People with extremely low and very low-incomes had few affordable rental housing options, generally limited to subsidized units. Very low income households can afford a for-sale home, with home prices currently starting in the low \$100,000 range.

Households in the low income range can afford the median rent as well as for-sale homes at entry prices. People with low-incomes had more options than those with very low-incomes. Moderate income households can afford both market rate rental apartment and homes, as well as for-sale homes.

No. of Bedrooms	Houses Sold
1	0
2	1
3	22
4	8
5	2
Total	33

Source: MetroList MLS, 2007.

[1] According to City staff, homes located outside City limits.

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

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Table 39
Sales Price and Rent Affordability by Income Level

Household Size	Extremely Low-Income			Very Low-Income		
	(30% of Median)	Rent	Home Sales Price	(50% of Median)	Rent	Home Sales Price
1 Person	\$16,150	\$404	\$53,520	\$26,950	\$674	\$99,300
2 Persons	\$18,450	\$461	\$61,640	\$30,800	\$770	\$112,550
4 Persons	\$23,050	\$576	\$77,200	\$38,450	\$961	\$138,500
6 Persons	\$26,750	\$669	\$89,560	\$44,650	\$1,116	\$159,200

Household Size	Low-Income			Moderate-Income		
	(80% of Median)	Rent	Home Sales Price	(120% of Median)	Rent	Home Sales Price
1 Person	\$43,050	\$1,076	\$162,920	\$64,600	\$1,615	\$244,000
2 Persons	\$49,200	\$1,230	\$184,080	\$73,850	\$1,846	\$275,840
4 Persons	\$61,500	\$1,538	\$226,150	\$92,300	\$2,308	\$339,300
6 Persons	\$71,350	\$1,784	\$259,160	\$107,050	\$2,676	\$389,480

Source: CNN.com affordability calculator. Rents are gross rents, with no utility allowance. Home sales prices assume a 30-year mortgage at 6% with a downpayment of \$5,000 to \$35,000, based on income level, 1% property tax rates.

Deleted: 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 39 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.

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III. CITY AFFORDABLE HOUSING DEVELOPMENTS AND PROGRAMS

INVENTORY OF ASSISTED RENTAL HOUSING UNITS

The City is fortunate to have six 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 40** displays the list of these rental developments along with the main source of subsidy.

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Table 40
Assisted Rental Units

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Property	Total Units	Subsidized Units	Source	Type	Year Built	Subsidy Expiration
Winters Village (formerly Winters II) 116 East Baker Street	34	34	USDA 5	Family	2003	2063
Orchard Village 955 Railroad Avenue	74	73	LIHTC, CTCAC	Family	0	2065
Winters Senior Apartments 400 Morgan Street	38	37	LIHTC, USDA	Senior	1994	2043
Almondwood Apartments 801 Dutton Street	39	38	LIHTC, USDA 538	Family	1984	2052
Winters Apartments 110 East Baker Street	44	44	LIHTC, CTCAC	Family	2007	2058
Cradwick Building 17 Main Street	6	6	CDBG, CHRP-R	Studio	1997	2053
TOTAL	235	232				

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. Table 40 identifies assisted projects in Winters. There are no at-risk housing projects in Winters.

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. The City committed funds and worked with the developer to secure acquisition-rehabilitation funding through USDA Rural Development to ensure the long-term affordability of these units.

Deleted: 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 interest in being notified of the availability of assisted rental housing. Table 41 lists the organizations interested in acquiring at-risk housing in Yolo County; additional qualified entities that are active in all counties are identified on HCD's website at: www.hcd.ca.gov/hpd/hrc/tech/presrv.

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Table 41
Non-Profit Housing Organizations Interested in Acquiring At-Risk Housing (Yolo County)

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Qualified Entity Name	Address	City	Phone Nu
ACLIC, Inc	315 N San Joaquin St	Stockton	(209) 461
C. Sandidge and Associates	2200 San Pablo Ave # 202	Pinole	(510) 961
Christian Church Homes of Northern California, Inc.	303 Hegenberger Road, Ste. 201	Oakland	(510) 631
Community Housing Opportunities Corporation	1490 Drew Ave., Suite 160	Davis	530)751
Eskaton Properties Inc.	5105 Manzanita Ave	Carmichael	(916) 331
Nehemiah Progressive Housing Development Corp.	1851 Heritage Lane, Ste. 201	Sacramento	(916) 231
Rural California Housing Corp	3120 Freeboard Drive, Suite 201	West Sacramento	(916) 441
Sacramento Mutual Housing Assoc.	3451 Fifth Ave	Sacramento	(916) 451
Sacramento Valley Organizing Community	3263 1st Ave	Sacramento	(916) 451
Sacramento-Yolo Mutual Housing Association	8001 Fruitridge Road, Suite A	Sacramento	(916) 451
Solano Affordable Housing Foundation	2400 Hillborn Rd, Lower Level	Fairfield	(707) 421
Yolo Mutual Housing Association	No contact information provided		

Source: HCD, 2013

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 Housing Element update.

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LAND USE PROGRAMS

Inclusionary Housing

Chapter 17.200 of the Municipal Code requires at least 15 percent of all new development consisting of five or more housing units to 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 inclusionary housing requirement does not apply to development projects within the Community Development Agency redevelopment area that contain fifteen or fewer residential units; this provision will expire at the end of 2013. While the City encourages units to be included on-site, a developer may fulfill the requirement through multiple options, including land dedication, off-site construction, acquisition, rehabilitation, and conversion of market rate units, conversion of market rate units, accessory units, inclusionary housing credits, payment of in-lieu fees, cooperative ventures, sweat equity projects, a combination of the above, or other alternatives proposed by the developer. The City may grant, at its discretion, a variety of incentives and assistance mechanisms, including fee waivers or deferrals, inclusionary housing credits, local public funding, modification of development standards, and mixed use projects, upon request of the developer.

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Density Bonus

The City's Density Bonus Ordinance (Section 17.60.030 of the Municipal Code) provides for greater densities in exchange for the development of affordable housing. The City will revise its Density Bonus Ordinance in 2012 to bring it into compliance with current State law. Density bonuses are provided in accordance with Government Code Section 65915 et seq, allowing up to a maximum 35 percent density bonus to promote affordable and/or senior housing units and to promote affordable units in condominium conversions. Consistent with state law, the ordinance provides for incentives and maximum parking requirements.

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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 September 2011, called the "2013-2021 Regional Housing Needs Plan". This plan covers the period from January 1, 2013, through October 31, 2021 (planning period). The plan identifies the Regional Housing Needs Allocation (RHNA), which establishes the total number of housing units that each city and county must plan for within the planning period.

SACOG's methodology is based on regional population and housing forecasts developed for the 2035 Metropolitan Transportation Plan (MTP) Update. 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 City must demonstrate that it will provide adequate sites to accommodate the required units. However, the City 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 4319. Table 42 shows the City's 2013-2021 RHNA.

Table 42
Regional Housing Needs Allocation (2013-2021)

	Very Low (30-50% of Median Income)	Low (50- 80% of Median Income)	Moderate (80 to 120% of Median Income)	Above Moderate (120%+ of Median Income)
Allocation	76	54	59	130
Percent	23.8%	16.9%	18.5%	40.8%

Source: SACOG, 2012

No units have been constructed to date.

AREAS WITH POTENTIAL FOR RESIDENTIAL DEVELOPMENT

The City has identified 15 sites with the potential for short and medium term residential development. Table 43 provides a list of these sites and zoning information. There are approximately 178.81 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 981 new units in various residential and mixed use developments.

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Of the City's potential sites, Sites 1 through 6 have land use entitlements and Site 7 has a potential project, as described in greater detail below. As approved, the six entitled sites will provide 39 very low, 40 low, 20 moderate, and 581 above moderate income units. Two of the developers have requested to pay in-lieu fees rather than construct the affordable units, as described below. These requests have not yet been considered by the City Council. The City's Successor Agency owns Site 7 and is working with an affordable housing developer to provide 20 very low, 20 low, and one market rate unit on 1.50 acres of the site, as described below.

The potential for residential development for each site is described in detail below and the sites are identified on **Map 1**.

Table 43 Inventory of Housing Sites

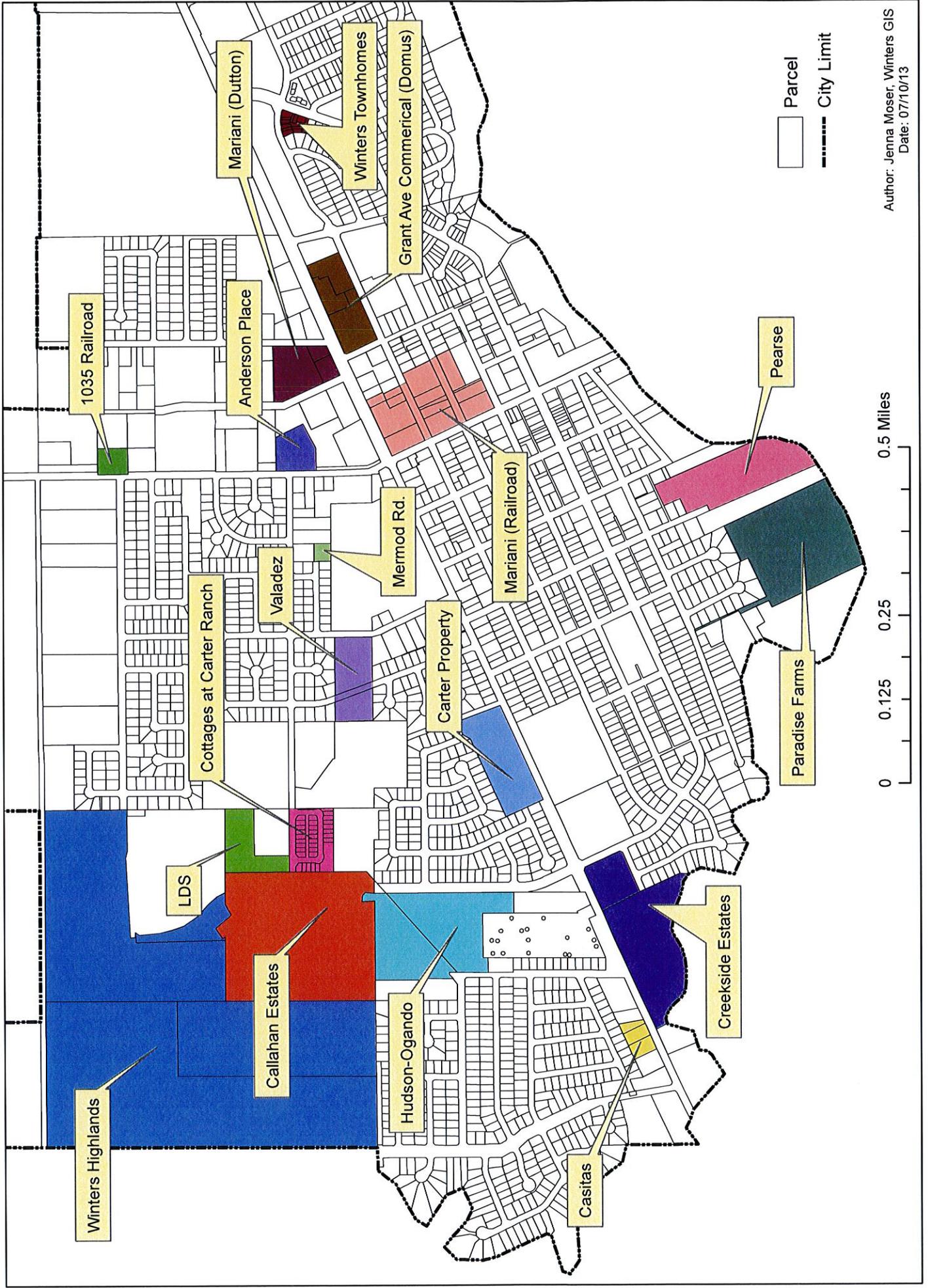
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#	Name	Applicant	Street Name/APN	Acres	Zoning (Density)	General Plan Land Use	Affordability			Total or Potential Units
							VLI	LI	Mod	
1	Callahan Estates	Hofmann Land Dev. Company	Anderson Avenue 030-220-22	26.44	R-1 (7.3)	LR	7	4	102	120
2	Creekside Estates	Don Miller	Grant Avenue & Main Street 003-430-12 & 003-120-04	13.75	R-2 (8.8)	MR	1	1	36	40
3	Winters Highlands	Granite Bay Holdings	Moody Slough Road 030-220-17, 19, & 33	101.54	R-1 (7.3), R-2 (8.8), R-4 (20), P-R & O-S	LR, MR, HR, PR, & OS	26	15	377	443
4	Hudson-Ogando	Hofmann Land Dev. Company	Main St./003-430-13 & 003-430-05	15.97	R-1 (7.3), R-3 (10)	LR, MHR	5	0	61	72
5	Casitas at Winters	Mark Power, Napa Canyon LLC	West Grant Avenue 003-45-15-1, 003-45-16-1, 003-45-17-1	1.27	C-1 (10), PD	NC	0	0	5	5
6	Winters Townhomes	Total Entitled Projects	E. Main Street 038-210-01 & 02 thru 11	0.66	C-1 (10)	NC	0	0	8	13
				159.44			39	40	581	680
7	Grant Avenue Commercial	Domus Development (parcels City-owned) Total Pending Projects	Grant Avenue: 1.50 portion of 003-370-028 through -030	1.50	C-2 (20)	CBD	20	0	1	41
				1.50			20	0	1	41
8	Cottages at Carter Ranch	Sacramento Pacific Development	Cottage Circle 030-391-06	0.47	R-2 (8.8)	MR	0	6	0	6
9	Pearse Parcel		Third Street 003-241-1	3.39	R-1 (7.3), O-S	LR, OS	0	0	4	4
10	Anderson Place		Railroad Avenue 003-322-20-1	2.13	C-2 (20), O-F (10), PD	CBD, O-F	1	1	24	28
11	Carter Property (aka Mary Rose Gardens)		Grant Avenue 003-524-19	5.69	R-2 (8.8)	MR	1	3	1	29

#	Name	Applicant	Street Name/APN	Acres	Zoning (Density)	General Plan Land Use	Affordability				Total or Potential Units
							VLI	LI	Mod	Above Mod	
12	LDS		Anderson Avenue 030-220-34	3.29	R-1 (7.3)	LR	1	1	1	14	17
13	Valadez		Hemenway Street 003-391-05 & 003-392-01	4.21	R-1 (7.3), PR	MR, PR	1	1	0	12	14
14	Mariani Properties (Railroad)		Railroad Avenue 003-160-03, -04, -10, -23, -25, - 33, -47, -48, -53, -54, -55, -62, - 63, -64	8.49	DB	DB	10	0	15	142	167
15	Mariani Properties (Dutton)		Dutton Street 003-321-01, 003-321-03, 003-321-04	3.96	C-2 (20)	CBD	4	0	5	51	60
16	Paradise Farms LLC (Liawi Village)		Liawi Village 030-230-17	15.01	R-1 (7.3) & OS	LR	6	0	10	93	109
17	1035 Railroad Avenue		1035 Railroad Avenue 003-360-010	1.09	R-4 (20)	HR	10	10	0	0	20
18	0 Mermod Road		0 Mermod Road 003-282-020	0.49	R-2 (8.8)	MR	0	0	4	0	4
Total Unidentified Projects				48.23			34	34	16	43	365
Totals				207.11			93	76	63	947	1,179
RHNA Allocation							76	54	59	130	319
Surplus							17	22	4	817	860

Source: City of Winters, 2013

Housing Element Inventory of Sites



The City had received proposals for many residential projects in the past decade. With the slow down of the economy, particularly in the residential market, only a small number of infill units and two affordable rental projects were constructed since 2005. Though the City has entitled 686 residential units in five development projects, due to current market conditions, the developers of these units have not moved forward with the projects. To support the eventual development of these projects, the City has been working closely with applicants and renegotiating development agreements as feasible.

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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 CONSTRAINTS AND DESCRIPTIONS

The City Engineer reviewed the 15 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.

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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. Callahan Estates (APN 030-220-49)

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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. The First Amendment extended the agreement to December 31, 2016. 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. The City Council is scheduled to consider an amendment to the Development

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Agreement that would allow the affordable restricted units to be constructed off-site, facilitated by the payment of an in-lieu fee.

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2. 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. The City Council approved the First Amendment to the Development Agreement on December 20, 2011, with the agreement extended to December 20, 2019. 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.

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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.

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3. Winters Highlands (APN 030-220-17, 19, 40, & 50)

The City Council approved the Second Amendment to the Development Agreement on January 6, 2009. The Second Amendment extended the agreement to December 31, 2016. 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.

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4. Hudson-Ogando (APN 003-430-33, & 003-430-34)

City Council approved the First Amendment to the Development Agreement on January 20, 2009 for this 15.968-acre development. The First Amendment extended the agreement to December 31, 2016. The developer is proposing to construct 72 single-family units and a 2.149-acre portion of the project was used for a 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. As approved, the project will contain 5 very low income units and 6 low income units. The City Council is scheduled to consider an amendment to the Development Agreement that would allow the affordably restricted units, with the exception of the units targeted to moderate income households, to be constructed off-site, facilitated through the payment of an in-lieu fee. If the amendment is approved, the project would contain 7 moderate income units

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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.

5. 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.

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6. Winters Townhomes (038-210-01 through 11)

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.

Pending Projects

7. Grant Avenue Commercial (Liwai Village) (APN 003-370-028 through -030)

This 4.52 acre site is located on Grant Avenue, with excellent proximity to the local grocery store as well as medical and dental offices. The General Plan Land use Designation for the property is CBD (Central Business District), and the Zoning Designation is C-2 (Central Business District).

The site was purchased in foreclosure by the City's Redevelopment Agency, and the Successor Agency is working on the sale and development of the site. The City is in discussions with Domus Development, a non-profit housing developer, for the development of a 1.5 acre parcel carved out from the Grant Avenue Commercial project. The project site will support 41 units, given the existing zoning and assuming a 35% density bonus. 40 units would be targeted to very-low and low income households, with the manager's unit (1) uncovered by affordability restrictions. The developer anticipates seeking Low Income Housing Tax Credits for the project. It is anticipated the affordability of the units would be split evenly between very-low and low income units (20 VL & 20 Low); however, that could change slightly, based on project funding sources.

Unentitled Projects

8. 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 had proposed to develop 6 more units on the north side of the Rancho Arroyo Detention Facility. The planned units will target moderate income households.

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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. Due to economic conditions, the 6 units were not constructed and the tentative map has expired.

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9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. Mariani Property (Railroad – See Table 46)

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 are available. Zoning for this property is currently D-B; 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.

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15. 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.

16. 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.

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17. 1035 Railroad Avenue (APN 003-360-010)

This 1.09 acre site is located on Railroad Avenue and is currently listed for sale. With the existing R-4 zoning, the highest density zoning in the City of Winters, the project could support 20 units at a minimum, with additional unit potential available through density bonus.

18. 0 Mermod Road (APN 003-282-020)

This .49 acre property is located right next to an existing multi-family development commonly referred to as the Sylvestri Apartments and was listed for sale in 2013. The properties R-2 zoning allows for 8.8 units per acre. The City has had preliminary discussions with Yolo County Housing regarding the feasibility of this site for development of affordable housing.

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Deleted: 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.

Comparison of Inventoried Affordable Units and RHNA Requirements

Table 43 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 very low, low-, and moderate-income units. The comparison indicates that the City's planned and inventoried affordable units for all affordability levels households surpass the City's RHNA allocation.

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.

State Housing Element law identifies that sites allowing at least 20 units per acre are appropriate to accommodate lower income households in suburban jurisdictions (Government Code Section 65583.2(c)(3)(B)iii). Sites 3, 10, 15, and 17, identified in Table 43 and described previously, allow densities of 20 units per acre and higher densities can be achieved with a density bonus. As is shown in Table 43, the City accommodates very low and low income units with a range of densities.

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The five examples listed in **Table 44** 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.

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The City's most recent projects had densities of 19.88 dwelling units per acre (Winters II in 2007) and 14.8 units per acre (Orchard Village in 2011). Orchard Village was originally planned at a density of 17.6 units per acre, but the number of units was decreased in order to accommodate more three and four bedroom units. 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.

Deleted: Densities employed in the 1980s will likely not be adequate to facilitate sufficient production of affordable housing.

Table 44
Affordable Housing Densities

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Project Name	Constructed	Units	Acreage	Density
City of Winters				
1. Senior Apartments	1994	39	2.20	17.76
2. Almondwood Apartments	1983	39	3.56	10.97
3. Winters Apartments	1982	44	3.40	12.93
4. Winters II Apartments	2007	34	1.71	19.88
5. Orchard Village Apartments	2011	74	5.0	14.8

Source: City of Winters, 2013

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AREAS WITH RE-USE POTENTIAL

Areas with the greatest re-use potential in the City are located in the former Redevelopment District. The Redevelopment District is approximately 669 acres and consists of one complete part, with one exception area.

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19. 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 principles. This project is currently dormant, as financing became unattainable as a result of economic conditions. The site is indicated on **Map 1**.

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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 45 provides information on single-family and multifamily residential vacant lots for sale for sale in Winters (July 2013). Land prices in Winters vary, from \$84,500 for a single family lot, to \$300,000 to \$500,000 per acre for larger multifamily lots, as shown in Table 45. 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 project completed in the City was the Orchard Village affordable housing project in 2011.

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Table 45
Vacant Residential Land

Address	APN	Acres	GP	Zoning	Sales Price
437 Russell Street	003-182-071	0.12 acres	LR	R-1	\$84,500
1035 Railroad Ave	003 360 010	1.09 acres	HR	R-4	\$499,000
	003 282 020	0.43 acres	MR	R-2	\$150,000

Deleted: 0 Mermod Place

Source: MetroListMLS, 2013, farmandland.com, 2013, zillow.com, 2013

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. The previous 2008 Housing Element Update cited construction costs of \$125 to \$135 per square foot for residential construction, excluding land. Recent data collected by the City indicate construction costs of approximately \$160 to \$180 per square foot, including land. A local developer, Hildebrand Construction, has indicated that their construction costs range from \$65 to \$75 per square foot, not including land or fees. Single-family units targeting a more affordable market such as corner duplexes, could cost less to develop and are estimated from \$120 to \$150 per square foot, including land, depending on the size of the lot and the type of interior finishes.

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The Winters II project, an affordable housing project, cost approximately \$300,000 per unit not including land costs. The Orchard Village project, completed in 2011, cost \$157.92 per square foot to build plus additional land costs of \$8.5 per square foot. The most recent market rate homeownership project to be completed in the City, an attached single-family townhome project, 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 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.

Over the past five years, the credit markets have reacted to the high levels of mortgage defaults, some of which are due to "sub-prime" mortgages with non-traditional terms, by tightening their underwriting requirements. 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.

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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 46** shows various monthly payments necessary to service mortgages at various interest rates. On July 5, 2013, homes.com identified 30-year fixed rate loan products from 4.375 to 4.625 percent rates.

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Table 46
Monthly Payments and Total Interest at Various Interest Rates

Interest Rate	15-Year Loan			30-Year Loan		
	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 50 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. Table 51 identifies residential uses that are permitted and conditionally permitted in residential and other districts. The following is a description of the residential districts in the City and the allowable densities.

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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.

**Table 50
Residential Zoning Regulations**

Zone	Minimum to Maximum Density (units/acre)	Min. Site Area (sf/unit)	Min. Site Width (ft)	Front Yard Setback (ft)	Side Setback (ft)	Rear		Maximum Site Coverage	Parking
						Yard/Alley Setback (ft)	Secondary Frontage		
A-1: General Agricultural	No min., max: 1 unit/5 acres	5 acres	300	25[1]	20	15/5	20	-	-
R-R: Rural Residential	No min., max: 0.5 to 1 unit per acre	1 acre	100	25	15	25/5	20	-	-
R-1: 7,000 SF Average Minimum	4.1 to 6.0	3,500 – halfplex/5,000 SF	60, +10 corner lots	20/15 for front patios	5/10[2]	25/5	15	50% - single story 45% two-story	2 spaces [4]
R-2: 6,500 SF Average Minimum	5.4 to 8.8	3,000 – halfplex/5,000 SF	50, +10 corner lots	20/15 for front patios	5/10[2]	20/5	15	50% - single story 45% two-story	2 spaces [4]
R-3: Multifamily Residential	6.1 to 10.0	6,000 – SF/10,000 MF	60 SF/80 MF	20[1]/15 for front patios[2]	5/10[2]	20/5	20	bedroom = 1 space per unit, > 2 bedrooms = 2 spaces per unit, 0.25 spaces per unit guest parking [5]	<1
R-4: High Density Multifamily Residential	10.1 to 20.0	10,000	80	20[1]/15 for front patios[2]	5/10[2]	10/5	20	70%	45

Source: City of Winters, 2013

- [1] 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.
- [2] 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.
- [3] Add 5 feet if lot is located on a major arterial.
- [4] At least 50% of the required spaces shall be covered or enclosed, with a minimum of one covered or enclosed space provided per unit.
- [5] For a two-family duplex, 1.5 spaces per unit.

