

**CITY OF WINTERS PLANNING COMMISSION AGENDA
REGULAR MEETING**

Tuesday, August 27, 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: Dave Adams, Lisa
Baker, Kate Frazier, Luis Reyes,
Patrick Riley
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 July 23, 2013 special meeting of the Winters Planning Commission

V STAFF/COMMISSION REPORTS

VI WORKSHOP

A. Review of the Planning Commissioner's Handbook and the Role of a Commissioner, Rosenberg's Rules of Order, Ethics and Conflicts

VII DISCUSSION ITEMS:

A. Grant Avenue Design Guidelines Review

B. Form Based Code Review

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 AUGUST 21, 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

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***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 Dave Adams, Lisa Baker, Kate Frazier, Pierre Neu, Luis Reyes, Pat Riley and Chairman Bill Biasi

ABSENT: None

STAFF: City Manager John W. Donlevy, Jr., City Attorney John C. Wallace and Management Analyst Mary Jo Rodolfa

PLEDGE: Chairman Biasi led the Pledge of Allegiance.

CITIZEN INPUT: None

CONSENT ITEM:

1. **Approval of Meeting Minutes of the June 19, 2013, special meeting of the Planning Commission.**

Commissioner Riley moved that the minutes of the June 19, 2013 special meeting of the Planning Commission be approved. Commissioner Baker seconded the motion. The motion was approved unanimously.

COMMISSION REPORTS: Chairman Biasi and Commissioner Baker reported that they attended the Affordable Housing Steering Committee meeting.

STAFF REPORTS: None

DISCUSSION ITEM:

- A. **Swearing in of New and Returning Planning Commissioners and Selection of Chair and Vice Chair of the Winters Planning Commission**

Oath of office was administered by City Attorney John Wallace to Commissioners Dave Adams, Lisa Baker, Kate Frazier and Pierre Neu.

Selection of Chair – Commissioner Neu nominated Commissioner Biasi to serve as Chair, Commissioner Baker seconded the motion. The motion was approved unanimously.

Selection of Vice Chair – Commissioner Riley nominated Commissioner Neu to serve as Vice Chair, Commissioner Baker seconded the motion. The motion was approved unanimously.

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B. Review of Draft Housing Element Update to the Winters General Plan and Start of 30-Day Public Comment Period

Donlevy introduced the item and reviewed the staff report with the Commissioners indicating that they were being asked to provide comments and make a recommendation to the City Council. This is the start of a 5 to 6 month process. The General Plan is a collection of elements and the Housing Element is a required element by the State that has required periodic updates. In some cases cities can move from a 5 year to an 8 year update and that is what we are going for, the streamlined process. Donlevy then reviewed the seven required strategic goals and introduced Beth Thompson of DeNovo Planning to walk through the changes in the draft document.

Thompson stated there are two main components – 1) Policy Document - it is what the City implements. The previous element had a lot of implementation areas, the City has already done most of that and will continue with those, and expand the rehabilitation program for seniors. The term Redevelopment Agency will be stricken and replaced with Successor Agency. 2) Needs Assessment – reason for the track changes is because they (Housing and Community Development Department) want to see what has changed under the streamlined process. Updated demographics, economic conditions, housing stock, assisted housing units and available sites. Inclusionary ordinance, some of the numbers were tweaked about.

Thompson explained the process, after the Planning Commission sees the draft it goes to HCD for a 60 day review period, after the 4th week of the review period they will work with city staff which will hopefully lead to a letter saying the draft Housing Element Update is consistent with state law. Following the HCD period and public comment period it will then go to the City Council for approval.

Comments from the Commissioners included a request to strike “male” from the single male farmworker wording in 11.24; a discussion of the development review committee as it relates to design review (Donlevy said they are one and the same in many respects, school board representation would be the difference for subdivisions); Section 11.21 – concern about ADA percentage and universal design features, Thompson to make sure we address it given that with an aging population more universal design features would be good. Duplex lot sizes were questioned, Thompson indicated that R1 and R2 on table 50 of housing needs addresses the minimum lot sizes.

Public comment by Jeff Tenpas - pointed out a typo on page 40, Thompson will correct. He also expressed concern regarding affordable housing not necessarily on site and that the criteria for the decision making are vague, does not want to see all affordable housing in one part of town. Commission and staff comments included pointing out that these projects go through the Affordable Housing Steering Committee first and then to the Planning Commission, that Legal Services of Northern California has been involved in discussions, the importance of looking at economic and fiscal realities and that although it makes sense to be taken out of some projects the City should work hard to incorporate low and very low housing throughout the City.

Commissioner Baker moved the staff recommendation (to provide comments and/or suggestions regarding the Housing Element Update and recommend that the City Council adopt the Housing Element Update, with any revisions made by staff in response to the Department of Housing and Community Development

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comments) along with removing the reference to “male” in single farmworkers, correcting the typo and adding language regarding universal design. Commissioner Riley seconded the motion. The motion passed unanimously with none absent.

- 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.**

Donlevy introduced the item and said that his remarks would also pertain to agenda item D regarding the Callahan subdivision though they both require separate public hearings. Donlevy then reviewed staff reports. He indicated that in 2011 a modification was made to the Creekside subdivision and adopted, these amendments are similar. The amendments are being advanced for a few reasons, crash of the real estate market and financial realities, modernization of the agreements to recognize things that have happened, removal of things that have changed in the contract, and keep it up to date so developers can take it to a financial source. For instance the public safety facility has been built. Donlevy then described both projects and the modifications. Energy efficiency and overall design, mitigation and park requirements have not been touched in the amendments.

Hudson Ogando is located on Main Street, it is 72 units on 15.97 acres and is the sister project to Callahan. Callahan originally was 120 units fully located on a section of Main Street yet to be built. It is also related to the Winters Highlands project infrastructure which was not being discussed at tonight’s meeting.

Both agreements extend the terms – Hudson Ogando has the ability to go first, Callahan has more infrastructure needs so a longer extension. The amendments also transfer the agreement to the new owners, phasing is being eliminated as it could hinder financing. We don’t see getting dumped with all the units at once. Affordable housing, is all that we built recently, of 112 units built 107 of those units are affordable. For these projects we were looking at the duplex lots in Callahan, taking those out of the Callahan project (minus 9 duplex lots) and having them become single family lots. Regarding Hudson Ogando for low and very low we are asking for an in lieu fee, the strategy is to take those funds and use them in another project the City is working on.

Also included in the amendments is flexibility in impact fee payments, half at permit and half at closing for easier financing, school district fees lowered (schools need students more than the fees currently), and acknowledgment that the public safety facility, library and pool have already been built. Sewer and water – they already advanced payment of well 7, they will get fee credits for it. There will be improvements to Taylor Street and an extension.

Chair Biasi opened the Hudson Ogando public hearing at 7:35 p.m. The following comments were received during the public hearing:

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Jeff Tenpass, resides at 24 East Main Street – He has two comments – First, believes the changes would not be consistent with the existing housing plan. There was a lot of discussion originally in the adoption of affordable housing, it has not really been discussed why it is not feasible, applying the new rules and asking why. Second comment has to do with phasing – 700 approved units on the book, there was a lot of discussion on phasing, he does not understand the logic of getting rid of it. We should keep control until the developer comes forward. In lieu fee is not sufficient funds for 22 units, taxpayers would have to subsidize the impact fees. 22 units won't happen with \$360k of in lieu fees.

Jim Hildebrand – Developer for the projects, 341 Palm Ave, Lodi. In 1998 he began the process for these developments, the change in ownership is because he and others are buying out ownership of his former partners. They have been at this over a year and have had 5 or 6 meetings with the Affordable Housing Steering Committee. The City has done a good job of meeting affordable housing needs and perhaps now can meet it at another level such as with housing for seniors. They can provide money to help another developer who is an affordable developer to do another project that is needed. He thinks we can expedite things this way. Callahan project will require infrastructure of \$6.5 million of public improvements to begin building. He is hoping that with Winters Highlands they can do it if they can cooperate to go and find the money. It is impossible they are going to build 200 homes next year, perhaps 50 homes. Growth will be at a reasonable rate, 700 units can't be done in this area. With Hudson Ogando the mitigation plans have been taken care, and they want to break ground this fall and have homes beginning 2014.

Chairman Biasi closed the public hearing at 7:46 p.m.

Commission discussion was held regarding scheduling of the projects. Developer response - Hudson Ogando has two separate product types, on the lower portion it is an alley loaded product. The architecture will come back to the Planning Commission. For the R-3 they are detached with possibly in-law units because of alley loading. With the R-1 there is more flexibility and variety because the lots vary more in size. Right now he is looking at market rate models being ready in February or March, followed by starting the first few houses, 5 or 6 at a time, with construction time of 90 to 110 days. First homes should be available in August of September of 2014. The following year he could hit the cap if the market holds. Callahan will take some time before it goes forward. There are draft agreements for the school district fees and those should go to the board the beginning of August.

The Commission also discussed that the projects were reviewed by the Affordable Housing Steering Committee and that concerns were expressed regarding the affordable housing piece but due to fiscal constraints temporary concessions needed to be made for the developer to get financing. Also discussed was the lack of senior housing which is a want of the AHSC and in lieu fees could help with that.

Donlevy added that the Winters Highlands project has 3 separate locations for affordable housing - a 60 unit apartment complex and two planned development projects that will accommodate low and very low income households. There is a larger diversity of housing product that will go on there.

Commissioners also discussed the need for a traffic light at Main Street and Grant Avenue and the timing of its installation, concern voiced regarding crossing Grant Avenue, especially with the addition of police and fire vehicles. Donlevy reported that per the traffic study the recommendation from the

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engineer will go in by the 50th unit. Biasi asked that he be put on the record that he is against waiting for the signal to go in. Baker agreed. Donlevy reported that a final map and subdivision improvement agreement will have to be submitted including all the logistics. He also reported that the extension of Niemann Street has to go in with the building of Callahan.

Commissioner Riley moved that the Planning Commission re-affirm the previously certified and approved CEQA clearance for the Hudson Ogando Development Agreement in the form of a Mitigated Negative Declaration and Mitigation Monitoring Program (Resolution No. 2005-56) adopted on November 15, 2005. Per Section 15060c2 of the CEQA Guidelines, the proposed DA Amendment is not subject to CEQA due to the lack of direct or reasonably foreseeable indirect physical change to the environment which would result from the adoption of the proposed Amendment to that Development Agreement; and that they make recommendation to the Winters City Council 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 Turning Point Acquisitions V, 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. Commissioner Reyes seconded the motion. The motion was approved unanimously with none absent.

- 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.**

Donlevy reported that his report for this agenda item was included in the report on the previous item. Clarification was given that the 9 duplex lots will become single family lots.

Chair Biasi opened the public hearing at 8:20 p.m.

A request to speak had been submitted by Richard Kleeberg, he was not present when the public hearing was opened.

Jeff Tenpas of 24 East Main Street asked that he be in the record for the same comments in terms of phasing and non consistency with our housing plan and need to study in lieu fees on this agenda item as he expressed on the previous agenda item. He expressed concern over taking this one sub division at a time without developing a plan, and wondered what happens when next developer comes in.

Chair Biasi closed the public hearing at 8:22 p.m.

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Commission discussion regarding the elimination of phasing in the agreement, the annuity payment the developer is required to make to a service reserve fund, and the development of a linear park and sports park. This is still being reviewed by the city engineer, land and improvement costs are being calculated.

Commissioner Neu moved that the Planning Commission re-affirm the previously certified and approved CEQA clearance for the Callahan Estates Development Agreement in the form of a Mitigated Negative Declaration and Mitigation Monitoring Program (Resolution No. 2005-08) adopted on April 5, 2005. Per Section 15060c2 of the CEQA Guidelines, the proposed DA Amendment is not subject to CEQA due to the lack of direct or reasonably foreseeable indirect physical change to the environment which would result from the adoption of the proposed Amendment to that Development Agreement; and 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. Commissioner Frazier seconded the motion. The motion passed unanimously none absent.

VII COMMISSION/STAFF COMMENTS

Riley asked the status of Walnut Park. Donlevy reported it is moving forward with phase 1. Phase 2 going through the mitigation process with Fish and Wildlife Service. We are jockeying a little bit of money.

Neu asked the status of the car bridge start date. Donlevy reported that the pre-con meeting is tomorrow with Disney construction. There will be a temporary bridge that will be constructed this year. Construction is set to begin in August.

Donlevy reported a PG&E training facility is evolving right now, scope of project, where and how is all just in development. The construction budget is \$75 million with the entire project probably over \$100 million. They will be rolling this thing out in September and the City is talking daily with them. This will help with the hotel projects, the market study is being completely re-done, the focus is on the down hotel s a catalyst project.

ADJOURNMENT: Chair Biasi adjourned the meeting at 8:39 p.m.

ATTEST:

Bill Biasi, Chairman

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Mary Jo Rodolfa, Management Analyst

SECTION 1

The Planning Commissioner's Role



WHAT IS A PLANNING COMMISSION?

The planning commission is a permanent committee made up of five or more individuals who have been appointed by the governing body (city council or board of supervisors) to review and act on matters related to planning and development.¹ Most planning commissioners are lay people without any previous land use experience. Commissioners serve at the pleasure of the council or board of supervisors, so commission membership may change in response to changes in those bodies. A local agency need not create a planning commission; in some jurisdictions, the governing body functions in that capacity.²

WHY PLAN?

Planning is a proactive process that establishes goals and policies for directing and managing future growth and development. Local agencies plan to address

fundamental issues such as the location of growth, housing needs, and environmental protection. Additionally, planning helps account for future demand for services, including sewers, roads, and fire protection. In addition, planning:

- **Saves Money.** Good planning can save on infrastructure and essential service costs.
- **Sets Expectations.** Planning establishes the ground rules for development. A comprehensive general plan, for example, sends a clear signal that accepted standards and procedures apply to community development. This will not eliminate conflicts entirely, but at least sets expectations that can help minimize conflict.
- **Improves Economic Development and Quality of Life.** Economic development and quality of life issues go hand in hand because businesses want to locate in communities where their employees want to live. Planning outlines alternatives and choices so that the community can promote employment and economic well-being.
- **Provides a Forum for Reaching Consensus.** Planning processes, such as the development of the general plan, provide a forum for seeking community consensus. Planning efforts should always involve broad and diverse segments of the community to assure that the resulting plan fully addresses community needs. This will provide the public with a sense of ownership over the plan.

¹ Cal. Gov't Code § 65100.

² Cal. Gov't Code § 65101.



- **Connects People to the Community.** Planning ensures that architectural and aesthetic elements are incorporated into projects to connect people to their community and establish a sense of place.
- **Protects Property Values.** Property values are enhanced when a community plans for parks, trails, playgrounds, transit, and other amenities. Planning also protects property and property values by separating incompatible land uses. Imagine if a factory could just set up shop in the middle of a neighborhood. Planning assures that this will not occur.
- **Reduces Environmental Damage and Conserves Resources.** Planning helps identify important natural and cultural resources and can channel development in a way that protects or augments these resources.

THE COMMISSION'S DUTIES

The planning commission plays a central role in the planning process in three important ways. First, it acts as an advisory board to the main governing body on all planning and development issues. Second, the commission assures that the general plan is implemented by reviewing development applications on a case-by-case basis. Just as you build a building one brick at a time, you implement a community vision one project at a time. Third, the commission functions as the decision-making body for many proposals. However, any planning commission action can be appealed to the governing body, which can uphold the commission's decision, overturn it, modify it, or send it back for further study.

Planning commission duties vary depending on the jurisdiction. You can learn about your commission's particular responsibilities by asking the planning department. Most commissions have the following responsibilities:³

- **General Plan.** Assist in writing the general plan and hold public hearings on its adoption. (The governing body retains authority to actually adopt the general plan.) Promote public interest in the general plan.

Consult with and advise public officials and agencies, utilities, organizations, and the public regarding implementation of the general plan. Also review, hold hearings on, and act upon proposed amendments to the plan.

- **Specific Plans.** Assist in writing any specific plans or community plans and hold public hearings on such plans. (The governing body retains authority to actually adopt specific plans.) Also review, hold hearings on, and act upon proposed amendments to such plans.
- **Zoning and Subdivision Maps.** Review, hold hearings on, and act upon zoning ordinances, maps, conditional use permits, and variances. Similarly consider subdivision applications.
- **Individual Project Approvals.** Review individual projects for consistency with the general plan, any applicable specific plans, the zoning ordinance, and other land use policies and regulations.
- **Report on Capital Improvements Plans.** Annually review the jurisdiction's capital improvements program and the public works projects of other local agencies for consistency with the general plan.
- **Coordinate Planning Efforts.** Coordinate local plans and programs with those of other public agencies.
- **Consider Land Acquisitions.** Report to the governing body on the consistency of proposed public land acquisition or disposal with the general plan.
- **Special Studies.** Undertake special planning studies as needed.

With so many responsibilities, it is important for every planning commission to think about how it will divide its time between day-by-day approvals and long-range planning efforts, both of which are important. It is easy to get caught up in the day-to-day efforts at the expense of long-range planning.

³ See for example Cal. Gov't Code §§ 65103, 65353, 65400, 65401, 65402, 65854 and 66452.1.

OTHER LOCAL PLANNING BODIES

Some local agencies divide land use decision-making by creating positions and commissions to focus on specific aspects of the land use planning process.

- **Board of Zoning Adjustment.** A local body, created by ordinance and appointed by the governing body, whose responsibility is to consider requests for variances.
- **Building Official.** The person responsible for the administration and enforcement of building, housing, plumbing, electrical, and related codes.
- **Historic Preservation Commission.** A commission appointed by the governing body charged with carrying out the historic preservation chapter of the zoning ordinance.
- **Zoning Administrator.** An appointed official who implements zoning ordinance and is also often empowered to make decisions concerning design permits, administrative use permits, and other permits as provided for in the zoning ordinance.
- **Zoning Board.** An appointed body that hears and decides matters relating to the application of the zoning ordinance and considers appeals of zoning administrator's decisions.

PUBLIC SERVICE ETHICS

As a planning commissioner, you wield considerable power over how your community grows and develops. With this power comes the expectation that you will hold yourself to the highest ethical standards. Part of being ethical means exercising your power in the public's interests, as opposed to personal self-interest or other narrow, private interests. The chart on page 5 highlights some of the ethical values associated with public service and what they mean in terms of your duties as a planning commissioner.

There are a number of sources of guidance on your ethical obligations as a planning commissioner. One is the law. California has a complex array of laws relating to ethics that are summarized in this section. The law, however, merely sets a minimum standard for ethical conduct. Just because an action is *legal* doesn't mean that it is *ethical*. For example, it may be legal for you to vote on your best friend's project application, but if everyone in the community knows how close the two of you are, will the community truly feel that you were able to put the community's interests ahead of your personal loyalties? Another source of guidance may be your agency's own code of ethics, if it has one. Many cities



For More Information

For more resources designed to assist local officials in working through ethical dilemmas, visit the website for the Institute for Local Self Government at www.ilsg.org/trust.

and counties have adopted codes of ethics to serve as a guidepost in local decision-making.⁴

At some point in your service as a planning commissioner, you will likely face two common types of ethical dilemmas. The first involves situations in which doing the right thing will come at a significant personal cost to you or your public agency. In these situations, the answer is relatively simple. The bottom line is that being ethical means doing the right thing for the community regardless of personal costs.

The second type of ethical dilemma involves those situations in which there are two conflicting sets of "right" values. In these instances, drawing the ethical bottom line is more difficult. If you find yourself faced

⁴ For more information about codes of ethics, see *Developing a Local Agency Ethics Code: A Process-Oriented Guide*, published by the Institute for Local Self Government and available at www.ilsg.org.

with a “right versus right” decision, the following questions may help you come to an answer:

- Which ethical values are in conflict (for example, trustworthiness, compassion, loyalty, responsibility, fairness, or respect)?
- What are the facts? What are the benefits to be achieved or the harm to be avoided by a particular decision? Is there a decision that does more good than harm?
- What are your options? Is there a course of action that would be consistent with both sets of values?
- Is one course of action more consistent with a value that is particularly important to you (for example, promise-keeping or trustworthiness)?
- What decision best reflects your responsibility as an officeholder to serve the interests of the community as a whole?
- What decision will best promote public confidence in the planning commission and your leadership?

For example, as a planning commissioner, you will frequently be asked to make exceptions to your jurisdiction's planning laws. A developer may, for instance, ask for a general plan amendment to enable a project to be approved. The developer is likely to point to numerous benefits that will flow to the community as the result of the amendment.

In coming to a decision in such a situation, the first step is to consider what ethical values are at stake. One might be fairness to those property owners who developed their properties in accordance with the policies expressed in the general plan. Another might be compassion for the developer seeking the amendment: if it is not economically feasible to develop the property as envisioned by the general plan, perhaps an amendment is in order.

The next step is to weigh the competing costs and benefits. Although the developer has identified the benefits to the community associated with approving the amendment, what are the benefits of adhering to the general plan? Will an amendment in this situation open the door for other amendment requests? How might the

planning commission fairly evaluate those requests while still maintaining the overall integrity of the general plan? Are there options that might enable the community to reap some of the benefits described by the developer while still being consistent with the general plan as written?

Finally, consider which approach will best promote the public's confidence in the planning process. Will the public's confidence be undermined if the commission doesn't enforce the plan? Or will denying the amendment look so rigid and unfair to the applicant that it will undermine the public's faith in the planning commission as a decision-making body? What decision will best support the commission's stewardship of the community's growth and development?

The answers to the questions listed above will vary with each situation and likely will not always be clear-cut or obvious. However, asking difficult questions and thoroughly evaluating the answers can go a long way in helping you make consistently ethical decisions that further the public's interests.

ETHICS LAWS

California law promotes ethics in two ways: by requiring public disclosure and by prohibiting certain actions. The financial statements that you (and many public officials) must file with the Fair Political Practices Commission (FPPC) are an example of disclosure. In essence, the law allows the public to scrutinize the relationships between your personal finances and public decision-making. Disclosure laws allow the public (typically with the assistance of the media) to assess whether there may be too close of a relationship between your economic interests and the decisions you make as a public official.

In other instances, the law goes a step further and *prohibits* certain actions. For example, an official must disqualify him or herself from participating in a decision that will affect his or her financial interests. *This does not necessarily mean the disqualified official has done anything illegal or corrupt.* It simply means that the public's interests are better served by removing any question as to the official's decision-making motivations.

Public Service Values for Commissioners

Fairness

- I review applications and make other decisions based on the merits of the issues.
- I honor the law's and the public's expectation that the general plan and other planning policies will govern development decisions in our jurisdiction.
- I support the public's right to know and promote meaningful public involvement.
- I am impartial and do not favor developers or others who are in a position to help me.
- I promote equality and treat all people, projects, and perspectives equitably.

Compassion

- I recognize government's responsibilities to society's less fortunate.
- I consider exceptions to planning policies when there are unintended consequences or undue burdens.
- I realize that some people are intimidated by the public process and try to make their interactions as stress-free as possible.
- I convey the agency's care for and commitment to its community members.
- I am attuned to and care about the needs of the public, officials, and staff.

Respect for Others

- I treat fellow officials, staff, and the public with courtesy, even when we disagree.
- I focus on the merits in discussions, not personalities, character, or motivations.
- I gain value from diverse opinions and build consensus.
- I follow through on commitments, keep others informed, and make timely responses.
- I am approachable and open-minded and I convey this to others.
- I listen carefully and ask questions that add value to discussions.
- I am engaged and responsive.
- I involve staff in all meetings that affect agency business.

Responsibility

- I come to meetings prepared.
- I do not disclose confidential information without proper legal authorization.
- I represent the official positions of the agency to the best of my ability when authorized to do so.
- I explicitly state that my personal opinions do not represent the agency's position and do not allow the inference that they do.
- I refrain from any action that might appear to compromise my independent judgment.
- I take responsibility for my own actions, even when it is uncomfortable to do so.
- I do not use information that I acquire in my public capacity for personal advantage.
- I do not represent third parties' interests before my agency or neighboring agencies.

Integrity

- I am truthful with my fellow commissioners, the public, and others.
- I do not promise that which I have reason to believe is unrealistic.
- I am prepared to make unpopular decisions to further the public's interest.
- I credit others' contributions in moving our community's interests forward.
- I do not knowingly use false or inaccurate information to support my position.
- I excuse myself from decisions when my or my family's financial interests may be affected by my agency's actions.
- I disclose suspected instances of corruption to the appropriate authorities.

Public Trust

- I remember that my obligation as a public official is to serve the whole community.
- I make sound planning decisions that implement the policies expressed in the general plan.
- I consider the interests of the entire community in reaching my decisions.
- I give full considerations to all aspects of a project, including protection of the environment and the need for affordable housing.
- I promote the efficient use of the agency's resources.
- I balance the fiscal impacts of a project with the agency's social and planning goals.

Vision

- I work to assure that the vision expressed in the general plan is one that works to improve the quality of life in my community.
- I am proactive and innovative when setting goals and considering proposals.
- I maintain consistent standards but am sensitive to the need for compromise, thinking outside the box, and improving existing paradigms.
- I promote intelligent innovation to forward the agency's policies and services.
- I consider the broader regional and statewide implications of the agency's decisions and issues.

California's ethics laws fall into three general categories: (1) those involving possible financial gain by you as an officeholder, (2) those involving the use of your office for personal advantages and perks, and (3) those involving situations in which your ability to conduct a fair and impartial process might be questioned. Each of these relates back to the overarching goal of assuring the public that governmental decisions are made based on what best serves the public's interests.

Financial Gain

The notion behind financial gain laws is that the public has a right to know about a public official's financial situation and that officeholders should not even *appear* to be influenced by the effect of their decisions on their personal finances. Financial gain laws include:

- **Financial Interests—Disclosure and Disqualification Issues.** Public officials must periodically disclose their financial interests—such as interests in real property,

investments, business positions, and sources of income and gifts—to the public.⁵ This disclosure is made on a form called "Statement of Economic Interests," also known as "Form 700." A public official cannot make or attempt to influence a governmental decision if it is reasonably foreseeable that the decision could have a "material financial effect" on his or her financial interests.⁶ The FPPC has developed a series of questions (known as the "eight-step process") to determine whether an official must be disqualified from participating in a decision. If you are worried that an upcoming decision will have an effect—positive or negative—on one or more of your financial interests, talk with your agency's attorney (not planning staff) as soon as possible.

- **Interests in Contracts Prohibited.** A public official may not have a financial interest in any contract made by the board or body of which the official is a member.⁷ The law is very strict on this point. Such

THE STATE POLITICAL REFORM ACT: KEY THINGS TO KNOW

- California's disclosure and disqualification requirements are administered by the Fair Political Practices Commission (FPPC), which gives both informal and formal advice on the application of these requirements. Check out the FPPC's website (www.fppc.ca.gov) for contact information, as well as for other useful information relating to the FPPC's administration of the Political Reform Act.
- For purposes of disqualification, key areas of financial interest of concern to the FPPC include business entities in which an official has an investment of \$2,000 or more; real property in which an official has an interest of \$2,000 or more; sources of income of \$500 or more within the preceding year; business entities in which the official is a director, officer, partner, trustee, employee, or manager; and anyone from whom the official has received gifts of \$340 or more in the preceding year.
- When in doubt, the FPPC will usually err on the side of disclosure and disqualification.
- The city attorney's or county counsel's advice will not immunize an official from prosecution for violating disclosure and disqualification requirements. However, it is nonetheless wise to consult agency counsel as soon as you suspect that you may have an issue under the Political Reform Act.
- Violations of the Political Reform Act are subject to civil and criminal penalties, depending on the severity of the offense. For example, knowing and willful violation of the act is a misdemeanor and subjects the violator to a fine of the greater of \$10,000 or three times the amount not reported.⁸
- For information on how to disqualify yourself, see Section 2, page 14.

⁵ See Cal. Gov't Code §§ 87200 and following.

⁶ See Cal. Gov't Code §§ 87100 and following.

⁷ Cal. Gov't Code § 1090.

⁸ Cal. Gov't Code § 91000(b).

contracts are void.⁹ Under most circumstances, the prohibition cannot be avoided by disqualifying oneself from participating in the decision on the contract. Again, consult with your agency's attorney immediately if there is a contract before the commission in which you may have an interest.

- **Bribery.** Requesting, receiving, or agreeing to receive anything of value in exchange for an official action is a crime. In addition to criminal penalties, an individual convicted of bribery forfeits his or her office and is disqualified from holding public office in the future.¹⁰

Personal Advantages and Perks

The law strictly limits the degree to which an officeholder can receive benefits relating (or appearing to relate) to his or her status as an officeholder:

- **Gifts.** With certain exceptions, a public official must disclose most gifts over \$50 on his or her Statement of Economic Interests and may not receive gifts from any one source that totals over \$340 in a single year.¹¹ Gifts include meals, certain kinds of travel payments, and rebates or discounts to public officials not offered to others in the usual course of business.¹² The law is particularly strict about free transportation passes (not including frequent flier awards offered to everyone); acceptance of such passes results in immediate loss of office.¹³
- **Speaking Fees or Honoraria.** Public officials may not receive payments for giving a speech, writing an article, or attending a conference or meeting. Limited exceptions apply. Free conference admission, lodging, and meals provided directly in connection with speeches within California, for example, are not considered prohibited honoraria and need not be reported.¹⁴
- **Use of Public Resources.** It is a felony to misuse public funds, which can include such things as submitting inaccurate or inflated expense reports from traveling on agency business. Public resources (including staff time and office supplies) may not be used for either personal or political purposes.¹⁵



Institute for Local Self Government, *A Local Official's Guide to Ethics Laws (2002)*, available at www.ilsg.org.

California Attorney General's Office, *Conflicts of Interests (1998)*, available at www.caag.state.ca.us/publications/conflict/conflict.pdf.

Fair Political Practices Commission booklets, available at www.fppc.ca.gov or through the toll-free advice line (866-ASK-FPPC).

- **Common Law Bias from Personal Interests.** A strong personal interest in a decision can be the basis for a finding of what is known as "common law bias." Common law bias is sufficient to disqualify a public official from participating in a decision, particularly if the official is sitting in a quasi-judicial capacity (see page 20). For example, one court found a council member biased on a proposed addition to a home in his neighborhood because the addition would block the council member's view of the ocean.¹⁶

Fairness and Impartiality

Officeholders should make decisions in a fair and impartial manner. Key laws that planning commissioners need to be aware of include:

- **Campaign Contributions.** Commissioners who are running for office must disqualify themselves from entitlement proceedings—such as land use permits—if they received campaign contributions of more than \$250 during the previous twelve months from the applicant. Moreover, candidates may not receive or solicit contributions of more than \$250 from any applicant while the application is pending and for three months afterward.¹⁷

⁹ Cal. Gov't Code § 1092.

¹⁰ Cal. Penal Code §§ 68, 98.

¹¹ Cal. Gov't Code §§ 87200, 87207; 2 Cal. Code of Regs. § 18940.2 (\$340 amount valid through 2004).

¹² Cal. Gov't Code § 82028(a).

¹³ Cal. Const. art. XII, § 7.

¹⁴ Cal. Gov't Code §§ 89501, 89502; 2 Cal. Code of Regs. § 18950.3.

¹⁵ Cal. Penal Code § 424. See, e.g., *People v. Battin*, 77 Cal. App. 3d 635 (1978).

¹⁶ See *Clark v. City of Hermosa Beach*, 48 Cal. App. 4th 1152 (1996).

¹⁷ Cal. Gov't Code § 84308.

RECIPE FOR AN EFFECTIVE PLANNING COMMISSION²¹

- **Focus on the Big Picture.** Focus on the big picture before you; avoid being distracted by personalities, groups, or issues that do not have anything to do with the merits of the present agenda item.
- **Meeting Procedures.** Established rules and procedures keep meetings on track. The chairperson and staff should have defined responsibilities. In addition, rules for testimony should be clear and widely available at all meetings.
- **Follow the Law.** Keep legal requirements in mind. When in doubt, ask legal counsel for advice. Before approving an application, you should be able to answer the following questions in the affirmative: Is the proposal consistent with the general plan? Does it meet all applicable zoning and subdivision requirements? Are the environmental impacts reduced or eliminated by the conditions of approval, or are there overriding considerations? Is the commission's decision supported by findings of fact based on substantial evidence in the record?
- **Stay Informed.** Prior to the hearing, commissioners should have read the agenda packet and supplemental reports. It is also a good idea to review the portions of the general plan and the zoning ordinance that are relevant to each agenda item.
- **Open Communication.** Each commissioner shares responsibility for the free flow of ideas and discussion among everyone present at a meeting, including applicants, staff, members of the public, and the commissioners themselves. Be objective, listen, and ask questions.
- **An Efficient Pace.** The chair should recognize when testimony must be closed for deliberations. Commissioners should hold their motions until the discussion has concluded. Both the chair and the other commissioners should know whether to continue a hearing or to make a decision.
- **Effective Leadership.** An effective chairperson assists the flow of ideas and helps keep the proceedings on track.

- **Effect of Decisions on Family Members' Financial Interests.** A public official must disqualify him or herself from participating in a decision that would reasonably have a foreseeable material financial effect on a member of his or her immediate family (spouse and dependent children).¹⁸
- **Party or Factual Bias.** A strong personal animosity towards a project applicant or the receipt of information about a project may constitute a disqualifying source of bias when a planning commission is sitting in a quasi-judicial capacity.¹⁹ This is a variation of the "ex parte communications" doctrine, which suggests that, in quasi-judicial matters, all communications to you about the merits (or demerits) of the proposed use should occur in the course of a public hearing (see page x).

- **Dual Officeholding.** State law prohibits public officials from holding multiple offices at the same time that subject them to conflicting loyalties.²⁰ Check with your agency counsel if you are worried that this prohibition may apply to an office you are seeking.

In addition to these state ethics requirements, cities and counties may have local restrictions and requirements.

WORKING WITH FELLOW COMMISSIONERS

Good working relationships within the planning commission, as well as with planning and other staff, the city council or board of supervisors, other boards and commissions, applicants, consultants, and the public, are critical in order for planning functions to be effective and efficient. Positive working relationships are based on

¹⁸ Cal. Gov't Code §§ 82029, 87103.

¹⁹ See *Breakzone Billiards v. City of Torrance*, 81 Cal. App. 4th 1205, 1234 n.23 (2000).

²⁰ See Cal. Gov't Code § 1126.

²¹ Adapted from Governor's Office of Planning and Research, *The Planning Commissioner's Book*, (revised May 1998); http://ceres.ca.gov/planning/plan_comm/.

mutual understanding of the role of each group, including:

- Clear expectations about how each group will relate to the other, as defined by adopted procedures
- A common set of goals, as reflected in the general plan and other adopted planning documents
- A willingness to solve problems by listening to others, considering alternatives, and arriving at a consensus
- An ability to communicate directly and clearly with others

WORKING WITH STAFF

A good working relationship with staff will significantly improve your effectiveness as a planning commissioner. A planning department staff member will always be present at commission meetings. Other attendees may include representatives from your jurisdiction's attorney's office and public works department.

Planning staff advises the commission on local agency plans, ordinances, and policies. In addition, they provide background information and research, prepare plans and reports, make recommendations, and answer technical questions on development proposals under the

commission's consideration. Other staff responsibilities include:

- Orienting new commissioners
- Noticing meetings
- Responding to requests for information in a timely and professional manner
- Delivering agenda packets in time for adequate review
- Highlighting key issues, data, and criteria in staff reports and presentations
- Anticipating the type of information that will be needed for a decision
- Being accessible and keeping all commissioners equally informed
- Reviewing applications for completeness
- Acting in a fair, ethical, and consistent manner

Members of the planning staff can be a tremendous resource for you. Most will have received at least some training in geography, landscape design, urban and rural planning, economics, law, and statistics. In addition to their other duties, staff are responsible for staying current on new trends, technologies, and regulations in the planning and development field. They can use this

TIPS FOR DEVELOPING AND MAINTAINING GOOD STAFF RELATIONS

A good staff-commission relationship is built on mutual trust and respect. Here are some ways to achieve that:

- Come to meetings having reviewed the materials prepared by staff.
- Ask questions of staff in advance and alert them to concerns you intend to raise during the meeting.
- If you disagree with a staff recommendation, state specific reasons for your decision. This will help staff to draft findings in support of your decision. Simply stating "I do not like the project" is not enough.
- Clearly communicate to staff what the commission needs in order to make well-informed decisions. If material is not being presented in an understandable way, work with staff to make changes.
- Treat staff with respect.
- Do not assume that staff is wrong and a critic is right.
- Compliment staff when and where appropriate.

information to assist the planning commission in developing creative solutions to local problems.

Consultants

Local agencies face serious restrictions on staff expansion, while the demand for public planning continues to increase. Consultants are often used to address temporary staffing needs, such as:

- Complete studies requiring special skills
- Provide additional support on an as-needed basis
- Prepare studies and analyses required by environmental laws
- Assist on large projects, such as a general plan update

The commission should consider consultants as extensions of regular staff.

WORKING WITH THE GOVERNING BODY

One not so obvious ongoing relationship to take into account is the relationship between the planning commission and the governing body (city council or board of supervisors). In most cases, individual commissioners serve at the pleasure of one or more members of the governing body and therefore should consider the views of the governing body in making their decisions.

The planning commission-governing body relationship can become strained (at least from the commission's perspective) if the governing body repeatedly overturns planning commission decisions. In such cases, you may feel that the governing body did not look at the land use issues as closely as the commission. One thing to keep in mind, however, is that the governing body must also contend with political pressures that are not always felt by the appointed commission.

Here are some ideas on how to promote a good ongoing relationship between the planning commission and the governing body:



Who Does What in the Project Review Process?

PLANNING STAFF

- Identifies relevant local regulations for project applications
- Works with applicants to make a project work
- Works with other departments and agencies, such as the engineering department or the regional air board, to incorporate comments and technical recommendations into a project
- Ensures that procedures are being followed
- Prepares a professional analysis and recommendation
- Monitors project implementation
- Holds consensus-building meetings on controversial projects

AGENCY COUNSEL

- Answers legal questions
- Does not give policy direction or advice
- Advises on relevant legal considerations, both in terms of process (for example, notice requirements) and substance

PLANNING COMMISSION

- Balances staff analysis, including agency goals and policies, with community input
- Renders a decision based on findings of fact when acting in a quasi-judicial capacity
- Makes recommendations to the governing body on policy matters when acting in a legislative capacity
- Evaluates land use aspects of projects and leaves more technical issues for staff review and implementation (commissioners should trust staff to implement their general directions)

GOVERNING BODY

- Balances staff analysis, planning commission decisions, and agency goals

- Make adequate findings to insure that the reasons for your actions are clear
- Ask for clarification of the governing body's policies or actions if they are unclear
- Include in planning commission minutes any questions or points of view that are not obvious in your decisions and findings
- Send a planning commission representative to meetings of the governing body to discuss difficult decisions
- Request an annual joint work session to discuss priorities, communication and other pressing issues
- Do not rely solely on staff to convey your message, either to the public or to the appropriate elected officials
- Do an annual self-evaluation and follow through with any needed changes in how the commission does business

Keep in mind that elected officials must answer to the voters. You may find it helpful to be familiar with the policy perspectives of the members of the governing body, particularly as they relate to land use policies and programs. (For example, are they "slow growth" or "pro-growth"?) Casting individual commission decisions in ways that address issues of concern to individual members of the governing body (if not conforming to them) reduces the likelihood that a commission decision will be overturned on appeal.

WORKING WITH THE MEDIA

The media can be a commissioner's best friend—or worst enemy. Developing a good relationship with the local media is an important—and often underrated—element of working in local government. Most members of the public will learn about local land use decisions through local newspapers, radio, and television. Because of this, it is important to engage reporters to make sure that the local agency's side of the story gets told.

One of the keys in working with the media is to retain your credibility. Here are some tips for retaining your credibility:

- Share information when you can and be as transparent as possible.
- Return phone calls promptly (respect reporter deadlines). Leaving questions unanswered invites errors and unintentional bias.
- Never say "no comment;" this always sounds evasive.
- One of the most respected comments is "I don't know. I'll get back to you." Be sure to get back with the information.
- Remember that there is no such thing as "off the record." If you don't want a comment to end up in the press, don't make it.

It can be beneficial to establish ongoing relationships or an open-door policy with media representatives, but always be careful to keep your comments concise and on point. Often the media is just looking for a quote from the commission, not necessarily all the relevant facts. Staff may be able to provide reporters with more specific facts or details.

Getting Your Message Out

Another good tip for dealing with the media is to identify and repeat a single message. If you think about it, most people are only quoted once or twice in an article. What is it that you want that quote to be? (See *Media Messages for Local Government* on the next page) If you stick to your message and keep repeating



For More Information

Delivering the Message (2000). California Association of Public Information Officials. Available at www.capio.org

it, it is more likely that the reporter will use that quote. The more you ramble, the greater the risk is that you will get off message and that the reporter might pull something out of context that you might not like to see in print.

In addition, focus on substance, not procedures. Most people find procedural and legal details boring. Jargon should be avoided at all costs. Instead, use everyday language. Why say "we gave it a negative declaration"

when you can say "we've decided it won't significantly affect the environment"?

An excellent resource in working with the media is your jurisdiction's public information officer. This person can alert the media to favorable stories. If you never call reporters in advance, then all they will cover are meetings, not all of which go smoothly. Contrary to popular perception, good news goes in the paper too. It is more likely that your message will stick when the story matches the message.

MEDIA MESSAGES FOR LOCAL GOVERNMENT

Journalists often build stories around people to explain an issue in human terms. Often, land use stories are about an agency's action in response to public concerns. Emphasizing the benefits of this responsiveness as it impacts individuals puts the story into a framework with which readers can relate. Here are some talking points that address common land use decisions from the local agency perspective:

- **Good Planning Maximizes Property Values.** Planning maximizes property values by insuring that development occurs in a way that is compatible with the surrounding community and the environment. Often, when property owners complain that a particular action devalues their property, they are forgetting that the underlying value of their property is already higher due to nearby public investments in roads, sewers, infrastructure, and good planning in general.
- **What Is the Impact to the Average Person?** Describe the positive or negative implications of decisions in terms of what they mean for the general public. How does planning promote a better community?
- **Balancing Act.** Local officials must strike a fair balance between individual preferences and the interest of the whole community. What is at stake in most planning decisions is the ability of public agencies to solve problems and respond to the public's concerns.
- **Quality of Life.** Effective planning promotes important quality of life issues, including a sense of place and connectedness. Developing a sense of community helps draw people together and makes communities better places to live and raise families.
- **Economic Prosperity.** Quality of life and adequate infrastructure issues are often key factors when a business is deciding where to locate.
- **Fairness.** Public agencies seek solutions that achieve fairness and justice, not only for individual landowners but also for the community as a whole.

UNDERSTANDING THE BASICS OF LAND USE AND PLANNING: The Nuts and Bolts of Project Review

Project review is at the center of the process of local planning. Most planning decisions are made in response to project applications submitted by individual business owners, residents, property owners, and developers.

As local officials review project applications – whether they are acting as an elected official, an appointed commissioner, or a staff member – they evaluate the project’s design and fit with the surrounding community. As they do so, they must grapple with some common questions:

- What should the community look like?
- Are there community needs that are not being met?
- How does the project relate to its surrounding environment?
- Does the proposed use enhance the community both today and in the future?

The challenge is to incorporate big-picture concepts into the weekly or monthly act of ruling on individual project applications. Long-term community goals must also be balanced against economic, legal, safety, and other public policy concerns. For example, residents may suggest a narrower street design to reduce traffic hazards and create a more compact feel in a planned neighborhood, only to find that the fire marshal believes that extra-wide streets are needed to assure that emergency vehicles can get through in any situation. All of these are valid concerns that make the role of local officials challenging. Yet it is the sum of these incremental decisions, the ones made day after day, that will ultimately shape the future of the community.

The Typical Application

The typical development application comes in many forms. Planning officials may review general plan and zoning amendments, tentative or parcel maps, planned unit developments, building permits, conditional use permits, certain types of variances, design review permits, development agreements, environmental documents and other types of applications.

The agenda for any given meeting may require local officials to review an addition to a single-family residence one minute and a complex mixed-use or multifamily development the next. Even the smallest project may raise a few unique issues. The job of elected officials, appointed commissioners, and professional staff is to ensure that those issues are considered and addressed.

City council members and county supervisors are not generally responsible for assessing all of the technical merits of a development project. They will usually receive advice from advisory bodies such as the planning commission or design review board. Staff will summarize the most important technical points in the staff report. Although elected officials or appointed commissioners may not see (or need to see) all the information received by their planning staff, it may be helpful to know what type of information they use to evaluate a project.

CHECKLIST FOR REVIEWING AN APPLICATION

- ✓ Compare to the general plan and the zoning ordinance
- ✓ Compare the vicinity map and the site plan
- ✓ Check the scale of the plans
- ✓ Determine if there are public views worth protecting
- ✓ Review existing and proposed contours and the grading plan
- ✓ Check the circulation pattern
- ✓ Locate landscaped areas
- ✓ Check the materials and architectural elements
- ✓ Review conservation practices
- ✓ Check the parking layout
- ✓ Think about the future

How to Review an Application

A reviewer can get a basic understanding of a project by going through the following steps.

Compare to the General Plan and the Zoning Ordinance. Is the project consistent with the general plan and the zoning ordinance? Look at the range of permitted uses, density, housing needs, structure heights, circulation, environmental issues like habitat preservation and open space protection, etc. If the applicant seeks a zone change or general plan amendment, the project's benefits should justify the change and be consistent with surrounding planned uses.

Compare the Vicinity Map and the Site Plan. How does the proposed project fit in with the existing community? Is it compatible with surrounding properties and the street? Is there any relationship between the adjacent buildings (both on and off the project site), such as pedestrian walks, window-to-window visual contact, noisy areas adjacent to quiet areas, or shadows cast over plaza areas? Can changes in the design address potential conflicts?

Check the Scale of the Plans. Understanding scale will help decision makers get a feel for the actual size of the project. A good way to interpret plans on a human scale is to judge them in five- to six-foot increments to see how the scale matches the size of a typical person. A typical parking stall is 20 feet long, also a good reference point for scale.

Determine If There Are Public Views Worth Protecting. Would the project obstruct the public view of a landscape or landmark? Is there a public view of a feature on the site itself that should be protected? If so, do the site plan and architecture take these public views into account?

Review Existing and Proposed Contours and the Grading Plan. An outline of the building should be drawn on a topographical map. Do slopes threaten adjoining properties or detrimentally change the visual character of the area? Will floor elevations and parking facilities be graded to levels that are consistent with the landscaping plan and are not so high that buffers such as landscaping would be ineffective? Is drainage addressed so as to minimize the impacts of erosion on-site and prevent off-site erosion?

Check the Circulation Pattern. How easily can people reach the site by various modes of transportation? Check circulation aspects for transit riders, cars, delivery vehicles, pedestrians, and bicycles. Are there points of conflict, such as walkway: that would lead pedestrians through traffic or between cars?

BASIC PROJECT APPLICATION INFORMATION

Each local agency maintains a detailed list of all the information needed from a project applicant, although most require the same basic information, including:

- Signed Application
- Vicinity Map
- Existing Facilities Map
- Site Plan
- Grading Plan
- Architectural Elevations
- Materials Board
- Landscape Plan
- Environmental Questionnaire

Additional information may be provided depending on the nature of the application. Examples include traffic analyses, biological studies, utility reports, lighting and signage plans, and phasing plans for large projects.

Locate Landscaped Areas. Does the proposed landscape reflect the available water and can it be irrigated with reclaimed water? Are native or natural landscapes protected? Do landscaped areas soften buildings, breaking up parking areas and long, blank portions of wall? Are there areas for special landscape and hardscape treatment? Will existing trees be removed or should they be saved? Is the selection of plants and trees appropriate for the climate?

Check the Materials and Architectural Elements. Review the materials and architectural elements of the project. Do they incorporate features that are consistent throughout the neighborhood or district? Do they create visual interest? Do they match existing design guidelines or policies in the general plan or specific plan?

Review Conservation Practices. Recycled and energy-efficient materials can reduce a project's impact on the environment. Is the building sited to reduce energy consumption and does it respond to the solar orientation of the site? Does the builder intend to use recycled materials? Is the project designed to minimize runoff (particularly from parking areas and other paved or impervious areas such as roofs)? Are energy-efficient materials—like windows and heating and cooling systems—included in the plan? Are trees and landscaping used to minimize energy consumption and heat generation?

Check the Parking Layout. Does the parking layout and development reduce the 'heat island' effect of large, unshaded parking lots? Do the aisles relate well to entry and exit points? Is there a logical pattern for cars to follow? Is there sufficient landscaping to screen parking from view or to break up expanses of asphalt? If the project site fronts a pedestrian area, is the parking tucked behind the building to create a more vibrant streetscape? Are there adequate pedestrian routes and disabled access accommodations in the parking lot?

Think About the Future. What is likely to happen on adjacent undeveloped or potentially redevelopable property? Does the project anticipate likely changes or is it adaptable? For phased projects, make sure that the first phase will stand by itself in case the next phase is never constructed.

RESOURCES FOR FURTHER INFORMATION

The Institute offers several publications on land use topics, including guides in the *Understanding the Basics of Land Use* series and a set of plain-language, one-page descriptions of common land use actions. For more information and resources on planning and land use topics, visit ILG's Land Use and Environment Program at www.ca-ilg.org/landuse.

ABOUT THE INSTITUTE FOR LOCAL GOVERNMENT

The Institute for Local Government is the nonprofit research affiliate of the League of California Cities and the California State Association of Counties.

Its mission is to promote good government at the local level.

The Institute's current program areas include:

- Climate Change
- Collaborative Governance Initiative
- Healthy Communities
- Intergovernmental Conflict Resolution
- Land Use and Environment
- Local Government 101
- Public Service Ethics



UNDERSTANDING THE BASICS OF LAND USE
AND PLANNING: THE NUTS AND BOLTS OF
PROJECT REVIEW

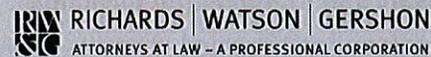
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“Rosenberg’s Rules of Order, Revised”

(Simple Rules of Parliamentary Procedure for the 21st Century)

By Judge Dave Rosenberg

(First Revision dated July 2011)

Introduction

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules – “Robert’s Rules of Order” – which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time, and for another purpose. If one is chairing or running a Parliament, then “Robert’s Rules of Order” is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of, say, a 5-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of “Rosenberg’s Rules of Order.”

What follows is my version of the rules of parliamentary procedure, based on my 20 years of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, Rosenberg’s Rules has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted Rosenberg’s Rules in lieu of Robert’s Rules because they have found them practical, logical, simple, easy to learn, and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars: (1) Rules should establish order. The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings. (2) Rules should be clear. Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate. (3) Rules should be user friendly. That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process. (4) Rules should enforce the will of the majority while protecting the rights of the minority. The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision-making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, and fully participate in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. So, for example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais), and when that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body which establishes a quorum. So, for example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the Chair of the body who is charged with applying the rules in the conduct of the meeting. The Chair should be well versed in those rules. The Chair, for all intents and purposes, makes the final ruling on the rules every time the Chair states an action. In fact, all decisions by the Chair are final unless overruled by the body itself.

Since the Chair runs the conduct of the meeting, it is usual courtesy for the Chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the Chair should not participate in the debate or discussion. To the contrary, the Chair as a member of the body has the full right to participate in the debate, discussion and decision-making of the body. What the Chair should do, however, is strive to be the last to speak at the discussion and debate stage, and the Chair should not make or second a motion unless the Chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. And each agenda item can be handled by the Chair in the following basic format:

First, the Chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The Chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the Chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate

person or persons may be the Chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the Chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the Chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the Chair may limit the time of public speakers. At the conclusion of the public comments, the Chair should announce that public input has concluded (or the public hearing as the case may be is closed).

Fifth, the Chair should invite a motion. The Chair should announce the name of the member of the body who makes the motion.

Sixth, the Chair should determine if any member of the body wishes to second the motion. The Chair should announce the name of the member of the body who seconds the motion. (It is normally good practice for a motion to require a second before proceeding with it, to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the Chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the Chair.)

Seventh, if the motion is made and seconded, the Chair should make sure everyone understands the motion. This is done in one of three ways: (1) The Chair can ask the maker of the motion to repeat it. (2) The Chair can repeat the motion. (3) The Chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the Chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the Chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the Chair takes a vote. Simply asking for the “ayes”, and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain”. Unless the rules of the body provide otherwise (or unless a super-majority is required as delineated later in these rules) then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the Chair should announce the result of the vote and should announce what action (if any) the body has taken. In announcing the result, the Chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring 10 days notice for all future meetings of this body.”

Motions in General

Motions are the vehicles for decision-making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the Chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member's desired approach with the words: "I move" So, a typical motion might be: "I move that we give 10-day's notice in the future for all our meetings."

The Chair usually initiates the motion by either (1) Inviting the members of the body to make a motion. "A motion at this time would be in order." (2) Suggesting a motion to the members of the body. "A motion would be in order that we give 10-day's notice in the future for all our meetings." (3) Making the motion. As noted, the Chair has every right as a member of the body to make a motion, but should normally do so only if the Chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body's consideration. A basic motion might be: "I move that we create a 5-member committee to plan and put on our annual fundraiser."

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion which is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused. But they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So that if a member makes what that member calls a "motion to amend", but the Chair determines that it is really a "substitute motion", then the Chair's designation governs.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The Chair can reject a fourth motion until the Chair has dealt with the three that are on the floor and has resolved them. As a practical matter, more than three motions on the floor at one time tends to be too confusing and unwieldy for most everyone – so keep the maximum at three at three for the sake of clarity.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed first on the last motion that is made. So, for example, assume the first motion is a basic “motion to have a 5-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a 5-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be as follows:

First, the Chair would deal with the third (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion passed, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion failed, the Chair would now deal with the second (now, the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be 5 members or 10 members). If the motion to amend passed the Chair would now move to consider the main motion (the first motion) as amended. If the motion to amend failed the Chair would now move to consider the main motion (the first motion) in its original format, not amended.

Third, the Chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (5-member committee), or, if amended, would be in its amended format (10-member committee). And the question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the Chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the Chair must immediately call for a vote of the body without debate on the motion):

A motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

A motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the Chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

A motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

A motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold". The motion can contain a specific time in which the item can come back to the body: "I move we table this item until our regular meeting in October." Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

A motion to limit debate. The most common form of this motion is to say: "I move the previous question" or "I move the question" or "I call the question" or simply "question." (As a practical matter, when a member calls for the "question" the chair can expedite things by simply asking the body if anyone wishes to continue discussing the underlying matter. If no one wishes to discuss it further, the chair can proceed to a vote on the underlying matter – without having to vote on the "question". On the other hand, if even one member of the body wishes further discussion and debate on the underlying matter, then the chair has to treat the call for the "question" as a motion and proceed accordingly.) When a member of the body makes such a motion for the "question", the member is really saying: "I've had enough debate. Let's get on with the vote". When such a motion is made, the Chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a 2/3 vote of the body. Note: that a motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the motion to limit debate requires a 2/3 vote of the body. A similar motion is a motion to object to consideration of an item. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a 2/3 vote.

Majority and Super-Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a 7-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which, effectively, cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a 2/3 majority (a super-majority) to pass:

Motion to limit debate. Whether a member says “I move the previous question” or “I move the question” or “I call the question” or “I move to limit debate”, it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a 2/3 vote to pass.

Motion to close nominations. When choosing officers of the body (like the Chair) nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers, and it requires a 2/3 vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled, or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a 2/3 vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a 2/3 vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it's pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50% of the body is required. So, for example, in a five-member body, if the vote is 3 in favor and 2 opposed, the motion passes. If it is 2 in favor and 3 opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. So, for example, in a seven-member body, if 2 members vote “no” then the “yes” vote of at least 4 members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie vote, the motion always fails since an affirmative vote is required to pass any motion. So, for example, in a five member body, if the vote 2 in favor and 2 opposed, with 1 member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. California Government Code Section 25005.

Typically, this means 3 of the 5 members of the board must vote affirmatively in favor of the action. A vote of 2 to 1 would not be sufficient. A vote of 3 to 0 with two abstentions would, be sufficient. In general law cities in California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. California Government Code Section 36936. Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting”. Accordingly, under the “present and voting” system you would NOT count abstain votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you DO count abstain votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

How does this work in practice? Let’s look at a few examples.

Let’s assume that we have a five-member city council voting on a motion that requires a simple majority vote to pass, and let’s assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting”. If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with 1 abstention, the motion fails.

Let’s assume we have a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and let’s further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of 3 “yes”, 1 “no” and 1 “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed – so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, let’s change the scenario slightly. Let’s assume the same five-members city council voting on a motion that requires a two-thirds majority vote to pass, but let’s now assume that the body DOES have a specific rule requiring a two-thirds vote of members “present”. Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the vote were 3 “yes”, 1 “no” and 1 “abstain”, then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

And, how, exactly, does a member cast an “abstention” vote? Any time a member votes “abstain” or says “I abstain”, that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is, essentially, saying, “count me for purposes of a quorum, but my vote on the issue is abstain”). In fact, any manifestation of intention to vote neither “yes” nor “no” on the pending motion may be treated by the chair as an abstention. And if written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent”? Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent”. That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body – including a member who voted in the minority on the original motion - may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the Chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to

have the floor, and it is always best for every speaker to be first recognized by the Chair before proceeding to speak.

The Chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The Chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the Chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is “no.” There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be: “point of privilege.” The Chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

Order. The proper interruption would be: “point of order.” Again, the Chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the Chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the Chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the Chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, “Let’s return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the Chair discovers that the agenda has not been followed, the Chair simply reminds the body to return to the agenda item properly before them. If the Chair fails to do so, the Chair’s determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the Chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the Chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.

About the Author

Dave Rosenberg is a Superior Court Judge He has served as Presiding Judge of his Superior Court for two terms, as well as Presiding Judge of the Superior Court Appellate Division. He has also served as Chairman of the Trial Court Presiding Judges Advisory Committee (composed of all 58 California Superior Court Presiding Judges) and as an advisory member of the California Judicial Council. Judge Rosenberg was first appointed to the bench by the Governor of California in 2003, and has been subsequently elected to office. Prior to his appointment to the Bench, Rosenberg served as an elected County Supervisor representing the 4th district in Yolo County, and also served as Director of Community and Intergovernmental Relations, Director of Operations, and Senior Advisor to the Governor of California. He has served as a member and chair of numerous state, regional, and local boards, both appointed and elected. He has served as a member of the Davis City Council member for 12 years, including two terms as Mayor of Davis. He served two terms as Chairman of the Board of Supervisors. He also chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. He has served as Chairman of the California Law Revision Commission and as Chairman of the District Securities Advisory Commission, the Yolo-Solano Air Quality Management District, and as a member of the California Council on Criminal Justice Planning and the California Commission on State Mandates. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.

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City of Winters

Grant Avenue Design Guidelines

Adopted August 16, 2011



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City Council

Woody Fridae--Mayor
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Michael Martin
Tom Stone

Planning Commission

Pierre Neu --Chair
Glen DeVries --Vice Chair
Wade Cowan
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Philip Meisch
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Economic Development Advisory Committee

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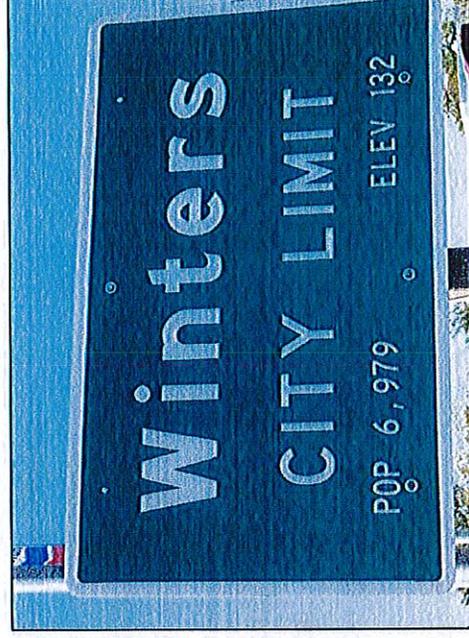


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Introduction

Adopted on August 16, 2011, this Design Guide is the result of our efforts to assist you in developing and improving your property. We hope it helps you plan your exterior work within the Grant Avenue Business and Commercial District.

This Guide is dedicated to meeting our community expectations and assisting those involved with the development process of the Grant Avenue Business and Commercial District. The District is illustrated on the map on the following page and encompasses the Grant Avenue “gateway” into Winters.

The community expectations include the following:

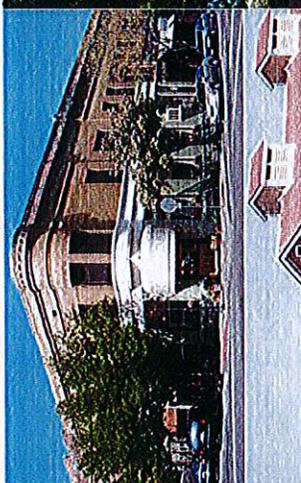
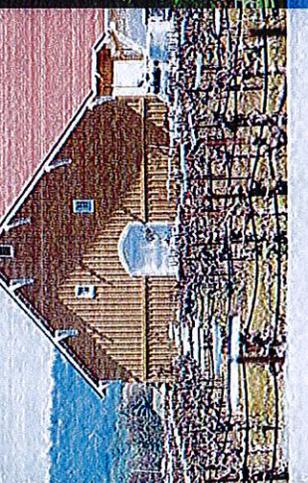
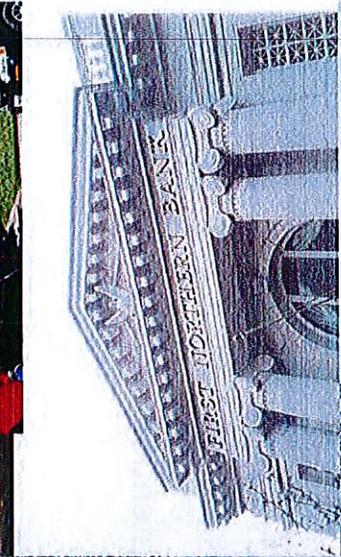
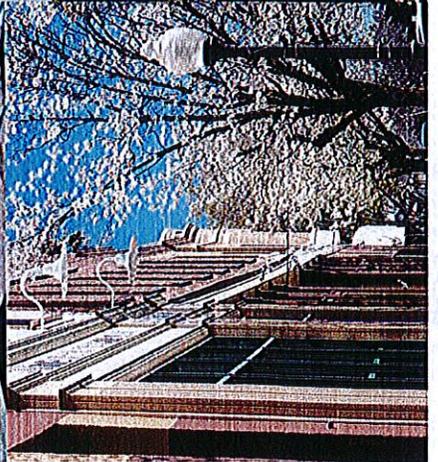
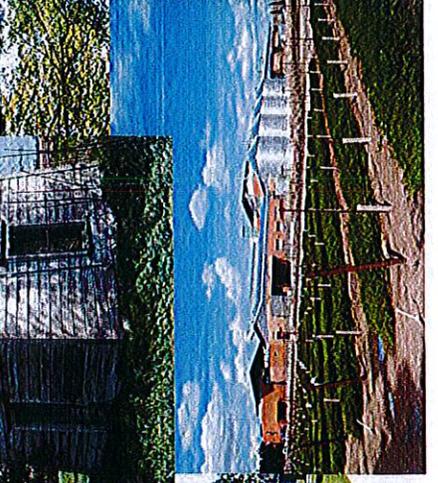
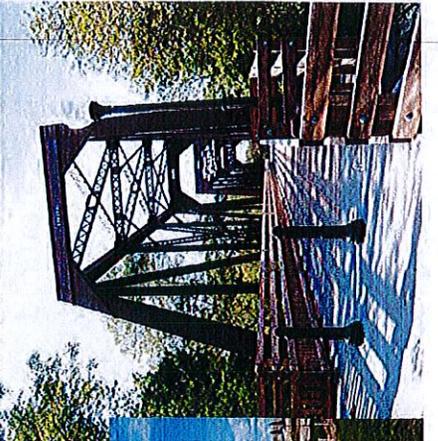
- Maintenance of the existing small town feel
- Highest quality architectural, landscape and site development design
- High quality materials and craftsmanship
- Variety and diversity of architectural character that support the current interesting mixture of styles
- Small scale buildings with a strong architectural orientation
- The sensitive interface of commercial development with adjacent residential neighborhoods
- Strong encouragement of a unique Winters scale and character
- “Smart”, environmentally sensitive development which takes into consideration the proper use of materials, designs and techniques to advance sustainable development principles.
- Chain or franchise projects tailored to the unique qualities of Winters
- Maintenance of a sense of place with view of surrounding hills preserved
- Avoidance of architecturally trendy buildings in favor of more timeless qualities
- Thoughtful architectural design – not boxes with cosmetic attachments
- Unity of design treatment with all sides of the structure related to the design of the primary facades.
- Energy design in consideration of the CPUC’s goal of all commercial building achieving zero net energy use by 2030, and AB 32’s 2020 carbon emissions reduction goals.

All contributors to our community own part of our heritage – its past charm, present vitality, and future direction. With the guidelines contained in this document, our goal is to establish a balance that preserves and enhances the city's livability while supporting the economic vitality that make Winters a complete community.

In addition, the guidelines are intended to accomplish the following:

- Provide clear guidance to property owners and design professionals in planning and designing new buildings and remodeling existing structures.
- Provide a greater degree of project review and approval predictability.
- Ensure that new development reinforces and supports the special qualities of the community of Winters.
- Maintain a building scale that is consistent with the community's historical image and character.
- Provide information to facilitate the adaptation of corporate and franchise designs to comply with Winters design expectations.
- Reinforce the special qualities of the community's visual character.
- Protect property owner investments by discouraging inappropriate adjacent developing.
- Streamline the development review process by more clearly communicating community expectations to property owners and developers.

Please note that the mandatory development standards contain the words "shall," "must," or "will." Standards that contain the word "should" mean that an action is required unless a determination is made that the intent of the standard is satisfied by other means.



Site Planning

The City of Winters desires development in the corridor that is planned with strong consideration and thought given to building placement in relation to surrounding developments and the overall environment, allowing for safe ingress and egress, and including design that promotes an appearance that is unique to Winters. Developments should include, where appropriate, outdoor and public spaces. In addition, developments shall include screening enclosures for elements such as utilities, fire protection backflow preventers, service areas, trash enclosures and rooftop equipment. Overall, project sites shall be carefully planned to create and maintain a safe environment for pedestrians and bicyclists. Where stormwater drainage is a concern, developments shall include Low Impact Design features such as bioretention facilities, drainage swales and permeable pavements.

As a priority, developments shall, where feasible, include:

- Where appropriate, public, open or gathering spaces
- Limited conflicts between pedestrians, bicyclists, vehicles and utility/delivery vehicles
- Screening to cover trash enclosures, service areas, secure bike storage, and roof-top equipment
- Buildings sited in a manner that considers the surrounding environment
- On-site planning that encourages connectivity to off-site bicycle and pedestrian pathways
- Low Impact Design features, including bioretention facilities and permeable pavements
- Developments will be proactive and include transit in planning consideration

Community Spaces and Special Features

- All developed areas shall emphasize pedestrian orientation by creating attractive pedestrian spaces which utilize such features as plazas, ornamental gates, trellises, lighting, plant materials, seating, fountains and passageways through buildings via exterior and interior walkways.

- Pedestrian amenities, such as plazas, courtyards and other open spaces should be provided for spaces between buildings.

- Publicly-accessible plazas and open spaces are encouraged, where appropriate

- Plazas and open spaces shall be landscaped and incorporate high quality paving materials, such as bricks, stone, textured concrete block or tile.

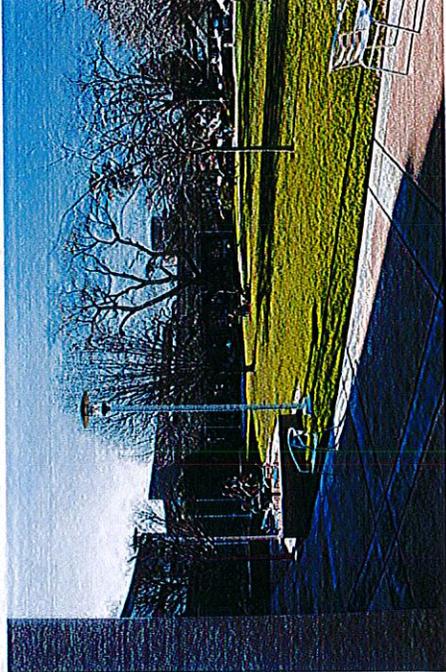
- Outdoor pedestrian spaces shall include appropriate outdoor furniture, such as seating, walls, trash receptacles, bike racks and other elements.

- Paving, planting and other landscape materials should be coordinated with the design of the building, lighting and site.

- Owners of adjoining properties are encouraged to develop shared facilities, where possible.

- Certain projects may be required to install bike lockers per the California Green Building Standards Code (CalGreen Building Code).

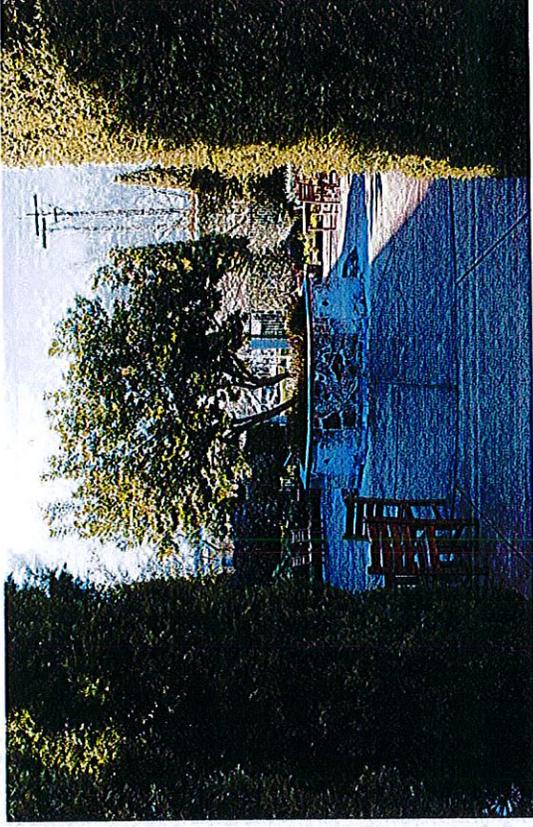
- Per Section 5.106.5.2 (Designated Parking) of the 2010 CalGreen Building Code, a number of parking spaces for low-emitting, fuel-efficient, and carpool/van pool vehicles are required per total number of parking spaces for a development. Refer to Table 5.105.5.2 of the CalGreen Building Code.



Example of public open space shared by multiple businesses

Community Spaces and Special Features (Continued)

- When adjacent to street, outdoor areas shall be buffered with architectural features such as fountains and planting.
- Where practical, outdoor areas should be visible from public streets or trail networks and accessible from the building as well as the street or potential network.
- Outdoor furniture shall be coordinated with the theme of the building.
- Plant materials shall be of a drought-tolerant species as deemed by the CalGreen Code and provide variety, while being consistent with the architectural design of the building.
- All screening shall be designed as an integral part of the overall building design.
- Wall expanses should be protected from graffiti by adjacent plantings of shrubs or vines.



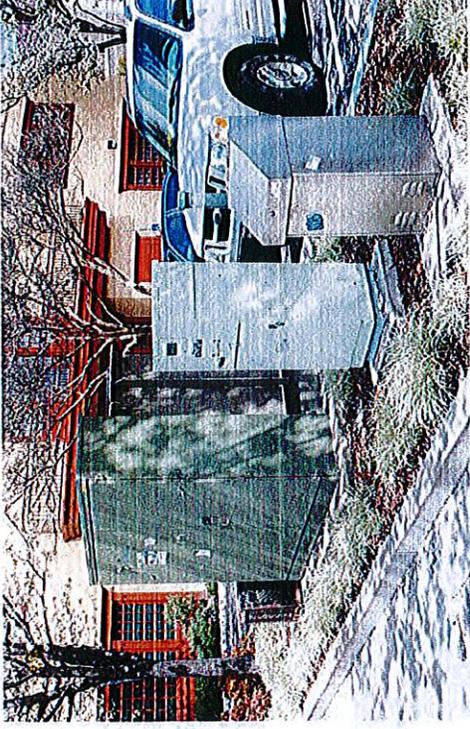
Example of an outdoor area buffered from the street by plantings

Outdoor Service and Storage Areas

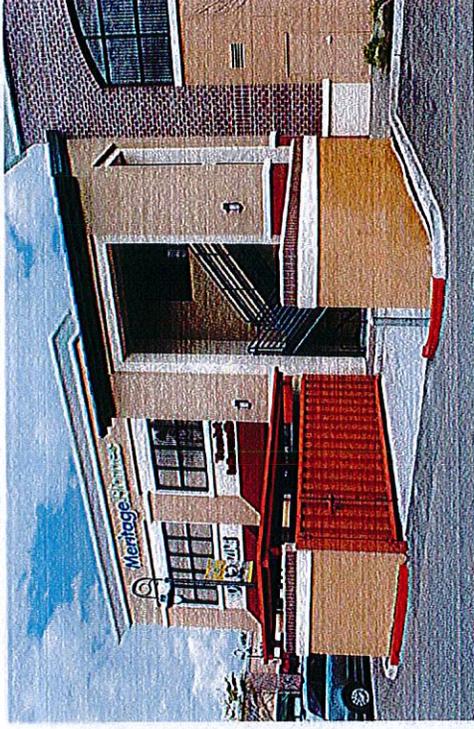
- Lighting of outdoor service, loading and storage areas shall be the minimum necessary for security purposes and shall be designed and directed so as to meet night sky requirements in the Winters General Plan or lighting impacts at the street or on surrounding properties.
- Screening of these areas should be integrated into the overall building and landscape design. Screening may integrate lattice work, dense flowering vines, and additional architectural elements.

Outdoor Service and Storage Areas (Continued)

- Trash enclosures shall be of sufficient size to house the number and size of trash bins and containers needed to accommodate the waste generated by the building user(s), as required by the City's Solid Waste Ordinance and Planning and Zoning Code requirements. Trash bins shall be located within a trash enclosure at all times.
- All roof-mounted mechanical, electrical and external communication equipment, shall be screened from public view and architecturally integrated into the building design. Plans submitted for design review shall indicate how rooftop equipment will be screened.
- Service areas, garbage receptacles, utility meters and mechanical and electrical equipment shall to the maximum extent possible, be screened from public view and located for convenient access by service vehicles and public safety vehicles.



Example (above) of mechanical equipment not screened from public view



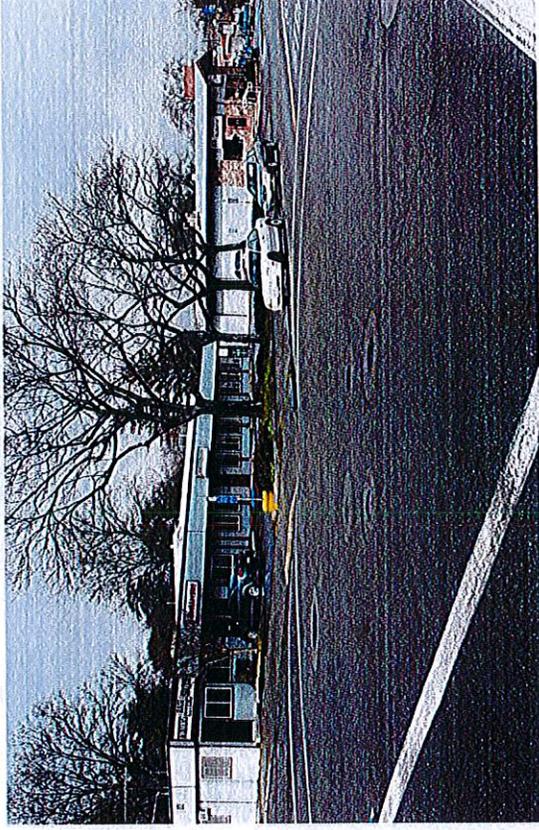
Example (above) of mechanical equipment appropriately screened from public view, with colors and materials matching adjacent buildings.

Building Siting and Orientation

- Buildings shall be sited to reinforce the public street network by incorporating active façades, with windows, doors and other architectural elements giving interest to the building from the corridor.
- Loading and service entrances shall not intrude upon the public view, nor interfere with pedestrian and vehicular flows within the project.
- In the Grant Avenue corridor, which is considered the city's gateway, care must be taken to create attractive public spaces and visual elements that represent Winters' heritage and character. Building masses shall be parallel to Grant Avenue and have a predominant east/west orientation.

- The street corners of corner sites are encouraged to be developed with buildings, public plazas or landscaped areas.

- Near corners, buildings should either be sited on the property lines or set back to provide a public open space, which provides direct access to the building or frames an open space between buildings.

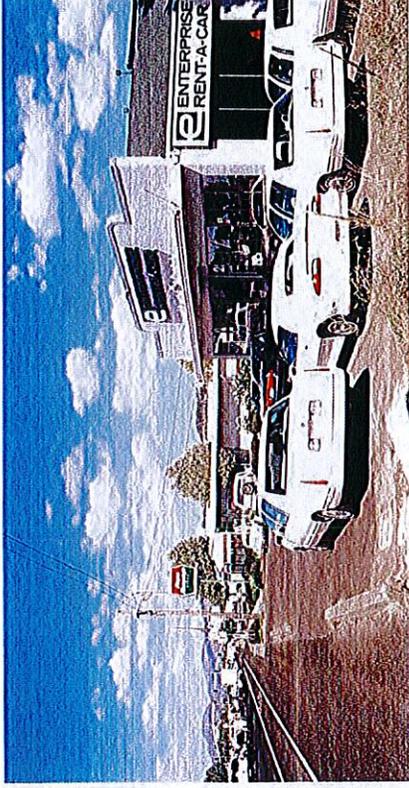


Example of development where primary surface parking is located in front of building, an approach to avoid along Grant Avenue.

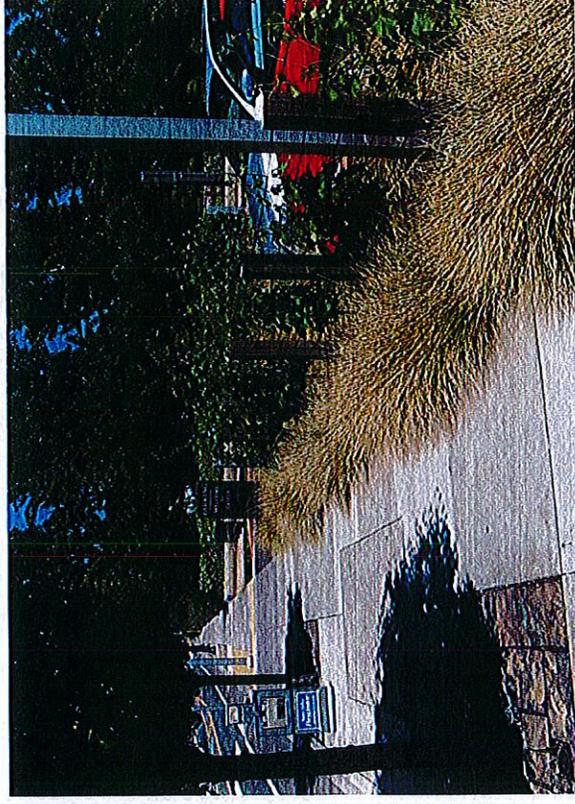
- Attractively landscaped areas may also be permitted where siting of a building's public open space at a corner is not feasible.
- Primary surface parking should be provided behind buildings with limited parking in the front or sides. Primary parking shall not be provided on the corner lots or in the frontage.

Building Siting and Orientation (Continued)

- Buildings located on corners shall include special design features and architectural features, which help to anchor the intersection.
- Significant site features, such as trees, agricultural vistas and views of surrounding mountains, shall be considered as design determinants in planning new developments.
- Where possible, outdoor parking areas should be divided into smaller units to decrease visual impacts associated with large expanses of pavement and vehicles, and to facilitate safe and efficient pedestrian movement between parking and buildings.
- Surface parking areas facing a public street shall be buffered through the use of berms or landscaping.



Surface parking area facing public street is not buffered in the photo above while photo below depicts parking area buffered by landscaping and attractive fence.



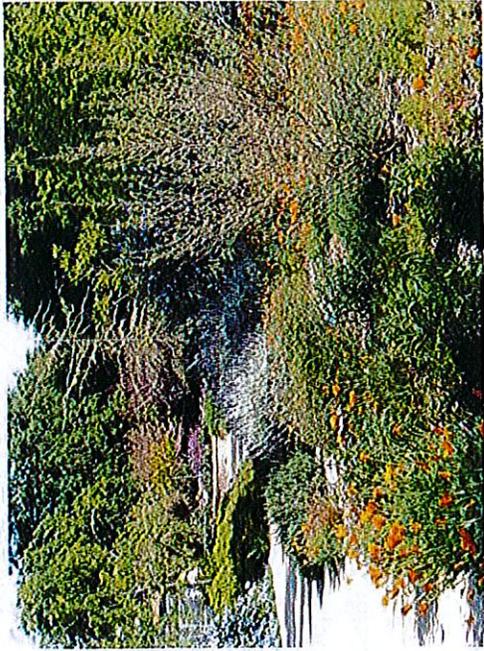
Drainage and Water Quality

When drainage on a site is a concern, Low Impact Design elements shall be considered including:

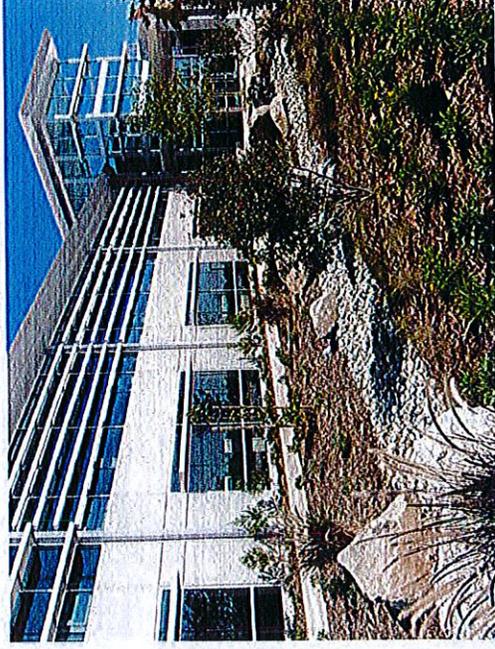
- Structure the development of a site so that the pre-development conditions are not altered excessively.
- Conservation and use of on-site natural features to protect water quality is required unless this condition can be met in another way.
- Swales are strongly recommended to reduce water quality impacts associated with site runoff. Drainage swales incorporated into landscape designs shall conform to the appropriate standards and guidelines for swales.



Example of a drainage swale in a parking lot (above)

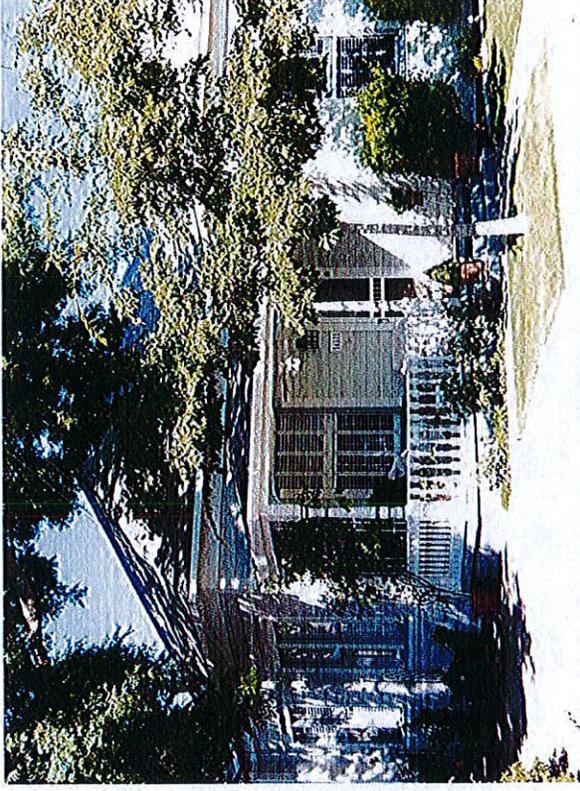


Example of water efficient landscapes (left and right)



Compatibility/Coordination with Surrounding Properties

- While each development should be considered unique, compatibility with surrounding properties is encouraged to provide a visually pleasing corridor.
- Consider complementary pedestrian, bicycle and vehicle circulation to enable consistency and connectivity to offsite pathways.
- Applicants shall familiarize themselves with the City of Winters' Complete Streets Corridor Design document.
- Consider the natural environment and surrounding vistas when planning for building orientation.
- Development in the corridor should be reflective of the city's overall heritage.
- Consider transit accessibility (bus stops/routes) when developing site plan.



Proposed development should consider the characteristics of the surrounding area.

- Consider the characteristics of the surrounding area, including construction types, building heights, building orientation, driveways, service areas and public spaces.
- Significant site features, such as trees, agricultural vistas and views of surrounding mountains, shall be considered as design determinants in planning new developments.

Architecture and Building Design

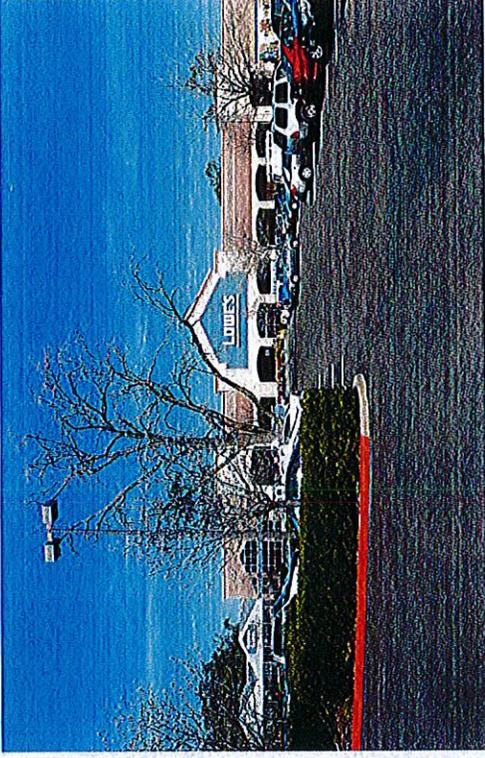
The City desires development in the corridor that includes architecture and architectural details that reflect the overall character of Winters. Buildings need not adhere to one particular style or design. However, they should integrate features and/or materials that harmonize with the surroundings and the agricultural heritage that residents prize.