**Table 50
Allowable Residential Development**

Use	Residential					Other Zones		
	A-1 General Agricultural	R-R Rural Residential	R-1 7,000 SF Average Minimum	R-2 6,500 SF Average Minimum	R-3 Multifamily Residential	R-4 High- Density Multifamily Residential	C-2	PQP
Single Family	Permitted	Permitted	Permitted	Permitted	Conditional	Conditional	Not Permitted	Not Permitted
Duplex	Not Permitted	Not Permitted	Permitted	Permitted	Conditional	Conditional	Not Permitted	Not Permitted
Multifamily, 3+ units	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted	Permitted	Conditional	Not Permitted
Second Residential Units	Permitted	Permitted	Permitted	Permitted	Conditional	Conditional	Not Permitted	Not Permitted
Mobile Home Parks	Not Permitted	Conditional	Conditional	Conditional	Conditional	Conditional	Not Permitted	Not Permitted
Manufactured Home	Not Permitted	Permitted	Permitted	Permitted	Not Permitted	Conditional	Not Permitted	Not Permitted
Emergency Shelter	Not Permitted	Not Permitted	Conditional	Conditional	Permitted	Permitted	Permitted	Permitted
Single Room Occupancy	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted	Permitted	Conditional	Not Permitted
Convalescence and Care Services	Not Permitted	Conditional	Conditional	Conditional	Conditional	Conditional	Not Permitted	Not Permitted
Day Care, General [1]	Not Permitted	Conditional	Conditional	Conditional	Conditional	Conditional	Not Permitted	Not Permitted
Day Care, Limited [2]	Not Permitted	Permitted	Permitted	Permitted	Permitted	Permitted	Not Permitted	Not Permitted
Farmworker Housing Unit	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted
Farmworker Housing Complex	Permitted	Not Permitted	Not Permitted	Not Permitted	Permitted	Permitted	Permitted	Permitted
Transitional and Supportive Housing	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted

Source: City of Winters, 2013

[1] 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.

[2] 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.

[3] For single farmworkers, Single Room Occupancy housing is permitted.

Transitional and supportive housing units are residential uses subject only to those requirements and restrictions that apply to other residential uses of the same type in the same zone (Sections 17.124.020, 17.125.030).

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).

SPECIAL HOUSING TYPES

The Implementation Programs listed in the 2008 Housing Element identified revisions to the City's Zoning Ordinance to bring it in compliance with State law, particularly in regards to farmworker housing, second units, transitional housing, supportive housing, and emergency shelters. Table 49 displays current zoning information for special housing types, which reflect the changes the City undertook during the previous planning period.

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EMERGENCY SHELTER

In 2012, the City revised 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, consistent with the 2008 Housing Element.

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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 are 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 emergency shelters are subject to written, objective standards to regulate the following, as pursuant to Chapter 633, Statutes of 2007 (SB 2).

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- 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 provision of onsite management;
- The length of stay;
- Lighting;
- Emergency shelter management plan discussing operational rules and standards including expulsions, lights-out, client supervision, client services, and food services.

Deleted: <#>The size/location of exterior and interior onsite waiting and client intake areas; .

Deleted: <#>The proximity of other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart; .

Deleted: 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.

Table 49
Zoning Accommodations for Special Housing Types

Housing Type	Zone Districts	Allowable By-Right [1] or with CUP
Year-round emergency shelter (homeless)	R-3; R-4; C-2; PQP	By-right
Transitional Housing	R-3, R-4, C-2	By-right
Other Supportive Housing	R-3, R-4, C-2	By-right
Single-room Occupancy (SROs)	R-3, R-4, C-2	R-3 and R-4 by-right; C-2
Farmworker Housing	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	RR; R-1; R-2; R-3; R-4 (GCCSec. 65652.3)	R-R, R-1 and R-2 by-right; R-3; R-4 with CUP (same as with all single-family homes)

[1] Must conform to development standards for this district.

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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 48).

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Deleted: 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 than 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. In 2010, the City adopted an updated development impact fee schedule intended to encourage development by providing reduced development impact fees in most categories resulting from removing completed projects from the fee program and adjusting costs to reflect lower construction cost estimates.

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, planning fees would typically amount to a few hundred dollars per dwelling unit.

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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 49 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 \$160 per square foot for the first 1,500 square feet and \$170 per square foot for the remaining 350

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square feet of residence and \$45 per square foot for the garage for a total construction valuation of \$313,000.

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Table 50 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 \$8,512,000, 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.

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The valuation of this project is based on rates of \$160 per square foot for the dwelling units.

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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 51 lists fees charged by the City for the processing of various land use permits.

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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 49 Single-Family Building Permit and Development Impact Fees

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Permit/Development Fee	Amount
Building Permit	\$2,186.55
Plumbing Permit	\$467.31
Electrical Permit	\$357.98
Mechanical Permit	\$248.66
CARF	\$100.00
Plan Check and Reinspection	\$1,421.26
Energy Conservation Surcharge	\$163.99
Fire Plan Review	\$354.00
Construction Water	\$344.30
Water Service Impact Fee	\$4,346.00
Wastewater System Impact fee	\$5,902.00
General Storm Drain Impact Fee	\$63.00
Streets & Highways Impact Fee	\$3,067.00
Public Safety Impact Fee	\$394.00
Fire Service Impact Fee	\$1,382.00
Parks & Recreation Impact Fee	\$2,131.00
Monitoring fee	\$1,211.00
General Capital Impact Fee	\$2,012.00
Non Flood Study Area Impact Fee	\$454.00
Park In-Lieu Fee	\$900.00
School Impact Fee	\$5,642.50
Total	\$33,148.55

Source: City of Winters, 2013.

Note: Based on a single family unit with a livable area of 1,850 square feet, including a 500-square foot garage, and using low density residential impact fees. The construction valuation is based on rates of \$160 per square foot for the first 1,500 square feet and \$170 per square foot for the remaining 350 square feet of residence and \$45 per square foot for the garage for a total construction valuation of \$313,000.

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Table 50
Multifamily Development Building Permit and Development Impact Fee

Permit/Impact Fee	Amount
Building Permit	\$36,677.55
Plumbing Permit	\$7,365.51
Electrical Permit	\$5,531.63
Mechanical Permit	\$3,697.76
CARF	\$150.00
Plan Check and Reinspection	\$23,840.41
Energy Conservation Surcharge	\$2,750.82
Disabled Access Plan Review	\$5,501.63
Construction Water	\$9,363.20
Water Service Impact Fee	\$79,6884.00
Wastewater System Impact fee	\$154,224.00
General Storm Drain Impact Fee	\$1,23200
Streets & Highways Impact Fee	\$107,352.00
Public Safety Impact Fee	\$52,248.00
Fire Service Impact Fee	\$48,384.00
Parks & Recreation Impact Fee	\$74,592.00
Monitoring Fee	\$64,736.00
General Capital Impact Fee	\$70,392.00
Non-Flood Study Area Impact Fee	\$9,016.00
Park In-Lieu Fee	\$50,400.00
Fire System Fee [2]	\$2,478.00
School Impact Fee	\$162,260
Total	\$1,725,529.20

Source: City of Winters, 2013.

[1] For prototypical 56-unit structure with average 950 sq. ft. per unit, a construction valuation of \$8,512,000 and high density residential impact fees.

[2] Based on seven risers.

Table 51 Planning Fees

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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

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 52** identifies the typical processing time most common in the entitlement process. **Table 53** outlines typical

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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 52
Application Processing Times

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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

Source: City of Winters, May 2009.

Table 53
Typical Processing Procedures by Project Type

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Item	Single Family Unit	Single Family Subdivision	Multifamily
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

Source: City of Winters, May 2009.

Tables 52 and 53 make several assumptions:

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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. The City requires new development to be accessible as set forth in Chapter 11A of the 2007 California Building Code; this requirement applies to a range of multifamily buildings, including apartments with three or more units, condominiums with four or more units, congregate residences, emergency shelters, and publicly funded housing. 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. In addition to the California Building Code Requirements, the City ensures that universal design features are included in development projects through the development agreement that the City enters into with each developer.

Deleted: 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 second residential units in single-family residential zoning districts and on residential property with a Second Residential Unit permit. The Second Residential Unit permit is a ministerial permit that does not require discretionary review or a hearing. Second residential units are subject to the following standards:

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1. Maximum area of floor space: 1,200 square feet of living area on lots with a net lot area of 20,000 square feet or more; 750 square feet of living area on lots with a net lot area of less than 20,000 square feet.

2. The site on which the proposed second residential unit is to be located meets the minimum lot size requirements for the zone in which it is located, and in no instance is less than 7,000 square feet.
3. The lot on which the second residential unit is proposed shall contain a principal residence at the time of construction of the second unit. In the case of vacant lots, the principal residence and second residential unit may be constructed at the same time.
4. The second residential unit is self-contained with its own separate entrance, kitchen and bathroom and shall comply with all applicable building, fire, energy and other health and safety codes.
5. Only one second residential unit shall be allowed for each principal residence per lot. A second residential unit shall not be permitted on a lot already having two or more dwelling units located thereon and shall not be permitted in addition to a guest dwelling. A guest dwelling shall not be permitted on any lot developed with a second residential unit.
6. The second residential unit shall be in compliance with all current zoning requirements, including structure height and yard setbacks. No second residential unit shall be constructed forward of the line of a principal residence. Consistent with the general plan, second residential units that front on alleys shall be encouraged.
7. One off-street parking space shall be provided for every second residential unit, in addition to parking required for the principal residence. When development of the second residential unit displaces existing required off-street parking (e.g., conversion of a garage) the required parking shall be replaced on the property in compliance with the Off-Street Parking regulations.
8. Not more than 40 percent of the front yard of a parcel, inclusive of second residential unit off-street parking requirements, shall be devoted to a driveway.
9. The second residential unit shall not cause excessive noise, traffic congestion, parking congestion or overloading of public facilities.
10. Separate hookups for city services and/or utilities may be required as determined by city standards as applied by city staff or by the appropriate public utility.
11. Second residential units shall achieve architectural continuity with the principal residence and with the character of the surrounding neighborhood, as determined by the planning commission. No entrance to a second residential unit shall be located on the front building elevation of the principal residence if the second residential unit is attached to the residence, in order to maintain the appearance of the structure as a single-family unit.
12. The size of the second residential unit shall be counted towards the maximum floor area ratio for the site.

13. Second residential unit permits shall not be issued for second residential units that result in adverse impacts to the adequacy of water and sewer services, and/or that result in adverse impacts on traffic flow, and/or that result in adverse impacts on any real property that is listed in the California Register of Historic Places.

14. All new construction, or exterior alterations to existing structures proposed under the second residential unit permit may be subject to design review as prescribed in Chapter 17.36 of this Title, except that design review shall be conducted ministerially without any discretionary review or a hearing.

Deleted: (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 of the 2008 Housing Element, the Zoning Code was revised to define manufactured home, factory built home, and mobilehome. Factory built homes on a permanent foundation are treated as a single family residence and allowed by right in the R-R through R-2 districts and as a conditional use (which is the same requirement for a single family home) in the R-4 district.

- Deleted:** Implementation
- Deleted:** Programs of the Housing Element
- Deleted:** will be revised to specifically refer
- Deleted:** to
- Deleted:** and
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Mobilehomes are allowed as permanent dwellings are allowed subject to the following:

A. The mobilehome shall have a floor area of sufficient size to be compatible with existing dwellings in the area.

B. An enclosed storage building of at least eighty (80) square feet in size shall be provided on the same lot with the mobilehome.

C. Approved mobilehome skirting shall be applied around the base of the mobile home so as to obscure the area beneath the unit. Wood skirting located closer than six inches to the earth shall be treated wood or wood of natural resistance to decay and termites as defined in subsection (A) of Section 2502 of the Uniform Building Code, or any amendment thereto. Metal skirting shall be galvanized or treated metal or metal resistant to corrosion, and painted. Landscaping to help screen mobilehome skirting is encouraged.

D. The mobilehome, its installation, maintenance, use, occupancy and facilities, any permanent buildings and any mobilehome accessory buildings and structures shall be governed by the standards adopted by the California Department of Housing and Community Development.

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PARKING REQUIREMENTS

Table 54 provides information on residential off-street parking requirements, subject to Section 8-1.6003 of the City’s Zoning Ordinance. The update to the City’s Density Bonus Ordinance included maximum parking ratios as provided by Government Code Section 65915(p).

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Table 54
Residential Parking Requirements

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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

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 eave 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 and installation of a new well and has established the appropriate funding mechanisms to complete its construction. The completion of this well ensures sufficient water supply for all of the projects listed in Table 43.

Deleted: Financial mitigation measures have been put in place via development agreements for projects which have been approved by the City.

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SEWER

There is sufficient sewer treatment capacity available to accommodate the development projects listed in Table 43. 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

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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.

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.

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

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 39** below.

Mobile Home Parks	RR; R-1; R-2; R-3; R-4 (GC Sec. 65852.7 and need to comply with maximum density limitations)	CUP
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Source: City of Winters



**PLANNING COMMISSION
STAFF REPORT**

TO: Board Chair and Members of the Planning Commission
DATE: July 23, 2013
FROM: John W. Donlevy, Jr., City Manager 
SUBJECT: Hudson Ogando- Second Amendment to Development Agreement

RECOMMENDATION:

That the Planning Commission:

1. Receive a Staff Report on a proposed Second Amendment to the Hudson Ogando Subdivision;
2. Conduct a Public Hearing; and
3. Make recommendation to the Winters City Council to approve the second amendment to the previously approved Development Agreement for development of the property commonly known as the Hudson-Ogando Property between the City of Winters and Turning Point Acquisitions V LLC, pursuant to Government Code sections 65864 through 65869.5, in order to extend the term of the agreement; amend the phasing, affordable housing and park obligation requirements; and change certain public improvement obligations.

BACKGROUND:

Since 2006, the City has entered into five (5) development agreements with various developers for the subdivision and development of residential projects. In 2007, the real estate market essentially "crashed," and none of the proposed projects proceeded. Because of this, amendments have been initiated and adopted over the past six years to keep the agreements current and viable for when the real estate market returns.

In December, 2011, the City Council approved an amendment to the Creekside Estates Subdivision Development Agreement. This amendment was the first comprehensive revision to essentially "modernize" the agreements to recognize capital improvements made during the interim, needs of the City and the developer, and also to acknowledge the new fiscal realities of residential development.

Subsequent to this action, Staff has been working with the developers for the Hudson Ogando, Callahan

Estates and Winters Highlands subdivisions for similar modifications to bring them current.

DISCUSSION:

In the Creekside Estates update, Staff focused on a number of key elements to modernize the development agreement, which included the following:

1. Acknowledgement of the development of key infrastructure which has been constructed (Library, Well 7, Pool, Public Safety Facility) and removed advanced funding or financing requirements.
2. Removed funding requirements for projects or elements which did not have a direct nexus to the project.
3. Allowed for flexibility in permit and impact fee payments.
4. Removed Level III School Impact Fee payments, based on the reality that the District is in need of students more than additional facility fees. The amendment to the development agreement also required the applicant to negotiate with WJUSD for amendments to their funding agreements.
5. Maintenance of the annuity requirement for fiscal neutrality for the project for City services.

The modernization of the Creekside development agreement was based on a very pragmatic approach to creating a balance between a project which will bring a quality project to the City and one which is financially viable to build for the developer.

In discussions with the developers of the Winters Highlands, Callahan, and Hudson Ogando projects, the focus has included each of the items above, but also has included the following:

1. Winters Highlands and Callahan are required to enter into a cooperation and cost sharing agreement which provides for the construction of common utilities and infrastructure between the projects.
2. An open discussion on the provision of affordable housing issues which has been brought before the affordable housing steering committee for amendments to the current plans.
3. Elimination of the phasing requirements to reflect the reluctance of developers' financing sources to accept such provisions. The realization is that the market will dictate and pace projects with few predicting mass development every occurring again.

Retained in the agreements are:

- Project amenities for bike/pedestrian orientation, energy requirements, design elements. No Project aspects have been deleted.
- Requirements for park development, including the grading of the sports park and the development of the linear park in the Winters Highlands project.
- Mitigation requirements.
- Fiscal neutrality and annuity payments.
- Wastewater pump station development and water well expansion.
- Traffic improvements on Grant Ave.
- Groundwater monitoring program funding requirements.

Project Description and Amendment:

The Hudson-Ogando development consists of approximately 72 single family lots on 15.97 acres, with Yolo County Assessor's Parcel Numbers 003-430-34 and 003-430-33[A1], and located at the northwest side of Grant Avenue and Main Street. The proposed amendment would permit the assignment of the Development Agreement from Winters Investors, LLC to Turning Point Acquisitions V LLC; extend the term of the agreement to December 31, 2019; remove the phasing requirement for 61 market rate units; amend the affordable housing requirement to accept in-lieu fees for 5 very low income units; change the requirement for the construction of affordable housing; amend the park obligation requirements; remove completed public projects; and make certain other amendments regarding public requirements and joint obligations among adjacent development projects.

DEVELOPMENT AGREEMENT MODIFICATIONS:

The modifications to the Hudson Ogando Subdivision are included in the recommended Second Amendment, but generally include the following:

- Extension of the term of the agreement from 2018 to 2019.
- Acknowledgment of the Assignment of the Agreement from Winters Investors LLC to Turning Point Acquisitions V LLC, which shall be executed by the time the Second Amendment is executed.
- Section 3.7 of the Development Agreement is amended to remove development phasing of residential permits.
- Affordable housing construction for both Callahan Estates and Hudson Ogando will be replaced with a combined payment of \$360,000 as an in lieu fee for 22 low and very low income units from both projects. Seven (7) units on Main Street previously designated for low and very low income lots shall be constructed on the Hudson Ogando subdivision and sold as moderate income units. The seven moderate-rate affordable housing units shall be built by the time the developer receives a certificate of occupancy on the twenty-fifth market rate unit.
- Flexibility of payment of fees is provided for 50% payment at permit and 50% at Certificate of Occupancy.
- The proposed amendment acknowledges a revised agreement between the developer and Winters Joint Unified School District.
- Amendment acknowledges the conveyance of .75 acre of land for the construction of the public safety facility.
- Advance Funding for the Public Safety Facility is replaced with the payment of the required impact fee as per the current schedule.
- Sewer fees are now required to be paid as per the impact fee program.
- Hudson Ogando and Callahan have previously advanced funding toward the construction of Water Well 7. The amendment acknowledges the advanced funding and provides fee credits toward impact fees for individual units.
- Taylor Street Improvements- Amendment provides for 50% cost sharing between the Callahan Estates and Hudson Ogando subdivisions.

Modifications to Conditions of Approval:

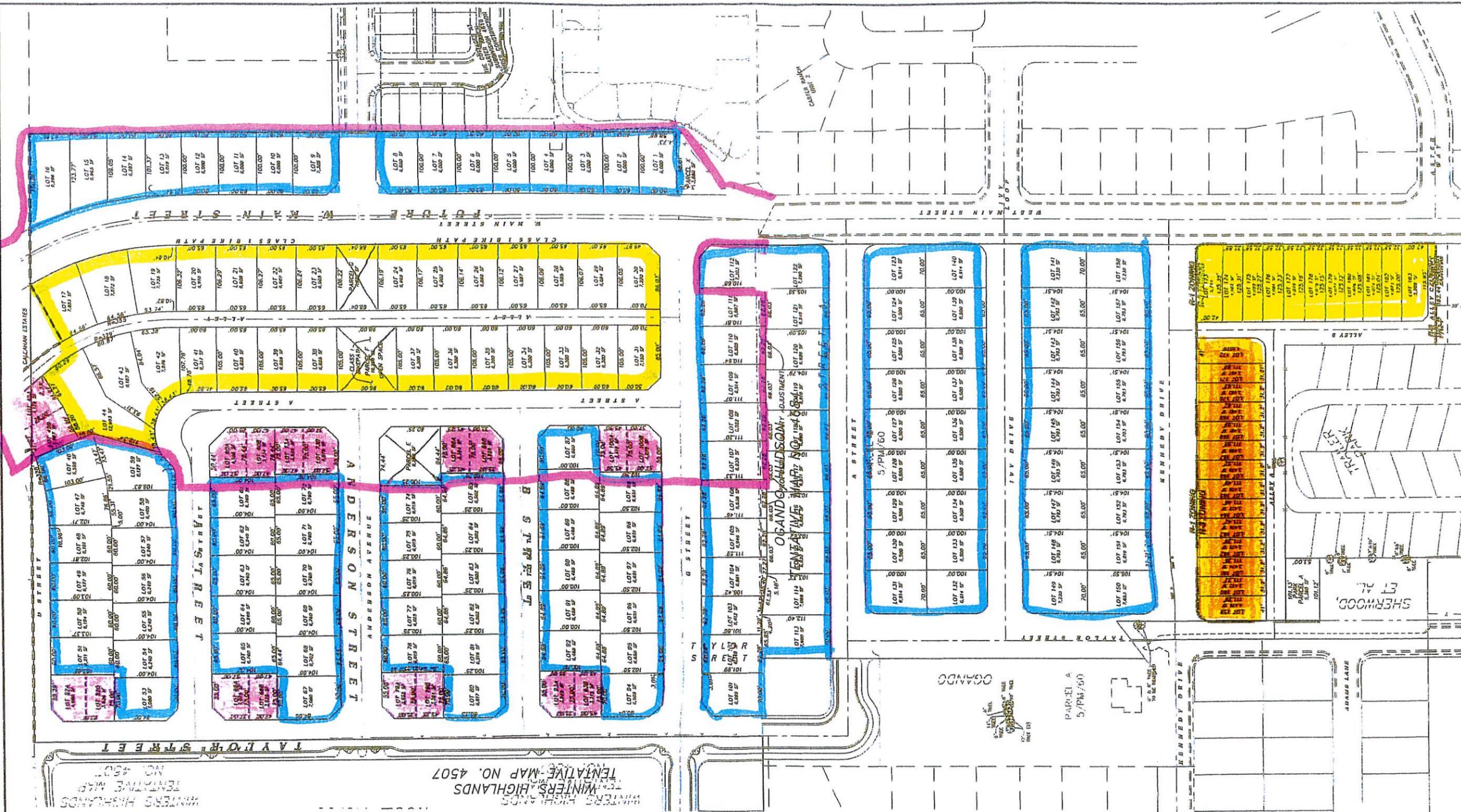
The Conditions are attached and changes are reflected in the strikethrough format. Generally, the changes include the following:

- 68. Affordable housing to reflect payment of in-lieu for low and very low income units.
- 73. Reflects the installation of the traffic signal for northbound I505 at Grant.
- 74. Modifies improvements toward the extension of Main Street and the installation of the traffic signal at Grant Ave. and Main Street.
- 75. Reflects the cost sharing for Taylor Street improvements between Hudson Ogando and Callahan Estates.
- 77. Deletes requirement for Niemann Street construction with development.
- 79. Deletes requirement for Anderson Street Construction with development.
- 121. Acknowledges the construction of Water Well #7.
- 122. Acknowledges the construction of Water Well #7.

ATTACHMENTS:

- 1. Project Map
- 2. Notice of Public Hearing
- 3. Second Amendment to Development Agreement
- 4. Modified Conditions of Approval

FIRST PHASE →



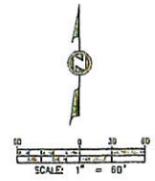
- Small Lot Affordables (11)
 - Small Lot Market Rate (14)
 - Duplex Affordable (18)
 - Alley Loaded (28)
 - Conventional (121)
- 192

Hudson-Ogando Callahan (120)

47 conventional 102 (of which 12 are to be made avail to local bldrs)

25 R-3 (of which 5 are very low & 6 are low to mod.) 18 below mkt (7 very low, 7 low, 4 mod)

72 120



HUDSON/OGANDO - CALLAHAN
 COMBINED LOTTING EXHIBIT
 LOCATED IN A PORTION SECTION 21
 TOWNSHIP 8 NORTH, RANGE 1 WEST
 MOUNT SHELBO MERRIAN
 City of Winters, Yolo County, California

LM CIVIL ENGINEERING
 LAND SURVEYING
 PLANNING
LAUGENOUR AND MEIKLE
 608 COURT STREET, WOODLAND, CA 95693
 PHONE: (530) 862-1755
 FAX: (530) 862-6602

OCTOBER 27, 2008 SHEET 1 OF 1

NOTICE OF PUBLIC HEARING BEFORE THE PLANNING COMMISSION

Notice is hereby given that a second amendment to the previously approved Development Agreement for development of the property commonly known as the Hudson-Ogando Property between the City of Winters and Turning Point Acquisition, LLC is being proposed, pursuant to Government Code sections 65864 through 65869.5 in order to extend the term of the agreement; amend the phasing, affordable housing and park obligation requirements; and change certain public improvement obligations.

The development consists of approximately 72 single family lots on 15.97 acres, with Yolo County Assessor's Parcel Numbers 003-430-34 and 003-430-33, and located at the northwest side of Grant Avenue and Main Street. The proposed amendment would permit the assignment of the Development Agreement from Winters Investors, LLC to Turning Point Acquisition, LLC; extend the term of the agreement from December 31, 2016 to December 31, 2019; remove the phasing requirement for 61 market rate units, amend the affordable housing requirement to accept in-lieu fees for 5 very low income units, change the requirement for the construction of affordable housing, amend the park obligation requirements; remove completed public projects, and make certain other amendments regarding public requirements and joint obligations among adjacent development projects.

The Second Amendment to the Development Agreement will be reviewed by the Planning Commission at the City Council Chambers, at 318 First Street, on July 23, 2013, at or after the hour of 6:30 p.m. Comments from the Planning Commission on the Second Amendment to the Development Agreement will be presented to the Winters City Council on August 6, 2013, at a meeting to be separately noticed.

Prior to the scheduled Planning Commission hearing, copies of the staff report and the Second Amendment to the Development Agreement will be available for review at City Hall. Any person having an interest in any property affected by the proposed Second Amendment to the Development Agreement may appear at the above hearing either in person or by counsel or both and may be heard in support of his/her position. If you challenge the decision of this project in court, pursuant to Government Code section 65009, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Winters at or prior to the public hearing.

The purpose of the public hearing will be to give citizens an opportunity to make their comments known. If you are unable to attend the public hearing, you may direct written comments to the City of Winters, City Clerk, 318 First Street, Winters, CA 95694 or you may telephone (530) 795-4910, extension 101, before the meeting on July 23, 2013. In addition, a

public information file is available for review at the above address between the hours of 8:00 a.m. and 5:00 p.m. on weekdays.

If you plan on attending the public hearing and need a special accommodation because of a sensory or mobility impairment/disability, please contact Nanci Mills, City Clerk, (530) 795-4910, extension 101 to arrange for those accommodations to be made.

RECORDED AT REQUEST OF AND
WHEN RECORDED MAIL TO:

CITY OF WINTERS
318 First Street
Winters, CA 95695
Attention: City Clerk

(Space Above this Line for Recorder's Use Only)

**SECOND AMENDMENT TO
DEVELOPMENT AGREEMENT BY AND BETWEEN
THE CITY OF WINTERS AND
TURNING POINT ACQUISITIONS V LLC,
A CALIFORNIA LIMITED LIABILITY COMPANY
[HUDSON OGANDO SUBDIVISION]**

THIS SECOND AMENDMENT TO DEVELOPMENT AGREEMENT (hereinafter referred to as the "Second Amendment") is entered into as of _____, 2013, by and between the CITY OF WINTERS, a municipal corporation (the "**City**") and TURNING POINT ACQUISITIONS V LLC, a California limited liability company (the "**Developer**").

Recitals

A. The City and the Developer's predecessor in interest have heretofore entered into a Development Agreement, executed as of June 3, 2005 (the "**Development Agreement**"), providing for the residential development of certain real property, Yolo County APN 030-430-33, located at the northwest side of _____ along Main Street and Grant Ave. and commonly known as the Hudson Ogando Property (the "**Project**"), located within the boundaries of the City of Winters. Capitalized terms used but not defined in this Second Amendment shall have the meanings given in the Development Agreement.

B. The severe and adverse change in economic conditions that has occurred subsequent to the execution of the Development Agreement by the City and Developer's predecessor in interest resulted in a First Amendment to Development Agreement ("**First Amendment**"), approved and adopted by Ordinance in January of 2009.

C. In furtherance of the Project, the City and Developer desire to enter into this Second Amendment to make certain additional changes to, and extend the term of, the

Development Agreement.

D. City has given the required notice of its intention to adopt this Second Amendment and has conducted public hearings thereon pursuant to Government Code section 65857. As required by Government Code section 65867.5, City has found that the provisions of this Second Amendment and its purposes are consistent with the goals, policies, standards, and land use designations specified in the City's General Plan.

E. On July 23, 2013, the City of Winters Planning Commission, the initial hearing body for purposes of Development Agreement review, recommended approval of this Second Amendment. On _____, 2013, the City of Winters City Council adopted Ordinance No. _____ approving this Second Amendment and authorizing its execution.

Agreement

Section 1. The Development Agreement shall be amended so that each and every reference to 'Winters Investors, LLC' shall be changed to "Turning Point Acquisitions V LLC."

Section 2. **Term:** Section 2.3, paragraph c. of the amended Development Agreement is amended to change December 31, 2018, to December 31, 2019. Section 2.3, paragraph c. of the Development Agreement is deleted.

Section 3. **Assignment:** Pursuant to Section 2.5 of the Development Agreement, City approves the assignment of the Development Agreement from Winters Investors, LLC to Turning Point Acquisitions V LLC, a California Limited Liability Company, and either has provided, or simultaneously with the execution of this Second Amendment will provide, written consent by executing the assignment agreement between the two parties.

Section 4. **Notice:** Section 2.9 c of the Development Agreement is amended to delete the address to which notices shall be given to Developer and to replace it, as follows:

Turning Point Acquisitions V LLC
3314 Freeport Blvd.
Walnut Creek, CA 94595
Attn: Jim Hildenbrand
(925) 639-4204

Section 5. Section 3.1 a. 8. of the Development Agreement is hereby amended to read as follows:

Hudson-Ogando Tentative Subdivision Map No. 4684, with Findings of Fact and Conditions of Approval, dividing the Property into 72 single-family lots (47 lots in the LR/R-1 zone and 25 lots in the MHR-R-3 zone, including seven (7) moderate income affordable housing units); Parcel A, consisting of 5,360 square feet, and Parcel Y, consisting of 93,608 square feet (Resolution No. 2005-56 adopted on November 15, 2005).

Section 6. Section 3.7 of the Development Agreement is hereby replaced in its entirety to

remove the phasing of residential building permits for the 61 market residential units and to change the requirements for non-market rate units and shall read as follows:

3.7 Building Permits; Non-Market Rate Units.

a. No building permit shall be issued for any residential lot for which the Developer has not made application at the time of the expiration of this Agreement unless and until a subsequent Development Agreement is negotiated between the City and Developer. This provision shall survive the termination of this Agreement.

b. Developer owns and/or controls both the Hudson-Ogando project and the adjacent Callahan Estates project (located at Yolo County Assessor's Parcel Number 030-220-49). The City and Developer agree to combine the affordable housing obligation between the two projects rather than having each project provide for separate affordable housing fees or housing. The parties agree that Developer shall satisfy the City's affordable housing requirements as follows:

1. Developer shall pay a combined in lieu fee of Three Hundred Sixty Thousand Dollars (\$360,000.00) to replace the requirement of constructing twenty-two very low and low-income units on-site throughout the two projects. Of the total in lieu fee, Developer shall pay an in lieu fee of Two Hundred Fifty Thousand Dollars (\$250,000) to City in conjunction with the Hudson-Ogando project. Developer shall make the payment in two phases. Developer shall make the first payment of One Hundred Thousand Dollars (\$100,000) to City upon recordation of the Hudson-Ogando final map. The second payment of remaining One Hundred Fifty Thousand Dollars (\$150,000) shall be payable pro-rata on the basis of each building permit at close of escrow or six (6) months from issuance of the a building permit for a residential structure in the Hudson-Ogando project for the first fifty (50) market rate units build in the Hudson-Ogando project. The fee per residential unit is three thousand two thousand eighty three and .33 dollars (\$32,000~~83.0033~~) for a total maximum payment of one hundred fifty thousand dollars (\$150,000). Developer shall pay the balance of the in lieu fee (\$110,000) in conjunction with the Callahan Estates project, which the parties anticipate will be developed after the Hudson-Ogando project. The City shall use the in lieu fee to construct, or provide for the construction of, affordable housing in another part of the City; and

2. Developer shall assign, or has assigned, four of the lots previously designated for affordable housing, as moderate-income housing, and identified on the Callahan Estates Final Map #4508 as lots 45 A/B, 100 A/B, 85 A/B, 73 A/B, 60 A/B, 52 A/B, 68 A/B, 79A/B, and 93 A/B to the Hudson-Ogando project. Developer shall construct a total of seven (7) moderate-income affordable housing units on-site by the time Developer receives a certificate of occupancy on the twenty-fifth (25th) market rate unit. If Developer has not constructed the seven moderate-income affordable housing unit at the time of receipt of a certificate of occupancy for the twenty-fifth market rate, Developer shall not receive a certificate of occupancy for any additional market rate units until the seven moderate-income affordable housing units are constructed.

Section 7. Section 3.8 of the Development Agreement is deleted in its entirety

Section 8. Paragraph g. of Section 3.11 of the Development Agreement is deleted in its entirety.

Section 9. Section 3.15 of the Development Agreement is amended to read as follows:

In order to assist the Developer and to encourage the Developer to proceed with construction of new affordable and market rate housing within the City of Winters, except as provided for herein, City hereby agrees to defer all development impact fees imposed by the City on building permits issued until (1) issuance of a Certificate of Occupancy (COE); or (2) 6 months after the issuance of a building permit, whichever first occurs. The Rancho Arroyo Drainage District Fees shall be paid in accordance with City of Winters Ordinance 96-02 and any applicable Conditions of Approval. This provision is not intended to restrict, limit or waive any rights which Developer may acquire pursuant to subsequently enacted state legislation.

Section 10. **School Fees:** Section 4.1 of the Development Agreement related to Schools is amended in its entirety to read as follows:

Section 4.1 Schools.

a. The Developer acknowledges and agrees that the mitigation of the impact of the Hudson-Ogando Subdivision on schools within the Winters Joint Unified School District is of paramount importance to the City and its residents. As a consequence, the Developer states that its intention entering into this Agreement is to mitigate the impact on schools, in accordance with the terms of an agreement negotiated between the Developer and the Winters Joint Unified School District.

b. As a condition to the approval of this Agreement by the City, the Developer shall present to the City Council, prior to the issuance of the first building permit for a residential structure-recording of the final map, a fully executed agreement acceptable to the City between the Developer and the Winters Joint Unified School District (“School District”). The City agrees to support a request by Developer that the existing School Fee Agreement be modified to reflect the current State Facilities fee of \$2.05 per square foot, and to further support a deferring of payment of school fees to coincide with the payment of impact fees provided under this Second Amendment.

c. The Developer acknowledges receipt of the document dated October, 2004, adopted by the School District entitled “School Facility Needs Analysis” prepared by Government Financial Strategies, Inc. This document will be used in part by the Developer and the School District in reaching agreement, together with an acknowledgment by both City and Developer that School District has experienced a sharp decline in enrollment since 2004, making the assumptions in the School Facility Needs Analysis less accurate.

Section 11. **Section 4.2- Conveyance of .75+/- Acres of Land**

Section 4.2 of the Development Agreement provides for the granting of .75 +/- acres of land for the construction of the Public Safety Facility. Developer has fulfilled this obligation, and the requirement is completed.

Section 12.x *Section 4.3 - Park land and Fees*

Section 4.3 of the Development Agreement shall be deleted and amended to read as follows: Replace all text within section 4.3 with the following text:

Developer shall satisfy its park obligation as follows: Developer shall pay a park fee, in the aggregate totaling five hundred sixteen thousand four hundred seventy one dollars (\$516,471.00) as follows: Developer shall pay in the sum of amount of \$7,173.00 at the time of issuance of a building permit for each residential structure. Developer shall be further credited against Park Improvement Fees for the provision of infrastructure improvements, planning, developing and equipping the park on parcel A. This credit shall be applied entitled to a credit, on a pro-rata basis against the anticipated development of 72 lots, the value of pocket parks developed within the project. The City Manager will determine the amount of the credit, utilizing the same methodology used to calculate the Project's park obligation.

Section 13.x. *Advance funding for Public Safety Facility:* Section 4.4 of the Development Agreement is amended to delete the existing language. The following text is added.

Developer shall pay the City's Public Safety Facility fee.

Section 14.x. *Cooperative and Reimbursement Agreement.* Section 4.6 of the Development Agreement concerning library fund and pool fund payment requirements is hereby deleted and shall be replaced with the following language requiring a cooperative and reimbursement agreement:

~~The developers of Hudson Ogando, Callahan Estates, and Winters Highlands, herein referred to as "Owners," intend to subdivide their respective properties into residential lots, which will be served by public streets and improvements, easements, and rights-of-way. Each Owner will require access to portions of the Other's property for purposes of installation of streets, utilities conduit, storm drains, sewer, and other improvements for future use and/or dedication for the benefit of their respective residential project, as well as for the benefit of all the Owners.~~

~~Public streets and improvements, easements, and rights-of-way that are reasonably expected to benefit all Owners are defined herein as "Joint Improvements." "Joint Improvements" may include, but are not limited to, streets, curbs, gutters, street lighting, sidewalks, joint trench, storm drains, storm water pumping station, sewer and water collection systems, sewer pump station, utilities, and other public improvements.~~

~~For the purpose of constructing the "Joint Improvements" as may be necessary and appropriate to serve the Owners and as may be required by Development Conditions affecting each Owner's Property, the Owners" shall enter into a "Joint Cooperative Development and Reimbursement Agreement". The "Joint Cooperative Development and Reimbursement Agreement" shall be prepared and executed among the Owners prior to the City's approval of the first FINAL MAP associated with any of the Owner's properties. The City shall not approve a final map for any of Owner's three respective projects (as described above) until the Owners~~

submit to City the Joint Cooperative Development and Reimbursement Agreement executed by all Owners.

To the extent that Developer constructs improvements that which benefit the Callahan Estates, and Winters Highland, or other developments, Developer shall be entitled to reimbursement on a pro-rata basis, based on the relative anticipated use of the facilities. In such circumstances, the City shall not approve a parcel or final map for either Callahan Estates, or Winters Highlands or other benefitted property (or issue a building permit in circumstances in which a parcel or final map is not required) unless and until those respective developers have reimbursed Developer their pro-rata shares or entered into reimbursement agreements acceptable to the Developer.

Section 15x. *Sewer Capacity:* Section 4.7, paragraph (c.), of the Development Agreement is hereby amended to read as follows:

c. The WTP expansion and upgrade will not be completed by the time the first residential unit of the Hudson-Ogando Subdivision requires sewer treatment. The Developer may, at its sole cost and expense and without reimbursement or fee credit from the City, connect to the City's existing sewage collection facilities located to the south of the Property on Grant Avenue. This will be an interim connection only. All necessary new improvements and upgrades to the existing sewer system as determined by the City Engineer will be paid by the Developer. Developer shall pay be the City's connection and capacity fees, but shall otherwise shall not be subject to any other improvement requirements.

Section 16x. *Water Well:* Section 4.10 of the Development Agreement is replaced in its entirety and shall read as follows:

a. Water Well No. 7 was constructed in order to provide water service to the Hudson-Ogando Subdivision, Callahan Subdivision, and other developing properties.

b. Conditions of Approval No. 121 and 40- (Mitigation Measure 21), in part, required Developer to advance the costs for the design and construction of a water well, subject to pro rata reimbursement in accordance with the provisions of section 3.11.

c. The City funded a portion of the construction of Well No. 7 from sources other than water development impact fees. The City shall be reimbursed from water development impact fee funds, when available, and prior to the reimbursement of any costs incurred by Developer.

d. City acknowledges that Developer has advanced funding for partial construction of Well No. 7 in the amount of \$615,313.03, which amount shall entitle Developer to receive fee credits. Notwithstanding, in accordance with section 3.11(f) of the Development Agreement, Developer shall be entitled to apply credits against 100% of any water facility fee then due, without reduction for any sums that might otherwise be owed to the City. ~~acknowledges and agrees that it will be required to pay the full amount of water development~~

~~impact fees at the time of issuance of subsequent building permits for the development, which shall be used, in part, to reimburse City for the costs of constructing Well No. 7.~~

e. The amount and timing of reimbursement for funds advanced by Developer and related to the construction of Well No. 7 shall be set forth in a separate Credit and Reimbursement Agreement in accordance with section 4.10 (d) ~~the provisions of section 3.11(f)~~ of the Development Agreement and shall include the same annual inflationary adjustment used to calculate the City's impact fees on any outstanding amount still owed to Developer.

Section 17.x. *Masonry Wall:* Section 4.15 of the Development Agreement is replaced in its entirety and shall read as follows:

The Developer is responsible for the cost and construction of a six foot tall masonry wall and landscaping along the north and east sides of the mobile home park for the Hudson-Ogando Subdivision. The City has constructed the masonry wall along the east side of the Mobile Home Park. ~~The Developer shall reimburse the City for the cost of such improvements concurrently with the issuance of the first building permit.~~ The Developer shall complete construction of the construction of the masonry wall and installation of landscaping concurrently with the issuance of the first building permit, in satisfaction of Conditions of Approval No. 47.

Section 18.x. *New Section 4.16- Taylor Street Improvements:* The Development Agreement shall be amended to include a new Section 4.16 Taylor Street Improvements to read as follows:

Taylor/"A" Street knuckle to the west of the Tentative Map boundary through the Ogando property, to the Callahan property, shall be constructed as part of the Callahan Estates Development and shall be constructed with the same cross section dimensions with the Ped/bike landscape corridor on the west side and the sidewalk on the east side. The Hudson-Ogando development shall participate in sharing 50% of the cost for acquisition of right of way and construction of full improvements of this section of roadway.

Section 19.x *Modified Conditions of Approval:*

Exhibit A-1 of this Section Amendment includes an amended and restated Conditions of Approval for the project to reflect the modernization of the agreement and amended provisions to the project.

Section 20.x. The effective date of this Second Amendment shall be the date as written above in the introductory paragraph. Except as modified and amended by this Second Amendment, all other provisions of the Development Agreement shall remain unchanged and remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have entered into this Second Amendment as of the date first above written (Attach LLC Resolution following signatures).

CITY:	DEVELOPER:
CITY OF WINTERS _____ Mayor	TURNING POINT ACQUISITIONS V LLC, A CALIFORNIA LIMITED LIABILITY COMPANY By: _____ Its: _____
ATTEST: _____ City Clerk	ATTEST: By _____

DRAFT AMENDED FINDINGS OF FACT AND CONDITIONS OF APPROVAL FOR HUDSON/ OGANDO PROJECT (approved November 15, 2005 _____ City Council)

FINDINGS OF FACT

Findings for Adoption of Mitigated Negative Declaration

1. The City Council has considered the proposed Mitigated Negative Declaration before making a decision on the project.
2. The City Council has considered comments received on the Mitigated Negative Declaration during the public review process.
3. The City Council finds that the environmental checklist/initial study identified potentially significant effects, but: a) mitigation measures agreed to by the applicant before the mitigated negative declaration and initial study were released for public review would avoid the effects or mitigate the effects to a point where clearly no significant impact would occur; and b) there is no substantial evidence, in light of the whole record before the City, that the project as revised to include the mitigation measures may have a significant effect on the environment.
4. The Mitigated Negative Declaration reflects the independent judgment and analysis of the City of Winters.
5. The Mitigated Negative Declaration has been prepared in compliance with CEQA and the State CEQA Guidelines, and as amended/revised is determined to be complete and final.
6. The custodian of the documents, and other materials, which constitute the record of proceedings is the Community Development Director. The location of these items is the office of the Community Development Department at City Hall, 318 First Street, Winters, California 95694.
7. The Revised Mitigation Monitoring Plan is hereby adopted to ensure implementation of mitigation measures identified in the Mitigated Negative Declaration. The City Council finds that these mitigation measures are fully enforceable as conditions of approval of the project, and shall be binding on the applicant, future property owners, and affected parties.
8. The City Council hereby adopts the Hudson/Ogando Subdivision and City Public Safety Center Mitigated Negative Declaration.

Findings for General Plan Amendment

1. Amendment of the General Plan to modify the land use designation of this property is in the best interest of the citizens of Winters.

Findings for Rezoning

1. The public health and general welfare warrant the change of zone and the change of zone is in conformity with the General Plan.

Findings for Exclusion from West Central Master Plan

1. The proposed project, as modified and conditioned, better meets the requirements of the General Plan and there is no detriment to property remaining in the West Central Master Plan by removing this parcel.

Findings for PD Overlay and PD Permit

2. The project, as modified and conditioned, is consistent with the General Plan and the purposes of Section 8-1.5117 of the Zoning Ordinance.
3. Deviations from specified provisions of the basic zoning district on the property have been justified as necessary to achieve an improvement design for the development and/or the environment. The development complies with the remaining applicable provisions of the basic zoning district on the property.
4. The proposed development, as modified and conditioned, is desirable to the public comfort and convenience.
5. The requested plan, as modified and conditioned, will not impair the integrity or character of the neighborhood nor be detrimental to the public health, safety, or general welfare.
6. Adequate utilities, access roads, sanitation, and/or other necessary facilities and services will be provided or available.
7. The development, as modified and conditioned (including execution of the Development Agreement) will not create an adverse fiscal impact for the City in providing necessary services.

Findings for Amendment of the Circulation Master Plan, Standard Street Cross Sections, and Bikeway System Master Plan

1. The amendments to these City documents result in increased bicycle trail standards for the City resulting in a net benefit to the community and net increase in protected routes for alternative circulation.

Findings for Tentative Subdivision Map (G.C. 66474) and Lot Line Adjustment

1. The proposed map is consistent with the General Plan.
2. The design and improvement of the proposed map is consistent with the General Plan.
3. The site is physically suitable for the type of development.
4. The site is physically suitable for the proposed density of development.
5. The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. The design of the subdivision and type of improvements will not cause serious public health problems,
7. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision,

Findings for Development Agreement

1. The DA is consistent with the objectives, policies, general land uses and programs specified in the General Plan.
2. The DA is compatible with the uses authorized in, and the regulations prescribed for, the zoning district in which the real property is or will be located.
3. The DA is in conformity with and will promote public convenience, general welfare and good land use practice.
4. The DA will not be detrimental to the health, safety and general welfare.
5. The DA will not adversely affect the orderly development of property or the preservation of property values.
6. The DA will meet the intent of Section 11-2.202(a) (Public Benefits) of the City Code.
7. The DA is consistent with Ordinance 2001-05 (Development Agreements).

Findings for the Demolition Permit

1. The demolition is consistent with the General Plan and zoning requirements and has been fully analyzed under CEQA.

CONDITIONS OF APPROVAL

The following conditions of approval are required to be satisfied by the applicant/developer prior to final map, unless otherwise stated.

General

1. In the event any claim, action or proceeding is commenced naming the City or its agents, officers, and employees as defendant, respondent or cross defendant arising or alleged to arise from the City's approval of this project, the project Applicant shall defend, indemnify, and hold harmless the City or its agents, officers and employees, from liability, damages, penalties, costs or expense in any such claim, action, or proceeding to attach, set aside, void, or annul an approval of the City of Winters, the Winters Planning Commission, any advisory agency to the City and local district, or the Winters City Council. Project applicant shall defend such action at applicant's sole cost and expense which includes court costs and attorney fees. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense. Nothing in this condition shall be construed to prohibit the City of Winters from participating in the defense of any claim, action, or proceeding, if City bears its own attorney fees and cost, and defends the action in good faith. Applicant shall not be required to pay or perform any settlement unless the subdivider in good faith approves the settlement, and the settlement imposes not direct or indirect cost on the City of Winters, or its agents, officers, and employees, the Winters Planning commission, any advisory agency to the City, local district and the City Council.
2. All conditions identified herein shall be fully satisfied prior to acceptance of the first final map unless otherwise stated.
3. The project is as described in the October 25, 2005 Planning Commission staff report. The project shall be constructed as depicted on the maps and exhibits included in the October 25, 2005 Planning

Commission staff report, except as modified by these conditions of approval. Substantive modifications require a public hearing and Council action.

General Plan Requirements

4. Pursuant to General Plan Policy II.A.18, a minimum of ten percent of the single-family lots (7 lots) shall be offered for sale to local builders or owner-builders. These lots shall not be the same lots as those identified to meet the City's affordable housing requirement.
5. Pursuant to General Plan Policy II.C.1 and VI.F.2, energy efficient design shall be used. Pursuant to Policy II.C.2 of the Housing Element, energy conservation and weatherization features shall be incorporated into the home design. At a minimum this shall include: a) maximization of energy efficient techniques as identified in the July 27, 2004 Planning Commission staff report on "Proposed Energy Resolution". b) Attainment of EPA Energy Star Standards in all units. c) Low emission furnaces in all units. d) Avoidance of dark colored roofing on all units. e) A minimum of 50 percent of the market-rate units shall have a photovoltaic solar energy system capable of producing a minimum of 2.4kW (peak-rated DC watts) photovoltaic. The remainder of the market-rate units shall be pre-wired for an equivalent system.
6. Pursuant to General Plan Policy II.D.4 and IV.A.1 necessary public facilities and services shall be available prior to the first occupancy of the project.
7. Pursuant to General Plan Policy IV.A.4 (second sentence), the developer shall pay in-lieu fees for the increment of parkland not provided on site, or at the City's discretion may construct needed improvements according to City specification in lieu of paying the fees.
8. Pursuant to General Plan Policy VI.C.7, drought-tolerant and native plants, especially valley oaks, shall be used for landscaping roadsides, parks, schools, and private properties. Pursuant to General Plan Policy VI.C.8, drainage-detention areas shall incorporate areas of native vegetation and wildlife habitat. All homes in this subdivision shall have "low application rate" lawn sprinkler systems, as approved by the Planning Commission.
9. Pursuant to General Plan Policy IV.B.14, there shall be a water meter on each new hook-up.
10. Pursuant to General Plan Policy IV.C.2, adequate sewer service shall be provided prior to the issuance of any individual building permit.
11. Pursuant to General Plan Policy IV.J.2, all new electrical and communication lines shall be installed underground.
12. Pursuant to General Plan Policy VI.A.6, grading shall be carried out during dry months, when possible. Areas not graded shall be disturbed as little as possible. Construction and grading areas, as well as soil stockpiles, should be covered or temporarily revegetated when left for long periods. Revegetation of slopes shall be carried out immediately upon completion of grading. Temporary drainage structures and sedimentation basins must be installed to prevent sediment from entering and thereby degrading the quality of downstream surface waters, particularly Putah Creek. The full cost of any necessary mitigation measures shall be borne by the project creating the potential impacts. Pursuant to General Plan Policy VII.B.3, should the City allow any grading to occur during the rainy season, conditions shall be implemented to ensure that silt is not conveyed to the storm drainage system.
13. Pursuant to General Plan Policy VI.E.6, construction-related dust shall be minimized. Dust control measures shall be specified and included as requirements of the contractor(s) during all phases of construction of this project and shall be included as a part of the required construction mitigation plan for the project.