As a priority, include:

- Natural material including, but not limited to: brick, stone, wood, metal, and/or other materials that reflect Winters and its surroundings;
- Use of sustainable materials and practices is encouraged;
- Design to maintain and reinforce the unique scale and character of Winters;
- Dimensional relief to building facades and attention to detail on all sides of buildings;
- Buildings and design features scaled to human proportion.

General Building Design

- Building form and the type of construction materials used are significant factors in creating a development that is attractive and that fits in with the Winters community. While the City does not advocate or prescribe specific architectural styles or forms (e.g. contemporary vs. historical), it is appropriate for industrial or commercial building developments to draw from local or regional design influences. As an example, predominant historical roof slopes do not exceed 8 in 12 pitch, nor are they less than 6 in 12 pitch.

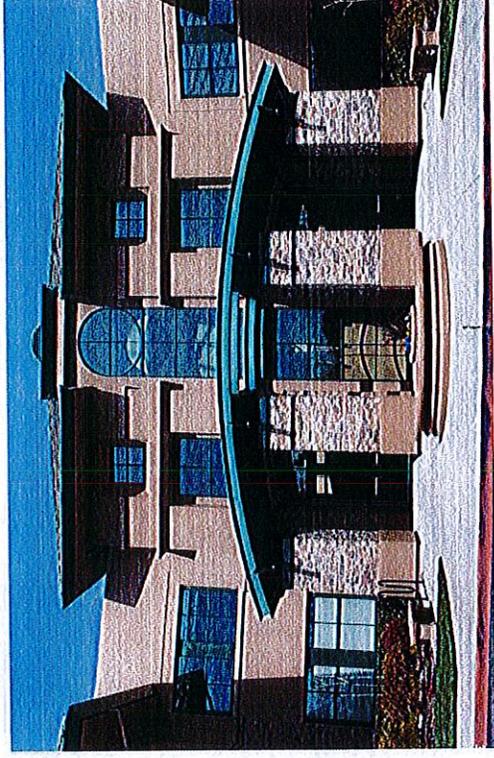


Example of building that consists largely of boxes with design elements, an approach to avoid along Grant Avenue

- In multi-building complexes, a comprehensive architectural concept should be developed and maintained. Various site components should be unified through the use of similar design, materials, roof slopes and colors.
- Finish wall tops with overhangs, projecting cornices, and column caps that provide a strong visual terminus to the structure. Use applied and integrated design elements (e.g., exposed rafter tails on sloped roofs, cornice moldings, applied medallions, etc.)
- Avoid design which consists largely of boxes with applied design elements.
- Apply dimensional relief to building façade. Provide a number of facade layers (e.g., front of columns or pilasters, wall plane, window frame, and window glass).
- Maintain continuity of design, materials, color, form and architectural detail for all elevations of a building that are visible from public areas or adjacent residences.

Entries

- Building entries should be oriented toward the predominant public view, usually the street frontage. This allows the public to easily determine where the front entrance is located, and provides for a more attractive street frontage.
- Where possible, provide entries from Grant Avenue sidewalks as well as from the parking lot.
- Entries shall be designed to be consistent with the overall design, including colors and materials.
- Use transoms for natural lighting above ground floor doors and windows.



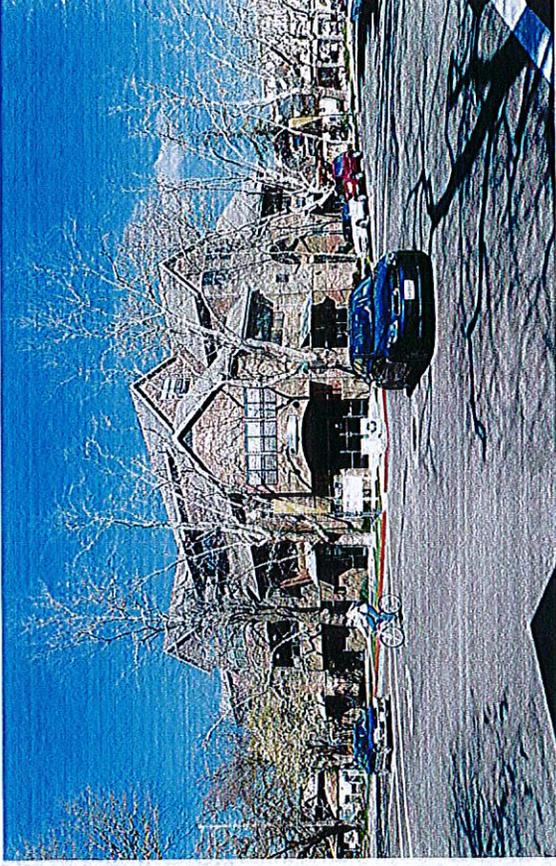
Example of attractive building entrance

Massing

- The height, width, and depth of a structure create the overall “massing” of a building. Achieving attractive massing for large structures is challenging, and requires creativity in architectural design. Appropriate building massing is achieved when it does not dominate building elevations with large blank walls. Large expanses of blank wall of any material are strongly discouraged. Use “Golden Mean” to determine building proportions and establish a base, middle, and top for building massing.
- Landscaping enhances architecture; however, building design should not rely on landscaping to soften, buffer or otherwise provide relief for massive building form.

Massing (Continued)

- Massing can be reduced through several methods including, but not limited to:
 - Recessing floors above the first story;
 - Providing vertical or horizontal offsets in the wall surfaces at regular intervals, including columns, projections, and recesses;
 - Reducing the overall size of buildings;
 - Incorporating other structures on the site with varying sizes;
 - Articulating details around doors, windows, balconies, exposed expansion joints, reveals, change in texture, or other methods of visual relief;
 - Avoiding long, repetitive, monotonous facades, including those that repeat the same design element several times along the same elevation;
 - Reducing overly large and tall roof designs;

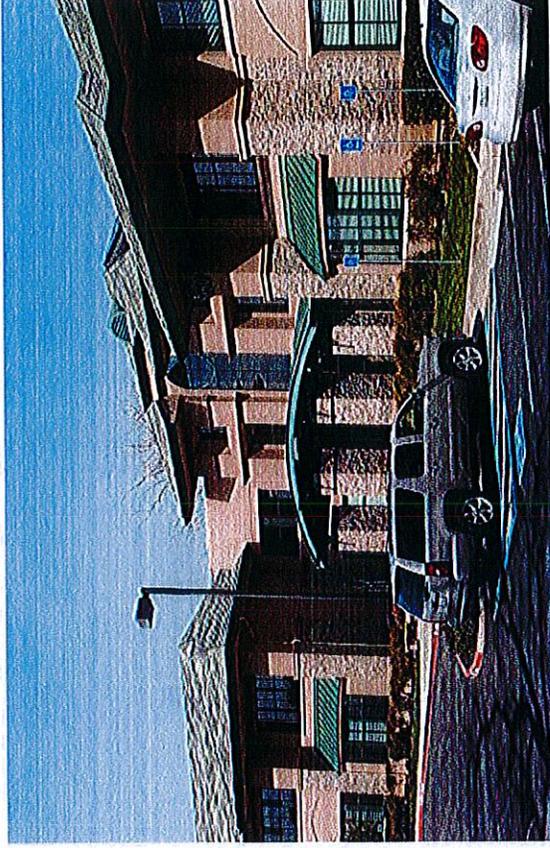


Massing is reduced on the building in the photo above through recessing floors above and providing horizontal and vertical offsets.

- Vary facades at least every 50 feet;
- Use arcade and gallery frontage where applicable at public area;
- Ground floor heights shall be 14 to 20 feet.

Building Materials and Colors

- The use of high quality, natural materials including wood, stucco, stone or brick, is encouraged.
- Utilize colors that are appropriate to the use and the surrounding area.
- Muted tones are generally preferred with stronger accent colors limited to smaller areas of trim.
- Thoughtful consideration shall be given to the selection of color hues. Muted tones of blues, yellows, tans, grays, and other hues shall be considered.
- A range of analogous or complementary colors is preferred over painting all wall surfaces with the same paint, color and shade.
- Vinyl and aluminum are not acceptable finish materials.



The building in the photo above was constructed in a Sacramento foothill community. A variety of materials and colors were used that are appropriate for the area.

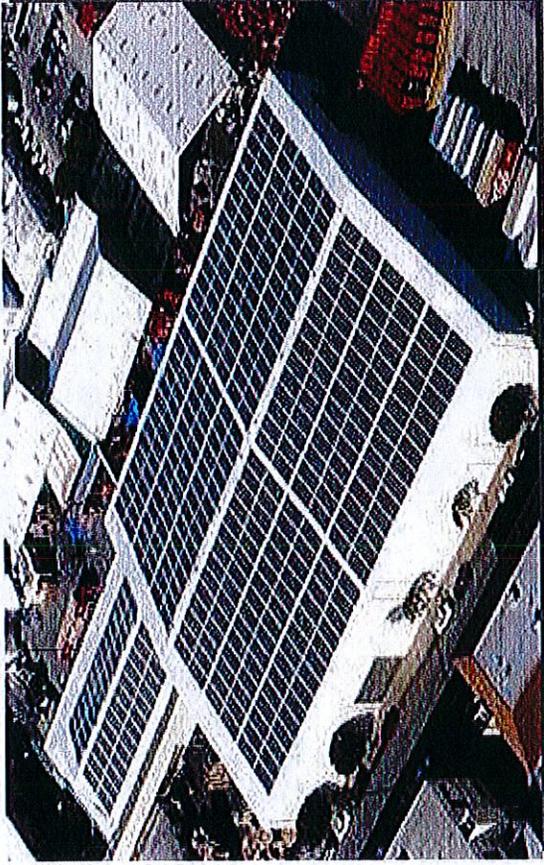
- The use of “green” or “low maintenance” materials for siding and trim such as fiber cement sidings and PVC/fiber cement/composite trims are encouraged.

Energy Efficient and Sustainable Design

The City of Winters supports sustainable design in the construction of new facilities and the remodeling of existing buildings. Applicants are expected to utilize creativity in adapting sustainable and energy efficient design elements. City staff will work closely with applicants to achieve this goal.

Energy efficient and sustainable design may be demonstrated in the following areas:

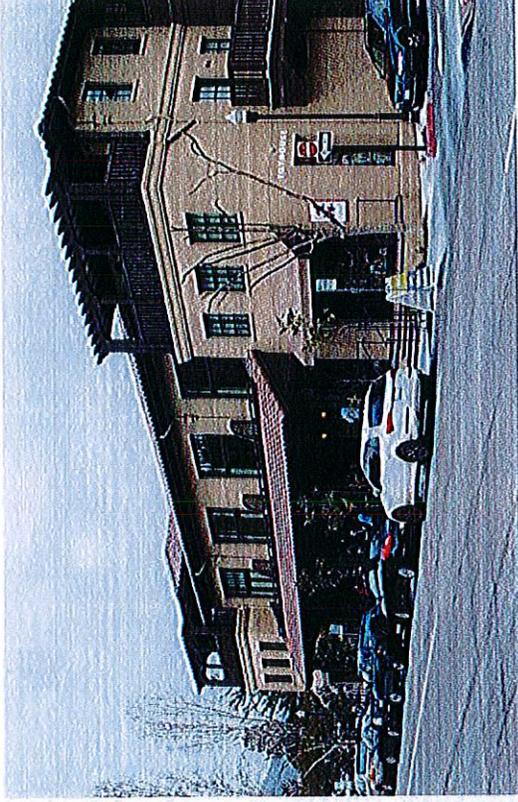
- Use of energy efficient HVAC systems
- Use of cool roofs and building orientation
- Use of solar energy
- Smart building orientation
- Reduction of energy demands through simple techniques such as efficient windows and sun control methods
- Use of recycled materials
- Increase insulation and energy efficient lighting
- Use of passive solar design
- Use of operable windows



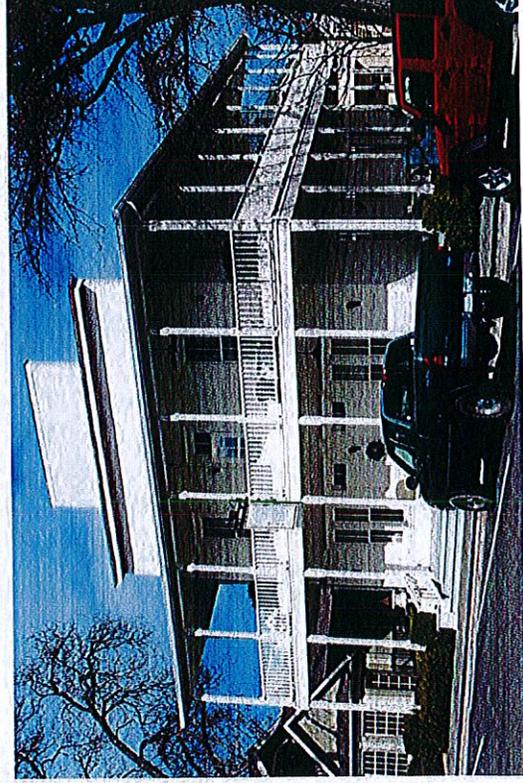
Example of commercial building with roof-mounted photovoltaic energy system

General Consideration of Surrounding Area

- Views to the surrounding hills should be maintained.
- Building scale shall be set back along the street, in order to retain the views of the corridor, especially the Vaca Mountains. Structures over one story shall be designed to minimize their visual bulk and relate to the human scale of pedestrians on the street.
- Projects shall be designed to meet their functional needs, but will be expected to reflect Winters unique qualities of small scale, pedestrian friendliness, and attention to architectural detail.
- Chain or franchise uses shall adapt their exterior standard designs and materials to the unique qualities of Winters.



Example of buildings (above and below) that reflect the qualities of the locale



Connectivity

The City of Winters desires development that provides for the inter-connectivity of, pedestrian, bicycle and vehicles within the Grant Avenue Corridor, including, but not limited to: pedestrian/bike facilities, connection to designated walkway and bikeway systems, and transitions between developments and roadways that eliminate conflicts between these uses and maximize utilization of these facilities.

In proposing a project, applicants shall consider and demonstrate how the development will connect with:

- Grant Avenue Complete Streets Concept Plan
- Class I and II Bicycle Lanes
- Pedestrian/bicycle facilities within the project and with bordering facilities
- Putah Creek Park Master Plan and Trail System

As a priority, developments should:

- Provide direct connection with bicycle/pedestrian facilities that border the project site
- Minimize bicycle/pedestrian and vehicular conflicts within and external to the project
- Reduce vehicular ingress/egress from the project
- Create effective circulation/flow within the project

Vehicular Circulation

- Provide separate vehicular and pedestrian circulation systems with a strong emphasis on pedestrian linkages between uses.
- Use design elements that are visually interesting and consistent with other streetscape materials used in the overall development and those planned for Grant Avenue/SR 128.
- The City of Winters wishes to minimize conflicts for excessive ingress/egress locations along Grant Avenue. Projects shall consider alternatives to Grant Avenue such as arterials (East Main Street, Timbercrest Road, Morgan Street or Walnut Avenue).



Example of streetscape concept plan for Grant Avenue/SR 128

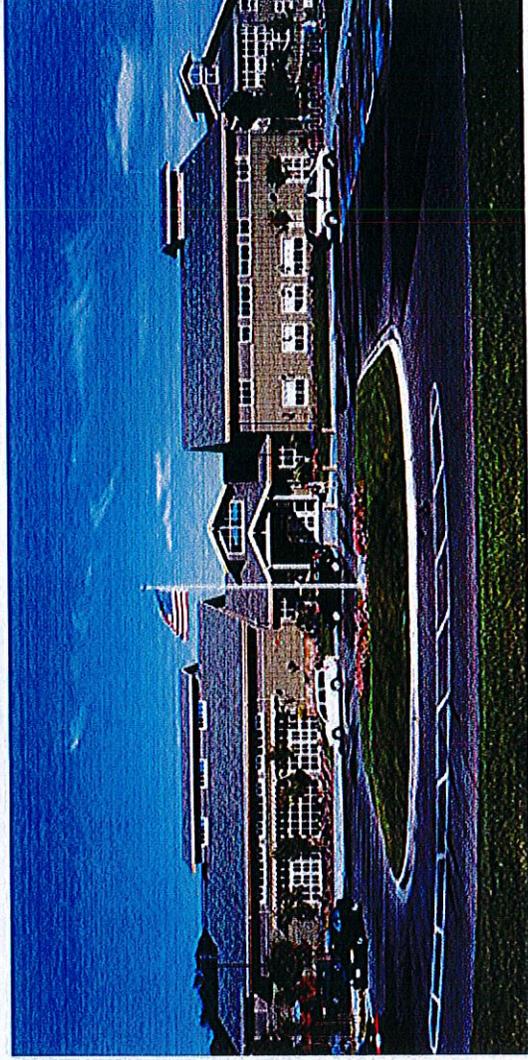
- Locate additional site access points as far as possible from street intersections to minimize conflicts. More than one access to a site from a public street may be permitted when the additional access will not be hazardous to the safety and operation of the street or pedestrians and when it facilitates the integration of the commercial development into the community.
- When the opportunity exists, provide common or shared entries.



Example of intersection with visually interesting design elements

Passenger Drop Off Areas

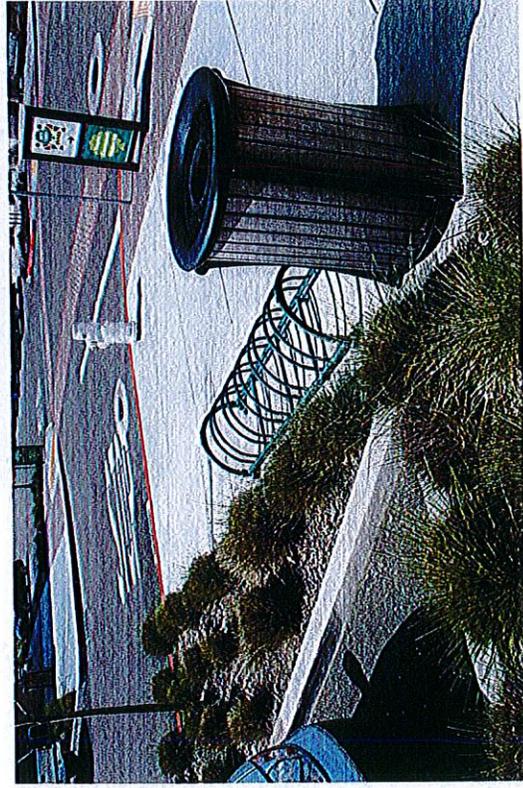
- Design drop-off lanes so as not to obstruct traffic flow when motorists are stopped to deliver passengers.
- Provide a clear separation of vehicular traffic between drop-off zones and access to a parking lot.
- Use colors and textures in the parking area that are distinguishable from the travel lane at the drop off area.
- Use signs to indicate “drop-off zone” or “passenger loading only”.



Example of passenger drop-off area with adequate ADA accessible parking spaces

Bicycle Circulation and Parking

- Bicycle paths and routes shall be designed to provide continuous circulation through the site separated from vehicle travel ways, wherever feasible.
- Per CalGreen Code, certain projects shall furnish off-street bicycle parking/kiosks to encourage the use of alternative transportation modes. These facilities shall be designed to accommodate the trip purpose of the different bicycle users.



Bicycle parking furnished on a street corner



Bicycle/Pedestrian connection along a creek

- The maintenance roadways of the proposed combination greenbelt and drainage channel identified in the Moody Slough Subbasin Drainage Report shall be designed to share bicycle and pedestrian connection from Grant Avenue/SR 128 to the multi-use trail within the Putah Creek Nature Park.

Pedestrian Circulation

- Continuous pedestrian walkways shall be provided to connect the public sidewalk to the principal customer entrances at each tenant space. Drive aisles should not be used as pedestrian walkways.
- Sidewalks and pedestrian ways shall be scaled to the use and expectations of pedestrian volumes in any given location with the minimum width of the sidewalk and pedestrian ways no less than 5 feet, and no less than 8 feet where multi-use is proposed.
- Walkways should be shaded and landscaped.
- Paths with durable, all-weather surfaces shall be located across medians and other landscaped areas, as necessary to provide convenient pedestrian routes and reduce wear on landscaped areas. The use of hard surface decomposed granite and/or permeable concrete is strongly encouraged.



Example of a bicycle /pedestrian facility

Pedestrian Circulation (Continued)

- Pedestrian connections should be provided between buildings and adjoining commercial sites.
- Sidewalks shall connect areas of pedestrian activity such as street crossings, building and store entrances, bicycle racks and secure storage, and adjoining landscaped areas that include trees, shrubs, lighting, signage, benches, flowerbeds, or other similar amenities.
- Primary circulation paths must meet all accessibility requirements and avoid excessive steps or level changes in order to reduce potential tripping hazards and facilitate circulation for all potential users.
- Where walkways cross on-site driveways, special design features should be used to increase safety for the pedestrian. Potential design features include elevated crosswalks (raised to the level of the sidewalk) and curb extension to narrow the travel lane or low-level lighting, such as a bollard light.



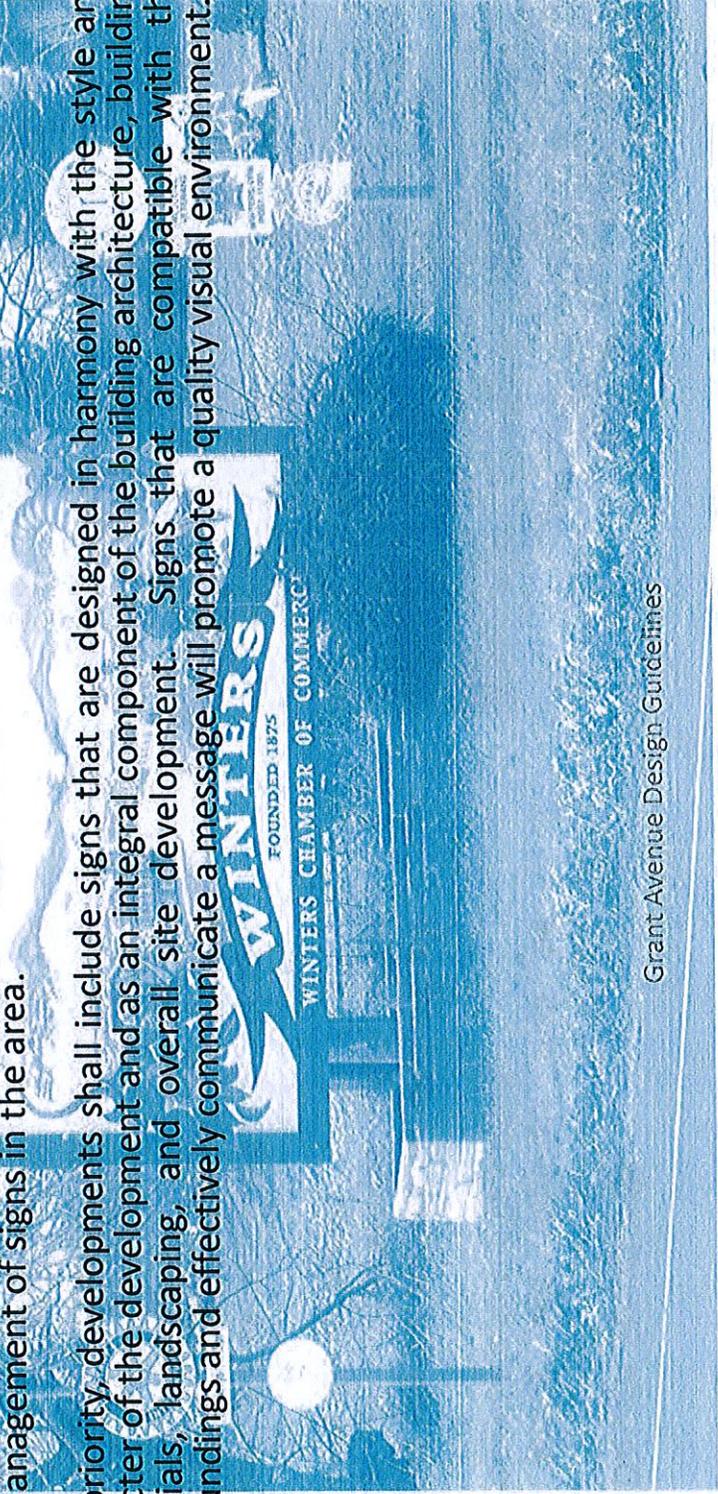
Two examples (above and below) of pedestrian walkways separate from the drive aisles



Signs

Signs in the Grant Avenue Corridor area are regulated by Chapter 17.80 (Signs) of the Winters Municipal Code. The following design standards are intended to guide the design of signs in the Grant Avenue Corridor area and will be used as a basis of consideration for review of sign permits and management of signs in the area.

As a priority, developments shall include signs that are designed in harmony with the style and character of the development and as an integral component of the building architecture, building materials, landscaping, and overall site development. Signs that are compatible with the surroundings and effectively communicate a message will promote a quality visual environment.



General Design Standards

- Sign letters and materials shall be professionally designed and fabricated.
- Exposed conduit and tubing (raceway) are prohibited. All transformers and other equipment shall be concealed.
- All signs shall be maintained in good repair, including the display surface, which shall be kept neatly painted or posted.
- The exposed backs of all signs visible to the public shall be suitably detailed, finished and maintained.
- The use of retractable or fixed awnings as a signage tool is acceptable.
- The light source for externally illuminated signs must be positioned so that light does not shine directly on adjoining properties or cause glare or shine in the eyes of motorists, bicyclists or pedestrians.



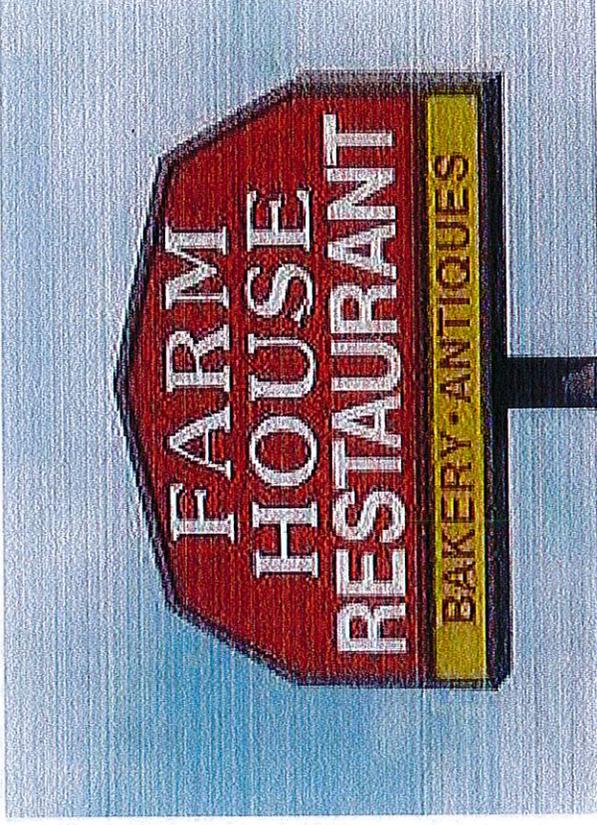
Example of wall sign that is proportionate with the building

Placement

- Signs should be generally free of obstructions when viewed from different angles. However, trees, shrubs or other landscaping that grow to a point that they obstruct the view of a sign or make it illegible shall not be grounds for removal of the plant(s).
- Utilize a consistent proportion of signage to building scale, such as one-third text to two-thirds wall area or one-quarter text to three-quarters wall area.

Materials and Colors

- Paper and cloth signs are appropriate for interior temporary use only and are not permitted on the exterior of a building.
- The use of neon is permitted if it fits with the style of the architecture (e.g., art deco) and is not a nuisance (e.g., produces glare) to the surrounding properties.
- Signs shall be constructed using exterior materials, finishes, and colors in harmony with, or an upgrade to, those of the buildings or structures on site.