14. Pursuant to General Plan Policy VII.A.1, VII.A.2, and VII.C.4 all site work and construction activities shall be in accordance with the requirements of the City, and other applicable local, regional, state, and federal regulations.
15. Pursuant to General Plan Policy VII.C.1, necessary water service, fire hydrants, and access roads shall be provided to the satisfaction of the Fire Chief and Fire Protection District standards.
16. Pursuant to General Plan Policy VII.C.2, a minimum fire-flow rate of 1,500 gallons per minute is required for all residential uses.
17. Pursuant to General Plan Policy VIII.D.2, street trees shall be planted along all streets, in accordance with the City's Street Tree Plan and Standards. There shall be a minimum of one street tree in the center front of each single-family lot, and on both frontages for corner lots. All trees shall be of a type on the approved street tree list and shall be a minimum of fifteen gallons in size with a mature tree canopy of at least a thirty-foot diameter within five years. The intent is that majestic street tree species that create large canopies at maturity will be required in all medians and streetside landscape strips. The goal is create maximum shade canopy over streets and sidewalks.
18. Pursuant to General Plan Policy VIII.D.4, a permanent mechanism for the ongoing maintenance of street trees is required, to the satisfaction of the City Manager and City Finance Director.
19. Pursuant to General Plan Policy VIII.D.7, all lighting including street lighting, shall be designed, installed, and maintained to minimize excess light spillage, unnecessary brightness and glare, and degradation of night sky clarity.

Negative Declaration Mitigation Measures

20. **Mitigation Measure #1** – Outdoor light fixtures shall be low-intensity, shielded and/or directed away from adjacent areas and the night sky. All light fixtures shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. High-intensity discharge lamps, such as mercury, metal halide and high-pressure sodium lamps shall be prohibited. Lighting plans shall be submitted for approval as part of facility improvement plans to the City with certification that adjacent areas will not be adversely affected and that offsite illumination will not exceed 2-foot candles.

Prior to issuance of a building permit, the applicant shall submit a photometric and proposed lighting plan for the project to the satisfaction of the Community Development Department to ensure no spillover light and glare onto adjoining properties.

21. **Mitigation Measure #2** – a. Construction equipment exhaust emissions shall not exceed District Rule 2-11 Visible Emission limitations. b. Construction equipment shall minimize idling time to 10 minutes or less. c. The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. District personnel, with assistance from the California Air Resources Board, will conduct initial Visible Emission Evaluations of all heavy-duty equipment on the inventory list.

An enforcement plan shall be established to weekly evaluate project-related on-and-off- road heavy-duty vehicle engine emission opacities, using standards as defined in California Code of Regulations, Title 13, Sections 2180 - 2194. An Environmental Coordinator, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate project related off-road and heavy duty on-road equipment emissions for compliance with this requirement. Operators of vehicles and equipment found to exceed opacity limits will be notified and the equipment must be repaired within 72 hours.

Construction contracts shall stipulate that at least 20% of the heavy-duty off-road equipment included in the inventory be powered by CARB certified off-road engines, as follows:

175 hp - 750 hp	1996 and newer engines
100 hp - 174 hp	1997 and newer engines
50 hp- 99 hp	1998 and newer engines

In lieu of or in addition to this requirement, the applicant may use other measures to reduce particulate matter and nitrogen oxide emissions from project construction through the use of emulsified diesel fuel and or particulate matter traps. These alternative measures, if proposed, shall be developed in consultation with District staff.

22. **Mitigation Measure #3** -- Homes constructed as a part of the project shall contain only low-emitting EPA certified wood-burning appliances or natural gas fireplaces.
23. **Mitigation Measure #4** – The project proponent shall mitigate for potential project-related impacts to burrowing owl by conducting a pre-construction survey no more than 30 days prior to the initiation of construction activity. The pre-construction survey shall be conducted by a qualified biologist familiar with the identification of burrowing owls and the signs of burrowing owl activity. If active burrows are found on the project site, the California Department of Fish and Game (CDFG) shall be consulted regarding appropriate mitigation measures for project-related impacts to burrowing owl. Pursuant to the CDFG document entitled "Staff Report on Burrowing Owl Mitigation" (September 25, 1995), it is likely that replacement habitat will be required by CDFG. The guidelines include specific mitigation to protect nesting and wintering owls and to compensate for loss of breeding sites. In general, if the project would remove habitat of an occupied breeding site (e.g., if an active nest and surrounding habitat are removed), the project proponent will be required to compensate by preserving equivalent suitable habitat for each active nest site. In addition, the project proponent must install artificial burrows to offset the direct loss of the breeding site. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.
24. **Mitigation Measure #5** – The project proponent shall mitigate for potential project-related impacts to Swainson's hawk foraging habitat by complying with one of the following:
 - a) If the Yolo County Memorandum of Understanding (MOU) regarding project-related impacts to Swainson's hawk foraging habitat is in full force and effect at the time the applicant seeks to satisfy this mitigation, the applicant may pay the appropriate fees allowed by this agreement. The MOU requires the project proponent mitigate at a 1:1 ratio for every acre of suitable Swainson's hawk foraging habitat that is impacted by the project. A fee is collected by the City of Winters for impacts to 15.97 acres of potential Swainson's hawk foraging habitat. The fee shall be payable to the Wildlife Mitigation Trust Account. Funds paid into the trust account shall be used to purchase or acquire a conservation easement on suitable Swainson's hawk foraging habitat and for maintaining and managing said habitat in perpetuity. The cost per acre for acquisition and maintenance of foraging habitat is reviewed annually and the project proponent shall be charged at the rate per acre at the time. Payment shall be made to the trust account prior to the initiation of construction activity and shall be confirmed by the City of Winters prior to the issuance of a grading permit.
 - b) If the Yolo County NCCP/HCP has been adopted, the applicant shall mitigate for Swainson's hawk impacts by complying with the terms and requirements of the Plan. Compliance shall occur and be confirmed by the City of Winters prior to the issuance of a grading permit.
 - c) If the MOU is not in full force and effect, and if the NCCP/HCP has not yet been adopted, the project applicant shall purchase and set aside in perpetuity, 15.97 acres of Swainson's hawk foraging land in proximity to the City of Winters (as approved by the City) through the purchase of development rights and execution of an irreversible conservation easement to be managed by a qualified party (e.g. Yolo Land Trust). Mitigation shall include an annuity or other mechanism to pay for permanent maintenance and management by the managing entity. Compliance shall occur and be confirmed by the City of Winters prior to the issuance of a grading permit.
25. **Mitigation Measure #6** -- The project proponent shall mitigate for potential project-related impacts to nesting raptors (White-tailed Kite, Northern Harrier, and Loggerhead Shrike) by conducting a pre-

construction survey of all trees suitable for use by nesting raptors on the subject property or within 500 feet of the project boundary as allowable. The preconstruction survey shall be performed no more than 30 days prior to the implementation of construction activities. The preconstruction survey shall be conducted by a qualified biologist familiar with the identification of raptors known to occur in the vicinity of the City of Winters. If active special-status raptor nests are found during the preconstruction survey, a 0.25-mile (1,320-feet) buffer zone shall be established around the nest and no construction activity shall be conducted within this zone during the raptor nesting season (typically March-August) or until such time that the biologist determines that the nest is no longer active. The buffer zone shall be marked with flagging, construction lathe, or other means to mark the boundary of the buffer zone. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.

26. **Mitigation Measure #7** -- If special-status vernal pool invertebrates are not found at the completion of a full protocol-level survey conducted by qualified biologists, and the USFWS agrees with the findings of the survey, then no further mitigation would be required. If special-status vernal pool invertebrates are found onsite, or if the USFWS disagrees then the mitigation specified below would still be required. The City of Winters shall confirm implementation of this mitigation measure prior to the issuance of a grading permit. The project proponent shall mitigate for potential project-related impacts to federally listed vernal pool invertebrates by complying with U.S. Fish and Wildlife Service (USFWS) guidelines regarding mitigation for project-related impacts to vernal pool invertebrate habitat. The USFWS typically requires a 250-foot setback from the edge of vernal pools to be avoided, however, this setback may be reduced if pools are degraded or no potential adverse effects to the habitat are anticipated with a decreased setback. If vernal pools onsite cannot be avoided, a mitigation plan shall be developed in conjunction with the USFWS to ensure no net negative effect to these species occurs. Likely mitigation measures include onsite or offsite preservation and creation of vernal pools at a ratio acceptable to the USFWS or purchase of credits at a qualified proximate vernal pool mitigation bank as specified by the USFWS and agreed to by the City. Typically, the USFWS in coordination with the Corps requires a 3:1 combination ratio (1:1 preservation and 2:1 creation) of vernal pools that potentially, or are known to support listed invertebrates.

Notwithstanding other federal jurisdiction, the Regional Water Quality Control Board may have jurisdiction over the wetlands, and shall be contacted regarding any separate regulatory authority or requirement they may have. Prior to the commencement of work on the project site, the applicant shall contact the RWCQB regarding their potential jurisdiction over wetlands that exist on the project site and comply with all applicable requirements, if any, established by that agency.

The California Department of Fish and Game (CDFG) retains jurisdiction over State biological resources including wetlands, and shall be contacted regarding any separate regulatory authority or requirement they may have for vernal pool species. Prior to the commencement of work on the project site, the applicant shall contact the CDFG regarding their potential jurisdiction over wetlands that exist on the project site and comply with all requirements, if any, established by CDFG arising from this consultation with the Department.

27. **Mitigation Measure #8** -- (a) Pursuant to General Plan Policy VI.C.2, the applicant must replace loss of riparian and wetland habitat acreage and/or value on at least a 1:1 basis. Replacement entails creating habitat that is similar in extent and ecological value to that displaced by the project. The replacement habitat must consist of locally-occurring, native species and be located either at the City's Community Sports Park site north of Moody Slough Road, at the wetlands site in the northeast corner of the Winters Highlands property, or elsewhere as directed/approved by the City Council. Implementation of this condition shall be based on baseline data concerning existing native species. Study expenses shall be borne by development.
28. **Mitigation Measure #9** – If cultural resources (historic, archeological, paleontological, and/or human remains) are encountered during construction, workers shall not alter the materials or their context until an appropriately trained cultural resource consultant has evaluated the situation. Project personnel shall not collect cultural resources. Prehistoric resources include chert or obsidian flakes,

projectile points, mortars, pestles, dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include stone or adobe foundations or walls, structures and remains with square nails, and refuse deposits often in old wells and privies.

29. **Mitigation Measure #10** -- Grading of the site, design of foundations for proposed structures and construction of other related facilities on the property shall follow the criteria identified in the Geotechnical Investigation (Stevens Ferrone & Bailey, February 6, 2004) prepared for the project.
30. **Mitigation Measure #11** -- Asbestos and lead-based sampling shall be conducted on the structures prior to demolition, and appropriate precautions shall be implemented consistent with any requirements of the Fire Department, the County Environmental Health Department, and the Yolo-Solano Air Quality Management District.
31. **Mitigation Measure #12** -- All aspects of the project shall be subject to design review to ensure compatibility with the surrounding area and satisfaction of the Community Design Guidelines and other applicable principles of good neighborhood design. Prior to issuance of a building permit for each home, the builder shall submit for design review and approval.
32. **Mitigation Measure #13** -- Well pump noise shall not exceed 40 dBA at the nearest residential property line. This shall be demonstrated to the City via a noise analysis prepared by a qualified consultant prior to acceptance of the well facility.
33. **Mitigation Measure #14** -- Construction equipment (including well drilling equipment) shall be fitted with adequate engine mufflers and enclosures.
34. **Mitigation Measure #15** -- The applicant shall enter into a Development Agreement with the City that includes provisions acceptable to the City Council for controlling the pace of growth on an annual basis. Provisions for the design, funding, and construction of necessary infrastructure to accommodate allowed growth shall also be addressed. Threshold requirements for the construction of affordable units shall be included to ensure that the development of affordable units reasonably keep pace with the development of market-rate units within the project.
35. **Mitigation Measure #16** -- The applicant shall enter into a Development Agreement with the City that includes provisions acceptable to the City Council for mitigating the projected fiscal deficit. This may include an on-going Mello-Roos Community Facilities District (CFD) to fund eligible services, a Lighting and Landscaping District which could fund eligible park and landscaping expenses, establishment of an annuity the interest proceeds of which would cover the projected deficit, or other acceptable mechanisms.
36. **Mitigation Measure #17** -- The applicant shall pay park mitigation fees to satisfy the obligation for 1.64-acre of developed parkland. Fees shall include both the value of the land and improvements that would otherwise be constructed if the parkland was provided on-site.
37. **Mitigation Measure #18** -- a) Install a traffic signal at the intersection of Grant Avenue/I-505 Northbound Ramps. The traffic signal would need to be installed after construction and occupancy of 40 single family dwelling unit "equivalents" citywide(i.e., multi-family housing units are 0.6 single family dwelling unit "equivalents");

b) Install a traffic signal at the intersection of Grant Avenue/Walnut Lane. The traffic signal would need to be installed after construction and occupancy of 380 single family dwelling unit "equivalents" citywide (i.e., multi-family housing units are 0.6 single family dwelling unit "equivalents"). A preliminary review of traffic volumes indicates that conditions at this intersection would likely not meet the warrants, or criteria, applied by Caltrans for installation of traffic signals on a state highway. OR Prohibit left turn movements from southbound Walnut Lane onto eastbound Grant Avenue. Southbound vehicles on Walnut Lane would be forced to turn right and make a u-turn at the signalized intersection of Grant Avenue/Railroad Avenue;

c) Install a traffic signal at the intersection of Grant Avenue/West Main Street. The traffic signal would need to be installed after construction and occupancy of 50 single family dwelling unit "equivalents" from this project and/or Winters Highlands, Callahan Estates, or Creekside (i.e., multi-family housing units are 0.6 single family dwelling unit "equivalents");

d) The applicant shall pay a fair share of the cost for design and installation of a traffic signal at the intersection of Railroad Avenue/Main Street at buildout.

38. **Mitigation Measure #19** -- The applicant shall be required to complete full roadway improvements, including traffic calming, to City Standards. Where phasing of improvements is allowed to support phased construction of residences, interim phased improvements shall be to the satisfaction of the City Engineer.
39. **Mitigation Measure #20** -- The proposed systems for conveying project sewage, water, and drainage shall be finalized and approved by the City Engineer prior to final map. The project is required to fund and construct off-site improvements necessary to support the development. Such improvements could include, but not be limited to a water well, water lines, sewer lines and storm drainage lines. Should property acquisition or additional CEQA clearance be required for off-site improvements, this will be the responsibility of the developer.
40. **Mitigation Measure #21** -- The applicant shall offer three alternative locations, satisfactory to the City, for locating a new well to serve the subdivision. Upon determination of an acceptable site, the City will release unused sites back to the applicant. At the City's discretion, the City may waive the requirement for an on-site location, should an acceptable off-site location be acquired and cleared procedurally (e.g. CEQA, etc.) for construction. If determined to be necessary, a separate CEQA analysis shall be conducted to clear the well site for construction. The applicant shall fund the up-front costs of design and construction of the well (including CEQA clearance), subject to later fair share reimbursement.

Community Development

41. Construction activities shall be limited to 7:00 am to 7:00 pm, Monday through Friday only (holidays excluded) in compliance with the City's Noise Ordinance and Standard Specifications. The applicant shall submit a Construction Noise Control Plan for review and approval by the City prior to acceptance of final map. This plan shall address job site noise control and establish protocols for addressing noise complaints. Job site signage with 24-hour contact information for noise complaints shall be included.
42. Foundations shall be poured in place, onsite. No pre-cast foundations will be permitted. This shall be stipulated in all construction contracts.
43. All address numbering shall be clearly visible from the street fronting the property. All buildings shall be identified by either four (4) inch illuminated numbers or six(6) inch non-illuminated numbers on contrasting colors. For residences on alleyways, the address numbering shall appear on the front and rear of the structure. Naming of streets and address numbering shall be completed by a committee comprised of the Community Development Department, the Fire District, the Police Department, and the Postal Service.
44. The applicant shall pay all development impact fees, fees required by other entities, and permit fees.
45. The applicant shall be responsible for any additional costs associated with the processing of this project including but not limited to: plan check, inspections, materials testing, construction monitoring, and other staff review and/or oversight including staff time necessary to ensure completion/satisfaction of all conditions of approval and mitigation measures. The applicant shall, on a monthly basis, reimburse the City for all such costs. Project applicant shall pay all development impact fees adopted by the City Council and shall pay fees required by other entities.

46. The developer shall obtain the following approvals from the Central Valley Regional Water Quality Control Board, as appropriate: 1) coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction Activities; 2) compliance with post construction storm water Best Management Practices pursuant to the NPDES General Permit for Small Municipal Separate Storm Sewers Systems; 3) 401 Water Quality Certification for wetlands impacts; 4) Dewatering Permit under Waste Discharge Requirements General Order for Dewatering and Other Low Threat Discharges to Surface Waters Permit.
47. Prior to acceptance of the final map, the applicant shall submit for review and approval by the City, design specifications for decorative and aesthetically pleasing masonry wall (minimum 6 feet in height) and landscaping (minimum 4.5 feet in width) along the north and east boundaries of the mobile home park property. This wall and landscaping shall be installed by the applicant and accepted by the City on a schedule to be determined by the City. Lots 150 through 183 shall not be occupied until the wall and landscaping improvements are installed and accepted. There shall be an opening in the wall along the north side of the mobile home park to allow for pedestrian and bicycle access to the north.
48. Parcel A shall be recorded with the stipulation that it is and shall remain an open space ("pocket park") lot and can not be converted to other uses in the future.
49. MAP CORRECTIONS: Sheet 1 of 2 – a) The acreage for Parcel Y shall be corrected in the legend to 93,608 as shown on the map itself. b) "Parcel A (Open Space/"Pocket Park") 5,360 square feet" shall be added to the legend.
- 49.1 The subdivision map shall be revised to show varying lot widths and depths within the R-1 residential area. The intent of this condition is to increase lot size and add variety to the resulting yard areas. Some 8,000 square foot lots shall be achieved through these revisions. This shall be approved by staff and reflected in the final map prior to recordation.

Design Review

50. Prior to recordation of the Final Map, a deed restriction shall be recorded against each property that precludes conversion of garage area to livable areas.
51. Repetition of facades within builder tracts (subdivisions) shall be avoided. Abrupt changes in facades between builders shall be avoided.
52. In order to achieve architectural diversity, the developer shall offer four floor plans and 16 elevations (four per plan). A minimum of half of the required elevations shall include brick or stone veneer installed to a minimum height three feet from grade, with no more than a four-inch opening at the base. The veneer shall wrap around all sides of the structure visible from the front and sides so that it terminates at a point where the yard fencing begins. Each elevation for a particular floor plan shall be distinctive, with a unique roof design, architectural detailing, and application of exterior materials. Single story and two-story plans shall be varied.
53. The same (or substantially similar) elevation may appear no more than twice on one side of a block, or three times on either side of facing blocks, and may not be opposite or kitty-corner from the same elevation on the opposite side of the block. In addition, no more than ten percent of the homes can share the same elevation within a development.
54. A minimum of 50 percent of all detached units shall have useable front porches (minimum 6-feet by 8-feet). The remaining 50 percent shall have other prominent useable architectural features such as courtyards, balconies, and/or porticoes.
55. Units on opposing sides of a street shall be compatible in terms of design and color.

56. Lights along local streets shall not exceed 20-feet in height and shall be spaced to meet illumination/safety requirements. Lights along collector and arterial streets shall be as low as feasible in order to maintain pedestrian scale. Historic-style street lamps shall be used along all streets.
57. Entry walks to individual residences shall be separated from the driveway by a landscaped area.
58. Exterior colors on residential units shall not be restricted.
59. Single family structures shall be consistent with applicable development standards identified in Tables 3A and 4, and Section 8-1.5302, of the Zoning Ordinance unless otherwise modified through the PD Permit in subsequent Design Review approvals.
60. Fencing and parking shall be consistent with the applicable requirements of Section 8-1.6001 and 8-1.6003 of the Zoning Ordinance.
61. Landscaping and signage shall be consistent with the applicable requirements of Section 8-1.6004 and 8-1.6005 of the Zoning Ordinance.
62. Universal design features shall be incorporated as an option in residential units. These features shall include first floor passage doors and hallways, a handicap accessible path of travel from either the driveway or sidewalk to the entrance of the residential units, and other features determined by the Community Development Department.
63. The applicant shall ensure that lots along West Main Street receive special design and architectural treatment to showcase neo-traditional principles along this new segment of the City's original Main Street. Front doors for all lots that adjoin West Main Street (front-on or side-on) shall open onto West Main Street. Side-on homes shall include wrap around porches. There shall be no driveways onto West Main Street.
64. A site plan for Parcel A (open space) and landscaping plans for the entire project shall be submitted for design review and approval by the City prior to acceptance of the final map. These improvements shall be developed at the same time as adjoining lots, and shall be completed to the City's satisfaction prior to occupancy of adjoining lots.
65. Homes on lots along Taylor Street shall include wrap-around porches with front doors facing Taylor Street and driveways on the local street.
66. Details for side yard fencing along West Main Street and Taylor Street shall be provided for City review and approval as a part of subsequent Design Review for the project. Height, materials, setback, and landscaping shall be considered in light of the visibility of those areas from proposed bicycle trails along those streets.
67. Alley loaded garages shall have rear lighting that illuminates the alley. Style and wattage of fixtures shall be subject to City review and approval for both safety and aesthetic purposes as a part of subsequent Design Review for the project. Project CC&Rs shall specify the requirement for these fixtures to be maintained, and kept lit during evening hours, by the resident.
68. Deleted: Lot 112 (corner lot) with frontage all parts of the Callahan subdivision. A Restriction will be recorded with Hudson/Ogando Final Map restricting sale of Lot 112 until Callahan Estates improvements are constructed and the lot can be served by road and utility improvements.

Affordable Housing

69. The tentative map and affordable housing plan shall be modified to denote the obligation to deed restrict 11 lots as affordable. Of the 11 affordable units, 5 shall be restricted to very low income occupants and 6 shall be restricted to low/moderate income occupants. These lots shall not be the same lots as those identified to meet the City's local builder requirement. DAN MAGUIRE TO REVISE?

70. Prior to recordation of the Final Map, an inclusionary housing agreement shall be prepared and executed for the identified income-restricted units/properties. Deed restrictions shall be recorded against each income-restricted property to ensure permanent affordability.
71. The construction of the affordable units shall keep pace or exceed the construction of the market rate units.
72. Fifty percent of the affordable for-sale (single family) units shall have 3 bedrooms and 2 baths and fifty percent shall have 4 bedrooms and 2 baths.
73. 72.1 Pursuant to Policy II.A.13 of the Housing Element, the affordable units shall be visually indistinguishable from the market-rate units.

Street Improvements

72. 72.2 All proposed roads within the subdivision shall comply with the City's Public Works Improvement Standards and Construction Specifications, dated September 2003, unless otherwise approved by the City Engineer.
73. The installation a traffic signal at the Grant Avenue and Interstate 505 northbound off ramp per Mitigation Measure #13 has been completed. Condition of Approval #73 has been satisfied. If the traffic signal is not funded by the Callahan Estates development prior to approval of the first final map for Ogando-Hudson development, the project proponent shall fund the installation a traffic signal at the Grant Avenue and Interstate 505 northbound off ramp per Mitigation Measure #13. The signal is to be constructed at applicant's expense subject to a reimbursement from the City Development impact fees through a reimbursement agreement. If the traffic signal has been previously funded by others, the project proponent shall participate in a fair share cost of the signal.

74. West Main Street:

a) Full widening improvements to include off-street landscaping and ped/bike path on west side shall be constructed from Grant Avenue to the northern terminus of this Tentative Map with the first final map on the project.

b) The Hudson-Ogando Development will be required to enter into a Cooperative Joint Development Improvement Agreement with Callahan Estates and Winters Highlands for purpose of sharing in the funding and construction of the extension of West Main Street. The improvements shall be constructed from the northern terminus of existing West Main Street to the proposed Niemann Street on the Winters Highlands property with the first final map on the Callahan Development. The Agreement shall include all terms necessary to acquire the necessary right of way for this purpose on the Winters Highlands property.

c) If the Traffic Signal at West Main Street and Grant Avenue is not funded and constructed by the Callahan Estates development prior to approval of the first final map for Hudson-Ogando development, the project proponent shall fund and construct improvements after construction and occupancy of 50 family dwelling unit "equivalents" from this project and/or Highlands, Hudson-Ogando, or Creekside (i.e., multi-family housing units are 0.6 single family dwelling unit "equivalents") The signal is to be constructed at applicant's expense subject to a reimbursement from the City Development impact fees through a reimbursement agreement.

a) Full widening improvements to include off-street landscaping and ped/bike path on west side shall be constructed from Grant Avenue to the northern terminus of this Tentative Map with the first final map on the project.

b) If the extension of West Main Street is not funded and constructed by the Callahan Estates development prior to approval of the first final map for Ogando-Hudson development, the project proponent shall fund and construct improvements. The improvements shall be constructed from the

~~northern terminus of existing West Main Street to the proposed Niemann Street on the Winters Highlands property with the first final map on the project. Applicant shall acquire the necessary right of way for this purpose on the Winters Highlands property prior to approval of the first final map. Occupancies of home shall not be granted until this improvement is constructed and approved for use by the City Engineer.~~

~~c) Interim street improvements may be approved by the City Engineer. If approved by the City Engineer, the minimum interim roadway improvements shall consist of two 12-foot lanes with 6-foot shoulders on each side and a temporary 10-foot wide asphalt concrete Class 1 pedestrian/bike lane on east side or west side (to be determined during design) of roadway. The structural street cross section shall meet City design and construction standards. Approval of any request for deviation in the minimum roadway improvements shall be at the sole discretion of the City Engineer. Applicant shall acquire the necessary right of way on the Winters Highlands property prior to approval of the first final map. Interim improvements that are of a temporary nature shall be constructed at the sole expense of the Applicant. Any permanent improvements constructed that are subject to reimbursement shall be reimbursed subject to the terms of a reimbursement agreement.~~

~~d) If the Traffic Signal at West Main Street and Grant Avenue is not funded and constructed by the Callahan Estates development prior to approval of the first final map for Ogando-Hudson development, the project proponent shall fund and construct improvements after construction and occupancy of 50 family dwelling unit "equivalents" from this project and/or Highlands, Ogando, or Creekside (i.e., multi-family housing units are 0.6 single family dwelling unit "equivalents". The signal is to be constructed at applicant's expense subject to a reimbursement from the City Development impact fees through a reimbursement agreement.~~

75. Taylor Street:

a) Applicant shall acquire the right of way on the Ogando property between Kennedy Drive and A Street (Ireland Street) to accommodate full roadway improvements. Applicant shall construct full road improvements with the exception that only curb and gutter will be installed along the west side adjacent to the Ogando property to the intersection of A Street (Ireland Street). The street cross Improvements between Kennedy Street and "A " Street (Ireland Street) shall consist of a 36-foot back-of-curb to back-of-curb roadway section, curb and gutter on the west side, and a 13.5-foot landscape strip, 10-foot Ped/Bike path, and 2-foot landscape clear zone on the east side. Taylor/"A" Street knuckle to the west of the Tentative Map boundary through the Ogando property, to the Callahan property, shall be constructed as part of Callahan Estates Development and shall be constructed with the same cross section dimensions with the Ped/bike landscape corridor on the west side and the sidewalk on the east side. The Ogando-Hudson development shall participate in sharing 50% of the cost for acquisition of right of way and construction of full improvements of this section of roadway with the Callahan Estates development.

b) Applicant shall acquire the right of way on the east side of Taylor Street and construct full street and sidewalk improvements adjacent to the Sherwood et al property, between Parcel A and the existing street and sidewalk improvements to the south.

~~a) Applicant shall acquire the right of way on the Ogando property and construct full improvements of Taylor Street. The street cross Improvements between Kennedy Street and "A " Street shall consist of a 36-foot back-of-curb to back-of-curb roadway section, a 5-foot sidewalk and 5.5-foot landscape strip on the west side, and a 13.5-foot landscape strip, 10-foot Ped/Bike path, and 2-foot landscape clear zone on the east side. "A" Street to the north Tentative Map boundary shall be constructed and shall have the same cross section dimensions with the Ped/bike landscape corridor on the west side and the sidewalk on the east side.~~

~~b) Applicant shall acquire the right of way on the east side of Taylor Street and construct full street and sidewalk improvements adjacent to the Sherwood et al property, between Parcel A and the existing street and sidewalk improvements to the south.~~

76. Kennedy Drive: Applicant shall acquire the right of way on the Ogando property and construct full street and sidewalk improvements on the north side, between proposed Taylor Street and the existing street and sidewalk improvements to the west.
77. ~~Niemann Street: Niemann Street from its existing westerly terminus to W. Main Street is off-site and shall be included with the development of the Ogando-Hudson project if not already constructed with the Callahan Development or other developments. Improvements shall consist of full improvements on the south side of Niemann with the addition of a 12-foot travel lane and 4-foot shoulder on the north side of Niemann. The extension of Niemann Street shall be constructed with the first Final Map of development. Improvements subject to reimbursement shall be reimbursed subject to the terms of a reimbursement Agreement. DELETED~~
78. Grant Avenue:
- a) Full widening improvements to include off-street landscaping and ped/bike path on north side shall be constructed from West Main Street to the western terminus of this Tentative Map with the first final map on the project.
- b) Remove existing non-standard sidewalk and construct 5-foot wide concrete pedestrian sidewalk improvements, as approved by the City Engineer, from the west boundary of the Tentative Map improvements to the existing sidewalk at Taylor Street to the east. Relocate fire hydrant as necessary.
- ~~c) Restricted (no) public vehicle access shall be designated on the Final Map along the north side of Grant Avenue from the intersection of West Main Street to the west boundary of the Tentative Map. The final map shall identify relinquishment of access rights, except as noted. DELETED~~
- ~~d) No parking shall be allowed on Grant Avenue. DELETED~~
79. ~~Anderson Avenue: Anderson Avenue from its existing westerly terminus to W. Main Street is off-site and shall be included with the development of the first Final Map of the Ogando-Hudson project to serve the existing Middle School on Anderson Avenue, if not already constructed with the Callahan Estates Development or other developments. Applicant shall construct full roadway improvements. Applicant shall acquire the needed right-of-way prior to approval of the final map. Improvements subject to reimbursement shall be reimbursed subject to the terms of a reimbursement agreement. DELETED~~
80. Alley "C" Street: The Applicant shall construct a 30- foot face-of-curb to face-of-curb alley street cross section between West Main Street and Alley Street "B". No parking shall be allowed in the alley, within the public right-of-way.
81. Alley "A" Street: Restricted (no) public or private vehicle access shall be designated on the Final Map along the south side of Alley "A" from the intersection of Alley "B" Street to the intersection of Taylor Street. The final map shall identify relinquishment of access rights, except as noted. No parking shall be allowed in the alley, within the public right-of-way.
82. Intersection Enhancement Details: Island Planters and crosswalks shall be constructed of colored brick pavers, stamped concrete or other enhanced feature as approved by the City Engineer.
83. Local Streets: Local streets shall provide for ADA compliant sidewalk turnouts where sidewalk widths do not meet ADA. All sidewalks at driveway locations shall be 6-inch thick Portland Cement Concrete (PCC).
84. Tentative Map Street Cross-Sections, Sheet 1 and 2, dated March 8, 2005. Conditions and Changes shall be made as follows:

a) Street Cross section details as modified by these conditions of approval, including all intersection geometric design, complying with the conditions of approval, shall be revised on tentative map, submitted to the City, and approved by the City Engineer prior to submitting a final map and improvement plans.

b) A signing and striping, and stop plan is required and shall be approved by the City Engineer. All signing and striping shall be in accordance with the City of Winters Public Improvements Standards and Construction Standards.

c) Street light types shall be those historic types as approved by the City. Applicant shall fund the analysis for designing standards and details for spacing historic lights. Improvement plans shall be designed to those standards once approved.

Storm Drainage and Site Grading

85. A comprehensive storm drainage plan shall be prepared by a registered civil engineer for project watershed(s), including the plan area. The plan shall identify specific storm drainage design features to control increased runoff from the project site. The drainage plan shall demonstrate the effectiveness of the proposed storm drainage system to prevent negative impacts to existing upstream and downstream facilities and to prevent additional flooding at off-site downstream locations. All necessary calculations and assumptions and design details shall be submitted to the City Engineer for review and approval. The design features proposed by the applicant shall be consistent with the most recent version of the City's Storm Drainage Master Plan criteria and City Public Works Improvement Standards. The plan shall incorporate secondary flood routing analysis and shall include final sizing and location of on-site and off-site storm conduit channels, structures. The Storm Drainage Plan shall be submitted for approval prior to submittal of the first final map and/or construction drawings for checking. The applicant shall pay the cost associated with all improvements required by the plan and an appropriate reimbursement agreement shall be drafted to reimburse the applicant for oversize improvements on a pro rata basis per the Project level Development Agreement.
86. A topographic survey of the entire site and a comprehensive grading and drainage plan prepared by a registered civil engineer, shall be required for the development. The plan shall include topographic information on adjacent parcels. In addition to grading information, the grading plan shall indicate all existing trees, and trees to be removed as a result of the proposed development, if any. A statement shall appear on the site grading and drainage plan, which shall be signed by a registered civil engineer or land surveyor and shall read, "I hereby state that all improvements have been substantially constructed as presented on these plans". Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
87. The Tentative map Grading and Drainage plan showing grading and drainage information including topographic information, drainage routing, pipe slopes and sizing and locations and excluding topographic information, and overland drainage routing are preliminary only and do not constitute approval in any way. Final approval for the grading and Drainage Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval.
88. To accommodate the storm water project run-off and pass-through run-off from project into the existing Rancho Arroyo Pond the applicant shall be required to participate in the funding of a pump station in the pond that would consist of an approximate sized 14.5 cfs of pumping capacity. The applicant would also be required to fund and construct all storm drainage piping to accommodate flows from their project area to the storm pipe in West Main street, to include participating in funding a new inlet structure to the Rancho Arroyo detention pond and the abandonment of the existing inlet structure on the Cottages at Carter Ranch property and the existing detention pond pump and standpipe. The cost of work performed in and for the improvement of the Detention Basin shall be subject to fee credits and/or reimbursement, as determined by the City.

89. Construction materials for storm drainpipes within the water table shall be pre-cast rubber-gasket reinforced concrete pipe (RGRCP).
90. Applicant shall be required to coordinate with FEMA through the City's Floodplain Administrator to determine if a CLOMR or LOMR is needed for the project as a result of possible impacts to Dry Creek or Putah Creek Flood Plain. Applicant shall obtain all necessary permits and CLOMRs/LOMRs as required prior to First Final Map approval.
91. The differential in elevation between rear and side abutting lot lines shall not exceed twelve inches (12") without construction of concrete or masonry block retaining walls. Deviation from this condition may be allowed subject to approval by the City Engineer.
92. Drainage fees shall be paid prior to issuance of a building permit.
93. All perimeter parcels and lots shall be protected against surface runoff from adjacent properties in a manner acceptable to the City Engineer.
94. If disposal and sharing of the excavated soil from the construction of the Development occurs, prior to approval of the first Final Map, Applicant shall prepare a written agreement with the other participating property owners and submit to the City.
95. All projects shall include implementation of post-construction best management practices (BMP). Post construction BMP's shall be identified on improvement plans and approved by the City Engineer.
96. Construction of projects disturbing more than one acre of soil shall require a National Pollution Discharge Elimination System (NPDES) construction permit.
97. Applications/projects disturbing less than one acre of soil shall implement BMP's to prevent and minimize erosion. The improvement plans for construction of less than 1 acre shall include a BMP to be approved by the City Engineer.
98. An erosion and sedimentation control plan shall be included as part of the improvement plan package. The plan shall be prepared by the applicant's civil engineer and approved by the City Engineer. The plan shall include but not be limited to interim protection measures such as benching, sedimentation basins, storm water retention basins, energy dissipation structures, and check dams. The erosion control plan shall also include all necessary permanent erosion control measures, and shall include scheduling of work to coordinate closely with grading operations. Replanting of graded areas and cut and fill slopes is required and shall be indicated accordingly on plans, for approval by City Engineer.
99. Where possible landscaped slopes along streets shall not exceed 5:1; exceptions shall require approval of the City Engineer. All other slopes shall comply with the City of Winters Public Works Improvements Standards. Level areas having a minimum width of two (2) feet shall be required at the toe and top of said slopes.
100. All inactive portions of the construction site, which have been graded will be seeded and watered until vegetation is grown.
101. Grading shall not occur when wind speeds exceeds 20 MPH over a one hour period.
102. Construction vehicle speed on unpaved roads shall not exceed 15 MPH.
103. Construction equipment and engines shall be properly maintained.
104. If air quality standards are exceeded in May through October, the construction schedule will be arranged to minimize the number of vehicles and equipment operating at the same time.

105. Construction practices will minimize vehicle idling.
106. Potentially windblown materials will be watered or covered.
107. Construction areas and streets will be wet swept.

Wastewater and Sewer Collection System

108. The applicant shall obtain a no-cost Wastewater Discharge Permit from the Public Works Department prior to the issuance of a Building Permit.
109. The property shall be connected to the City of Winters sewer system, with a separate sewer lateral required for each parcel, in accordance with City of Winters Public Improvement standards and Construction Standards. Applicant shall construct sewer service lateral to parcel "A".
110. A Tentative Map Sewer comprehensive Collection System Master Plan shall be submitted for approval by the City Engineer prior to submittal of the final map and/or construction drawings for checking. A registered civil engineer for project shall prepare the sewer collection system plan. The plan shall include final sizing and location of on-site conveyance facilities, structures, and engineering calculations. Said plan shall also include provisions for cost sharing among affected adjacent development for facilities sized to accommodate those developments.
111. The applicant shall pay the cost associated with all improvements, and an appropriate reimbursement agreement shall be drafted to reimburse the applicant for reimbursable improvements. Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
112. The Tentative Map Sewer Plan showing sewer routing, pipe slopes and sizing and locations, are preliminary only and do not constitute approval in any way. Final approval for the Sewer Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval.
113. As an interim connection, Developer shall have the option to direct its sewer flows south into the existing Grant Ave. sewer system as an interim connection on the condition that Developer fund all necessary new improvements and upgrades to the existing sewer system as required by the City at its own expense, which will not be subject to reimbursement. Once infrastructure is constructed to the north, the development shall be required to make that connection and disconnect from the Grant Ave sewer system. In addition, Ogando-Hudson shall be required to pay the full citywide sewer impact fee that funds the WWTP expansion that would still serve their development and associated sewer conveyance pipelines and regional pump station that would have served their development should the development have elected to continue to direct its development flows north through the Winters Highlands Development to the new proposed regional pump station at West Main Street and the Rancho Arroyo Detention Pond. Should the development elect not to direct its flows south and not fund improvements, it shall be required direct their flows north through the Winters Highlands property, advance funds for those improvements, and construct the conveyance pipe line system and regional pump station in order to connect to the WWTP and comply with all conditions of approval. Any permanent improvements constructed that are subject to reimbursement shall be reimbursed subject to the terms of a reimbursement agreement.
114. Prior to approval for use of the City's existing force main pipe, Applicant shall assess the capacity and physical condition of the force main and obtain City Engineer approval for use on the project. If the force main cannot be used, the Applicant shall be required to construct a new force main to the WWTP or other acceptable alternative approved by the City Engineer.
115. Construction of sewer mains deeper than 16-feet at the bottom of the pipe shall be connected to laterals by a parallel mains and connections at Manholes.

Water Infrastructure

116. If required, per the Subdivision Map Act, project applicant shall obtain a Water Verification (WV) prior to approval of final map that addresses the following:
117. Actual water service to the subdivision will be predicated upon satisfaction of terms and conditions set by the water supplier
118. The WV is non-transferable, and can only be used for the specific tentative map for which it was issued.
119. The WV shall expire along with the tentative map subdivision map if a final map is not recorded within time allowed under law
120. Until such time as actual service connections are approved for the subdivision, the water agency may withhold water service due to a water shortage declared by the water agency.
121. ~~The installation a water well per Mitigation Measure #21 has been completed. Condition of Approval #121 has been satisfied. Based on City water modeling, a new well is needed to serve the first phase of development. If the Water Well is not funded and constructed by the Callahan Estates development, Developer shall advance fund the construction of a water well and required water system conveyance pipelines with the project. Per Mitigation Measure #18, the applicant shall fund the up-front costs of design and construction of the well (including CEQA clearance), subject to later fair share reimbursement. Building permits shall be issued for individual units only after the City has established that water supply will be available to serve the units.~~
122. ~~The installation a water well per Mitigation Measure #21 has been completed. Condition of Approval #122 requiring a Water Well site plan has been satisfied. If the Water Well site plan is not funded and prepared by the Callahan Estates development The Applicant shall fund and prepare a well site plan with facility elevations with the first final map application subject to fee credits.~~
123. The Tentative Map Water Plan showing water routing, sizing and locations, are preliminary only and do not constitute approval in any way. Final approval for the Water Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval. Applicant shall comply with making changes to water system distribution pipe sizes and alignments based on the results of the specific water modeling performed for the development. Applicant shall pay for all required water modeling for identifying water infrastructure needs to serve its development and shall construct offsite water improvements to connect to the City water distribution system.
124. At the time the Building Permit is issued, the applicant will be required to pay the appropriate City connection Fees. All domestic water services will be metered. Water meters shall be installed on all water services to the satisfaction of the City Engineer.
125. Applicant shall construct water service lateral to parcel "A" and install a meter for the service.
126. Per City of Winters Cross Connection Control Program, all types of commercial buildings and landscape irrigation services are required to maintain an approved backflow prevention assembly, at the applicant's expense. Service size and flow-rate for the backflow prevention assembly must be submitted. Location of the backflow prevention assembly shall be per the City of Winters Public Improvements Standards and Construction Standards. Prior to the installation of any backflow prevention assembly between the public water system and the owner's facility, the owner or contractor shall make application and receive approval from the City Engineer or his designated agent.
127. Per the City of Winters Cross Connection Control Program, fire protection systems are required to maintain approved backflow prevention, at the applicant's expense. Required location, service size

and flow-rate for the fire protection system must be submitted. Actual location is subject to the review and approval of the Public Works Department, Fire Department, and Community Development Department.

128. The City of Winters Plan Review Fee applies and is due upon submittal of the maps and plans for review.
129. FINAL PLANS, PERIODIC TESTS FOR FIRE HYDRANTS: All final plans for fire hydrant systems and private water mains supplying a fire hydrant system shall be submitted to the City of Winters Fire Department for approval prior to construction of the system. All fire protection systems and appurtenances thereto shall be subject to such periodic tests as required by the City of Winters Fire Department.
130. WATER PRESSURE: All water lines and fire hydrant systems must be approved by the Fire Chief and operating prior to any construction taking place on the site. Prior to issuance of building permits, water flow must be measured and certified for adequacy by the Winters Fire District. The minimum residual pressure shall be 20 PSI.
131. REFLECTORS FOR FIRE HYDRANTS: Any fire hydrant installed will require, in addition to the blue reflector noted in Standard Drawings, an additional blue reflector and glue kit that is to be supplied to the City of Winters Fire Department for replacement purposes.
132. All construction, new or remodeling, shall conform to the most current Uniform Fire Codes, the Winters Fire Prevention Code, and section of the National Fire Codes that the Winters Fire Chief or his/her agent may find necessary to apply.
133. Prior to approval of the first final map, a comprehensive on-site water system master plan shall be prepared by a registered civil engineer for project, and shall be submitted to the Public Works Director for review and approval. The master plan shall include final sizing and location of on-site conveyance facilities, structures, and engineering calculations. Said plan shall also include provisions for cost sharing among affected adjacent development for facilities sized to accommodate the plan area. The applicant shall pay the cost associated with all improvements required by the study, and an appropriate reimbursement agreement shall be drafted to reimburse the applicant for oversize improvements on a pro rata basis per the Project level Development Agreement. Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
134. Forty-eight hours notice shall be given to the Winters Fire District prior to any site inspections.
135. A hydrant use permit shall be obtained from the Public Works Department, for water used in the course of construction.
136. When the fire protection facilities are in the City of Winters, the developer shall contact the Winters Fire District Chief or his/or agent prior to construction for a pre-construction meeting.
137. All required fire accesses that are to be locked shall be locked with a system that is approved by the Fire Chief or his/her agent.
138. Submit three sets of plans for each fire suppression sprinkler system to the Fire Department for review and approval prior to the issuance of each building permit.
139. All residences shall have fire suppression sprinkler systems meeting or exceeding NFPA 13-D. Water laterals shall be appropriately sized to accommodate sufficient water flows for fire suppression sprinkler systems.

General Public Works and Engineering Conditions

140. The conditions as set forth in this document are not all inclusive. Applicant shall thoroughly review all City, state, and federal planning documents associated with this tentative map and comply with all regulations, mitigations and conditions set forth.
141. The applicant agrees to adhere to the terms of the ordinance (Ordinance No. 96-02) adopted by the City Council to address impact fees to be paid for development of property within the Rancho Arroyo Drainage District, to offset costs associated with drainage improvements.
142. Closure calculations shall be provided at the time of initial map check submittal. All calculated points within the map shall be based upon one common set of coordinates. All information shown on the map shall be directly verifiable by information shown on the closure calculation print out. The point(s) of beginning shall be clearly defined and all lot acreage shall be shown and verifiable from information shown on the closure calculation print out. Additionally, the square footage of each lot shall be shown on the subdivision map. Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
143. A subdivision map (Final or Parcel) shall be processed and shall be recorded prior to issuance of a Building Permit. The Developer shall provide, to the City Engineer, one recorded Mylar copy and four print copies of the final map from the County, prior to issuance of the first building permit.
144. U.S. Post Office mailbox locations shall be shown on the improvement plans subject to approval by the City Engineer and Postmaster.
145. A registered landscape architect shall design public landscape and privacy wall improvements and improvements shall be per City Standards, as applicable.
146. Applicant shall make every attempt to submit joint trench/utility/composite plans for review, prior to approval of the final map and improvement plans. Construction will not be allowed to proceed prior to submittal of the joint trench/utility/composite plans for City review.
147. All existing and proposed utilities (Electric, phone/data, and cable) shall be installed underground per the subdivision ordinance and shall meet the policies, ordinances, and programs of the City of Winters and the utility providers.
148. Street lighting location plan shall be submitted and approved by the Department of Engineering, prior to approval of improvement plans and final recordation of Map.
149. Roads must be constructed and paved prior to issuance of any building permit. Under specific circumstances, temporary roads may be allowed, but must be approved by the City of Winters City Engineer and Fire Department
150. Occupancy of residential units shall not occur until on-site and off-site improvements have been accepted by the City Council and the City has approved as-built drawings, unless otherwise approved by the City Engineer and Community Development Director. Applicants, and/or owners shall be responsible to so inform prospective buyers, lessees, or renters of this condition.
151. If relocation of existing facilities is deemed necessary, the applicant shall perform the relocation, at the applicant's expense unless otherwise provided for through a reimbursement agreement. All public utility standards for public easements shall apply.
152. A Subdivision Improvement Agreement shall be entered into and recorded prior construction of improvements, issuance of any building permits, or recordation of a final map.
153. At the time of making the survey for the final map, the engineer or surveyor shall set sufficient durable monuments to conform to the standards described in Section 8771 of the Business and

Professions Code. All monuments necessary to establish the exterior boundaries of the subdivision shall be set or referenced prior to recordation of the final map.

Easements and Right of Way

154. Appropriate easements shall be required for City maintained facilities located outside of City owned property or the public right-of-way.
155. The applicant shall facilitate, with City cooperation, the abandonment of all City easements and dedications currently held but no longer necessary as determined by the Public Works Department.
156. A five (5) foot public utility easement back of sidewalk, adjacent to all public streets within the development shall be dedicated to the City. Additional easements shall be dedicated as requested by the utility companies and approved by the City.
157. Per the project level Development Agreement, prior to approval of first set of improvement plans and final map, Applicant shall acquire all rights of way and easements necessary to construct off-site and on-site improvements associated with that set of improvement plans and final map.

Reimbursements for Applicant Install Improvements

158. Applicant shall pay appropriate reimbursements for benefiting improvements installed by others, in the amount and at the time specified by existing reimbursement agreements.