Example of a pole sign, which is not permitted along Grant Avenue

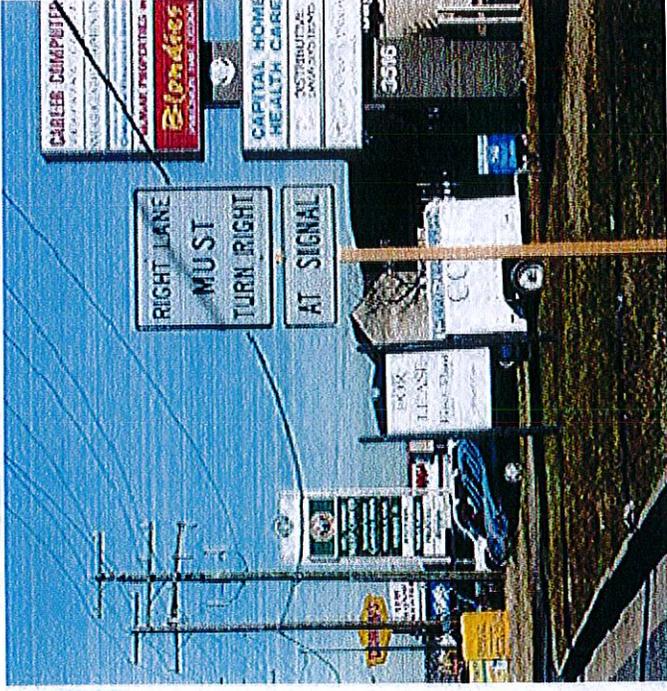
Prohibited Signs

- Beyond those already permitted by the City of Winters sign ordinance, no individual pole signs or A-frame signs shall be permitted in the Grant Avenue Corridor area.

- The selected materials need to contribute to the legibility of the sign. For example, glossy finishes are often difficult to read because of glare and reflections.
- Contrast is an important influence on the legibility of signs. Light letters on a dark background or dark letters on a light background are most legible.

Sign Illumination

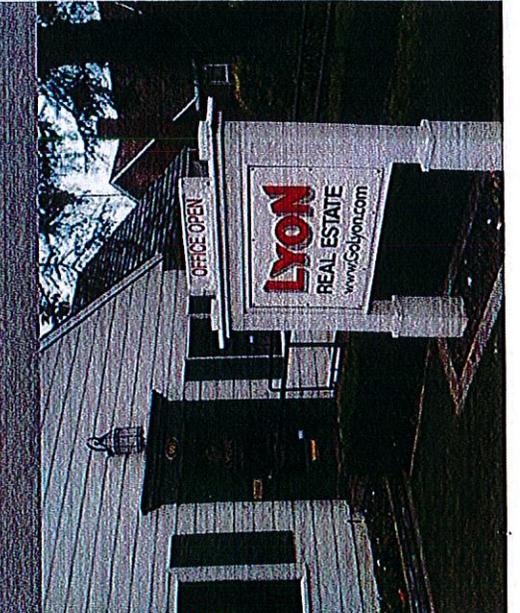
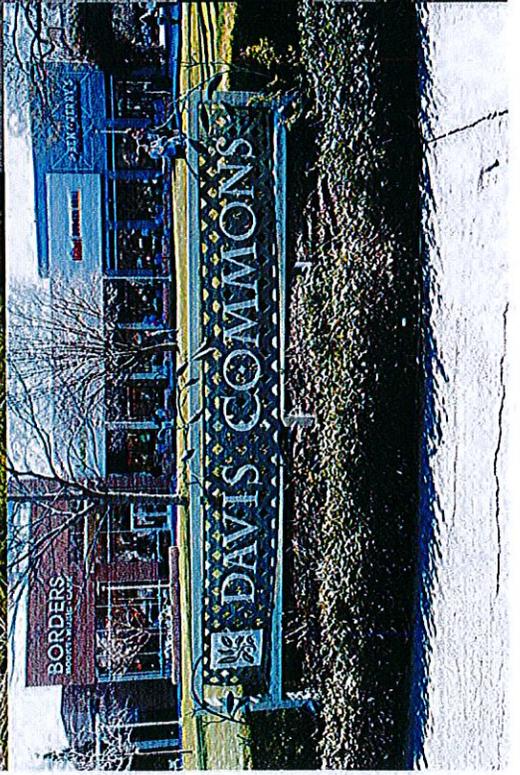
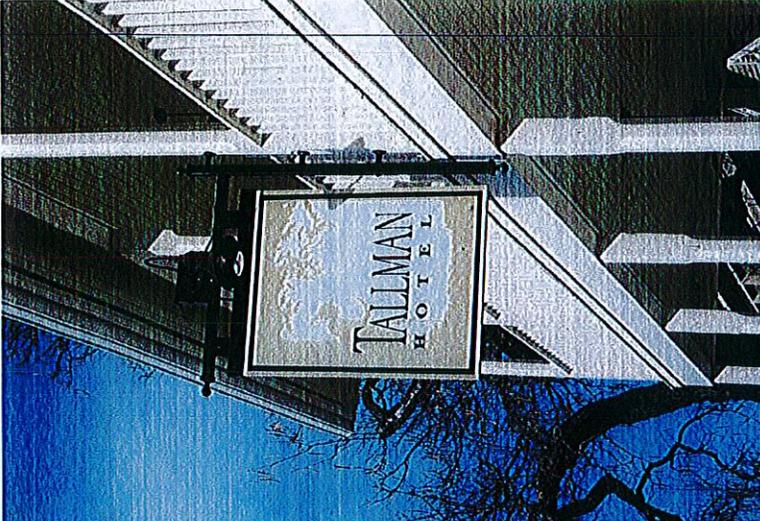
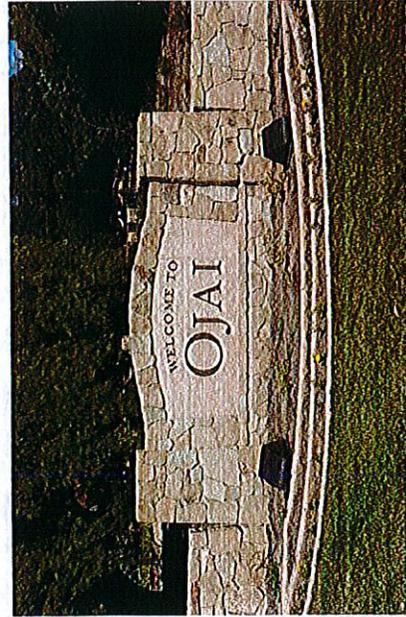
- The light from an illuminated sign shall not be of an intensity or brightness that will create glare or other negative impact on residential properties in direct line of sight to the sign.
- Whenever indirect lighting fixtures are used (fluorescent or incandescent), care shall be taken to properly shield the light source to prevent glare from spilling over into residential areas and any public right-of-way.
- Internally illuminated plastic box “canned” signs are prohibited. Individually illuminated channel letters are acceptable.
- Signs shall not have blinking, flashing, or fluttering lights, or other illumination devices that have a changing light intensity, brightness, or color.
- Light sources shall utilize energy-efficient fixtures to the greatest extent possible and shall comply with Title 24 of the California Code of Regulations (California Building Standards Code).
- Backlit, cut-out signage is encouraged.

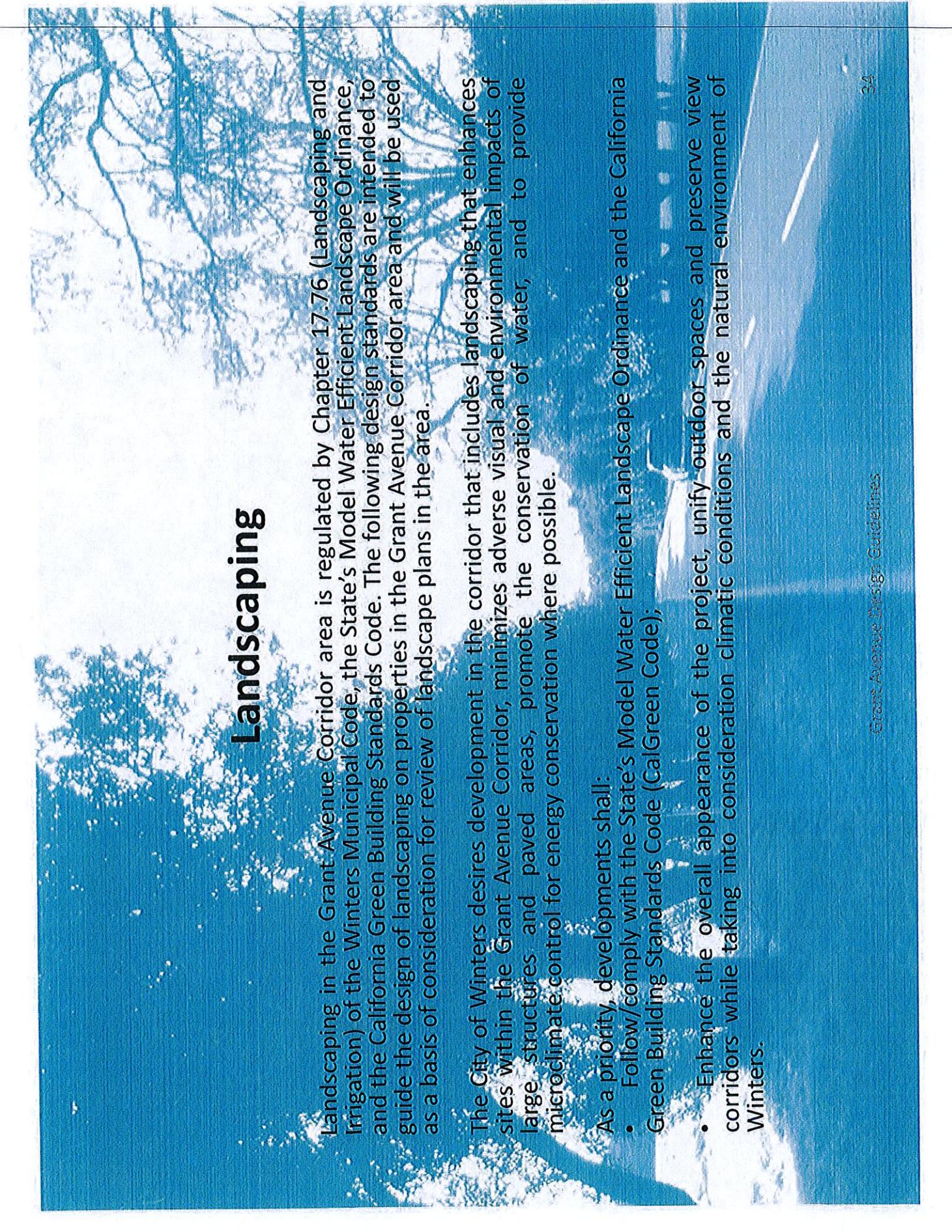


Example of a streetscape cluttered with signs, an approach unacceptable along Grant Avenue

Sign Legibility

- Avoid spacing letters and words too close together. Crowding of letters, words or lines will make any sign more difficult to read. Conversely, over-spacing these elements causes the viewer to read each item individually, again obscuring the message. As a general rule, letters should not occupy more than seventy-five (75) percent of the sign panel area.





Landscaping

Landscaping in the Grant Avenue Corridor area is regulated by Chapter 17.76 (Landscaping and Irrigation) of the Winters Municipal Code, the State's Model Water Efficient Landscape Ordinance, and the California Green Building Standards Code. The following design standards are intended to guide the design of landscaping on properties in the Grant Avenue Corridor area and will be used as a basis of consideration for review of landscape plans in the area.

The City of Winters desires development in the corridor that includes landscaping that enhances sites within the Grant Avenue Corridor, minimizes adverse visual and environmental impacts of large structures and paved areas, promote the conservation of water, and to provide microclimate control for energy conservation where possible.

As a priority, developments shall:

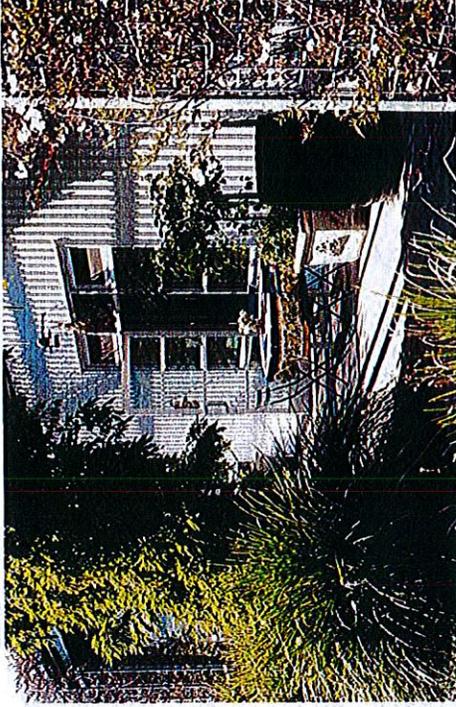
- Follow/comply with the State's Model Water Efficient Landscape Ordinance and the California Green Building Standards Code (CalGreen Code);
- Enhance the overall appearance of the project, unify outdoor spaces and preserve view corridors while taking into consideration climatic conditions and the natural environment of Winters.

Design

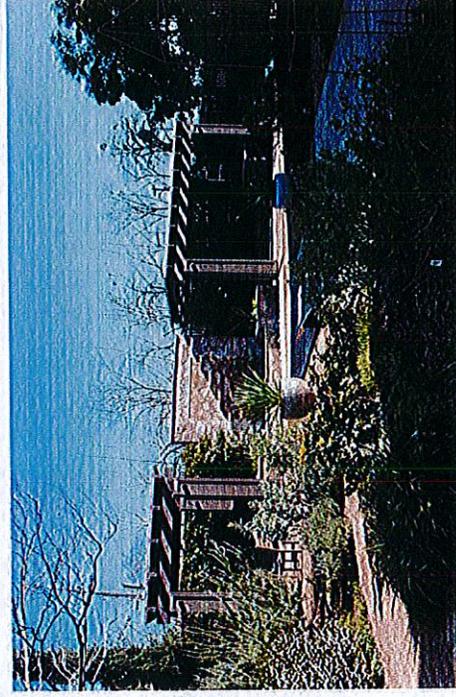
- Landscape plans shall exhibit an overall design concept.
- Plant materials should be used in a logical, orderly manner, helping to define spaces and complement adjacent architecture.
- Landscape designs should be coordinated between the areas of a development. However, all areas within a project need not be identical.
- Different landscape themes may be utilized in larger developments to distinguish spaces from one another; however, these themes should be consistent with a unifying concept that establishes a cohesive design throughout the project.

Site Furnishings and Features

- Landscape plans should incorporate various site furnishings and features.
- Lighting, seating, paving, fountains and other features shall be considered integral components of the landscape plan and included in the overall landscape concept.



Example of buildings with landscaping and site furnishings

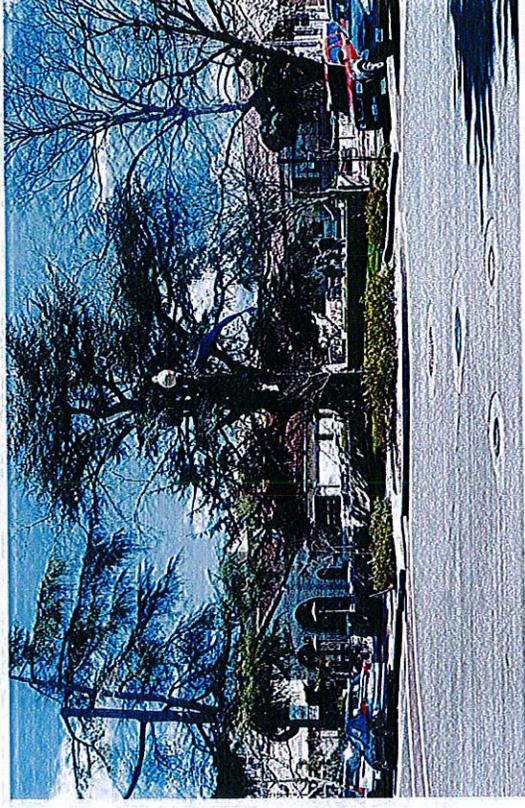


Scale

- The scale and character of the landscape materials to be selected should be appropriate to the site and/or architecture. Large-scale structures or projects require large-scale landscaping treatments.

Trees

- Mature, existing trees should be incorporated into landscape plans, wherever possible and accordance with City's Tree Ordinance. Specimen trees or groupings of existing trees can provide a new development with immediate character. They should be considered as design elements.
- In the absence of existing trees, those used should be no less than 24X24 boxed specimen trees.
- Per Section 17.76.040 (C) of the Winters Municipal Code, landscaping of parking lots shall provide for fifty (50) percent tree canopy coverage or shading of the entire lot within fifteen (15) years of tree installation.
- Utilize the City of Winters tree palette.



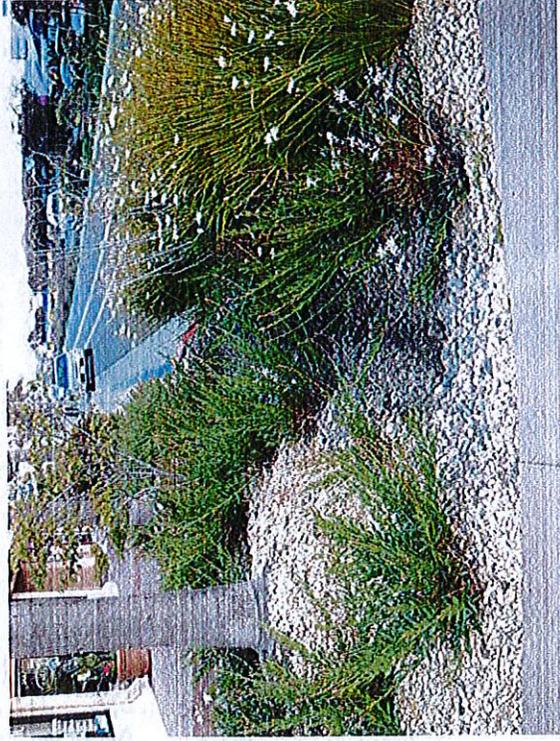
Mature trees were incorporated into the renovation of the building shown above.

Arbor, planters, and trellises

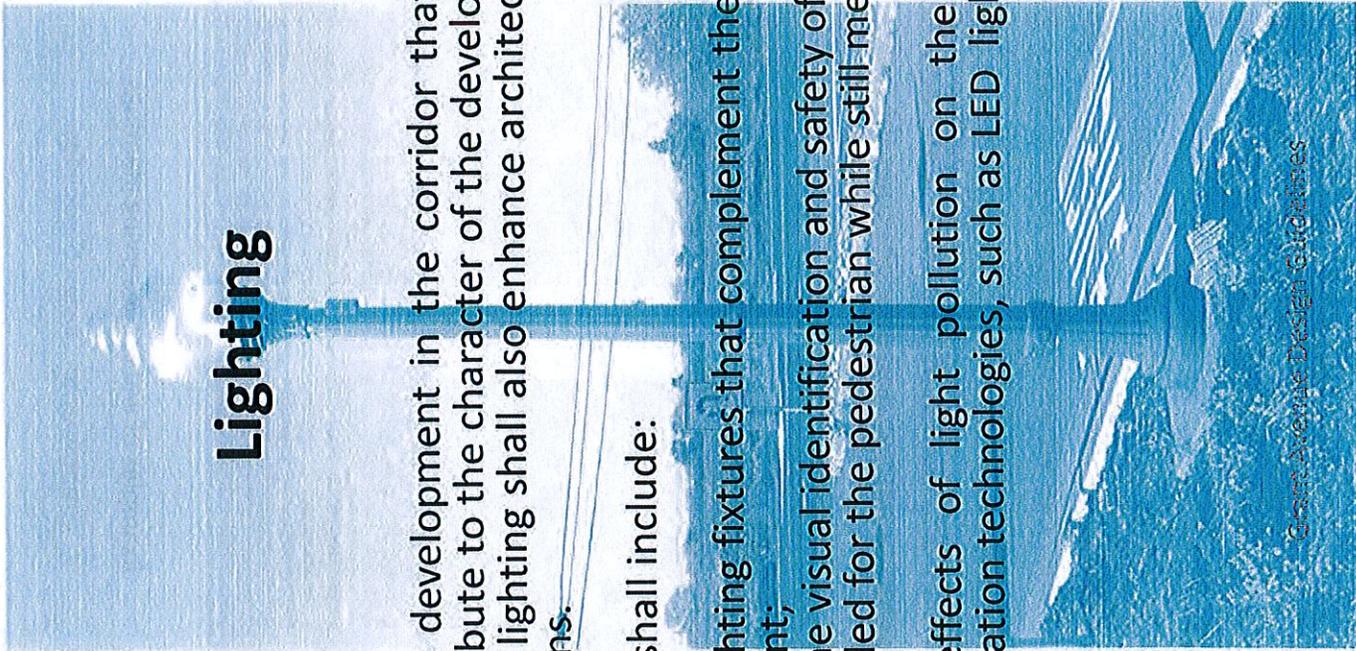
- Landscaping incorporated into a buildings' architectural design (e.g., arbors, planters, trellises, atriums, etc.) is encouraged.

Entrances and walkways

- Site landscaping should be used to define entrances and walkways, to screen parking and loading areas, for micro-climate control, and to enhance views of the site from inside a structure.
- Landscape should be professionally designed and meet CalGreen Code standards. The use of water conserving plantings, such as California natives and drought tolerant trees, shrubs, and turfs, is encouraged.



Examples of water conserving plantings



Lighting

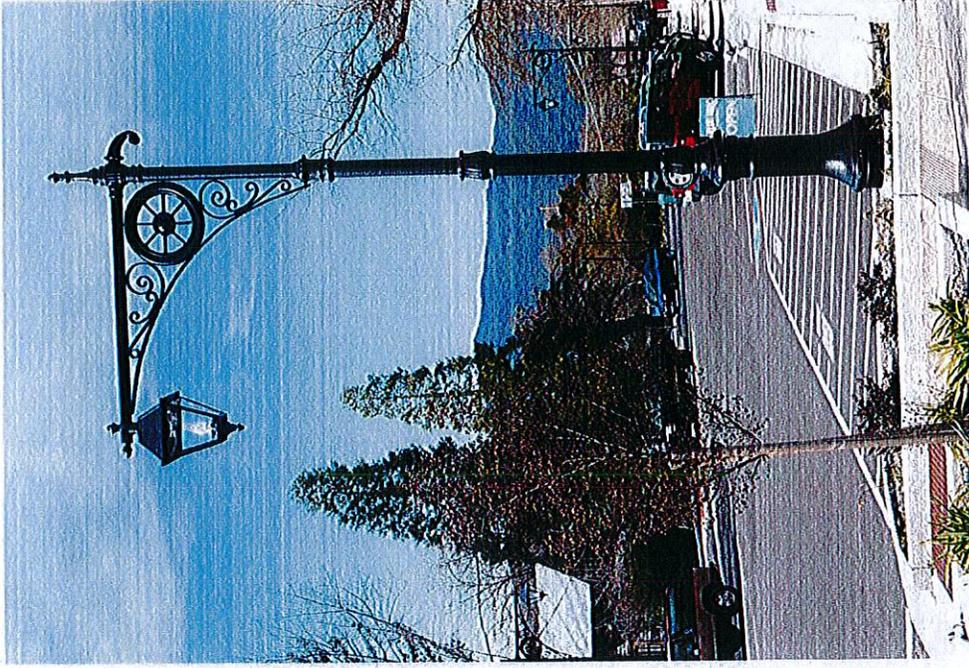
The City of Winters desires development in the corridor that includes lighting and the design of fixtures that contribute to the character of the development while not impacting adjacent development. Site lighting shall also enhance architecture and landscape design, and address dark sky concerns.

As a priority, developments shall include:

- Attractively designed lighting fixtures that complement the architecture of the project and surrounding development;
- Lighting that improves the visual identification and safety of businesses;
- Street lighting that is scaled for the pedestrian while still meeting vehicular needs;
- Consideration to the effects of light pollution on the environment, as well as utilization of energy conservation technologies, such as LED lighting.

Design

- Exterior lighting shall be designed as an integral part of the building and landscape design. Decorative lighting fixtures, such as gooseneck lighting or antique style, are strongly encouraged.
- Site plans and architectural plans shall include the location of fixtures, their design and the nature and level of the illumination they will provide. Lighting shall be designed to include cut-offs to eliminate the negative effects of lighting the night sky.
- Illumination levels shall be provided to address security concerns, especially for parking lots, service areas, pedestrian paths, outdoor gathering spaces, at building entries and any other pedestrian accessible areas.



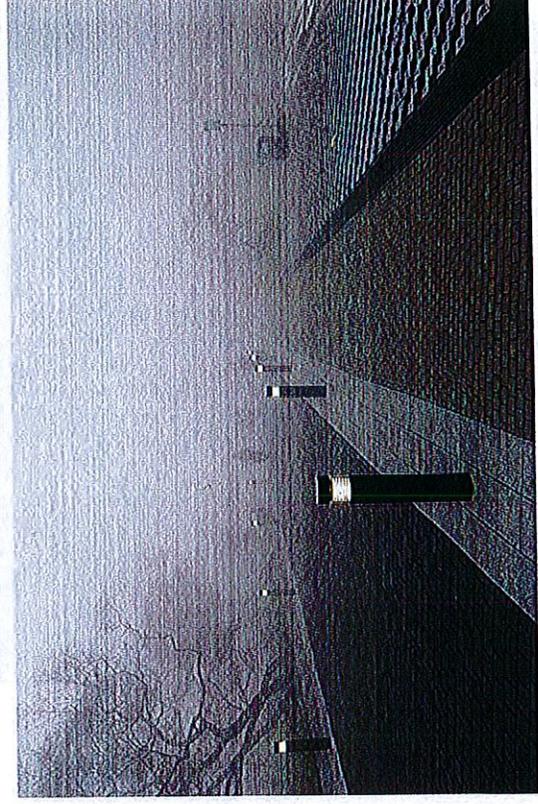
Example of decorative street lighting directed downward to avoid lighting of the night sky.

Area of Illumination

- Lighting shall be located so as to minimize the impact of lighting upon adjacent buildings and properties, especially residential uses.
- In general, the location of lighting should respond to the anticipated use and not exceed the amount of illumination required by users.
- Illumination over an entire area or use of overly bright lighting is strongly discouraged.
- The placement of light standards, whether for street lights or landscape lights, shall not interfere with pedestrian movement.
- Lighting for pedestrian safety shall illuminate changes in grade, path intersections and other areas along paths which, if left unlit, would cause the user to feel insecure. Recommended minimum levels of illumination along pedestrian paths between destinations is 0.5 foot-candles. At pedestrian destination points such as entryways, plazas and courtyards, lighting levels should typically achieve illumination of 1 foot-candle, per current code.



Examples (above and below) of bollard lighting along a path, which provide for safe pedestrian movement



Parking Area Illumination

- Illumination should be concentrated along the pedestrian paths leading to parking areas and in the specific areas where cars are parked.
- Illumination should achieve a lighting level of 1 foot-candle on the parking lot surface.