Landscaping and Lighting

159. Project proponents shall enter into the City wide Landscape and Lighting Maintenance District, in order to maintain and provide for the future needs of parks, open space, street lighting, landscaping, sound walls, and other related aspects of development. The project proponent is responsible for all costs associated with this condition. The project proponent shall fulfill this condition prior to the sale of any buildable lots or parcels within the project area.
160. Applicant of multi-family residential, commercial and industrial project shall provide refuse enclosure detail showing bin locations and recycling facilities to the approval of the Public Works Department.
161. Prepare, and submit for approval, a utility site plan prior to preparation of full improvement plans.
162. Prepare improvement plans for any work within the public right-of-way and submit them to the Public Works department for review and approval. The improvement plan sheets shall include the title block as outlined in the City of Winters Public Improvements Standards and Construction Standards. This submittal is separate from the building permit submittal. The Developer shall provide, to the City Engineer, one Mylar original and four sets of the improvement plans and electronic media (AutoCAD .DWG or DXF on Zip Disk or Compact Disk), for approval of plans by the City Engineer.
163. Conform to County Health regulations and requirements for the abandonment of a septic tanks and water wells.
164. Existing public and private facilities damaged during the course of construction shall be repaired by the subdivider, at his sole expense, to the satisfaction of the City Engineer.
165. The area of each lot, in square feet, shall be calculated and shown on the Final Map.
166. Encroachment permits if necessary from will be acquired from Yolo County, Cal-Trans, and PG&E.
167. All utility poles that are to be relocated in conjunction with this project shall be identified on the improvement plans, with existing and proposed locations indicated.

168. All public landscape areas shall include water laterals with meters and PG&E power service points for automatic controllers.
169. Prior to recording of the final map, if required, provide evidence of payment for the Habitat Mitigation Fee. This fee is paid to the Yolo County Planning Department.
170. If improvements are constructed and/or installed by a party or parties other than the Applicant, which improvements benefit Applicant's property, prior to issuance of a building permit (approval of the final map) on Applicant's property, Applicant shall pay a proportionate share of the costs of said improvements, including interest, prior to the issuance of building permit(s) (approval of the final map) to Applicant.
171. The main electrical panel for each residence shall be located at the exterior of the residence and capable of total electrical disconnect by a single throw.

conditions.1002505.doc



**PLANNING COMMISSION
STAFF REPORT**

TO: Board Chair and Members of the Planning Commission
DATE: July 23, 2013
FROM: John W. Donlevy, Jr., City Manager 
SUBJECT: Callahan Estates- Second Amendment to Development Agreement

RECOMMENDATION:

That the Planning Commission:

1. Receive and Staff Report regarding the Second Amendment to the Callahan Estates Development Agreement;
2. Conduct a Public Hearing and receive community input;
3. Make a recommendation to the Winters City Council to approve the second amendment to the previously approved Development Agreement for development of the property commonly known as the Callahan Estates Property between the City of Winters and Turning Point Acquisition V, LLC pursuant to Government Code sections 65864 through 65869.5 in order to extend the term of the agreement; amend the phasing, affordable housing and park obligation requirements; and change certain public improvement obligations.

BACKGROUND:

Since 2006, the City has entered into five (5) development agreements with various developers for the subdivision and development of residential projects. In 2007, the real estate market essentially "crashed" and none of the proposed projects proceeded. Because of this, amendments have been initiated and adopted over the past six years to keep the agreements current and viable for when the real estate market returns.

In December, 2011, the City Council approved an amendment to the Creekside Estates Subdivision Development Agreement. This amendment was the first comprehensive revision to essentially "modernize" the agreements to recognize capital improvements made during the interim, needs of the City and the developer, and also to acknowledge the new fiscal realities of residential development.

Subsequent to this action, Staff has been working with the developers for the Hudson Ogando, Callahan Estates and Winters Highlands subdivisions for similar modifications to bring them current.

DISCUSSION:

In the Creekside Estates update, Staff focused on a number of key elements to modernize the development agreement, which included the following:

1. Acknowledgement of the development of key infrastructure which has been constructed (Library, Well 7, Pool, Public Safety Facility) and removed advanced funding or financing requirements.
2. Removed funding requirements for projects or elements which did not have a direct nexus to the project.
3. Allowed for flexibility in permit and impact fee payments.
4. Removed Level III School Impact Fee payments, based on the reality that the District is in need of students more than additional facility fees. The amendment to the development agreement also required the applicant to negotiate with the WJUSD for amendments to their funding agreements.
5. Maintenance of the annuity requirement for fiscal neutrality for the project for City services.

The modernization of the Creekside development agreement was based on a very pragmatic approach to creating a balance between a project which will bring a quality project to the City and one which is financially viable to build for the developer.

In discussions with the developers of the Winters Highlands, Callahan and Hudson Ogando projects, the focus has included each of the items above, but also has included the following:

1. Winters Highlands and Callahan are required to enter into a cooperation and cost sharing agreement which provides for the construction of common utilities and infrastructure between the projects.
2. An open discussion on the provision of affordable housing issues which has been brought before the affordable housing steering committee for amendments to the current plans.
3. Elimination of the phasing requirements to reflect the reluctance of developers potential financing sources to accept such provisions. The realization is that the market will dictate and pace projects with few predicting mass development every occurring again.

Retained in the agreements are:

- Project amenities for bike/pedestrian orientation, energy requirements, design elements. No Project aspects have been deleted.
- Requirements for park development, including the grading of the sports park and the development of the linear park in the Winters Highlands project.
- Mitigation requirements.
- Fiscal neutrality and annuity payments.
- Wastewater pump station development and water well expansion.
- Traffic improvements on Grant Ave.

- Groundwater monitoring program funding requirements.

PROJECT DESCRIPTION:

The Callahan Estates development consists of approximately 102 single family lots on approximately 26.4 acres, with Yolo County Assessor's Parcel Number 030-220-49, and located at the western terminus of Anderson Avenue. The proposed amendment would authorize the assignment of the Development Agreement from Winters Investors, LLC to Turning Point Acquisition, LLC; extend the term of the agreement to December 31, 2019; remove the phasing requirement; amend the affordable housing and park obligation requirements; and make certain other amendments regarding public improvements and joint obligations among adjacent development projects.

DEVELOPMENT AGREEMENT MODIFICATIONS:

The modifications to the Callahan Estates Subdivision are included in the recommended Second Amendment, but generally include the following:

- Extension of the term of the agreement from 2016 to 2019.
- Acknowledgement of the assignment of the Agreement from Winters Investors LLC to Turning Point Acquisition LLC.
- Section 3.7 of the agreement of the development agreement is amended to remove development phasing of residential permits.
- Affordable housing construction both Callahan Estates and Hudson Ogando will be replaced with a combined payment of \$360,000 as an in lieu fee for 22 low and very low income units from both projects. Seven (7) units on Main Street previously designated for low and very low income lots shall be constructed on the Hudson Ogando subdivision and sold as moderate income units. The seven moderate rate affordable housing units shall be built by the time the developer receives a certificate of occupancy on the twenty-fifth market rate unit.
- The proposed amendment acknowledges a revised agreement between the developer and Winters Joint Unified School District.
- Advance Funding for the Public Safety Facility is replaced with the payment of the required impact fee as per the current schedule.
- The amendment requires a cooperation agreement between the developer and the Winters Highland Subdivision for necessary easements, cost sharing and common utilities between the subdivisions.
- Sewer fees are now required to be paid as per the impact fee program.
- Callahan has previously advanced funding toward the construction of Water Well 7. The amendment acknowledges the advanced funding and provides fee credits toward impact fees for individual units.
- Taylor Street Improvements- Amendment provides for 50% cost sharing between the Callahan Estates and Hudson Ogando subdivisions.

Modifications to Conditions of Approval:

The Conditions are attached and changes are reflected in the strikethrough format. Generally, the changes include the following:

- 68. Affordable housing to reflect payment of in-lieu for low and very low income units.
- 72.1 Reflects the installation of the traffic signal for northbound I505 at Grant.
- 73. Modifies improvements toward the extension of Main Street and the installation of the traffic signal at Grant Ave. and Main Street.
- 74. Reflects the cost sharing for Taylor Street improvements between Hudson Ogando and Callahan Estates.
- 114 Updates the cost sharing agreement for wastewater improvements with Winters Highlands, Callahan Estates and Hudson Ogando.
- 119.1 Acknowledges the construction of Water Well #7.
- 120 Acknowledges the construction of Water Well #7

ATTACHMENTS:

- 1. Project Map
- 2. Notice of Public Hearing
- 3. Second Amendment to Development Agreement
- 4. Modified Conditions of Approval

FIRST PHASE →

- Small Lot Affordables (11)
- Small Lot Market Rate (14)
- Duplex Affordable (18)
- Alley Loaded (28)
- Conventional (121)

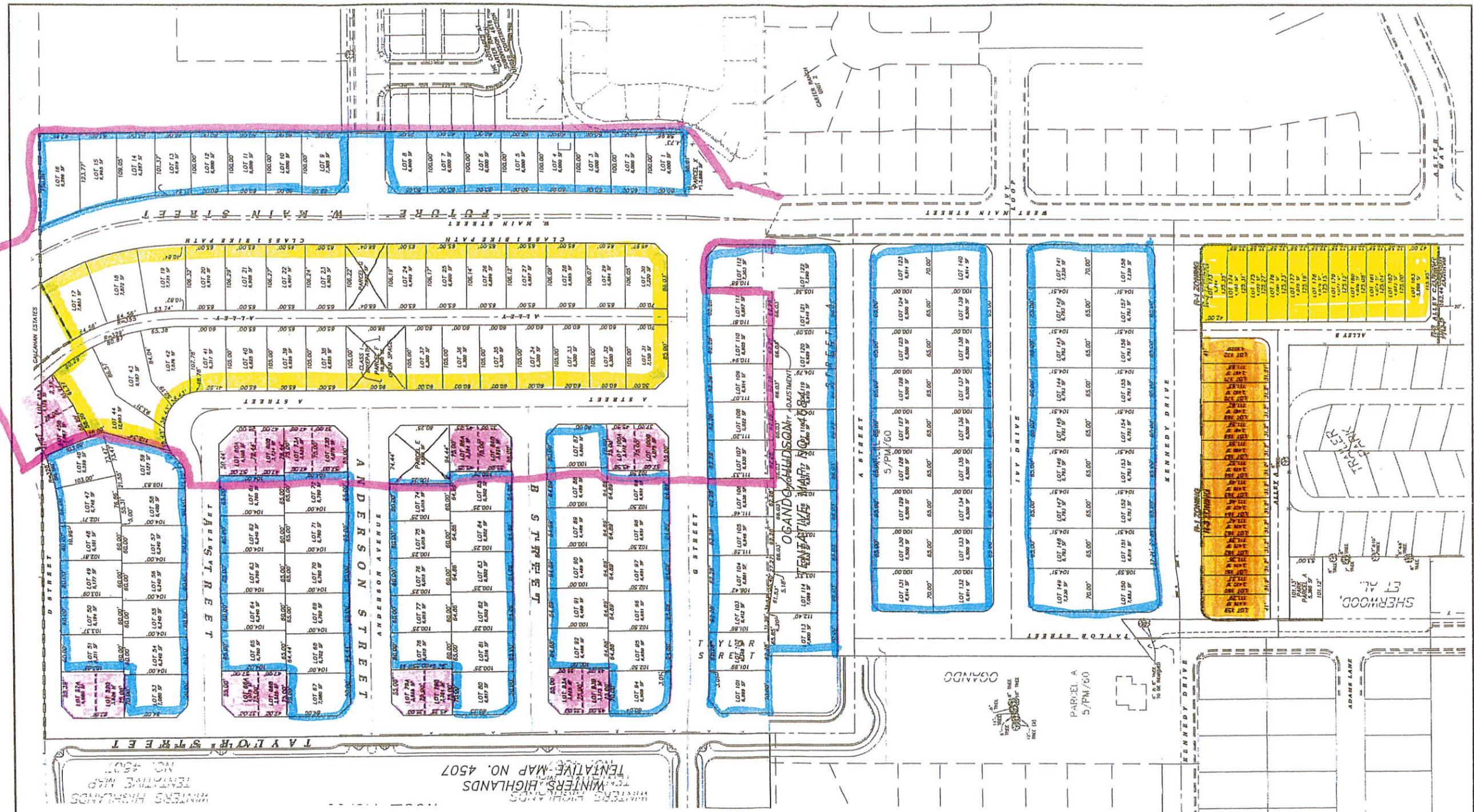
192

Hudson-Ogando Callahan (120)

47 conventional 102 (of which 12 are to be made avail to local bldrs)

25 R-3 (of which 5 are very low & 6 are low to mod.) 18 below mkt (7 very low, 7 low, 4 mod)

72 120



HUDSON/OGANDO - CALLAHAN
 COMBINED LOTTING EXHIBIT
 LOCATED IN A PORTION SECTION 21
 TOWNSHIP 8 NORTH, RANGE 1 WEST
 MOUNT Diablo MERIDIAN
 City of Winters, Yolo County, California

CIVIL ENGINEERING
 LAND SURVEYING
 PLANNING

LM
 LAUGOUR AND METZKE
 808 COURT STREET, WOODLAND, CA 95695
 PHONE: (530) 862-1755
 FAX: (530) 862-4602

OCTOBER 27, 2005 SHEET 1 OF 1

NOTICE OF PUBLIC HEARING BEFORE THE PLANNING COMMISSION

Notice is hereby given that a second amendment to the previously approved Development Agreement for development of the property commonly known as the Callahan Estates Property between the City of Winters and Winters Investors, LLC is being proposed, pursuant to Government Code sections 65864 through 65869.5 in order to extend the term of the agreement; amend the phasing, affordable housing and park obligation requirements; and change certain public improvement obligations.

The development consists of approximately 102 single family lots on approximately 26.4 acres, with Yolo County Assessor's Parcel Number 030-220-49, and located at the western terminus of Anderson Avenue. The proposed amendment would authorize the assignment of the Development Agreement from Winters Investors, LLC to Turning Point Acquisition, LLC; extend the term of the agreement to December 31, 2019; remove the phasing requirement, amend the affordable housing and park obligation requirements; and make certain other amendments regarding public improvements and joint obligations among adjacent development projects.

The Second Amendment to the Development Agreement will be reviewed by the Planning Commission at the City Council Chambers, at 318 First Street, on July 23, 2013, at or after the hour of 6:30 p.m. Comments from the Planning Commission on the Second Amendment to the Development Agreement will be presented to the Winters City Council on August 6, 2013, at a meeting to be separately noticed.

Prior to the scheduled Planning Commission hearing, copies of the staff report and the Second Amendment to the Development Agreement will be available for review at City Hall. Any person having an interest in any property affected by the proposed Second Amendment to the Development Agreement may appear at the above hearing either in person or by counsel or both and may be heard in support of his/her position. If you challenge the decision of this project in court, pursuant to Government Code section 65009, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Winters at or prior to the public hearing.

The purpose of the public hearing will be to give citizens an opportunity to make their comments known. If you are unable to attend the public hearing, you may direct written comments to the City of Winters, City Clerk, 318 First Street, Winters, CA 95694 or you may telephone (530) 795-4910, extension 101, before the meeting on July 23, 2013. In addition, a public information file is available for review at the above address between the hours of 8:00 a.m. and 5:00 p.m. on weekdays.

If you plan on attending the public hearing and need a special accommodation because of a sensory or mobility impairment/disability, please contact Nanci Mills, City Clerk, (530) 795-4910, extension 101 to arrange for those accommodations to be made.

RECORDED AT REQUEST OF AND
WHEN RECORDED MAIL TO:

CITY OF WINTERS
318 First Street
Winters, CA 95695
Attention: City Clerk

(Space Above this Line for Recorder's Use Only)

**SECOND AMENDMENT TO
DEVELOPMENT AGREEMENT BY AND BETWEEN
THE CITY OF WINTERS AND
TURNING POINT ACQUISITION V LLC, A CALIFORNIA LIMITED
LIABILITY COMPANY
[CALLAHAN ESTATES]**

THIS SECOND AMENDMENT TO DEVELOPMENT AGREEMENT (hereinafter referred to as the "Second Amendment") is entered into as of _____, 2013, by and between the CITY OF WINTERS, a municipal corporation (the "**City**") and TURNING POINT ACQUISITION V LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, a California Limited Liability Company, (the "**Developer**").

To be provided under separate cover

DRAFT AMENDED FINDINGS OF FACT AND CONDITIONS OF APPROVAL FOR CALLAHAN ESTATES SUBDIVISION PROJECT
(~~March 15, 2005~~ _____ Winters City Council --Final____)

FINDINGS OF FACT

Findings for Adoption of Mitigated Negative Declaration

1. The City Council has considered the proposed Mitigated Negative Declaration (original and revised) before making a decision on the project.
2. The City Council has considered comments received on the Mitigated Negative Declaration during the public review process.
3. The City Council finds that the environmental checklist/initial study identified potentially significant effects, but: a) mitigation measures agreed to by the applicant before the mitigated negative declaration and initial study were released for public review would avoid the effects or mitigate the effects to a point where clearly no significant impact would occur; and b) there is no substantial evidence, in light of the whole record before the City, that the project as revised to include the mitigation measures may have a significant effect on the environment.
4. The Mitigated Negative Declaration reflects the independent judgment and analysis of the City of Winters.
5. The Mitigated Negative Declaration has been prepared in compliance with CEQA and the State CEQA Guidelines, and as amended/revised is determined to be complete and final.
6. The custodian of the documents, and other materials, which constitute the record of proceedings is the Community Development Director. The location of these items is the office of the Community Development Department at City Hall, 318 First Street, Winters, California 95694.
7. The Revised Mitigation Monitoring Plan is hereby adopted to ensure implementation of mitigation measures identified in the Mitigated Negative Declaration. The City Council finds that these mitigation measures are fully enforceable as conditions of approval of the project, and shall be binding on the applicant, future property owners, and affected parties.
8. The City Council hereby adopts the Callahan Estates Subdivision Mitigated Negative Declaration.

Findings for Exclusion from West Central Master Plan

The proposed project, as modified and conditioned, better meets the requirements of the General Plan and there is no detriment to property remaining in the West Central Master Plan by removing this parcel.

Findings for PD Overlay and PD Permit

1. The project, as modified and conditioned, is consistent with the General Plan and the purposes of Section 8-1.5117 of the Zoning Ordinance.
2. Deviations from specified provisions of the basic zoning district on the property have been justified as necessary to achieve an improvement design for the development and/or the environment. The development complies with the remaining applicable provisions of the basic zoning district on the property.

3. The proposed development, as modified and conditioned, is desirable to the public comfort and convenience.
4. The requested plan, as modified and conditioned, will not impair the integrity or character of the neighborhood nor be detrimental to the public health, safety, or general welfare.
5. Adequate utilities, access roads, sanitation, and/or other necessary facilities and services will be provided or available.
6. The development, as modified and conditioned (including execution of the Development Agreement) will not create an adverse fiscal impact for the City in providing necessary services.

Findings for Amendment of the Circulation Master Plan, Standard Street Cross Sections, and Bikeway System Master Plan

1. The amendments to these City documents result in increased bicycle trail standards for the City resulting in a net benefit to the community and net increase in protected routes for alternative circulation.

Findings for Tentative Subdivision Map (G.C. 66474) and Lot Line Adjustments

1. The proposed map is consistent with the General Plan.
2. The design and improvement of the proposed map is consistent with the General Plan.
3. The site is physically suitable for the type of development.
4. The site is physically suitable for the proposed density of development.
5. The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. The design of the subdivision and type of improvements will not cause serious public health problems,
7. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision,

Findings for Development Agreement

1. The DA is consistent with the objectives, policies, general land uses and programs specified in the General Plan.
2. The DA is compatible with the uses authorized in, and the regulations prescribed for, the zoning district in which the real property is or will be located.
3. The DA is in conformity with and will promote public convenience, general welfare and good land use practice.
4. The DA will not be detrimental to the health, safety and general welfare.
5. The DA will not adversely affect the orderly development of property or the preservation of property values.

6. The DA will meet the intent of Section 11-2.202(a) (Public Benefits) of the City Code.
7. The DA is consistent with Ordinance 2001-05 (Development Agreements).

CONDITIONS OF APPROVAL

The following conditions of approval are required to be satisfied by the applicant/developer prior to final map, unless otherwise stated.

General

1. In the event any claim, action or proceeding is commenced naming the City or its agents, officers, and employees as defendant, respondent or cross defendant arising or alleged to arise from the City's approval of this project, the project Applicant shall defend, indemnify, and hold harmless the City or its agents, officers and employees, from liability, damages, penalties, costs or expense in any such claim, action, or proceeding to attach, set aside, void, or annul an approval of the City of Winters, the Winters Planning Commission, any advisory agency to the City and local district, or the Winters City Council. Project applicant shall defend such action at applicant's sole cost and expense which includes court costs and attorney fees. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense. Nothing in this condition shall be construed to prohibit the City of Winters from participating in the defense of any claim, action, or proceeding, if City bears its own attorney fees and cost, and defends the action in good faith. Applicant shall not be required to pay or perform any settlement unless the subdivider in good faith approves the settlement, and the settlement imposes not direct or indirect cost on the City of Winters, or its agents, officers, and employees, the Winters Planning commission, any advisory agency to the City, local district and the City Council.
2. All conditions identified herein shall be fully satisfied prior to acceptance of the first final map unless otherwise stated.
3. The project is as described in the January 25, 2005 Planning Commission staff report. The project shall be constructed as depicted on the maps and exhibits included in the January 25, 2005 Planning Commission staff report, except as modified by these conditions of approval. Substantive modifications require a public hearing and Council action.

General Plan Requirements

4. Pursuant to General Plan Policy II.A.19, a minimum of ten percent of the single-family lots (12 lots) shall be offered for sale to local builders or owner-builders. These lots shall not be the same lots as those identified to meet the City's affordable housing requirement.
5. Pursuant to General Plan Policy II.C.1 and VI.F.2, energy efficient design shall be used. At a minimum this shall include: maximization of energy efficient techniques as identified in the July 27, 2004 Planning Commission staff report on "Proposed Energy Resolution" (attached), and attainment of EPA Energy Star Standards in all units; low emission furnaces; avoidance of dark colored roofing; and a minimum of 10 percent solar photovoltaic homes. The applicant shall provide written evidence from each buyer that they were provided with a solar energy option on their home.
6. Pursuant to General Plan Policy II.D.4 and IV.A.1 necessary public facilities and services shall be available prior to the first occupancy of the project.
7. Pursuant to General Plan Policy IV.A.4 (second sentence), the developer shall pay in-lieu fees for the increment of parkland not provided on site, or at the City's discretion may construct needed improvements according to City specification in lieu of paying the fees.

8. Pursuant to General Plan Policy VI.C.7, drought-tolerant and native plants, especially valley oaks, shall be used for landscaping roadsides, parks, schools, and private properties. Pursuant to General Plan Policy VI.C.8, drainage-detention areas shall incorporate areas of native vegetation and wildlife habitat.
9. Pursuant to General Plan Policy IV.B.14, there shall be a water meter on each new hook-up.
10. Pursuant to General Plan Policy IV.C.2, adequate sewer service shall be provided prior to the issuance of any individual building permit.
11. Pursuant to General Plan Policy IV.J.2, all new electrical and communication lines shall be installed underground.
12. Pursuant to General Plan Policy VI.A.6, grading shall be carried out during dry months, when possible. Areas not graded shall be disturbed as little as possible. Construction and grading areas, as well as soil stockpiles, should be covered or temporarily revegetated when left for long periods. Revegetation of slopes shall be carried out immediately upon completion of grading. Temporary drainage structures and sedimentation basins must be installed to prevent sediment from entering and thereby degrading the quality of downstream surface waters, particularly Putah Creek. The full cost of any necessary mitigation measures shall be borne by the project creating the potential impacts. Pursuant to General Plan Policy VII.B.3, should the City allow any grading to occur during the rainy season, conditions shall be implemented to ensure that silt is not conveyed to the storm drainage system.
13. Deleted.
14. Pursuant to General Plan Policy VI.E.6, construction-related dust shall be minimized. Dust control measures shall be specified and included as requirements of the contractor(s) during all phases of construction of this project and shall be included as a part of the required construction mitigation plan for the project.
15. Pursuant to General Plan Policy VII.A.1, VII.A.2, and VII.C.4 all site work and construction activities shall be in accordance with the requirements of the City, and other applicable local, regional, state, and federal regulations.
16. Pursuant to General Plan Policy VII.C.1, necessary water service, fire hydrants, and access roads shall be provided to the satisfaction of the Fire Chief and Fire Protection District standards.
17. Pursuant to General Plan Policy VII.C.2, a minimum fire-flow rate of 1,500 gallons per minute is required for all residential uses.
18. Pursuant to General Plan Policy VIII.D.2, street trees shall be planted along all streets, in accordance with the City's Street Tree Plan and Standards. There shall be a minimum of one street tree in the center front of each single-family lot, and on both frontages for corner lots. All trees shall be of a type on the approved street tree list and shall be a minimum of fifteen gallons in size with a mature tree canopy of at least a thirty-foot diameter within five years. The intent is that majestic street tree species that create large canopies at maturity will be required in all medians and streetside landscape strips. The goal is create maximum shade canopy over streets and sidewalks.
19. Pursuant to General Plan Policy VIII.D.4, a permanent mechanism for the ongoing maintenance of street trees is required, to the satisfaction of the City Manager and City Finance Director.
20. Pursuant to General Plan Policy VIII.D.7, all lighting including street lighting, shall be designed, installed, and maintained to minimize excess light spillage, unnecessary brightness and glare, and degradation of night sky clarity.
21. Deleted.