Lighting Height

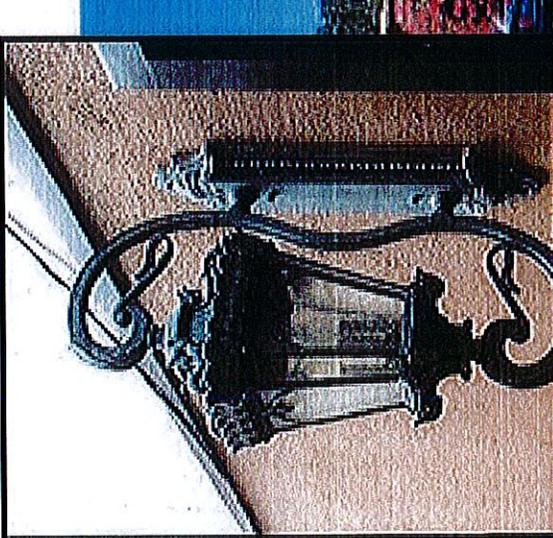
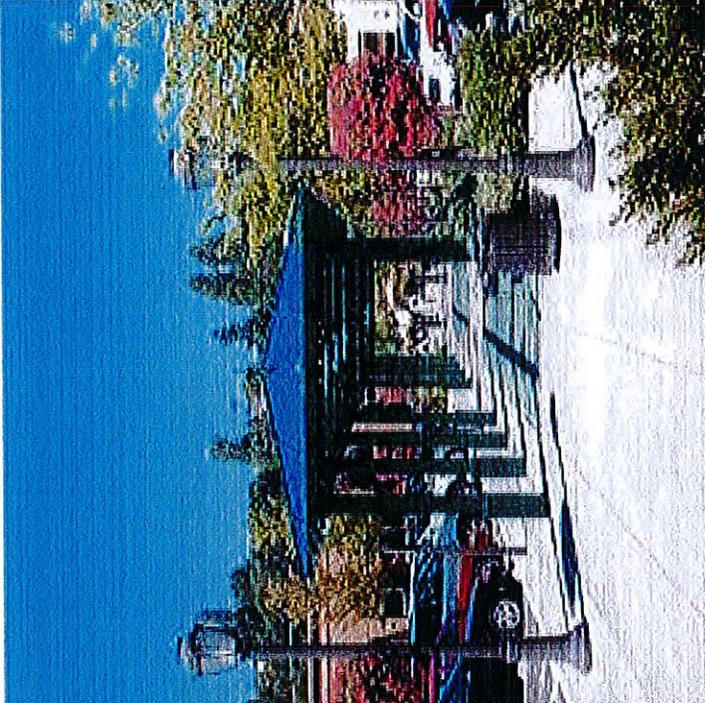
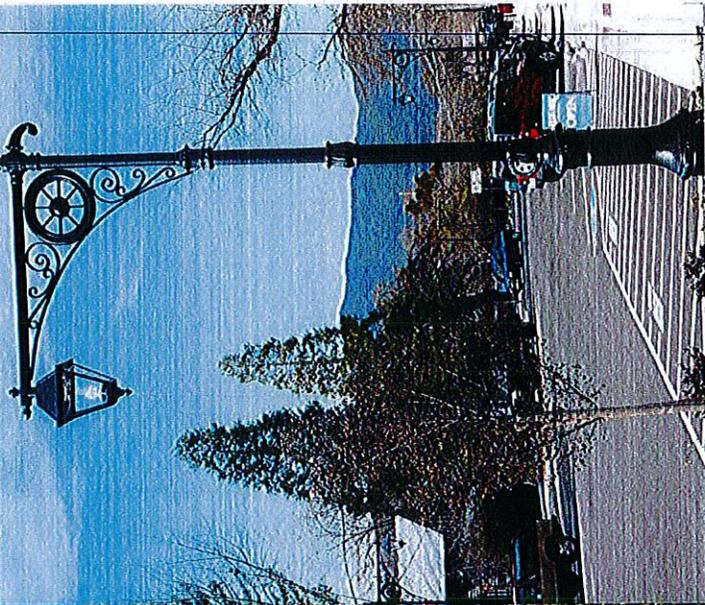
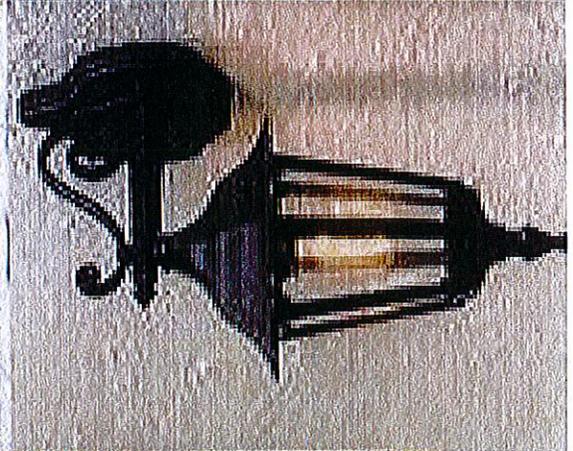
- The height of luminaries shall be to scale with the building and site design and in no case shall they exceed 16 feet in height from grade.
- Lighting sources should be kept as low to the ground as possible while ensuring safe and functional levels of illumination.
- Area lighting shall be directed downward or employ control features so as to avoid light being directed offsite as well as to avoid lighting of the night sky.



Example of a parking lot with illumination that appears to exceed lighting levels, an approach to avoid along Grant Avenue.

Prohibited Lighting

- No outdoor lights shall be permitted that blink, flash or increase lighting intensity.



APPENDIX A

Approval Process

APPROVAL PROCESS

An important objective of the design review procedure is to better coordinate the processing of your development plans prior to obtaining your building permit. This includes streamlining the process to minimize the steps and hurdles in the path to completion of your project. The process outlined here is provided to inform you of how our design review system works from start to finish. We hope it will assist you in understanding what will occur when your project is proposed in the Grant Avenue Business and Commercial District.

In Appendix B, you will find a checklist of general considerations. You will want to review the checklist once you have reviewed the Guide to determine the compatibility of your project with the District's design goals.

Steps of the Approval Process

Step 1: Schedule a meeting with the Community Development Department staff and request information to answer the following questions:

- a. What do I need to apply for development?
- b. Is my project consistent with the General Plan Policies and Zoning Ordinance Standards?
- c. What is the approval process? How much time is involved?
- d. Is my project in the Grant Avenue Business and Commercial District? Are the Design Guidelines applicable to my project? What types of requirements are likely to be imposed?
- e. Do I need encroachment permits for outdoor activities in the public right-of-way?

Step 2: Submit a completed planning application along with the necessary plans, materials, and application fee(s) to the Community Development Department. Staff will determine whether the application for your project is complete.

Step 3: Upon receipt of a complete application, staff will route the project plans and materials to multiple City departments for their 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 the California Department of Transportation (Caltrans) or others for review and comment.

Step 4: Upon discretion of the Community Development Director, you may be required to present the site plan of your project to the Planning Commission for conceptual design review. Conceptual design review shall be considered only as an informational item and is intended to provide informal feedback to you. Planning Commission review and comments stemming from conceptual design review would be only advisory in nature.

Step 5: Within 30 days of submitting your application, staff will hold a project evaluation meeting with multiple City departments to discuss the project's site/design issues. You, your engineer, and your architect may attend this meeting as well. After the meeting, city staff will compile written comments from each department (engineering, building, etc.) on the project as well as a draft set of recommended conditions of approval and provide it to you. In some cases, the written comments require modifications to the project plans.

Step 6: If following the meeting the project is modified, you are responsible for responding to each department's comments and making sure that each department's comments are adequately addressed before submitting revised plans.

Step 7: Submit the revised plans to the Community Development Department for redistribution to the applicable Departments for their review and finalization of the project Conditions of Approval.

Step 8: Once all departments have reviewed the revised project plans, staff prepares the final Conditions of Approval. These Conditions of Approval will be included within the staff report that is forwarded to the approving authority for their review and consideration. At this step, staff also prepares the necessary environmental documentation schedules the public hearing for the project.

Step 9: Staff will prepare a Public Hearing notice for the project. The public hearing notice will be sent to property owners within a 300 foot radius of the project and to the Winters Express for publication. At the same time, staff will prepare and finalize your project's staff report. Please note, your staff report may include recommendations related to any outstanding design and/or site issues not fully addressed on the project plans. This staff report is then forwarded to the approving authority for their review and consideration.

Step 10: At the public hearing, testimony is heard on the project and the approving authority will take a final action on the project. When the approving authority approves your application, the discretionary review process is complete and you may apply for a building permit following the ten (10) day appeal period. You must comply with all conditions of approval. Should the approving authority disapprove your application, you may resubmit a modified application or appeal the decision to the Winters City Council within 10 days of the decision.

PLEASE NOTE: Permits for new development that include land use and/or zoning issues such as General Plan amendments and rezones require three public hearings (one Planning Commission meeting and two City Council meetings). In these cases, the City Council is the final approving authority.

APPENDIX B

Pre-Approval Considerations

PRE-APPROVAL CONSIDERATIONS

Now that you have reviewed the guide, apply these questions to your proposed plans before you submit your application. If you can answer yes to all of these questions, your plans have a very good chance for approval. If you have to answer no to any of these questions, you may want to reevaluate your plans in light of the goals and criteria of the Design Guidelines. We encourage your design creativity and look forward to working with you.

1. Do your plans relate favorably to the surrounding area?
2. Do your plans contribute to the improvement of the overall character of the City?
3. Do your plans fit as much as is reasonable with the building's original design?
4. Are the changes or new construction proposed in your plans, visible to the public and architecturally interesting?
5. Does your project proposed a use consistent with the surrounding uses and businesses?
6. Are all materials proposed in your plans appropriate to the neighborhood?
7. Do your plans include landscaping and design to enhance the pedestrian environment?
8. Have your plans been designed in accordance with the guidelines set forth in this booklet?

APPENDIX C

Project Review Checklist

City of Winters – Grant Avenue Business and Commercial District Design Guidelines Project Review Checklist

The City Council on August 16, 2011 adopted the following Checklist which is intended to assist developers, staff, policy boards, and the public in determining project consistency with the Grant Avenue Business and Commercial District Design Guidelines. Please refer to the Guidelines for the full text and illustrations, as the Checklist does not supersede or substitute for the Guidelines. The information in parentheses provides examples of ways to achieve the desired effects, recognizing that it is impossible to reduce the art and practice of design into a checklist of individual elements.

Discussion of Design Elements: Applicants are requested to discuss the following issues in their project application submittal.

1. How does the project design contribute to the improvement of the City's physical image? How does the project exhibit creativity?
2. What architectural style(s)/period is represented by the project design, if any?
3. After completing the checklist below, explain how the project complies with the various factors below.
4. Are any of the criteria below not met? If so, why not?

Yes	No	N/A	Yes – consistent; No- Not consistent or more info needed; N/A – not applicable
			Site Planning
			The proposed buildings are sited in a manner that considers the surrounding environment.
			The development includes limited conflicts between pedestrians, bicyclists, vehicles and utility/delivery vehicles.
			Public, open or gathering spaces are included, where appropriate.
			Low impact design features, such as bioretention facility, rain gardens, and permeable pavements are included in the proposed development.
			Consideration for transit facilities is included in the proposed development.
			On-site Planning encourages connectivity to off-site bicycle and pedestrian pathways.
			Architecture
			Design of proposed buildings reflect Winters and its surroundings (<i>compatible materials, colors, quality, coordinated but not the same as properties in Winters, avoid strong or vivid colors unless they fit within local context, concrete block/exposed concrete on visible walls finished in aesthetic manner</i>).
			Buildings and design features are scaled to human proportion.
			Buildings exhibit variety and distinctiveness (<i>but avoid overly obtrusive or overly monotonous designs, or strong contrast with adjacent buildings, creative use of natural or recycled materials</i>).
			Variety of architectural features encouraged tied to comprehensive design theme (<i>arches, raised parapets, cornices, eaves, windows, balconies, entry insets, roof angles and pitches, wall relief features</i>).
			Site and buildings are visually attractive from neighboring properties, traffic and corridors, and public spaces (<i>service areas and devices screened, integrated and compatible with site features; above criteria is applied to areas visible to public view; rear and side views are visually interesting, coordinated, and well-maintained</i>).
			Connectivity
			The proposed development connects with:
			- Grant Avenue Complete Streets Concept Plan
			- Class I and II Bicycle Lanes
			- Pedestrian/bicycle facilities within the project and with bordering facilities
			- Putah Creek Park Master Plan and Trail System
			Pedestrian elements are attractive and functional (<i>walkways link parking to building entrances and other walkways; planters, street furniture, outdoor seating, pedestrian oriented signs, low level lighting provided</i>).
			Parking areas include a defined sidewalk or marked pedestrian facilities in landscaped areas or separated from traffic lanes required.
			The project provides connections for walkers and bicyclists to the surrounding community (<i>provides walking/biking facilities on the site, connects to walking/biking facilities in town, provides shortcuts for walkers/bikers</i>).
			Sidewalks provide are convenient and safe access (<i>sidewalks sufficiently wide, without obstruction; curbs, shade, lighting provided; buffers between walkers and traffic provided; safe and direct street crossings for walkers</i>).
			Entrances provide convenient access (<i>entrances adjacent to street, minimal setback, routes are well marked, sidewalks provide uninterrupted access to entrances, safe</i>

Yes	No	N/A	Yes – consistent; No- Not consistent or more info needed; N/A – not applicable
			<i>bike parking is located to entrances).</i>
			Landscaping
			The proposed landscaping complies with the State's Model Water Efficient Landscape Ordinance and the California Green Building Standards Code (CalGreen).
			Scale and nature of landscape materials is appropriate to site and structure (<i>Plants are of type, spacing, and sizing to reach maturity within reasonable time. Hardy, drought tolerant, low maintenance species adapted to Winters climate are emphasized, parking lot trees also withstand heat, pollutants).</i>
			Signs
			Signs are compatible with architectural character of buildings (<i>signage does not dominate site, uses compatible colors and material, lighting is restrained and harmonious</i>)
			Lighting
			Lighting harmonizes with site, building design, architecture, and landscaping (<i>lighting form, function, character, fixture styles, design and placement; lighting does not interfere with pedestrian movement</i>).
			The proposed development includes consideration to the effects of light pollution on the environment, as well as utilization of energy conservation technologies.
			Energy Conservation
			Active and passive solar and other renewable energy design and devices are used (<i>building orientation, landscaping, lighting, heating and cooling, photovoltaic system-ready or installed</i>).
			Devices are unobtrusive and complement design (<i>solar panels flush with roof</i>).
			Green Building (Incorporating green building elements)
			Water efficiency
			Energy
			Materials and Resources
			Indoor environmental quality

APPENDIX D

Model Water Efficient Landscape Ordinance

Model Water Efficient Landscape Ordinance

California Code of Regulations
Title 23. Waters
Division 2. Department of Water Resources
Chapter 2.7. Model Water Efficient Landscape Ordinance

§ 490. Purpose.

(a) The State Legislature has found:

- (1) that the waters of the state are of limited supply and are subject to ever increasing demands;
- (2) that the continuation of California's economic prosperity is dependent on the availability of adequate supplies of water for future uses;
- (3) that it is the policy of the State to promote the conservation and efficient use of water and to prevent the waste of this valuable resource;
- (4) that landscapes are essential to the quality of life in California by providing areas for active and passive recreation and as an enhancement to the environment by cleaning air and water, preventing erosion, offering fire protection, and replacing ecosystems lost to development; and
- (5) that landscape design, installation, maintenance and management can and should be water efficient; and
- (6) that Section 2 of Article X of the California Constitution specifies that the right to use water is limited to the amount reasonably required for the beneficial use to be served and the right does not and shall not extend to waste or unreasonable method of use.

(b) Consistent with these legislative findings, the purpose of this model ordinance is to:

- (1) promote the values and benefits of landscapes while recognizing the need to invest water and other resources as efficiently as possible;
- (2) establish a structure for planning, designing, installing, maintaining and managing water efficient landscapes in new construction and rehabilitated projects;
- (3) establish provisions for water management practices and water waste prevention for existing landscapes;
- (4) use water efficiently without waste by setting a Maximum Applied Water Allowance as an upper limit for water use and reduce water use to the lowest practical amount;
- (5) promote the benefits of consistent landscape ordinances with neighboring local and regional agencies;
- (6) encourage local agencies and water purveyors to use economic incentives that promote the efficient use of water, such as implementing a tiered-rate structure; and
- (7) encourage local agencies to designate the necessary authority that implements and enforces the provisions of the Model Water Efficient Landscape Ordinance or its local landscape ordinance.

Note: Authority cited: Section 65593, Government Code. Reference: Sections 65591, 65593, 65596, Government Code.

§ 490.1 Applicability

(a) After January 1, 2010, this ordinance shall apply to all of the following landscape projects:

- (1) new construction and rehabilitated landscapes for public agency projects and private development projects with a landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check or design review;
- (2) new construction and rehabilitated landscapes which are developer-installed in single-family and multi-family projects with a landscape area equal to or greater than 2,500 square feet requiring a building or landscape permit, plan check, or design review;
- (3) new construction landscapes which are homeowner-provided and/or homeowner-hired in single-family and multi-family residential projects with a total project landscape area equal to or greater than 5,000 square feet requiring a building or landscape permit, plan check or design review;

(4) existing landscapes limited to Sections 493, 493.1 and 493.2; and
(5) cemeteries. Recognizing the special landscape management needs of cemeteries, new and rehabilitated cemeteries are limited to Sections 492.4, 492.11 and 492.12; and existing cemeteries are limited to Sections 493, 493.1 and 493.2.

(b) This ordinance does not apply to:

- (1) registered local, state or federal historical sites;
- (2) ecological restoration projects that do not require a permanent irrigation system;
- (3) mined-land reclamation projects that do not require a permanent irrigation system; or
- (4) plant collections, as part of botanical gardens and arboretums open to the public.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 491. Definitions.

The terms used in this ordinance have the meaning set forth below:

- (a) "applied water" means the portion of water supplied by the irrigation system to the landscape.
- (b) "automatic irrigation controller" means an automatic timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data.
- (c) "backflow prevention device" means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.
- (d) "Certificate of Completion" means the document required under Section 492.9.
- (e) "certified irrigation designer" means a person certified to design irrigation systems by an accredited academic institution a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation designer certification program and Irrigation Association's Certified Irrigation Designer program.
- (f) "certified landscape irrigation auditor" means a person certified to perform landscape irrigation audits by an accredited academic institution, a professional trade organization or other program such as the US Environmental Protection Agency's WaterSense irrigation auditor certification program and Irrigation Association's Certified Landscape Irrigation Auditor program.
- (g) "check valve" or "anti-drain valve" means a valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.
- (h) "common interest developments" means community apartment projects, condominium projects, planned developments, and stock cooperatives per Civil Code Section 1351.
- (i) "conversion factor (0.62)" means the number that converts acre-inches per acre per year to gallons per square foot per year
- (j) "drip irrigation" means any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.
- (k) "ecological restoration project" means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.
- (l) "effective precipitation" or "usable rainfall" (Eppt) means the portion of total precipitation which becomes available for plant growth.
- (m) "emitter" means a drip irrigation emission device that delivers water slowly from the system to the soil.
- (n) "established landscape" means the point at which plants in the landscape have developed significant root growth into the soil. Typically, most plants are established after one or two years of growth.
- (o) "establishment period of the plants" means the first year after installing the plant in the landscape or the first two years if irrigation will be terminated after establishment. Typically, most plants are established after one or two years of growth.

- (p) "Estimated Total Water Use" (ETWU) means the total water used for the landscape as described in Section 492.4.
- (q) "ET adjustment factor" (ETAF) means a factor of 0.7, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape.
A combined plant mix with a site-wide average of 0.5 is the basis of the plant factor portion of this calculation. For purposes of the ETAF, the average irrigation efficiency is 0.71. Therefore, the ET Adjustment Factor is $(0.7) = (0.5/0.71)$. ETAF for a Special Landscape Area shall not exceed 1.0. ETAF for existing non-rehabilitated landscapes is 0.8.
- (r) "evapotranspiration rate" means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.
- (s) "flow rate" means the rate at which water flows through pipes, valves and emission devices, measured in gallons per minute, gallons per hour, or cubic feet per second.
- (t) "hardscapes" means any durable material (pervious and non-pervious).
- (u) "homeowner-provided landscaping" means any landscaping either installed by a private individual for a single family residence or installed by a licensed contractor hired by a homeowner. A homeowner, for purposes of this ordinance, is a person who occupies the dwelling he or she owns. This excludes speculative homes, which are not owner-occupied dwellings.
- (v) "hydrozone" means a portion of the landscaped area having plants with similar water needs. A hydrozone may be irrigated or non-irrigated.
- (w) "infiltration rate" means the rate of water entry into the soil expressed as a depth of water per unit of time (e.g., inches per hour).
- (x) "invasive plant species" means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources. Invasive species may be regulated by county agricultural agencies as noxious species. "Noxious weeds" means any weed designated by the Weed Control Regulations in the Weed Control Act and identified on a Regional District noxious weed control list. Lists of invasive plants are maintained at the California Invasive Plant Inventory and USDA invasive and noxious weeds database.
- (y) "irrigation audit" means an in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule.
- (z) "irrigation efficiency" (IE) means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The minimum average irrigation efficiency for purposes of this ordinance is 0.71. Greater irrigation efficiency can be expected from well designed and maintained systems.
- (aa) "irrigation survey" means an evaluation of an irrigation system that is less detailed than an irrigation audit. An irrigation survey includes, but is not limited to: inspection, system test, and written recommendations to improve performance of the irrigation system.
- (bb) "irrigation water use analysis" means an analysis of water use data based on meter readings and billing data.
- (cc) "landscape architect" means a person who holds a license to practice landscape architecture in the state of California Business and Professions Code, Section 5615.
- (dd) "landscape area" means all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).

- (ee) "landscape contractor" means a person licensed by the state of California to construct, maintain, repair, install, or subcontract the development of landscape systems.
- (ff) "Landscape Documentation Package" means the documents required under Section 492.3.
- (gg) "landscape project" means total area of landscape in a project as defined in "landscape area" for the purposes of this ordinance, meeting requirements under Section 490.1.
- (hh) "lateral line" means the water delivery pipeline that supplies water to the emitters or sprinklers from the valve.
- (ii) "local agency" means a city or county, including a charter city or charter county, that is responsible for adopting and implementing the ordinance. The local agency is also responsible for the enforcement of this ordinance, including but not limited to, approval of a permit and plan check or design review of a project.
- (jj) "local water purveyor" means any entity, including a public agency, city, county, or private water company that provides retail water service.
- (kk) "low volume irrigation" means the application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.
- (ll) "main line" means the pressurized pipeline that delivers water from the water source to the valve or outlet.
- (mm) "Maximum Applied Water Allowance" (MAWA) means the upper limit of annual applied water for the established landscaped area as specified in Section 492.4. It is based upon the area's reference evapotranspiration, the ET Adjustment Factor, and the size of the landscape area. The Estimated Total Water Use shall not exceed the Maximum Applied Water Allowance. Special Landscape Areas, including recreation areas, areas permanently and solely dedicated to edible plants such as orchards and vegetable gardens, and areas irrigated with recycled water are subject to the MAWA with an ETAF not to exceed 1.0.
- (nn) "microclimate" means the climate of a small, specific area that may contrast with the climate of the overall landscape area due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.
- (oo) "mined-land reclamation projects" means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.
- (pp) "mulch" means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.
- (qq) "new construction" means, for the purposes of this ordinance, a new building with a landscape or other new landscape, such as a park, playground, or greenbelt without an associated building.
- (rr) "operating pressure" means the pressure at which the parts of an irrigation system are designed by the manufacturer to operate.
- (ss) "overhead sprinkler irrigation systems" means systems that deliver water through the air (e.g., spray heads and rotors).
- (tt) "overspray" means the irrigation water which is delivered beyond the target area.
- (uu) "permit" means an authorizing document issued by local agencies for new construction or rehabilitated landscapes.
- (vv) "pervious" means any surface or material that allows the passage of water through the material and into the underlying soil.
- (ww) "plant factor" or "plant water use factor" is a factor, when multiplied by ETo, estimates the amount of water needed by plants. For purposes of this ordinance, the plant factor range for low water use plants is 0 to 0.3, the plant factor range for moderate water use plants is 0.4 to 0.6, and the plant

factor range for high water use plants is 0.7 to 1.0. Plant factors cited in this ordinance are derived from the Department of Water Resources 2000 publication "Water Use Classification of Landscape Species".

(xx) "precipitation rate" means the rate of application of water measured in inches per hour.

(yy) "project applicant" means the individual or entity submitting a Landscape Documentation Package required under Section 492.3, to request a permit, plan check, or design review from the local agency. A project applicant may be the property owner or his or her designee.

(zz) "rain sensor" or "rain sensing shutoff device" means a component which automatically suspends an irrigation event when it rains.

(aaa) "record drawing" or "as-builts" means a set of reproducible drawings which show significant changes in the work made during construction and which are usually based on drawings marked up in the field and other data furnished by the contractor.

(bbb) "recreational area" means areas dedicated to active play such as parks, sports fields, and golf courses where turf provides a playing surface.

(ccc) "recycled water", "reclaimed water", or "treated sewage effluent water" means treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation and water features. This water is not intended for human consumption.

(ddd) "reference evapotranspiration" or "ET_o" means a standard measurement of environmental parameters which affect the water use of plants. ET_o is expressed in inches per day, month, or year as represented in Section 495.1, and is an estimate of the evapotranspiration of a large field of four- to seven-inch tall, cool-season grass that is well watered. Reference evapotranspiration is used as the basis of determining the Maximum Applied Water Allowance so that regional differences in climate can be accommodated.

(eee) "rehabilitated landscape" means any re-landscaping project that requires a permit, plan check, or design review, meets the requirements of Section 490.1, and the modified landscape area is equal to or greater than 2,500 square feet, is 50% of the total landscape area, and the modifications are completed within one year.

(fff) "runoff" means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.

(ggg) "soil moisture sensing device" or "soil moisture sensor" means a device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.

(hhh) "soil texture" means the classification of soil based on its percentage of sand, silt, and clay.

(iii) "Special Landscape Area" (SLA) means an area of the landscape dedicated solely to edible plants, areas irrigated with recycled water, water features using recycled water and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.

(jjj) "sprinkler head" means a device which delivers water through a nozzle.

(kkk) "static water pressure" means the pipeline or municipal water supply pressure when water is not flowing.

(lll) "station" means an area served by one valve or by a set of valves that operate simultaneously.

(mmm) "swing joint" means an irrigation component that provides a flexible, leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.

(nnn) "turf" means a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Bermudagrass, Kikuyugrass, Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm-season grasses.

(ooo) "valve" means a device used to control the flow of water in the irrigation system.

(ppp) "water conserving plant species" means a plant species identified as having a low plant factor.

(qqq) "water feature" means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in

the high water use hydrozone of the landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not water features and, therefore, are not subject to the water budget calculation.

(rrr) "watering window" means the time of day irrigation is allowed.

(sss) "WUCOLS" means the Water Use Classification of Landscape Species published by the University of California Cooperative Extension, the Department of Water Resources and the Bureau of Reclamation, 2000.

Note: Authority Cited: Section 65595, Government Code. Reference: Sections 65592, 65596, Government Code.

§ 492. Provisions for New Construction or Rehabilitated Landscapes.

(a) A local agency may designate another agency, such as a water purveyor, to implement some or all of the requirements contained in this ordinance. Local agencies may collaborate with water purveyors to define each entity's specific responsibilities relating to this ordinance.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.1 Compliance with Landscape Documentation Package.

(a) Prior to construction, the local agency shall:

(1) provide the project applicant with the ordinance and procedures for permits, plan checks, or design reviews;

(2) review the Landscape Documentation Package submitted by the project applicant;

(3) approve or deny the Landscape Documentation Package;

(4) issue a permit or approve the plan check or design review for the project applicant; and

(5) upon approval of the Landscape Documentation Package, submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

(b) Prior to construction, the project applicant shall:

(1) submit a Landscape Documentation Package to the local agency.

(c) Upon approval of the Landscape Documentation Package by the local agency, the project applicant shall:

(1) receive a permit or approval of the plan check or design review and record the date of the permit in the Certificate of Completion;

(2) submit a copy of the approved Landscape Documentation Package along with the record drawings, and any other information to the property owner or his/her designee; and

(3) submit a copy of the Water Efficient Landscape Worksheet to the local water purveyor.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.2 Penalties.

(a) A local agency may establish and administer penalties to the project applicant for non-compliance with the ordinance to the extent permitted by law.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.3 Elements of the Landscape Documentation Package.

(a) The Landscape Documentation Package shall include the following six (6) elements:

- (1) project information;
 - (A) date
 - (B) project applicant
 - (C) project address (if available, parcel and/or lot number(s))
 - (D) total landscape area (square feet)
 - (E) project type (e.g., new, rehabilitated, public, private, cemetery, homeowner-installed)
 - (F) water supply type (e.g., potable, recycled, well) and identify the local retail water purveyor if the applicant is not served by a private well
 - (G) checklist of all documents in Landscape Documentation Package
 - (H) project contacts to include contact information for the project applicant and property owner
 - (I) applicant signature and date with statement, "I agree to comply with the requirements of the water efficient landscape ordinance and submit a complete Landscape Documentation Package".
- (2) Water Efficient Landscape Worksheet;
 - (A) hydrozone information table
 - (B) water budget calculations
 1. Maximum Applied Water Allowance (MAWA)
 2. Estimated Total Water Use (ETWU)
 - (3) soil management report;
 - (4) landscape design plan;
 - (5) irrigation design plan; and
 - (6) grading design plan.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.4 Water Efficient Landscape Worksheet.

(a) A project applicant shall complete the Water Efficient Landscape Worksheet which contains two sections (see sample worksheet in Appendix B):

- (1) a hydrozone information table (see Appendix B, Section A) for the landscape project; and
- (2) a water budget calculation (see Appendix B, Section B) for the landscape project. For the calculation of the Maximum Applied Water Allowance and Estimated Total Water Use, a project applicant shall use the ETo values from the Reference Evapotranspiration Table in Appendix A. For geographic areas not covered in Appendix A, use data from other cities located nearby in the same reference evapotranspiration zone, as found in the CIMIS Reference Evapotranspiration Zones Map, Department of Water Resources, 1999.

(b) Water budget calculations shall adhere to the following requirements:

- (1) The plant factor used shall be from WUCOLS. The plant factor ranges from 0 to 0.3 for low water use plants, from 0.4 to 0.6 for moderate water use plants, and from 0.7 to 1.0 for high water use plants.
- (2) All water features shall be included in the high water use hydrozone and temporarily irrigated areas shall be included in the low water use hydrozone.
- (3) All Special Landscape Areas shall be identified and their water use calculated as described below.
- (4) ETAF for Special Landscape Areas shall not exceed 1.0.

(c) Maximum Applied Water Allowance

The Maximum Applied Water Allowance shall be calculated using the equation:

$$\text{MAWA} = (\text{ETo}) (0.62) [(0.7 \times \text{LA}) + (0.3 \times \text{SLA})]$$

The example calculations below are hypothetical to demonstrate proper use of the equations and do not represent an existing and/or planned landscape project. The ETo values used in these calculations are from the Reference Evapotranspiration Table in Appendix A, for planning purposes only. For actual irrigation scheduling, automatic irrigation controllers are required and shall use current reference evapotranspiration data, such as from the California Irrigation Management Information System (CIMIS), other equivalent data, or soil moisture sensor data.

(1) Example MAWA calculation: a hypothetical landscape project in Fresno, CA with an irrigated landscape area of 50,000 square feet without any Special Landscape Area (SLA= 0, no edible plants, recreational areas, or use of recycled water). To calculate MAWA, the annual reference evapotranspiration value for Fresno is 51.1 inches as listed in the Reference Evapotranspiration Table in Appendix A.

$$\text{MAWA} = (\text{ETo}) (0.62) [(0.7 \times \text{LA}) + (0.3 \times \text{SLA})]$$

MAWA = Maximum Applied Water Allowance (gallons per year)

ETo = Reference Evapotranspiration (inches per year)

0.62 = Conversion Factor (to gallons)

0.7 = ET Adjustment Factor (ETAF)

LA = Landscape Area including SLA (square feet)

0.3 = Additional Water Allowance for SLA

SLA = Special Landscape Area (square feet)

$$\text{MAWA} = (51.1 \text{ inches}) (0.62) [(0.7 \times 50,000 \text{ square feet}) + (0.3 \times 0)]$$

$$= 1,108,870 \text{ gallons per year}$$

To convert from gallons per year to hundred-cubic-feet per year:

$$= 1,108,870/748 = 1,482 \text{ hundred-cubic-feet per year}$$

(100 cubic feet = 748 gallons)

(2) In this next hypothetical example, the landscape project in Fresno, CA has the same ETo value of 51.1 inches and a total landscape area of 50,000 square feet. Within the 50,000 square foot project, there is now a 2,000 square foot area planted with edible plants. This 2,000 square foot area is considered to be a Special Landscape Area.

$$\text{MAWA} = (\text{ETo}) (0.62) [(0.7 \times \text{LA}) + (0.3 \times \text{SLA})]$$

$$\text{MAWA} = (51.1 \text{ inches}) (0.62) [(0.7 \times 50,000 \text{ square feet}) + (0.3 \times 2,000 \text{ square feet})]$$

$$= 31.68 \times [35,000 + 600] \text{ gallons per year}$$

$$= 31.68 \times 35,600 \text{ gallons per year}$$

$$= 1,127,808 \text{ gallons per year or } 1,508 \text{ hundred-cubic-feet per year}$$

(d) Estimated Total Water Use.

The Estimated Total Water Use shall be calculated using the equation below. The sum of the Estimated Total Water Use calculated for all hydrozones shall not exceed MAWA.

$$\text{ETWU} = (\text{ETo})(0.62) \left(\frac{\text{PF} \times \text{HA}}{\text{IE}} + \text{SLA} \right)$$

Where:

ETWU = Estimated Total Water Use per year (gallons)

ETo = Reference Evapotranspiration (inches)

PF = Plant Factor from WUCOLS (see Section 491)

HA = Hydrozone Area [high, medium, and low water use areas] (square feet)

SLA = Special Landscape Area (square feet)

0.62 = Conversion Factor

IE = Irrigation Efficiency (minimum 0.71)

(1) Example ETWU calculation: landscape area is 50,000 square feet; plant water use type, plant factor, and hydrozone area are shown in the table below. The ETo value is 51.1 inches per year. There are no Special Landscape Areas (recreational area, area permanently and solely dedicated to edible plants, and area irrigated with recycled water) in this example.

Hydrozone	Plant Water Use Type(s)	Plant Factor (PF)*	Hydrozone Area (HA) (square feet)	PF x HA (square feet)
1	High	0.8	7,000	5,600
2	High	0.7	10,000	7,000
3	Medium	0.5	16,000	8,000
4	Low	0.3	7,000	2,100
5	Low	0.2	10,000	2,000
			Sum	24,700

*Plant Factor from WUCOLS

$$ETWU = (51.1)(0.62) \left(\frac{24,700}{0.71} + 0 \right)$$

= 1,102,116 gallons per year

Compare ETWU with MAWA: For this example MAWA = (51.1) (0.62) [(0.7 x 50,000) + (0.3 x 0)] = 1,108,870 gallons per year. The ETWU (1,102,116 gallons per year) is less than MAWA (1,108,870 gallons per year). In this example, the water budget complies with the MAWA.

(2) Example ETWU calculation: total landscape area is 50,000 square feet, 2,000 square feet of which is planted with edible plants. The edible plant area is considered a Special Landscape Area (SLA). The reference evapotranspiration value is 51.1 inches per year. The plant type, plant factor, and hydrozone area are shown in the table below.

Hydrozone	Plant Water Use Type(s)	Plant Factor (PF)*	Hydrozone Area (HA) (square feet)	PF x HA (square feet)
1	High	0.8	7,000	5,600
2	High	0.7	9,000	6,300
3	Medium	0.5	15,000	7,500
4	Low	0.3	7,000	2,100
5	Low	0.2	10,000	2,000
			Sum	23,500
6	SLA	1.0	2,000	2,000

*Plant Factor from WUCOLS

$$ETWU = (51.1)(0.62) \left(\frac{23,500}{0.71} + 2,000 \right)$$

= (31.68) (33,099 + 2,000)

= 1,111,936 gallons per year

Compare ETWU with MAWA. For this example:
MAWA = (51.1) (0.62) [(0.7 x 50,000) + (0.3 x 2,000)]
= 31.68 x [35,000 + 600]
= 31.68 x 35,600
=1,127,808 gallons per year

The ETWU (1,111,936 gallons per year) is less than MAWA (1,127,808 gallons per year). For this example, the water budget complies with the MAWA.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.5 Soil Management Report.

(a) In order to reduce runoff and encourage healthy plant growth, a soil management report shall be completed by the project applicant, or his/her designee, as follows:

(1) Submit soil samples to a laboratory for analysis and recommendations.

(A) Soil sampling shall be conducted in accordance with laboratory protocol, including protocols regarding adequate sampling depth for the intended plants.

(B) The soil analysis may include:

1. soil texture;
2. infiltration rate determined by laboratory test or soil texture infiltration rate table;
3. pH;
4. total soluble salts;
5. sodium;
6. percent organic matter; and
7. recommendations.

(2) The project applicant, or his/her designee, shall comply with one of the following:

(A) If significant mass grading is not planned, the soil analysis report shall be submitted to the local agency as part of the Landscape Documentation Package; or

(B) If significant mass grading is planned, the soil analysis report shall be submitted to the local agency as part of the Certificate of Completion.

(3) The soil analysis report shall be made available, in a timely manner, to the professionals preparing the landscape design plans and irrigation design plans to make any necessary adjustments to the design plans.

(4) The project applicant, or his/her designee, shall submit documentation verifying implementation of soil analysis report recommendations to the local agency with Certificate of Completion.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.6 Landscape Design Plan.

(a) For the efficient use of water, a landscape shall be carefully designed and planned for the intended function of the project. A landscape design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.

(1) Plant Material

(A) Any plant may be selected for the landscape, providing the Estimated Total Water Use in the landscape area does not exceed the Maximum Applied Water Allowance. To encourage the efficient use of water, the following is highly recommended:

1. protection and preservation of native species and natural vegetation;
2. selection of water-conserving plant and turf species;

3. selection of plants based on disease and pest resistance;
 4. selection of trees based on applicable local tree ordinances or tree shading guidelines; and
 5. selection of plants from local and regional landscape program plant lists.
- (B) Each hydrozone shall have plant materials with similar water use, with the exception of hydrozones with plants of mixed water use, as specified in Section 492.7(a)(2)(D).
- (C) Plants shall be selected and planted appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the project site. To encourage the efficient use of water, the following is highly recommended:
1. use the Sunset Western Climate Zone System which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;
 2. recognize the horticultural attributes of plants (i.e., mature plant size, invasive surface roots) to minimize damage to property or infrastructure [e.g., buildings, sidewalks, power lines]; and
 3. consider the solar orientation for plant placement to maximize summer shade and winter solar gain.
- (D) Turf is not allowed on slopes greater than 25% where the toe of the slope is adjacent to an impermeable hardscape and where 25% means 1 foot of vertical elevation change for every 4 feet of horizontal length (rise divided by run x 100 = slope percent).
- (E) A landscape design plan for projects in fire-prone areas shall address fire safety and prevention. A defensible space or zone around a building or structure is required per Public Resources Code Section 4291(a) and (b). Avoid fire-prone plant materials and highly flammable mulches.
- (F) The use of invasive and/or noxious plant species is strongly discouraged.
- (G) The architectural guidelines of a common interest development, which include community apartment projects, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.
- (2) Water Features
- (A) Recirculating water systems shall be used for water features.
- (B) Where available, recycled water shall be used as a source for decorative water features.
- (C) Surface area of a water feature shall be included in the high water use hydrozone area of the water budget calculation.
- (D) Pool and spa covers are highly recommended.
- (3) Mulch and Amendments
- (A) A minimum two inch (2") layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated.
- (B) Stabilizing mulching products shall be used on slopes.
- (C) The mulching portion of the seed/mulch slurry in hydro-seeded applications shall meet the mulching requirement.
- (D) Soil amendments shall be incorporated according to recommendations of the soil report and what is appropriate for the plants selected (see Section 492.5).
- (b) The landscape design plan, at a minimum, shall:
- (1) delineate and label each hydrozone by number, letter, or other method;
 - (2) identify each hydrozone as low, moderate, high water, or mixed water use. Temporarily irrigated areas of the landscape shall be included in the low water use hydrozone for the water budget calculation;
 - (3) identify recreational areas;
 - (4) identify areas permanently and solely dedicated to edible plants;
 - (5) identify areas irrigated with recycled water;
 - (6) identify type of mulch and application depth;
 - (7) identify soil amendments, type, and quantity;
 - (8) identify type and surface area of water features;
 - (9) identify hardscapes (pervious and non-pervious);

- (10) identify location and installation details of any applicable stormwater best management practices that encourage on-site retention and infiltration of stormwater. Stormwater best management practices are encouraged in the landscape design plan and examples include, but are not limited to:
- (A) infiltration beds, swales, and basins that allow water to collect and soak into the ground;
 - (B) constructed wetlands and retention ponds that retain water, handle excess flow, and filter pollutants; and
 - (C) pervious or porous surfaces (e.g., permeable pavers or blocks, pervious or porous concrete, etc.) that minimize runoff.
- (11) identify any applicable rain harvesting or catchment technologies (e.g., rain gardens, cisterns, etc.);
- (12) contain the following statement: "I have complied with the criteria of the ordinance and applied them for the efficient use of water in the landscape design plan"; and
- (13) bear the signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape. (See Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agriculture Code.)

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code and Section 1351, Civil Code.

§ 492.7 Irrigation Design Plan.

(a) For the efficient use of water, an irrigation system shall meet all the requirements listed in this section and the manufacturers' recommendations. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package.

(1) System

(A) Dedicated landscape water meters are highly recommended on landscape areas smaller than 5,000 square feet to facilitate water management.

(B) Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data shall be required for irrigation scheduling in all irrigation systems.

(C) The irrigation system shall be designed to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.

1. If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the irrigation system.

2. Static water pressure, dynamic or operating pressure, and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.

(D) Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather or during rain.

(E) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (such as a main line break) or routine repair.

(F) Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system. A project applicant shall refer to the applicable local agency code (i.e., public health) for additional backflow prevention requirements.

(G) High flow sensors that detect and report high flow conditions created by system damage or malfunction are recommended.

(H) The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.

(I) Relevant information from the soil management plan, such as soil type and infiltration rate, shall be utilized when designing irrigation systems.

(J) The design of the irrigation system shall conform to the hydrozones of the landscape design plan.

(K) The irrigation system must be designed and installed to meet, at a minimum, the irrigation efficiency criteria as described in Section 492.4 regarding the Maximum Applied Water Allowance.

(L) It is highly recommended that the project applicant or local agency inquire with the local water purveyor about peak water operating demands (on the water supply system) or water restrictions that may impact the effectiveness of the irrigation system.

(M) In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.

(N) Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.

(O) Head to head coverage is recommended. However, sprinkler spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations.

(P) Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to high traffic areas.

(Q) Check valves or anti-drain valves are required for all irrigation systems.

(R) Narrow or irregularly shaped areas, including turf, less than eight (8) feet in width in any direction shall be irrigated with subsurface irrigation or low volume irrigation system.

(S) Overhead irrigation shall not be permitted within 24 inches of any non-permeable surface. Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:

1. the landscape area is adjacent to permeable surfacing and no runoff occurs; or
2. the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or
3. the irrigation designer specifies an alternative design or technology, as part of the Landscape Documentation Package and clearly demonstrates strict adherence to irrigation system design criteria in Section 492.7 (a)(1)(H). Prevention of overspray and runoff must be confirmed during the irrigation audit.

(T) Slopes greater than 25% shall not be irrigated with an irrigation system with a precipitation rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed during the irrigation audit.

(2) Hydrozone

(A) Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.

(B) Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.

(C) Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf.

(D) Individual hydrozones that mix plants of moderate and low water use, or moderate and high water use, may be allowed if:

1. plant factor calculation is based on the proportions of the respective plant water uses and their plant factor; or

2. the plant factor of the higher water using plant is used for calculations.

(E) Individual hydrozones that mix high and low water use plants shall not be permitted.

(F) On the landscape design plan and irrigation design plan, hydrozone areas shall be designated by number, letter, or other designation. On the irrigation design plan, designate the areas irrigated by each valve, and assign a number to each valve. Use this valve number in the Hydrozone Information Table (see Appendix B Section A). This table can also assist with the irrigation audit and programming the controller.

(b) The irrigation design plan, at a minimum, shall contain:

(1) location and size of separate water meters for landscape;

(2) location, type and size of all components of the irrigation system, including controllers, main and lateral lines, valves, sprinkler heads, moisture sensing devices, rain switches, quick couplers, pressure regulators, and backflow prevention devices;

(3) static water pressure at the point of connection to the public water supply;

(4) flow rate (gallons per minute), application rate (inches per hour), and design operating pressure (pressure per square inch) for each station;

(5) recycled water irrigation systems as specified in Section 492.14;

(6) the following statement: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan"; and

(7) the signature of a licensed landscape architect, certified irrigation designer, licensed landscape contractor, or any other person authorized to design an irrigation system. (See Sections 5500.1, 5615, 5641, 5641.1, 5641.2, 5641.3, 5641.4, 5641.5, 5641.6, 6701, 7027.5 of the Business and Professions Code, Section 832.27 of Title 16 of the California Code of Regulations, and Section 6721 of the Food and Agricultural Code.)

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.8 Grading Design Plan.

(a) For the efficient use of water, grading of a project site shall be designed to minimize soil erosion, runoff, and water waste. A grading plan shall be submitted as part of the Landscape Documentation Package. A comprehensive grading plan prepared by a civil engineer for other local agency permits satisfies this requirement.

(1) The project applicant shall submit a landscape grading plan that indicates finished configurations and elevations of the landscape area including:

(A) height of graded slopes;

(B) drainage patterns;

(C) pad elevations;

(D) finish grade; and

(E) stormwater retention improvements, if applicable.

(2) To prevent excessive erosion and runoff, it is highly recommended that project applicants:

(A) grade so that all irrigation and normal rainfall remains within property lines and does not drain on to non-permeable hardscapes;

(B) avoid disruption of natural drainage patterns and undisturbed soil; and

(C) avoid soil compaction in landscape areas.

(3) The grading design plan shall contain the following statement: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the grading design plan" and shall bear the signature of a licensed professional as authorized by law.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.9 Certificate of Completion.

(a) The Certificate of Completion (see Appendix C for a sample certificate) shall include the following six (6) elements:

(1) project information sheet that contains:

(A) date;

(B) project name;

(C) project applicant name, telephone, and mailing address;

(D) project address and location; and

(E) property owner name, telephone, and mailing address;

(2) certification by either the signer of the landscape design plan, the signer of the irrigation design plan, or the licensed landscape contractor that the landscape project has been installed per the approved Landscape Documentation Package;

(A) where there have been significant changes made in the field during construction, these "as-built" or record drawings shall be included with the certification;

(3) irrigation scheduling parameters used to set the controller (see Section 492.10);

(4) landscape and irrigation maintenance schedule (see Section 492.11);

(5) irrigation audit report (see Section 492.12); and

(6) soil analysis report, if not submitted with Landscape Documentation Package, and documentation verifying implementation of soil report recommendations (see Section 492.5).

(b) The project applicant shall:

(1) submit the signed Certificate of Completion to the local agency for review;

(2) ensure that copies of the approved Certificate of Completion are submitted to the local water purveyor and property owner or his or her designee.

(c) The local agency shall:

(1) receive the signed Certificate of Completion from the project applicant;

(2) approve or deny the Certificate of Completion. If the Certificate of Completion is denied, the local agency shall provide information to the project applicant regarding reapplication, appeal, or other assistance.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.10 Irrigation Scheduling.

(a) For the efficient use of water, all irrigation schedules shall be developed, managed, and evaluated to utilize the minimum amount of water required to maintain plant health. Irrigation schedules shall meet the following criteria:

(1) Irrigation scheduling shall be regulated by automatic irrigation controllers.

(2) Overhead irrigation shall be scheduled between 8:00 p.m. and 10:00 a.m. unless weather conditions prevent it. If allowable hours of irrigation differ from the local water purveyor, the stricter of the two shall apply. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.

(3) For implementation of the irrigation schedule, particular attention must be paid to irrigation run times, emission device, flow rate, and current reference evapotranspiration, so that applied water meets the Estimated Total Water Use. Total annual applied water shall be less than or equal to Maximum Applied Water Allowance (MAWA). Actual irrigation schedules shall be regulated by automatic irrigation controllers using current reference evapotranspiration data (e.g., CIMIS) or soil moisture sensor data.

(4) Parameters used to set the automatic controller shall be developed and submitted for each of the following:

(A) the plant establishment period;

- (B) the established landscape; and
- (C) temporarily irrigated areas.
- (5) Each irrigation schedule shall consider for each station all of the following that apply:
 - (A) irrigation interval (days between irrigation);
 - (B) irrigation run times (hours or minutes per irrigation event to avoid runoff);
 - (C) number of cycle starts required for each irrigation event to avoid runoff;
 - (D) amount of applied water scheduled to be applied on a monthly basis;
 - (E) application rate setting;
 - (F) root depth setting;
 - (G) plant type setting;
 - (H) soil type;
 - (I) slope factor setting;
 - (J) shade factor setting; and
 - (K) irrigation uniformity or efficiency setting.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.11 Landscape and Irrigation Maintenance Schedule.

- (a) Landscapes shall be maintained to ensure water use efficiency. A regular maintenance schedule shall be submitted with the Certificate of Completion.
- (b) A regular maintenance schedule shall include, but not be limited to, routine inspection; adjustment and repair of the irrigation system and its components; aerating and dethatching turf areas; replenishing mulch; fertilizing; pruning; weeding in all landscape areas, and removing and obstruction to emission devices. Operation of the irrigation system outside the normal watering window is allowed for auditing and system maintenance.
- (c) Repair of all irrigation equipment shall be done with the originally installed components or their equivalents.
- (d) A project applicant is encouraged to implement sustainable or environmentally-friendly practices for overall landscape maintenance.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.12 Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.

- (a) All landscape irrigation audits shall be conducted by a certified landscape irrigation auditor.
- (b) For new construction and rehabilitated landscape projects installed after January 1, 2010, as described in Section 490.1:
 - (1) the project applicant shall submit an irrigation audit report with the Certificate of Completion to the local agency that may include, but is not limited to: inspection, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of an irrigation schedule;
 - (2) the local agency shall administer programs that may include, but not be limited to, irrigation water use analysis, irrigation audits, and irrigation surveys for compliance with the Maximum Applied Water Allowance.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.13 Irrigation Efficiency.

(a) For the purpose of determining Maximum Applied Water Allowance, average irrigation efficiency is assumed to be 0.71. Irrigation systems shall be designed, maintained, and managed to meet or exceed an average landscape irrigation efficiency of 0.71.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.14 Recycled Water.

(a) The installation of recycled water irrigation systems shall allow for the current and future use of recycled water, unless a written exemption has been granted as described in Section 492.14(b).

(b) Irrigation systems and decorative water features shall use recycled water unless a written exemption has been granted by the local water purveyor stating that recycled water meeting all public health codes and standards is not available and will not be available for the foreseeable future.

(c) All recycled water irrigation systems shall be designed and operated in accordance with all applicable local and State laws.

(d) Landscapes using recycled water are considered Special Landscape Areas. The ET Adjustment Factor for Special Landscape Areas shall not exceed 1.0.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.15 Stormwater Management.

(a) Stormwater management practices minimize runoff and increase infiltration which recharges groundwater and improves water quality. Implementing stormwater best management practices into the landscape and grading design plans to minimize runoff and to increase on-site retention and infiltration are encouraged.

(b) Project applicants shall refer to the local agency or Regional Water Quality Control Board for information on any applicable stormwater ordinances and stormwater management plans.

(c) Rain gardens, cisterns, and other landscapes features and practices that increase rainwater capture and create opportunities for infiltration and/or onsite storage are recommended.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.16 Public Education.

(a) Publications. Education is a critical component to promote the efficient use of water in landscapes. The use of appropriate principles of design, installation, management and maintenance that save water is encouraged in the community.

(1) A local agency shall provide information to owners of new, single-family residential homes regarding the design, installation, management, and maintenance of water efficient landscapes.

(b) Model Homes. All model homes that are landscaped shall use signs and written information to demonstrate the principles of water efficient landscapes described in this ordinance.

(1) Signs shall be used to identify the model as an example of a water efficient landscape featuring elements such as hydrozones, irrigation equipment, and others that contribute to the overall water efficient theme.

(2) Information shall be provided about designing, installing, managing, and maintaining water efficient landscapes.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 492.17 Environmental Review.

(a) The local agency must comply with the California Environmental Quality Act (CEQA), as appropriate.

Note: Authority cited: Section 21082, Public Resources Code. Reference: Sections 21080, 21082, Public Resources Code.

§ 493. Provisions for Existing Landscapes.

(a) A local agency may designate another agency, such as a water purveyor, to implement some or all of the requirements contained in this ordinance. Local agencies may collaborate with water purveyors to define each entity's specific responsibilities relating to this ordinance.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 493.1 Irrigation Audit, Irrigation Survey, and Irrigation Water Use Analysis.

(a) This section, 493.1, shall apply to all existing landscapes that were installed before January 1, 2010 and are over one acre in size.

(1) For all landscapes in 493.1(a) that have a water meter, the local agency shall administer programs that may include, but not be limited to, irrigation water use analyses, irrigation surveys, and irrigation audits to evaluate water use and provide recommendations as necessary to reduce landscape water use to a level that does not exceed the Maximum Applied Water Allowance for existing landscapes. The Maximum Applied Water Allowance for existing landscapes shall be calculated as: $MAWA = (0.8)(ET_o)(LA)(0.62)$.

(2) For all landscapes in 493.1(a), that do not have a meter, the local agency shall administer programs that may include, but not be limited to, irrigation surveys and irrigation audits to evaluate water use and provide recommendations as necessary in order to prevent water waste.

(b) All landscape irrigation audits shall be conducted by a certified landscape irrigation auditor.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

§ 493.2 Water Waste Prevention.

(a) Local agencies shall prevent water waste resulting from inefficient landscape irrigation by prohibiting runoff from leaving the target landscape due to low head drainage, overspray, or other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways, parking lots, or structures. Penalties for violation of these prohibitions shall be established locally.

(b) Restrictions regarding overspray and runoff may be modified if:

(1) the landscape area is adjacent to permeable surfacing and no runoff occurs; or

(2) the adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping.

Note: Authority cited: Section 65594, Government Code. Reference: Section 65596, Government Code.

§ 494. Effective Precipitation.

(a) A local agency may consider Effective Precipitation (25% of annual precipitation) in tracking water use and may use the following equation to calculate Maximum Applied Water Allowance:

$MAWA = (ET_o - Eppt) (0.62) [(0.7 \times LA) + (0.3 \times SLA)]$.

Note: Authority Cited: Section 65595, Government Code. Reference: Section 65596, Government Code.

Appendices.

Appendix A. Reference Evapotranspiration (ET_o) Table.

Appendix A - Reference Evapotranspiration (ETo) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
ALAMEDA													
Fremont	1.5	1.9	3.4	4.7	5.4	6.3	6.7	6.0	4.5	3.4	1.8	1.5	47.0
Livermore	1.2	1.5	2.9	4.4	5.9	6.6	7.4	6.4	5.3	3.2	1.5	0.9	47.2
Oakland	1.5	1.5	2.8	3.9	5.1	5.3	6.0	5.5	4.8	3.1	1.4	0.9	41.8
Oakland Foothills	1.1	1.4	2.7	3.7	5.1	6.4	5.8	4.9	3.6	2.6	1.4	1.0	39.6
Pleasanton	0.8	1.5	2.9	4.4	5.6	6.7	7.4	6.4	4.7	3.3	1.5	1.0	46.2
Union City	1.4	1.8	3.1	4.2	5.4	5.9	6.4	5.7	4.4	3.1	1.5	1.2	44.2
ALPINE													
Markleeville	0.7	0.9	2.0	3.5	5.0	6.1	7.3	6.4	4.4	2.6	1.2	0.5	40.6
AMADOR													
Jackson	1.2	1.5	2.8	4.4	6.0	7.2	7.9	7.2	5.3	3.2	1.4	0.9	48.9
Shanandoah Valley	1.0	1.7	2.9	4.4	5.6	6.8	7.9	7.1	5.2	3.6	1.7	1.0	48.8
BUTTE													
Chico	1.2	1.8	2.9	4.7	6.1	7.4	8.5	7.3	5.4	3.7	1.7	1.0	51.7
Durham	1.1	1.8	3.2	5.0	6.5	7.4	7.8	6.9	5.3	3.6	1.7	1.0	51.1
Gridley	1.2	1.8	3.0	4.7	6.1	7.7	8.5	7.1	5.4	3.7	1.7	1.0	51.9
Oroville	1.2	1.7	2.8	4.7	6.1	7.6	8.5	7.3	5.3	3.7	1.7	1.0	51.5
CALAVERAS													
San Andreas	1.2	1.5	2.8	4.4	6.0	7.3	7.9	7.0	5.3	3.2	1.4	0.7	48.8
COLUSA													
Colusa	1.0	1.7	3.4	5.0	6.4	7.6	8.3	7.2	5.4	3.8	1.8	1.1	52.8
Williams	1.2	1.7	2.9	4.5	6.1	7.2	8.5	7.3	5.3	3.4	1.6	1.0	50.8
CONTRA COSTA													
Benicia	1.3	1.4	2.7	3.8	4.9	5.0	6.4	5.5	4.4	2.9	1.2	0.7	40.3
Brentwood	1.0	1.5	2.9	4.5	6.1	7.1	7.9	6.7	5.2	3.2	1.4	0.7	48.3
Concord	1.1	1.4	2.4	4.0	5.5	5.9	7.0	6.0	4.8	3.2	1.3	0.7	43.4
Courtland	0.9	1.5	2.9	4.4	6.1	6.9	7.9	6.7	5.3	3.2	1.4	0.7	48.0
Martinez	1.2	1.4	2.4	3.9	5.3	5.6	6.7	5.6	4.7	3.1	1.2	0.7	41.8
Moraga	1.2	1.5	3.4	4.2	5.5	6.1	6.7	5.9	4.6	3.2	1.6	1.0	44.9
Pittsburg	1.0	1.5	2.8	4.1	5.6	6.4	7.4	6.4	5.0	3.2	1.3	0.7	45.4
Walnut Creek	0.8	1.5	2.9	4.4	5.6	6.7	7.4	6.4	4.7	3.3	1.5	1.0	46.2
DEL NORTE													
Crescent City	0.5	0.9	2.0	3.0	3.7	3.5	4.3	3.7	3.0	2.0	0.9	0.5	27.7
EL DORADO													
Camino	0.9	1.7	2.5	3.9	5.9	7.2	7.8	6.8	5.1	3.1	1.5	0.9	47.3
FRESNO													
Clovis	1.0	1.5	3.2	4.8	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.4
Coalinga	1.2	1.7	3.1	4.6	6.2	7.2	8.5	7.3	5.3	3.4	1.6	0.7	50.9
Firebaugh	1.0	1.8	3.7	5.7	7.3	8.1	8.2	7.2	5.5	3.9	2.0	1.1	55.4
FivePoints	1.3	2.0	4.0	6.1	7.7	8.5	8.7	8.0	6.2	4.5	2.4	1.2	60.4
FRESNO													
Fresno	0.9	1.7	3.3	4.8	6.7	7.8	8.4	7.1	5.2	3.2	1.4	0.6	51.1
Fresno State	0.9	1.6	3.2	5.2	7.0	8.0	8.7	7.6	5.4	3.6	1.7	0.9	53.7
Friant	1.2	1.5	3.1	4.7	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.3
Kerman	0.9	1.5	3.2	4.8	6.6	7.7	8.4	7.2	5.3	3.4	1.4	0.7	51.2
Kingsburg	1.0	1.5	3.4	4.8	6.6	7.7	8.4	7.2	5.3	3.4	1.4	0.7	51.6
Mendota	1.5	2.5	4.6	6.2	7.9	8.6	8.8	7.5	5.9	4.5	2.4	1.5	61.7
Orange Cove	1.2	1.9	3.5	4.7	7.4	8.5	8.9	7.9	5.9	3.7	1.8	1.2	56.7
Panoche	1.1	2.0	4.0	5.6	7.8	8.5	8.3	7.3	5.6	3.9	1.8	1.2	57.2
Parlier	1.0	1.9	3.6	5.2	6.8	7.6	8.1	7.0	5.1	3.4	1.7	0.9	52.0
Reedley	1.1	1.5	3.2	4.7	6.4	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.3
Westlands	0.9	1.7	3.8	6.3	8.0	8.6	8.6	7.8	5.9	4.3	2.1	1.1	58.8