Negative Declaration Mitigation Measures

22. Mitigation Measure #1: Outdoor light fixtures shall be low-intensity, shielded and/or directed away from adjacent areas and the night sky. All light fixtures shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. High-intensity discharge lamps, such as mercury, metal halide and high-pressure sodium lamps shall be prohibited. Lighting plans shall be submitted for approval as part of facility improvement plans to the City with certification that adjacent areas will not be adversely affected and that offsite illumination will not exceed 2-foot candles.

Prior to issuance of a building permit, the applicant shall submit a photometric and proposed lighting plan for the project to the satisfaction of the Community Development Department to ensure no spillover light and glare onto adjoining properties.

23. Mitigation Measure #2: a. Construction equipment exhaust emissions shall not exceed District Rule 2-11 Visible Emission limitations.
- b. Construction equipment shall minimize idling time to 10 minutes or less.
- c. The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. District personnel, with assistance from the California Air Resources Board, will conduct initial Visible Emission Evaluations of all heavy-duty equipment on the inventory list.

An enforcement plan shall be established to weekly evaluate project-related on-and-off- road heavy-duty vehicle engine emission opacities, using standards as defined in California Code of Regulations, Title 13, Sections 2180 - 2194. An Environmental Coordinator, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate project related off-road and heavy duty on-road equipment emissions for compliance with this requirement. Operators of vehicles and equipment found to exceed opacity limits will be notified and the equipment must be repaired within 72 hours.

Construction contracts shall stipulate that at least 20% of the heavy-duty off-road equipment included in the inventory be powered by CARB certified off-road engines, as follows:

175 hp - 750 hp	1996 and newer engines
100 hp - 174 hp	1997 and newer engines
50 hp- 99 hp	1998 and newer engines

In lieu of or in addition to this requirement, the applicant may use other measures to reduce particulate matter and nitrogen oxide emissions from project construction through the use of emulsified diesel fuel and or particulate matter traps. These alternative measures, if proposed, shall be developed in consultation with District staff.

24. Mitigation Measure #2.1: Homes constructed as a part of the Callahan project shall contain only low-emitting EPA certified wood-burning appliances or natural gas fireplaces.
25. Mitigation Measure #3: The project proponent shall mitigate for potential project-related impacts to nesting raptors by conducting a pre-construction survey of all trees suitable for use by nesting raptors on the subject property or within 500 feet of the project boundary as allowable. The preconstruction survey shall be performed no more than 30 days prior to the implementation of construction activities. The preconstruction survey shall be conducted by a qualified biologist familiar with the identification of raptors known to occur in the vicinity of the City of Winters. If active special-status raptor nests (e.g. Swainson's hawk or white-tailed kite) are found during the preconstruction survey, a 0.25-mile (1,320-feet) buffer zone shall be established around the nest and no construction activity shall be conducted within this zone during the raptor nesting season (typically March-August)

or until such time that the biologist determines that the nest is no longer active. The buffer zone shall be marked with flagging, construction lathe, or other means to mark the boundary of the buffer zone. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.

26. Mitigation Measure #4: The project proponent shall mitigate for potential project-related impacts to burrowing owl by conducting a pre-construction survey no more than 30 days prior to the initiation of construction activity. The pre-construction survey shall be conducted by a qualified biologist familiar with the identification of burrowing owls and the signs of burrowing owl activity. If active burrows are found on the project site, the California Department of Fish and Game (CDFG) shall be consulted regarding appropriate mitigation measures for project-related impacts to burrowing owl. Pursuant to the CDFG document entitled "Staff Report on Burrowing Owl Mitigation" (September 25, 1995), it is likely that replacement habitat will be required by CDFG. The guidelines include specific mitigation to protect nesting and wintering owls and to compensate for loss of breeding sites. In general, if the project would remove habitat of an occupied breeding site (e.g., if an active nest and surrounding habitat are removed), the project proponent will be required to compensate by preserving 6.5 acres of suitable habitat for each active nest site. In addition, the project proponent must install artificial burrows to offset the direct loss of the breeding site. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.
27. Mitigation Measure #5: The project proponent shall mitigate for potential project-related impacts to Swainson's hawk foraging habitat by complying with the Yolo County Memorandum of Understanding (MOU) regarding project-related impacts to Swainson's hawk foraging habitat. The MOU requires the project proponent mitigate at a 1:1 ratio for every acre of suitable Swainson's hawk foraging habitat that is impacted by the project. A fee shall be collected by the City of Winters for impacts to 26.4 acres of potential Swainson's hawk foraging habitat. The fee shall be payable to the Wildlife Mitigation Trust Account. Funds paid into the trust account shall be used to purchase or acquire a conservation easement on suitable Swainson's hawk foraging habitat and for maintaining and managing said habitat in perpetuity. The cost per acre for acquisition and maintenance of foraging habitat is reviewed annually and the project proponent shall be charged at the rate per acre at the time of project approval. Payment shall be made to the trust account prior to the initiation of construction activity and shall be confirmed by the City of Winters prior to the issuance of a grading permit.
28. Mitigation Measure #5.1: (a) If the project can avoid ground disturbing activities that would affect the hydrology of the wetland or avoid fill into the wetland, then no mitigation for impacts to special status invertebrates is required. A buffer around the seasonal wetland would be required to ensure that any possibility of take is avoided. The amount of this buffer would be determined by a qualified biologist based on a site-specific determination of hydrology and shall not be less than 20-feet. If impacts to the wetland will not be avoided, then consultation and on-site inspection with USFWS shall determine whether the Service will require protocol surveys to be conducted to determine presence or absence of the listed species. If as a result of the consultation or protocol level surveys it is determined that the species are absent, then no mitigation is required. If the species are present, or if the project proponent decides to assume presence by not conducting the surveys if such surveys are required by USFWS, then compensatory mitigation will be required. If compensatory mitigation is required and there is no federal regulatory lead agency (as is the case with this project), the project proponent, through coordination with the USFWS, would prepare a project-level Habitat Conservation Plan under Section 10 of the federal Endangered Species Act. The project-level HCP will identify specific actions including the amount of compensation that is required. Typically, impacts on these species require replacement of the habitat acreage at a 3:1 ratio (1:1 preservation and 2:1 creation). The City of Winters shall confirm implementation of this mitigation measure prior to the issuance of a grading permit.

(b) Notwithstanding the Corps' determination, the California Department of Fish and Game (CDFG) retains jurisdiction over State biological resources including wetlands, and should be contacted regarding any separate regulatory authority or requirement they may have for vernal pool species.

Prior to the commencement of work on the Callahan Estates project site, the applicant shall contact the CDFG regarding their potential jurisdiction over wetlands that exist on the project site and comply with all requirements, if any, established by CDFG arising from this consultation with the Department.

29. Mitigation Measure #5.2: (a) Pursuant to General Plan Policy VI.C.2, the applicant must replace loss of riparian and wetland habitat acreage and/or value on at least a 1:1 basis. Replacement entails creating habitat that is similar in extent and ecological value to that displaced by the project. The replacement habitat must consist of locally-occurring, native species and be located either at the City's Community Sports Park site north of Moody Slough Road or at the wetlands site in the northeast corner of the Winters Highlands property. Implementation of this condition shall be based on baseline data concerning existing native species. Study expenses shall be borne by development.

(b) Additional field investigation shall be undertaken by a qualified wetlands specialist to establish the condition of the Highland Canal and to determine the potential for it to be subject to CDFG jurisdiction. The following information shall be provided: the source and terminus of the drainage, whether the feature is natural or artificial, and what its current and historical purpose is relative to water delivery. Prior to the commencement of work on the Callahan Estates project site, the applicant shall contact the CDFG regarding their potential jurisdiction over habitat or species within the Highland Canal and comply with all requirements, if any, established by CDFG arising from this consultation with the Department. If the Highland Canal is found to be subject to CDFG jurisdiction, it shall also be included in the calculation of total loss of habitat for which City General Plan Policy VI.C.2 requires 1:1 mitigation.

30. Mitigation Measure #6: If cultural resources (historic, archeological, paleontological, and/or human remains) are encountered during construction, workers shall not alter the materials or their context until an appropriately trained cultural resource consultant has evaluated the situation. Project personnel shall not collect cultural resources. Prehistoric resources include chert or obsidian flakes, projectile points, mortars, pestles, dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources include stone or adobe foundations or walls, structures and remains with square nails, and refuse deposits often in old wells and privies.
31. Mitigation Measure #7: Grading of the site, design of foundations for proposed structures and construction of other related facilities on the property shall follow the criteria identified in the Geotechnical Investigation (Terrasearch Inc, June 6, 2003) prepared for the project.
32. Mitigation Measure #8: Prior to development of the property, two soils samples in the southwest area of the site shall be tested for organochloride pesticides and metals (arsenic, lead, and mercury), following the protocol recommended in the Environmental Site Assessment (ESA) (Terrasearch, July 14, 2003). Other recommendations of the ESA shall be followed during grading and site preparation activities.
33. Mitigation Measure #9: All aspects of the project shall be subject to design review to ensure compatibility with the surrounding area and satisfaction of the Community Design Guidelines and other applicable principles of good neighborhood design. Prior to issuance of a building permit for each phase of construction of the project, the applicant shall submit full architectural renderings, including building elevations and floor plans, for design review and approval.
34. Mitigation Measure #10: The applicant shall enter into a Development Agreement with the City that includes provisions acceptable to the City Council for controlling the pace of growth on an annual basis. Provisions for the design, funding, and construction of necessary infrastructure to accommodate allowed growth shall also be addressed. Threshold requirements for the construction of affordable units shall be included to ensure that the development of affordable units reasonably keep pace with the development of market-rate units within the project.
35. Mitigation Measure #11: The applicant shall enter into a Development Agreement with the City that includes provisions acceptable to the City Council for mitigating the projected fiscal deficit. This may

include an on-going Mello-Roos Community Facilities District (CFD) to fund eligible services, a Lighting and Landscaping District which could fund eligible park and landscaping expenses, or other acceptable mechanisms.

36. Mitigation Measure #12: The applicant shall pay park mitigation fees to satisfy the obligation for 2.70 acres of developed parkland. The applicant is responsible for the value of the land plus the value of the improvements that would have otherwise been required in order to satisfy the General Plan goal.
37. Mitigation Measure #13: Install a traffic signal at the intersection of Grant Avenue/I-505 Northbound Ramps. The traffic signal would need to be installed after construction and occupancy of 40 single family dwelling unit "equivalents" citywide (i.e., multi-family housing units are 0.6 single family dwelling unit "equivalents").
38. Mitigation Measure #13.1: a) Install a traffic signal at the intersection of Grant Avenue/Walnut Lane. The traffic signal would need to be installed after construction and occupancy of 380 single family dwelling unit "equivalents" citywide (i.e., multi-family housing units are 0.6 single family dwelling unit "equivalents"). A preliminary review of traffic volumes indicates that conditions at this intersection would likely not meet the warrants, or criteria, applied by Caltrans for installation of traffic signals on a state highway. **OR** b) Prohibit left turn movements from southbound Walnut Lane onto eastbound Grant Avenue. Southbound vehicles on Walnut Lane would be forced to turn right and make a u-turn at the signalized intersection of Grant Avenue/Railroad Avenue.
39. Mitigation Measure #13.2: Install a traffic signal at the intersection of Grant Avenue/West Main Street. The traffic signal would need to be installed after construction and occupancy of 50 single family dwelling unit "equivalents" from this project and/or Highlands, Ogando, or Creekside (i.e., multi-family housing units are 0.6 single family dwelling unit "equivalents").
40. Mitigation Measure #13.3: The applicant shall pay a fair share of the cost for design and installation of a traffic signal at the intersection of Railroad Avenue/Main Street at buildout.
41. Mitigation Measure #14: The applicant shall be required to complete all roadway improvements, including traffic calming, to City Standards. Where phasing of improvements is allowed to support phased construction of residences, interim phased improvements shall be to the satisfaction of the City Engineer. The applicant shall be required to construct right-of-way improvements on Niemann Street to West Main Street, Anderson Avenue to West Main Street, and extend West main Street from the extension of Niemann Street to the existing northerly terminus of West Main Street within the Carter Ranch development. All roadway improvements at the Main Street and State Route 128 (Grant Avenue) intersection shall meet applicable Caltrans highway standards.
42. Mitigation Measure #15: The proposed systems for conveying project sewage, water, and drainage shall be finalized and approved by the City Engineer prior to final map.
43. Mitigation Measure #16: A separate CEQA analysis shall be conducted to clear the proposed sewer pump station site for construction and to clear the construction of any offsite infrastructure needed outside of existing roadways and for which a prior CEQA clearance can not be used.
44. Mitigation Measure #17: The Proposed Project shall contribute its fair share toward expansion of the City of Winters Wastewater Treatment Plant, consistent with the Wastewater Treatment Plant Master Plan. If expansion of the WWTP is required for the project, an acceptable financing mechanism shall be in place for the WWTP expansion prior to acceptance of a final map. Building permits for each phase of development shall be issued only after the City has established that WWTP capacity will be available to serve that phase of development.
45. Mitigation Measure #18: The applicant shall offer three alternative locations, satisfactory to the City, for locating a new well to serve the subdivision. Upon determination of an acceptable site, the City will release unused sites back to the applicant. At the City's discretion, the City may waive the requirement for an on-site location, should an acceptable off-site location be acquired and cleared

procedurally (e.g. CEQA, etc.) for construction. If determined to be necessary, a separate CEQA analysis shall be conducted to clear the well site for construction. The applicant shall fund the up-front costs of design and construction of the well (including CEQA clearance), subject to later fair share reimbursement. Building permits shall be issued for individual units only after the City has established that water supply will be available to serve the units.

Community Development

46. Construction activities shall be limited to 7:00 am to 7:00 pm, Monday through Friday only (holidays excluded) in compliance with the City's Noise Ordinance and Standard Specifications.
- 46.1 Construction on Lot 1 shall implement the recommendations of a plan-specific noise study to address potential noise from a municipal well operating on Parcel X.
47. Foundations shall be poured in place, onsite. No pre-cast foundations will be permitted. This shall be stipulated in all construction contracts.
48. Address numbering shall be plainly visible from public view using lettering that is a minimum of four inches in high with contrasting colors. Naming of streets and address numbering shall be completed by a committee comprised of the Community Development Department, the Fire District, the Police Department, and the Postal Service.
49. The applicant shall pay all development impact fees, fees required by other entities, and permit fees.
50. The applicant shall be responsible for any additional costs associated with the processing of this project including but not limited to: plan check, inspections, materials testing, construction monitoring, and other staff review and/or oversight including staff time necessary to ensure completion/satisfaction of all conditions of approval and mitigation measures. The applicant shall, on a monthly basis, reimburse the City for all such costs. Project applicant shall pay all development impact fees adopted by the City Council and shall pay fees required by other entities.
51. MAP CORRECTIONS (all sheets): **a)** The "Notes" on the tentative map describing proposed Parcel X shall be modified to correctly refer to the parcel as "Parcel X" rather than "Lot X" and the square footage shall be modified to "3,939" rather than "3, 913". **b)** The "Notes" shall also be modified to reflect the true "owner" and "subdivider" as represented by the applicant. **c)** The "Notes" and the map shall be modified to identify Parcels E, F, and G as "open space" lots proposed to be dedicated to the City. **d)** The tentative map shall be modified for Lots 1 through 16 to remove the references to a "common driveway". This feature, if allowed, will be addressed during the subsequent Design Review process for these lots. **e)** Proposed Parcel C, which would be an exchange parcel from Winters Highlands to Callahan Estates, shall be increased in size on the tentative map from 1,884 square feet as shown to include the half-street cross-section frontage right-of-way on D Street to the east side of the alley and the full cross-section right-of-way for the alley to the centerline of D Street. **f)** Insets 8A, 8B, and 8c on Sheet 2 that depict lot setbacks are not approved and shall be removed from the map. **g)** The bike path on Parcels F and G shall be dimensioned and labeled as a Class I facility. **h)** The south boundary of Lot 38 shall align with the south boundary of Lot 23. The extra area will go into Lot F as a part of the open space.
52. Pursuant to Section 8-1.6015.C and Section 8-1.6015.I of the Zoning Ordinance related to the required CEQA Mitigation Monitoring Plan, sign-off on the completion of each mitigation measure in the adopted Mitigation Monitoring Plan (MMP) shall constitute the required "Program Completion Certificate".
53. The Mitigation Monitoring Plan shall be adopted pursuant to the requirements of Section 8-1.6015.F and implemented pursuant to Section 8-1.6015.G and Section 8-1.6015.H, of the Zoning Ordinance.
54. Pursuant to the Mitigation Monitoring Plan (MMP), the applicant shall fund the costs of implementing the MMP including the payment of fees specified in Section 8-1.6015.J of the Zoning Ordinance.

55. Pursuant to Section 8-1.6015.E of the Zoning Ordinance related to the required CEQA Mitigation Monitoring Plan (MMP), the following items shall apply and shall be amended into the MMP:
- a) The adopted MMP shall run with the real property that is the subject of the project and successive owners, heirs, and assigns of this real property are bound to comply with all of the requirements of the adopted Plan.
 - b) Prior to any lease, sale, transfer, or conveyance of any portion of the real property that is the subject of the project, the applicant shall provide a copy of the adopted Plan to the prospective lessee, buyer, transferee, or one to whom the conveyance is made. This does not apply to sales of individual single-family lots to homebuyers.
 - c) The responsibilities of the applicant and of the City, and whether any professional expertise is required for completion or evaluation of any part of the Plan, shall be as specified in the Plan and as determined by the Community Development Director or designated Project Monitor in the course of administering the MMP.
 - d) Cost estimates for the implementation of this Plan and satisfaction of each measure are not known or available, but shall be developed by the applicant in the course of implementing each mitigation measure.
 - e) Civil remedies and criminal penalties for noncompliance with the adopted MMP are as specified in Section 8-1.6015.K, 8-1.6015.L, and Section 8-1.6015.M of the Zoning Ordinance.
- 55.1 The West Main Street (South of "C" Street) cross-section (Inset #6) shall be deleted. The map shall be modified to show the West Main Street ("C" Street to "D" Street) cross-section (Inset #5) as extending south of C Street. Lots 101 through Exchange Parcel A shall be shifted eastward 15 feet. Lot 101 shall be modified to show the widening of Taylor by 15 feet to accommodate a Class I trail system.

Design Review

56. Prior to recordation of the Final Map, a deed restriction shall be recorded against each property that precludes conversion of garage area to livable areas.
57. Repetition of facades within builder tracts (subdivisions) shall be avoided. Abrupt changes in facades between builders shall be avoided.
58. In order to achieve architectural diversity, the developer shall offer five floor plans and 25 elevations (five per plan). A minimum of half of the required elevations shall include brick or stone veneer installed to a minimum height three feet from grade, with no more than a four-inch opening at the base. The veneer shall wrap around all sides of the structure visible from the front and sides so that it terminates at a point where the yard fencing begins.
- Each elevation for a particular floor plan shall be distinctive, with a unique roof design, architectural detailing, and application of exterior materials. Single story and two-story plans shall be varied.
59. The same (or substantially similar) elevation may appear no more than twice on one side of a block, or three times on either side of facing blocks, and may not be opposite or kitty-corner from the same elevation on the opposite side of the block. In addition, no more than ten percent of the homes can share the same elevation within a development.
60. A minimum of 50 percent of all detached units shall have useable front porches (minimum 6-feet by 8-feet). The remaining 50 percent shall have other prominent useable architectural features such as courtyards, balconies, and/or porticoes.

61. Units on opposing sides of a street shall be compatible in terms of design and color.
62. Lights along local streets shall not exceed 20-feet in height and shall be spaced to meet illumination/safety requirements. Lights along collector and arterial streets shall be as low as feasible in order to maintain pedestrian scale. Historic-style street lamps shall be used along all streets.
63. Entry walks to individual residences shall be separated from the driveway by a landscaped area.
64. Exterior colors on residential units shall not be restricted.
65. Single family structures shall be consistent with applicable development standards identified in Tables 3A and 4, and Section 8-1.5302, of the Zoning Ordinance.
66. Fencing and parking shall be consistent with the applicable requirements of Section 8-1.6001 and 8-1.6003 of the Zoning Ordinance.
67. Landscaping and signage shall be consistent with the applicable requirements of Section 8-1.6004 and 8-1.6005 of the Zoning Ordinance.
- 67.1 UNIVERSAL DESIGN: Universal design features shall be incorporated as an option in residential units. These features shall include first floor passage doors and hallways, a handicap accessible path of travel from either the driveway or sidewalk to the entrance of the residential units, and other features determined by the Community Development Department.
- 67.2 The applicant shall ensure that lots along West Main Street receive special design and architectural treatment to showcase neo-traditional principles along this new segment of the City's original Main Street.
- 67.3 Site plans and landscaping plans for Parcels E, F, and G shall be submitted for design review and approval prior to issuance of residential building permits. These parcels shall be developed at the same time as adjoining lots, and shall be completed to the City's satisfaction prior to occupancy of adjoining lots.
- 67.4 Specifications and landscaping for the special treatment proposed at the intersection of Anderson Avenue and West Main Street shall be submitted for design review and approval prior to issuance of residential building permits.
- 67.5 Homes on lots along Taylor Street shall be oriented to face Taylor Street, rather than to the local streets. Design for these homes shall include wrap-around porches with front doors facing Taylor Street.

Affordable Housing

68. The tentative map and affordable housing plan shall be modified to denote the obligation to deed restrict 18 lots as affordable. Of the 18 affordable units, 7 shall be restricted to very low income occupants and 11 shall be restricted to low/moderate income occupants. These lots shall not be the same lots as those identified to meet the City's local builder requirement.
69. Prior to recordation of the Final Map, an inclusionary housing agreement shall be prepared and executed for the identified income-restricted units/properties. Deed restrictions shall be recorded against each income-restricted property to ensure permanent affordability.
70. The construction of the affordable units shall keep pace or exceed the construction of the market rate units.
71. Fifty percent of the affordable for-sale (single family) units shall have 3 bedrooms and 2 baths and fifty percent shall have 4 bedrooms and 2 baths.

Street Improvements

72. All proposed roads within the subdivision shall comply with the City's Public Works Improvement Standards and Construction Specifications, dated September 2003.

72.1 The installation a traffic signal at the Grant Avenue and Interstate 505 northbound off ramp per Mitigation Measure #13 has been completed. Condition of Approval #73 has been satisfied. The project proponent shall install a traffic signal at the Grant Avenue and Interstate 505 northbound off ramp per Mitigation Measure #13. The signal is to be constructed at applicant's expense subject to a reimbursement from the City Development impact fees through a reimbursement agreement.

73. West Main Street:

a) Full improvements shall be constructed from the northern terminus of existing West Main Street to the Northern terminus of this Tentative Map with the first final map on the project. Applicant shall acquire the necessary right of way for this purpose on the Winters Highlands property prior to approval of the first final map.

b) The extension of West Main Street from the northern terminus of the tentative Map to the proposed Niemann Street shall be constructed with the first Final Map on the project. Interim street improvements may be approved by the City Engineer. If approved by the City Engineer, the minimum interim roadway improvements shall consist of two 12-foot lanes with 6- foot shoulders on each side and a temporary 10 foot wide asphalt concrete Class 1 pedestrian/bike lane on east side or west side (to be determined during design) of roadway. The structural street cross section shall meet City design and construction standards. Approval of any request for deviation in the minimum roadway improvements shall be at the sole discretion of the City Engineer. Applicant shall acquire the necessary right of way on the Winters Highlands property prior to approval of the first final map. Interim improvements that are of a temporary nature shall be constructed at the sole expense of the Applicant. Any permanent improvements constructed that are subject to reimbursement shall be reimbursed subject to the terms of a reimbursement agreement.

c) The project proponent shall install a traffic signal at the Grant Avenue and West Main Street intersection prior to the issuance of the 50th building permit. The signal is to be constructed at applicant's expense subject to a reimbursement from the City Development impact fees through a reimbursement agreement.

~~a) Full improvements shall be constructed from the northern terminus of existing West Main Street to the Northern terminus of this Tentative Map with the first final map on the project. Applicant shall acquire the necessary right of way for this purpose on the Winters Highlands property prior to approval of the first final map.~~

~~b) The extension of West Main Street from the northern terminus of the tentative Map to the proposed Niemann Street shall be constructed with the first Final Map on the project. Interim street improvements may be approved by the City Engineer. If approved by the City Engineer, the minimum interim roadway improvements shall consist of two 12-foot lanes with 6- foot shoulders on each side and a temporary 10 foot wide asphalt concrete Class 1 pedestrian/bike lane on east side or west side (to be determined during design) of roadway. The structural street cross section shall meet City design and construction standards. Approval of any request for deviation in the minimum roadway improvements shall be at the sole discretion of the City Engineer. Applicant shall acquire the necessary right of way on the Winters Highlands property prior to approval of the first final map. Interim improvements that are of a temporary nature shall be constructed at the sole expense of the Applicant. Any permanent improvements constructed that are subject to reimbursement shall be reimbursed subject to the terms of a reimbursement agreement.~~

- e) ~~The project proponent shall install a traffic signal at the Grant Avenue and West Main Street intersection prior to the issuance of the 50th building permit. The signal is to be constructed at applicant's expense subject to a reimbursement from the City Development impact fees through a reimbursement agreement.~~

74. Taylor Street:

a) If the Winters Highlands property is not developed prior to the development of the Callahan Project, then the Applicant shall acquire the land on the Winters Highlands property in order to facilitate the interim or full construction of Taylor Street as shown on the Tentative Map. Applicant shall acquire the needed right-of-way prior to approval of final map on Project for any phase having lots which front on Taylor Street. Interim street improvements may be approved by the City Engineer. The minimum interim roadway improvements shall consist of two 12-foot lanes with an 8-foot parking lane on the east side. The structural cross section shall meet City design and construction standards. Approval of any request for deviation in these minimum roadway standards shall be at the discretion of the City Engineer. Interim improvements that are of a temporary nature shall be constructed at the sole expense of the applicant. Any permanent improvements constructed that are subject to reimbursement shall be reimbursed subject to the terms of a reimbursement agreement.

b) Taylor/"A" Street knuckle to the south of the Callahan Tentative Map boundary and west of the Hudson-Ogando Tentative Map boundary through the Ogando property shall be constructed as part of Callahan Estates Development and shall be constructed with the same cross section dimensions with the Ped/bike landscape corridor on the west side and the sidewalk on the east side. The Callahan Estates development shall participate in sharing 50% of the cost for acquisition of right of way and construction of full improvements of this section of roadway with the Hudson-Ogando development.

75. Niemann Street: Niemann Street from its existing westerly terminus to W. Main Street is off-site and shall be included with the development of the Callahan project. Improvements shall consist of full improvements on the south side of Niemann with the addition of a 12-foot travel lane and 4-foot shoulder on the north side of Niemann. The extension of Niemann Street shall be constructed with the first Final Map of development. Improvements subject to reimbursement shall be reimbursed subject to the terms of a reimbursement Agreement.

76. Anderson Avenue:

a) Anderson Avenue from its existing westerly terminus to W. Main Street is off-site and shall be included with the development of the first Final Map of the Callahan project to serve the existing Middle School on Anderson Avenue. Applicant shall construct full roadway improvements. Applicant shall acquire the needed right-of-way prior to approval of the final map. Improvements subject to reimbursement shall be reimbursed subject to the terms of a reimbursement agreement.

b) Anderson Avenue from Taylor Street to A Street shall include enhanced sidewalk landscape corridor. The 10-foot sidewalk along Anderson Avenue from Taylor Street to A Street shall not be classified as a bike path. Sidewalk within driveway locations shall have a minimum 6-inch PCC section.

c) Anderson Avenue shall be 46-feet from curb-to-curb. The cross-section shall include 6-foot parkway strips and 5-foot sidewalks on both sides.

77. "D" Street: The Applicant shall acquire the land on the Winters Highlands property prior to approval of a final map in order to facilitate interim or full construction of "D" Street as shown on the Tentative Map, Interim street improvements may be approved by the City Engineer. The minimum interim roadway improvements shall consist of two 12-foot lanes with an 8-foot parking lane on south side. The structural street cross section shall meet City design and construction standards. Approval of any request for deviation in the minimum roadway improvements shall be at the sole discretion of the

City Engineer. Interim improvements that are of a temporary nature shall be constructed at the sole expense of the Applicant. Any permanent improvements constructed that are subject to reimbursement shall be reimbursed subject to the terms of a reimbursement agreement.

78. The tentative map shall be modified to make C Street a secondary collector (62-foot right-of-way) from West Main Street to Taylor Street.
79. Parcel X and City Drainage Pond Access Property- Parcel X and City owned drainage Pond Access property shall be landscaped to the satisfaction of the Community Development Director and City Engineer. This location may also be utilized for public works infrastructure improvements, such as water wells, and pump stations. The City Engineer will have final approval.
80. Lot "A", "B", "C", and "D" Areas of Exchange: Applicant shall execute lot line adjustment for lots C and D between the Callahan property and the Winters Highlands property prior to submittal of the first final map and improvement plans. The net result will be that Lot "C", fronting "D" Street, will be incorporated as part of the Callahan tentative map and Lot "D", fronting West Main Street, shall be incorporated as part the Winters Highlands tentative map.
81. Intersection Enhancement Details: Island Planters and crosswalks shall be constructed of colored brick pavers, stamped concrete or other enhanced feature as approved by the City Engineer.
82. Local Streets: Local streets shall provide for ADA compliant sidewalk turnouts where sidewalk widths do not meet ADA. All sidewalks at driveway locations shall be 6-inch PCC.
83. Tentative Map Street Cross-Sections, Sheet 1 of 1, dated January 13, 2005). Conditions and Changes shall be made as follows:
 - a) Street Cross section details, including all intersection geometric design, complying with the conditions of approval, shall be revised on tentative map, submitted to the City, and approved by the City Engineer prior to submitting a final map and improvement plans.
 - b) A signing and striping, and stop plan is required and shall be approved by the City Engineer. All signing and stripping shall be in accordance with the City of Winters Public Improvements Standards and Construction Standards.
 - c) Street light types shall be those historic types as approved by the City. Applicant shall fund the analysis for designing standards and details for spacing historic lights. Improvement plans shall be designed to those standards once approved.

Storm Drainage and Site Grading

84. A comprehensive storm drainage plan shall be prepared by a registered civil engineer for project watershed(s), including the plan area. The plan shall identify specific storm drainage design features to control increased runoff from the project site. The drainage plan shall demonstrate the effectiveness of the proposed storm drainage system to prevent negative impacts to existing downstream facilities and to prevent additional flooding at off-site downstream locations. All necessary calculations and assumptions and design details shall be submitted to the City Engineer for review and approval. The design features proposed by the applicant shall be consistent with the most recent version of the City's Storm Drainage Master Plan criteria and City Public Improvement Standards. The plan shall incorporate secondary flood routing analysis and shall include final sizing and location of on-site and off-site storm conduit channels, structures. The Storm Drainage Plan shall be submitted for approval prior to submittal of the first final map and/or construction drawings for checking. The applicant shall pay the cost associated with all improvements required by the plan and an appropriate reimbursement agreement shall be drafted to reimburse the applicant for oversized improvements on a pro rata basis per the Project level Development Agreement.
85. Deleted

86. A topographic survey of the entire site and a comprehensive grading and drainage plan prepared by a registered civil engineer, shall be required for the development. The plan shall include topographic information on adjacent parcels. In addition to grading information, the grading plan shall indicate all existing trees, and trees to be removed as a result of the proposed development, if any. A statement shall appear on the site grading and drainage plan, which shall be signed by a registered civil engineer or land surveyor and shall read, "I hereby state that all improvements have been substantially constructed as presented on these plans". Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
87. The Tentative map Grading and Drainage plan showing grading and drainage information including topographic information, drainage routing, pipe slopes and sizing and locations and excluding topographic information, and overland drainage routing are preliminary only and do not constitute approval in any way. Final approval for the grading and Drainage Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval.
88. To accommodate the storm water project run-off and pass-through run-off from project into the existing Rancho Arroyo Pond the applicant shall be required to construct a pump station in the pond that would consist of an approximate sized 14.5 cfs of pumping capacity. The applicant would also be required to fund and construct all storm drainage piping to accommodate flows from their project area to include a new inlet structure to the Rancho Arroyo detention pond and the abandonment of the existing inlet structure on the Cottages at Carter Ranch property. In addition, the existing 0.8 cfs detention pond pump and standpipe would be removed. Applicant shall be required to construct these improvements with the first final map. Applicant shall acquire necessary land and right of entry agreements for the construction of new improvements and abandonment of existing improvements. The cost of work performed in and for the improvement of the Detention Basin shall be subject to fee credits and/or reimbursement, as determined by the City.
89. Construction materials for storm drainpipes within the water table shall be pre-cast rubber-gasket reinforced concrete pipe (RGRCP).
90. Applicant shall be required to coordinate with FEMA through the City's Floodplain Administrator to determine if a CLOMR or LOMR is needed for the project as a result of possible impacts to Dry Creek or Putah Creek Flood Plain. Applicant shall obtain all necessary permits and CLOMRs/LOMRs as required prior to First Final Map approval.
91. The differential in elevation between rear and side abutting lot lines shall not exceed twelve inches (12") without construction of concrete or masonry block retaining walls. Deviation from this condition may be allowed subject to approval by the City Engineer.
92. Drainage fees shall be paid prior to issuance of a building permit.
93. All perimeter parcels and lots shall be protected against surface runoff from adjacent properties in a manner acceptable to the City Engineer.
94. If disposal and sharing of the excavated soil from the construction of the Development occurs, prior to approval of the first Final Map, Applicant shall prepare a written agreement with the other participating property owners and submit to the City.
95. All projects shall include implementation of post-construction best management practices (BMP). Post construction BMP's shall be identified on improvement plans and approved by the City Engineer.
96. Construction of projects disturbing more than one acre of soil shall require a National Pollution Discharge Elimination System (NPDES) construction permit.

97. Applications/projects disturbing less than one acre of soil shall implement BMP's to prevent and minimize erosion. The improvement plans for construction of less than 1 acre shall include a BMP to be approved by the City Engineer.
98. Deleted.
99. An erosion and sedimentation control plan shall be included as part of the improvement plan package. The plan shall be prepared by the applicant's civil engineer and approved by the City Engineer. The plan shall include but not be limited to interim protection measures such as benching, sedimentation basins, storm water retention basins, energy dissipation structures, and check dams. The erosion control plan shall also include all necessary permanent erosion control measures, and shall include scheduling of work to coordinate closely with grading operations. Replanting of graded areas and cut and fill slopes is required and shall be indicated accordingly on plans, for approval by City Engineer.
100. Where possible landscaped slopes along streets shall not exceed 5:1; exceptions shall require approval of the City Engineer. All other slopes shall comply with the City of Winters Public Works Improvements Standards. Level areas having a minimum width of two (2) feet shall be required at the toe and top of said slopes.
101. All inactive portions of the construction site, which have been graded will be seeded and watered until vegetation is grown.
102. Grading shall not occur when wind speeds exceeds 20 MPH over a one hour period.
103. Construction vehicle speed on unpaved roads shall not exceed 15 MPH.
104. Construction equipment and engines shall be properly maintained.
105. If air quality standards are exceeded in May through October, the construction schedule will be arranged to minimize the number of vehicles and equipment operating at the same time.
106. Construction practices will minimize vehicle idling.
107. Potentially windblown materials will be watered or covered.
108. Construction areas and streets will be wet swept.

Wastewater and Sewer Collection System

109. The applicant shall obtain a no-cost Wastewater Discharge Permit from the Public Works Department prior to the issuance of a Building Permit.
110. The property shall be connected to the City of Winters sewer system, with a separate sewer lateral required for each parcel, in accordance with City of Winters Public Improvement standards and Construction Standards.
111. A Tentative Map Sewer comprehensive Collection System Master Plan shall be submitted for approval by the City Engineer prior to submittal of the final map and/or construction drawings for checking. A registered civil engineer for project shall prepare the sewer collection system plan. The plan shall include final sizing and location of on-site conveyance facilities, structures, and engineering calculations. Said plan shall also include provisions for cost sharing among affected adjacent development for facilities sized to accommodate those developments.
112. The applicant shall pay the cost associated with all improvements, and an appropriate reimbursement agreement shall be drafted to reimburse the applicant for reimbursable

improvements. Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.

113. The Tentative Map Sewer Plan showing sewer routing, pipe slopes and sizing and locations, are preliminary only and do not constitute approval in any way. Final approval for the Sewer Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval.

114. The Applicant shall be obligated to advance fund the construction of the off-site sewer pump station identified on West Main Street Adjacent to the entrance to the Rancho Arroyo Detention Pond and associated conveyance pipelines serve the property to the Wastewater Treatment Plant. If the improvements are already constructed by others, the Applicant shall pay its pro-rata share of costs, as determined by the City, prior to approval of the first final map. An appropriate reimbursement agreement shall be drafted to reimburse the applicant for oversize improvements on a pro rata basis per the Project level Development Agreement. Applicant shall be required to acquire the needed right-of-way prior to approval of the first final map for the project. As an interim connection, Developer shall have the option to direct its sewer flows south into the existing Grant Ave. sewer system as an interim connection on the condition that Developer fund all necessary new improvements and upgrades to the existing sewer system as required by the City at its own expense, which will not be subject to reimbursement. The current estimate for these improvements is approx. \$1.5M. Once infrastructure is constructed to the north, the development shall be required to make that connection and disconnect from the Grant Ave sewer system. In addition, Callahan/ Ogando-Hudson shall be required to pay the full citywide sewer impact fee that funds the WWTP expansion that would still serve their development and associated sewer conveyance pipelines and regional pump station that would have served their development should the development have elected to continue to direct its development flows north through the Winters Highlands Development to the new proposed regional pump station at Neimann Street/ Railroad Ave. Should the development elect not to direct its flows south and fund the estimated \$1.5M improvements, it would be required direct their flows north through the Winters Highlands property, advance funds for those improvements, and construct the conveyance pipe line system and regional pump station in order to connect to the WWTP and comply with all conditions of approval. Any permanent improvements constructed that are subject to reimbursement shall be reimbursed subject to the terms of a reimbursement agreement.

115. DELETED Prior to approval for use of the City's existing force main pipe, Applicant shall assess the capacity and physical condition of the force main and obtain City Engineer approval for use on the project. If the force main cannot be used, the Applicant shall be required to construct a new force main to the WWTP or other acceptable alternative approved by the City Engineer.

116. Deleted.

117. Construction of sewer mains deeper than 16-feet at the bottom of the pipe shall be connected to laterals by a parallel mains and connections at Manholes

Water Infrastructure

118. Deleted.
119. If required, per the Subdivision Map Act , project Applicant shall obtain a Water Verification (WV) prior to approval of final map that addresses the following:
- a) Actual water service to the subdivision will be predicated upon satisfaction of terms and conditions set by the water supplier
 - b) The WV is non-transferable, and can only be used for the specific tentative map for which it was issued.
 - c) The WV shall expire along with the tentative map subdivision map if a final map is not recorded within time allowed under law
 - d) Until such time as actual service connections are approved for the subdivision, the water agency may withhold water service due to a water shortage declared by the water agency.
- 119.1 ~~The installation a water well per Condition #45 and Mitigation Measure #18 has been completed. Condition of Approval #119 has been satisfied. Based on City water modeling, a new well is needed to serve the first phase of development. Developer shall advance fund the construction of a new water well and required water system conveyance pipelines with the project. Per Mitigation Measure #18, the applicant shall fund the up-front costs of design and construction of the well (including CEQA clearance), subject to later fair share reimbursement. Building permits shall be issued for individual units only after the City has established that water supply will be available to serve the units.~~
120. ~~The installation a water well per Condition #45 and Mitigation Measure #18 has been completed. Condition of Approval #120 has been satisfied. The Applicant shall fund a well site plan with facility elevations with the first final map application subject to fee credits.~~
121. The Tentative Map Water Plan showing water routing, sizing and locations, are preliminary only and do not constitute approval in any way. Final approval for the Water Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval. Applicant shall comply with making changes to water system distribution pipe sizes and alignments based on the results of the specific water modeling performed for the development. Applicant shall pay for all required water modeling for identifying water infrastructure needs to serve its development and shall construct offsite water improvements to connect to the City water distribution system.
122. At the time the Building Permit is issued, the applicant will be required to pay the appropriate City connection Fees. All domestic water services will be metered. Water meters shall be installed on all water services to the satisfaction of the City Engineer.
123. Per City of Winters Cross Connection Control Program, all types of commercial buildings and landscape irrigation services are required to maintain an approved backflow prevention assembly, at the applicant's expense. Service size and flow-rate for the backflow prevention assembly must be submitted. Location of the backflow prevention assembly shall be per the City of Winters Public Improvements Standards and Construction Standards. Prior to the installation of any backflow prevention assembly between the public water system and the owner's facility, the owner or contractor shall make application and receive approval from the City Engineer or his designated agent.
124. Per the City of Winters Cross Connection Control Program, fire protection systems are required to maintain approved backflow prevention, at the applicant's expense. Required location, service size and flow-rate for the fire protection system must be submitted. Actual location is subject to the review and approval of the Public Works Department, Fire Department, and Community Development Department.

125. The City of Winters Plan Review Fee applies and is due upon submittal of the maps and plans for review.
126. FINAL PLANS, PERIODIC TESTS FOR FIRE HYDRANTS: All final plans for fire hydrant systems and private water mains supplying a fire hydrant system shall be submitted to the City of Winters Fire Department for approval prior to construction of the system. All fire protection systems and appurtenances thereto shall be subject to such periodic tests as required by the City of Winters Fire Department.
127. WATER PRESSURE: All water lines and fire hydrant systems must be approved by the Fire Chief and operating prior to any construction taking place on the site. Prior to issuance of building permits, water flow must be measured and certified for adequacy by the Winters Fire District. The following minimum water flows, with 20 PSI residual pressure, shall be acceptable unless otherwise determined due to the type of construction material used.
128. REFLECTORS FOR FIRE HYDRANTS: Any fire hydrant installed will require, in addition to the blue reflector noted in Standard Drawings, an additional blue reflector and glue kit that is to be supplied to the City of Winters Fire Department for replacement purposes.
129. All construction, new or remodeling, shall conform to the most current Uniform Fire Codes, the Winters Fire Prevention Code, and section of the National Fire Codes that the Winters Fire Chief or his/her agent may find necessary to apply.
130. Prior to approval of the first final map, a comprehensive on-site water system master plan shall be prepared by a registered civil engineer for project, and shall be submitted to the Public Works Director for review and approval. The master plan shall include final sizing and location of on-site conveyance facilities, structures, and engineering calculations. Said plan shall also include provisions for cost sharing among affected adjacent development for facilities sized to accommodate the plan area. The applicant shall pay the cost associated with all improvements required by the study, and an appropriate reimbursement agreement shall be drafted to reimburse the applicant for oversize improvements on a pro rata basis per the Project level Development Agreement. Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
131. Forty-eight hours notice shall be given to the Winters Fire District prior to any site inspections.
132. A hydrant use permit shall be obtained from the Public Works Department, for water used in the course of construction.
133. When the fire protection facilities are in the City of Winters, the developer shall contact the Winters Fire District Chief or his/or agent prior to construction for a pre-construction meeting.
134. All required fire accesses that are to be locked shall be locked with a system that is approved by the Fire Chief or his/her agent.
135. Submit three sets of plans for each fire suppression sprinkler system to the Fire Department for review and approval prior to the issuance of each building permit.
136. All residences shall have fire suppression sprinkler systems meeting or exceeding NFPA 13-D. Water laterals shall be appropriately sized to accommodate sufficient water flows for fire suppression sprinkler systems.

General Public Works and Engineering Conditions

137. The conditions as set forth in this document are not all inclusive. Applicant shall thoroughly review all City, state, and federal planning documents associated with this tentative map and comply with all regulations, mitigations and conditions set forth.
138. The applicant agrees to adhere to the terms of the of the ordinance (Ordinance No. 96-02) adopted by the City Council to address impact fees to be paid for development of property within the Rancho Arroyo Drainage District, to offset costs associated with drainage improvements.
139. Closure calculations shall be provided at the time of initial map check submittal. All calculated points within the map shall be based upon one common set of coordinates. All information shown on the map shall be directly verifiable by information shown on the closure calculation print out. The point(s) of beginning shall be clearly defined and all lot acreage shall be shown and verifiable from information shown on the closure calculation print out. Additionally, the square footage of each lot shall be shown on the subdivision map. Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
140. A subdivision map (Final or Parcel) shall be processed and shall be recorded prior to issuance of a Building Permit. The Developer shall provide, to the City Engineer, one recorded Mylar copy and four print copies of the final map from the County, prior to issuance of the first building permit.
141. U.S. Post Office mailbox locations shall be shown on the improvement plans subject to approval by the City Engineer and Postmaster.
142. A registered landscape architect shall design public landscape and privacy wall improvements and improvements shall be per City Standards, as applicable.
143. Applicant shall make every attempt to submit joint trench/utility/composite plans for review, prior to approval of the final map and improvement plans. Construction will not be allowed to proceed prior to submittal of the joint trench/utility/composite plans for City review.
144. All existing and proposed utilities (Electric, phone/data, and cable) shall be installed underground per the subdivision ordinance and shall meet the policies, ordinances, and programs of the City of Winters and the utility providers.
145. Street lighting location plan shall be submitted and approved by the Department of Engineering, prior to approval of improvement plans and final recordation of Map.
146. Roads must be constructed and paved prior to issuance of any building permit. Under specific circumstances, temporary roads may be allowed, but must be approved by the City of Winters City Engineer and Fire Department
147. Occupancy of residential units shall not occur until on-site and off-site improvements have been accepted by the City Council and the City has approved as-built drawings, unless otherwise approved by the City Engineer and Community Development Director. Applicants, and/or owners shall be responsible to so inform prospective buyers, lessees, or renters of this condition.
148. If relocation of existing facilities is deemed necessary, the applicant shall perform the relocation, at the applicant's expense unless otherwise provided for through a reimbursement agreement. All public utility standards for public easements shall apply.
149. A Subdivision Improvement Agreement shall be entered into and recorded prior construction of improvements, issuance of any building permits, or recordation of a final map.
150. At the time of making the survey for the final map, the engineer or surveyor shall set sufficient durable monuments to conform to the standards described in Section 8771 of the Business and Professions Code. All monuments necessary to establish the exterior boundaries of the subdivision shall be set or referenced prior to recordation of the final map.

Easements and Right of Way

151. Appropriate easements shall be required for City maintained facilities located outside of City owned property or the public right-of-way.
152. The applicant shall facilitate, with City cooperation, the abandonment of all City easements and dedications currently held but no longer necessary as determined by the Public Works Department.
153. A five (5) foot public utility easement back of sidewalk, adjacent to all public streets within the development shall be dedicated to the City. Additional easements shall be dedicated as requested by the utility companies and approved by the City.
154. Per the project level Development Agreement, prior to approval of first set of improvement plans and final map, Applicant shall acquire all rights of way and easements necessary to construct off-site and on-site improvements associated with that set of improvement plans and final map.

Reimbursements for Applicant Install Improvements

155. Applicant shall pay appropriate reimbursements for benefiting improvements installed by others, in the amount and at the time specified by existing reimbursement agreements.

Landscaping and Lighting

156. Project proponents shall enter into the City wide Landscape and Lighting Maintenance District, in order to maintain and provide for the future needs of parks, open space, street lighting, landscaping, sound walls, and other related aspects of development. The project proponent is responsible for all costs associated with this condition. The project proponent shall fulfill this condition prior to the sale of any buildable lots or parcels within the project area.
157. Applicant of multi-family residential, commercial and industrial project shall provide refuse enclosure detail showing bin locations and recycling facilities to the approval of the Public Works Department.
158. Prepare, and submit for approval, a utility site plan prior to preparation of full improvement plans.
159. Prepare improvement plans for any work within the public right-of-way and submit them to the Public Works department for review and approval. The improvement plan sheets shall include the title block as outlined in the City of Winters Public Improvements Standards and Construction Standards. This submittal is separate from the building permit submittal. The Developer shall provide, to the City Engineer, one Mylar original and four sets of the improvement plans and electronic media (AutoCAD .DWG or DXF on Zip Disk or Compact Disk), for approval of plans by the City Engineer.
160. Each residence in the cul-de-sac must be able to accommodate parking for 3 vehicles: either (3) on site parking spaces or two (2) on site spaces and (1) on street space. The on street space shall be along the frontage of the subject property with no more than a 10-foot overlap across the frontage of adjacent parcels.
161. Conform to County Health regulations and requirements for the abandonment of a septic tanks and water wells.
162. Existing public and private facilities damaged during the course of construction shall be repaired by the subdivider, at his sole expense, to the satisfaction of the City Engineer.
163. The area of each lot, in square feet, shall be calculated and shown on the Final Map.
164. Encroachment permits if necessary from will be acquired from Yolo County, Cal-Trans, and PG&E.

165. All utility poles that are to be relocated in conjunction with this project shall be identified on the improvement plans, with existing and proposed locations indicated.
166. All public landscape areas shall include water laterals with meters and PG&E power service points for automatic controllers.
167. Prior to recording of the final map, if required, provide evidence of payment for the Habitat Mitigation Fee. This fee is paid to the Yolo County Planning Department.
168. If improvements are constructed and/or installed by a party or parties other than the Applicant, which improvements benefit Applicant's property, prior to issuance of a building permit (approval of the final map) on Applicants property, Applicant shall pay a proportionate share of the costs of said improvements, including interest, prior to the issuance of building permit(s) (approval of the final map) to Applicant.

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