Appendix A - Reference Evapotranspiration (ETo) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
GLENN													
Orland	1.1	1.8	3.4	5.0	6.4	7.5	7.9	6.7	5.3	3.9	1.8	1.4	52.1
Willows	1.2	1.7	2.9	4.7	6.1	7.2	8.5	7.3	5.3	3.6	1.7	1.0	51.3
HUMBOLDT													
Eureka	0.5	1.1	2.0	3.0	3.7	3.7	3.7	3.7	3.0	2.0	0.9	0.5	27.5
Ferndale	0.5	1.1	2.0	3.0	3.7	3.7	3.7	3.7	3.0	2.0	0.9	0.5	27.5
Garberville	0.6	1.2	2.2	3.1	4.5	5.0	5.5	4.9	3.8	2.4	1.0	0.7	34.9
Hoopla	0.5	1.1	2.1	3.0	4.4	5.4	6.1	5.1	3.8	2.4	0.9	0.7	35.6
IMPERIAL													
Brawley	2.8	3.8	5.9	8.0	10.4	11.5	11.7	10.0	8.4	6.2	3.5	2.1	84.2
Calipatria/Mulberry	2.4	3.2	5.1	6.8	8.6	9.2	9.2	8.6	7.0	5.2	3.1	2.3	70.7
El Centro	2.7	3.5	5.6	7.9	10.1	11.1	11.6	9.5	8.3	6.1	3.3	2.0	81.7
Holtville	2.8	3.8	5.9	7.9	10.4	11.6	12.0	10.0	8.6	6.2	3.5	2.1	84.7
Meloland	2.5	3.2	5.5	7.5	8.9	9.2	9.0	8.5	6.8	5.3	3.1	2.2	71.6
Palo Verde II	2.5	3.3	5.7	6.9	8.5	8.9	8.6	7.9	6.2	4.5	2.9	2.3	68.2
Seeley	2.7	3.5	5.9	7.7	9.7	10.1	9.3	8.3	6.9	5.5	3.4	2.2	75.4
Westmoreland	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Yuma	2.5	3.4	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.6
INYO													
Bishop	1.7	2.7	4.8	6.7	8.2	10.9	7.4	9.6	7.4	4.8	2.5	1.6	68.3
Death Valley Jct	2.2	3.3	5.4	7.7	9.8	11.1	11.4	10.1	8.3	5.4	2.9	1.7	79.1
Independence	1.7	2.7	3.4	6.6	8.5	9.5	9.8	8.5	7.1	3.9	2.0	1.5	65.2
Lower Haiwee Res.	1.8	2.7	4.4	7.1	8.5	9.5	9.8	8.5	7.1	4.2	2.6	1.5	67.6
Oasis	2.7	2.8	5.9	8.0	10.4	11.7	11.6	10.0	8.4	6.2	3.4	2.1	83.1
KERN													
Arvin	1.2	1.8	3.5	4.7	6.6	7.4	8.1	7.3	5.3	3.4	1.7	1.0	51.9
Bakersfield	1.0	1.8	3.5	4.7	6.6	7.7	8.5	7.3	5.3	3.5	1.6	0.9	52.4
Bakersfield/Bonanza	1.2	2.2	3.7	5.7	7.4	8.2	8.7	7.8	5.7	4.0	2.1	1.2	57.9
Bakersfield/Greenlee	1.2	2.2	3.7	5.7	7.4	8.2	8.7	7.8	5.7	4.0	2.1	1.2	57.9
KERN													
Belridge	1.4	2.2	4.1	5.5	7.7	8.5	8.6	7.8	6.0	3.8	2.0	1.5	59.2
Blackwells Corner	1.4	2.1	3.8	5.4	7.0	7.8	8.5	7.7	5.8	3.9	1.9	1.2	56.6
Buttonwillow	1.0	1.8	3.2	4.7	6.6	7.7	8.5	7.3	5.4	3.4	1.5	0.9	52.0
China Lake	2.1	3.2	5.3	7.7	9.2	10.0	11.0	9.8	7.3	4.9	2.7	1.7	74.8
Delano	0.9	1.8	3.4	4.7	6.6	7.7	8.5	7.3	5.4	3.4	1.4	0.7	52.0
Famoso	1.3	1.9	3.5	4.8	6.7	7.6	8.0	7.3	5.5	3.5	1.7	1.3	53.1
Grapevine	1.3	1.8	3.1	4.4	5.6	6.8	7.6	6.8	5.9	3.4	1.9	1.0	49.5
Inyokern	2.0	3.1	4.9	7.3	8.5	9.7	11.0	9.4	7.1	5.1	2.6	1.7	72.4
Isabella Dam	1.2	1.4	2.8	4.4	5.8	7.3	7.9	7.0	5.0	3.2	1.7	0.9	48.4
Lamont	1.3	2.4	4.4	4.6	6.5	7.0	8.8	7.6	5.7	3.7	1.6	0.8	54.4
Lost Hills	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
McFarland/Kern	1.2	2.1	3.7	5.6	7.3	8.0	8.3	7.4	5.6	4.1	2.0	1.2	56.5
Shafter	1.0	1.7	3.4	5.0	6.6	7.7	8.3	7.3	5.4	3.4	1.5	0.9	52.1
Taft	1.3	1.8	3.1	4.3	6.2	7.3	8.5	7.3	5.4	3.4	1.7	1.0	51.2
Tehachapi	1.4	1.8	3.2	5.0	6.1	7.7	7.9	7.3	5.9	3.4	2.1	1.2	52.9
KINGS													
Caruthers	1.6	2.5	4.0	5.7	7.8	8.7	9.3	8.4	6.3	4.4	2.4	1.6	62.7
Corcoran	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Hanford	0.9	1.5	3.4	5.0	6.6	7.7	8.3	7.2	5.4	3.4	1.4	0.7	51.5
Kettleman	1.1	2.0	4.0	6.0	7.5	8.5	9.1	8.2	6.1	4.5	2.2	1.1	60.2
Lemoore	0.9	1.5	3.4	5.0	6.6	7.7	8.3	7.3	5.4	3.4	1.4	0.7	51.7
Stratford	0.9	1.9	3.9	6.1	7.8	8.6	8.8	7.7	5.9	4.1	2.1	1.0	58.7

Appendix A - Reference Evapotranspiration (ET_o) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ET_o
LAKE													
Lakeport	1.1	1.3	2.6	3.5	5.1	6.0	7.3	6.1	4.7	2.9	1.2	0.9	42.8
Lower Lake	1.2	1.4	2.7	4.5	5.3	6.3	7.4	6.4	5.0	3.1	1.3	0.9	45.4
LASSEN													
Buntingville	1.0	1.7	3.5	4.9	6.2	7.3	8.4	7.5	5.4	3.4	1.5	0.9	51.8
Ravendale	0.6	1.1	2.3	4.1	5.6	6.7	7.9	7.3	4.7	2.8	1.2	0.5	44.9
Susanville	0.7	1.0	2.2	4.1	5.6	6.5	7.8	7.0	4.6	2.8	1.2	0.5	44.0
LOS ANGELES													
Burbank	2.1	2.8	3.7	4.7	5.1	6.0	6.6	6.7	5.4	4.0	2.6	2.0	51.7
Claremont	2.0	2.3	3.4	4.6	5.0	6.0	7.0	7.0	5.3	4.0	2.7	2.1	51.3
El Dorado	1.7	2.2	3.6	4.8	5.1	5.7	5.9	5.9	4.4	3.2	2.2	1.7	46.3
Glendale	2.0	2.2	3.3	3.8	4.7	4.8	5.7	5.6	4.3	3.3	2.2	1.8	43.7
Glendora	2.0	2.5	3.6	4.9	5.4	6.1	7.3	6.8	5.7	4.2	2.6	2.0	53.1
Gorman	1.6	2.2	3.4	4.6	5.5	7.4	7.7	7.1	5.9	3.6	2.4	1.1	52.4
Hollywood Hills	2.1	2.2	3.8	5.4	6.0	6.5	6.7	6.4	5.2	3.7	2.8	2.1	52.8
Lancaster	2.1	3.0	4.6	5.9	8.5	9.7	11.0	9.8	7.3	4.6	2.8	1.7	71.1
Long Beach	1.8	2.1	3.3	3.9	4.5	4.3	5.3	4.7	3.7	2.8	1.8	1.5	39.7
Los Angeles	2.2	2.7	3.7	4.7	5.5	5.8	6.2	5.9	5.0	3.9	2.6	1.9	50.1
LOS ANGELES													
Monrovia	2.2	2.3	3.8	4.3	5.5	5.9	6.9	6.4	5.1	3.2	2.5	2.0	50.2
Palmdale	2.0	2.6	4.6	6.2	7.3	8.9	9.8	9.0	6.5	4.7	2.7	2.1	66.2
Pasadena	2.1	2.7	3.7	4.7	5.1	6.0	7.1	6.7	5.6	4.2	2.6	2.0	52.3
Pearblossom	1.7	2.4	3.7	4.7	7.3	7.7	9.9	7.9	6.4	4.0	2.6	1.6	59.9
Pomona	1.7	2.0	3.4	4.5	5.0	5.8	6.5	6.4	4.7	3.5	2.3	1.7	47.5
Redondo Beach	2.2	2.4	3.3	3.8	4.5	4.7	5.4	4.8	4.4	2.8	2.4	2.0	42.6
San Fernando	2.0	2.7	3.5	4.6	5.5	5.9	7.3	6.7	5.3	3.9	2.6	2.0	52.0
Santa Clarita	2.8	2.8	4.1	5.6	6.0	6.8	7.6	7.8	5.8	5.2	3.7	3.2	61.5
Santa Monica	1.8	2.1	3.3	4.5	4.7	5.0	5.4	5.4	3.9	3.4	2.4	2.2	44.2
MADERA													
Chowchilla	1.0	1.4	3.2	4.7	6.6	7.8	8.5	7.3	5.3	3.4	1.4	0.7	51.4
Madera	0.9	1.4	3.2	4.8	6.6	7.8	8.5	7.3	5.3	3.4	1.4	0.7	51.5
Raymond	1.2	1.5	3.0	4.6	6.1	7.6	8.4	7.3	5.2	3.4	1.4	0.7	50.5
MARIN													
Black Point	1.1	1.7	3.0	4.2	5.2	6.2	6.6	5.8	4.3	2.8	1.3	0.9	43.0
Novato	1.3	1.5	2.4	3.5	4.4	6.0	5.9	5.4	4.4	2.8	1.4	0.7	39.8
Point San Pedro	1.1	1.7	3.0	4.2	5.2	6.2	6.6	5.8	4.3	2.8	1.3	0.9	43.0
San Rafael	1.2	1.3	2.4	3.3	4.0	4.8	4.8	4.9	4.3	2.7	1.3	0.7	35.8
MARIPOSA													
Coulterville	1.1	1.5	2.8	4.4	5.9	7.3	8.1	7.0	5.3	3.4	1.4	0.7	48.8
Mariposa	1.1	1.5	2.8	4.4	5.9	7.4	8.2	7.1	5.0	3.4	1.4	0.7	49.0
Yosemite Village	0.7	1.0	2.3	3.7	5.1	6.5	7.1	6.1	4.4	2.9	1.1	0.6	41.4
MENDOCINO													
Fort Bragg	0.9	1.3	2.2	3.0	3.7	3.5	3.7	3.7	3.0	2.3	1.2	0.7	29.0
Hopland	1.1	1.3	2.6	3.4	5.0	5.9	6.5	5.7	4.5	2.8	1.3	0.7	40.9
Point Arena	1.0	1.3	2.3	3.0	3.7	3.9	3.7	3.7	3.0	2.3	1.2	0.7	29.6
Sanel Valley	1.0	1.6	3.0	4.6	6.0	7.0	8.0	7.0	5.2	3.4	1.4	0.9	49.1
Ukiah	1.0	1.3	2.6	3.3	5.0	5.8	6.7	5.9	4.5	2.8	1.3	0.7	40.9
MERCED													
Kesterson	0.9	1.7	3.4	5.5	7.3	8.2	8.6	7.4	5.5	3.8	1.8	0.9	55.1
Los Banos	1.0	1.5	3.2	4.7	6.1	7.4	8.2	7.0	5.3	3.4	1.4	0.7	50.0
Merced	1.0	1.5	3.2	4.7	6.6	7.9	8.5	7.2	5.3	3.4	1.4	0.7	51.5

Appendix A - Reference Evapotranspiration (ETo) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
MODOC													
Modoc/Alturas	0.9	1.4	2.8	3.7	5.1	6.2	7.5	6.6	4.6	2.8	1.2	0.7	43.2
MONO													
Bridgeport	0.7	0.9	2.2	3.8	5.5	6.6	7.4	6.7	4.7	2.7	1.2	0.5	43.0
MONTEREY													
Arroyo Seco	1.5	2.0	3.7	5.4	6.3	7.3	7.2	6.7	5.0	3.9	2.0	1.6	52.6
Castroville	1.4	1.7	3.0	4.2	4.6	4.8	4.0	3.8	3.0	2.6	1.6	1.4	36.2
Gonzales	1.3	1.7	3.4	4.7	5.4	6.3	6.3	5.9	4.4	3.4	1.9	1.3	45.7
MONTEREY													
Greenfield	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
King City	1.7	2.0	3.4	4.4	4.4	5.6	6.1	6.7	6.5	5.2	2.2	1.3	49.6
King City-Oasis Rd.	1.4	1.9	3.6	5.3	6.5	7.3	7.4	6.8	5.1	4.0	2.0	1.5	52.7
Long Valley	1.5	1.9	3.2	4.1	5.8	6.5	7.3	6.7	5.3	3.6	2.0	1.2	49.1
Monterey	1.7	1.8	2.7	3.5	4.0	4.1	4.3	4.2	3.5	2.8	1.9	1.5	36.0
Pajaro	1.8	2.2	3.7	4.8	5.3	5.7	5.6	5.3	4.3	3.4	2.4	1.8	46.1
Salinas	1.6	1.9	2.7	3.8	4.8	4.7	5.0	4.5	4.0	2.9	1.9	1.3	39.1
Salinas North	1.2	1.5	2.9	4.1	4.6	5.2	4.5	4.3	3.2	2.8	1.5	1.2	36.9
San Ardo	1.0	1.7	3.1	4.5	5.9	7.2	8.1	7.1	5.1	3.1	1.5	1.0	49.0
San Juan	1.8	2.1	3.4	4.6	5.3	5.7	5.5	4.9	3.8	3.2	2.2	1.9	44.2
Soledad	1.7	2.0	3.4	4.4	5.5	5.4	6.5	6.2	5.2	3.7	2.2	1.5	47.7
NAPA													
Angwin	1.8	1.9	3.2	4.7	5.8	7.3	8.1	7.1	5.5	4.5	2.9	2.1	54.9
Carneros	0.8	1.5	3.1	4.6	5.5	6.6	6.9	6.2	4.7	3.5	1.4	1.0	45.8
Oakville	1.0	1.5	2.9	4.7	5.8	6.9	7.2	6.4	4.9	3.5	1.6	1.2	47.7
St Helena	1.2	1.5	2.8	3.9	5.1	6.1	7.0	6.2	4.8	3.1	1.4	0.9	44.1
Yountville	1.3	1.7	2.8	3.9	5.1	6.0	7.1	6.1	4.8	3.1	1.5	0.9	44.3
NEVADA													
Grass Valley	1.1	1.5	2.6	4.0	5.7	7.1	7.9	7.1	5.3	3.2	1.5	0.9	48.0
Nevada City	1.1	1.5	2.6	3.9	5.8	6.9	7.9	7.0	5.3	3.2	1.4	0.9	47.4
ORANGE													
Irvine	2.2	2.5	3.7	4.7	5.2	5.9	6.3	6.2	4.6	3.7	2.6	2.3	49.6
Laguna Beach	2.2	2.7	3.4	3.8	4.6	4.6	4.9	4.9	4.4	3.4	2.4	2.0	43.2
Santa Ana	2.2	2.7	3.7	4.5	4.6	5.4	6.2	6.1	4.7	3.7	2.5	2.0	48.2
PLACER													
Auburn	1.2	1.7	2.8	4.4	6.1	7.4	8.3	7.3	5.4	3.4	1.6	1.0	50.6
Blue Canyon	0.7	1.1	2.1	3.4	4.8	6.0	7.2	6.1	4.6	2.9	0.9	0.6	40.5
Colfax	1.1	1.5	2.6	4.0	5.8	7.1	7.9	7.0	5.3	3.2	1.4	0.9	47.9
Roseville	1.1	1.7	3.1	4.7	6.2	7.7	8.5	7.3	5.6	3.7	1.7	1.0	52.2
Soda Springs	0.7	0.7	1.8	3.0	4.3	5.3	6.2	5.5	4.1	2.5	0.7	0.7	35.4
Tahoe City	0.7	0.7	1.7	3.0	4.3	5.4	6.1	5.6	4.1	2.4	0.8	0.6	35.5
Truckee	0.7	0.7	1.7	3.2	4.4	5.4	6.4	5.7	4.1	2.4	0.8	0.6	36.2
PLUMAS													
Portola	0.7	0.9	1.9	3.5	4.9	5.9	7.3	5.9	4.3	2.7	0.9	0.5	39.4
Quincy	0.7	0.9	2.2	3.5	4.9	5.9	7.3	5.9	4.4	2.8	1.2	0.5	40.2
RIVERSIDE													
Beaumont	2.0	2.3	3.4	4.4	6.1	7.1	7.6	7.9	6.0	3.9	2.6	1.7	55.0
Blythe	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Cathedral City	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Coachella	2.9	4.4	6.2	8.4	10.5	11.9	12.3	10.1	8.9	6.2	3.8	2.4	88.1

Appendix A - Reference Evapotranspiration (ETo) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
RIVERSIDE													
Desert Center	2.9	4.1	6.4	8.5	11.0	12.1	12.2	11.1	9.0	6.4	3.9	2.6	90.0
Elsinore	2.1	2.8	3.9	4.4	5.9	7.1	7.6	7.0	5.8	3.9	2.6	1.9	55.0
Indio	3.1	3.6	6.5	8.3	10.5	11.0	10.8	9.7	8.3	5.9	3.7	2.7	83.9
La Quinta	2.4	2.8	5.2	6.5	8.3	8.7	8.5	7.9	6.5	4.5	2.7	2.2	66.2
Mecca	2.6	3.3	5.7	7.2	8.6	9.0	8.8	8.2	6.8	5.0	3.2	2.4	70.8
Oasis	2.9	3.3	5.3	6.1	8.5	8.9	8.7	7.9	6.9	4.8	2.9	2.3	68.4
Palm Deser	2.5	3.4	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.6
Palm Springs	2.0	2.9	4.9	7.2	8.3	8.5	11.6	8.3	7.2	5.9	2.7	1.7	71.1
Rancho California	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
Rancho Mirage	2.4	3.3	5.3	6.9	8.7	9.6	9.6	8.7	6.9	5.0	3.0	2.2	71.4
Ripley	2.7	3.3	5.6	7.2	8.7	8.7	8.4	7.6	6.2	4.6	2.8	2.2	67.8
Salton Sea North	2.5	3.3	5.5	7.2	8.8	9.3	9.2	8.5	6.8	5.2	3.1	2.3	71.7
Temecula East II	2.3	2.4	4.1	4.9	6.4	7.0	7.8	7.4	5.7	4.1	2.6	2.2	56.7
Thermal	2.4	3.3	5.5	7.6	9.1	9.6	9.3	8.6	7.1	5.2	3.1	2.1	72.8
Riverside UC	2.5	2.9	4.2	5.3	5.9	6.6	7.2	6.9	5.4	4.1	2.9	2.6	56.4
Winchester	2.3	2.4	4.1	4.9	6.4	6.9	7.7	7.5	6.0	3.9	2.6	2.1	56.8
SACRAMENTO													
Fair Oaks	1.0	1.6	3.4	4.1	6.5	7.5	8.1	7.1	5.2	3.4	1.5	1.0	50.5
Sacramento	1.0	1.8	3.2	4.7	6.4	7.7	8.4	7.2	5.4	3.7	1.7	0.9	51.9
Twitchell Island	1.2	1.8	3.9	5.3	7.4	8.8	9.1	7.8	5.9	3.8	1.7	1.2	57.9
SAN BENITO													
Hollister	1.5	1.8	3.1	4.3	5.5	5.7	6.4	5.9	5.0	3.5	1.7	1.1	45.1
San Benito	1.2	1.6	3.1	4.6	5.6	6.4	6.9	6.5	4.8	3.7	1.7	1.2	47.2
San Juan Valley	1.4	1.8	3.4	4.5	6.0	6.7	7.1	6.4	5.0	3.5	1.8	1.4	49.1
SAN BERNARDINO													
Baker	2.7	3.9	6.1	8.3	10.4	11.8	12.2	11.0	8.9	6.1	3.3	2.1	86.6
Barstow NE	2.2	2.9	5.3	6.9	9.0	10.1	9.9	8.9	6.8	4.8	2.7	2.1	71.7
Big Bear Lake	1.8	2.6	4.6	6.0	7.0	7.6	8.1	7.4	5.4	4.1	2.4	1.8	58.6
Chino	2.1	2.9	3.9	4.5	5.7	6.5	7.3	7.1	5.9	4.2	2.6	2.0	54.6
Crestline	1.5	1.9	3.3	4.4	5.5	6.6	7.8	7.1	5.4	3.5	2.2	1.6	50.8
Lake Arrowhead	1.8	2.6	4.6	6.0	7.0	7.6	8.1	7.4	5.4	4.1	2.4	1.8	58.6
Lucerne Valley	2.2	2.9	5.1	6.5	9.1	11.0	11.4	9.9	7.4	5.0	3.0	1.8	75.3
Needles	3.2	4.2	6.6	8.9	11.0	12.4	12.8	11.0	8.9	6.6	4.0	2.7	92.1
Newberry Springs	2.1	2.9	5.3	8.4	9.8	10.9	11.1	9.9	7.6	5.2	3.1	2.0	78.2
San Bernardino	2.0	2.7	3.8	4.6	5.7	6.9	7.9	7.4	5.9	4.2	2.6	2.0	55.6
Twentynine Palms	2.6	3.6	5.9	7.9	10.1	11.2	11.2	10.3	8.6	5.9	3.4	2.2	82.9
Victorville	2.0	2.6	4.6	6.2	7.3	8.9	9.8	9.0	6.5	4.7	2.7	2.1	66.2
SAN DIEGO													
Chula Vista	2.2	2.7	3.4	3.8	4.9	4.7	5.5	4.9	4.5	3.4	2.4	2.0	44.2
Escondido SPV	2.4	2.6	3.9	4.7	5.9	6.5	7.1	6.7	5.3	3.9	2.8	2.3	54.2
SAN DIEGO													
Miramar	2.3	2.5	3.7	4.1	5.1	5.4	6.1	5.8	4.5	3.3	2.4	2.1	47.1
Oceanside	2.2	2.7	3.4	3.7	4.9	4.6	4.6	5.1	4.1	3.3	2.4	2.0	42.9
Otay Lake	2.3	2.7	3.9	4.6	5.6	5.9	6.2	6.1	4.8	3.7	2.6	2.2	50.4
Pine Valley	1.5	2.4	3.8	5.1	6.0	7.0	7.8	7.3	6.0	4.0	2.2	1.7	54.8
Ramona	2.1	2.1	3.4	4.6	5.2	6.3	6.7	6.8	5.3	4.1	2.8	2.1	51.6
San Diego	2.1	2.4	3.4	4.6	5.1	5.3	5.7	5.6	4.3	3.6	2.4	2.0	46.5
Santee	2.1	2.7	3.7	4.5	5.5	6.1	6.6	6.2	5.4	3.8	2.6	2.0	51.1
Torrey Pines	2.2	2.3	3.4	3.9	4.0	4.1	4.6	4.7	3.8	2.8	2.0	2.0	39.8
Warner Springs	1.6	2.7	3.7	4.7	5.7	7.6	8.3	7.7	6.3	4.0	2.5	1.3	56.0

Appendix A - Reference Evapotranspiration (ETo) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
SAN FRANCISCO													
San Francisco	1.5	1.3	2.4	3.0	3.7	4.6	4.9	4.8	4.1	2.8	1.3	0.7	35.1
SAN JOAQUIN													
Farmington	1.5	1.5	2.9	4.7	6.2	7.6	8.1	6.8	5.3	3.3	1.4	0.7	50.0
Lodi West	1.0	1.6	3.3	4.3	6.3	6.9	7.3	6.4	4.5	3.0	1.4	0.8	46.7
Manteca	0.9	1.7	3.4	5.0	6.5	7.5	8.0	7.1	5.2	3.3	1.6	0.9	51.2
Stockton	0.8	1.5	2.9	4.7	6.2	7.4	8.1	6.8	5.3	3.2	1.4	0.6	49.1
Tracy	1.0	1.5	2.9	4.5	6.1	7.3	7.9	6.7	5.3	3.2	1.3	0.7	48.5
SAN LUIS OBISPO													
Arroyo Grande	2.0	2.2	3.2	3.8	4.3	4.7	4.3	4.6	3.8	3.2	2.4	1.7	40.0
Atascadero	1.2	1.5	2.8	3.9	4.5	6.0	6.7	6.2	5.0	3.2	1.7	1.0	43.7
Morro Bay	2.0	2.2	3.1	3.5	4.3	4.5	4.6	4.6	3.8	3.5	2.1	1.7	39.9
Nipomo	2.2	2.5	3.8	5.1	5.7	6.2	6.4	6.1	4.9	4.1	2.9	2.3	52.1
Paso Robles	1.6	2.0	3.2	4.3	5.5	6.3	7.3	6.7	5.1	3.7	2.1	1.4	49.0
San Luis Obispo	2.0	2.2	3.2	4.1	4.9	5.3	4.6	5.5	4.4	3.5	2.4	1.7	43.8
San Miguel	1.6	2.0	3.2	4.3	5.0	6.4	7.4	6.8	5.1	3.7	2.1	1.4	49.0
San Simeon	2.0	2.0	2.9	3.5	4.2	4.4	4.6	4.3	3.5	3.1	2.0	1.7	38.1
SAN MATEO													
Hal Moon Bay	1.5	1.7	2.4	3.0	3.9	4.3	4.3	4.2	3.5	2.8	1.3	1.0	33.7
Redwood City	1.5	1.8	2.9	3.8	5.2	5.3	6.2	5.6	4.8	3.1	1.7	1.0	42.8
Woodside	1.8	2.2	3.4	4.8	5.6	6.3	6.5	6.2	4.8	3.7	2.4	1.8	49.5
SANTA BARBARA													
Betteravia	2.1	2.6	4.0	5.2	6.0	5.9	5.8	5.4	4.1	3.3	2.7	2.1	49.1
Carpenteria	2.0	2.4	3.2	3.9	4.8	5.2	5.5	5.7	4.5	3.4	2.4	2.0	44.9
Cuyama	2.1	2.4	3.8	5.4	6.9	7.9	8.5	7.7	5.9	4.5	2.6	2.0	59.7
Goleta	2.1	2.5	3.9	5.1	5.7	5.7	5.4	5.4	4.2	3.2	2.8	2.2	48.1
Goleta Foothills	2.3	2.6	3.7	5.4	5.3	5.6	5.5	5.7	4.5	3.9	2.8	2.3	49.6
Guadalupe	2.0	2.2	3.2	3.7	4.9	4.6	4.5	4.6	4.1	3.3	2.4	1.7	41.1
Lompoc	2.0	2.2	3.2	3.7	4.8	4.6	4.9	4.8	3.9	3.2	2.4	1.7	41.1
Los Alamos	1.8	2.0	3.2	4.1	4.9	5.3	5.7	5.5	4.4	3.7	2.4	1.6	44.6
Santa Barbara	2.0	2.5	3.2	3.8	4.6	5.1	5.5	4.5	3.4	2.4	1.8	1.8	40.6
SANTA BARBARA													
Santa Maria	1.8	2.3	3.7	5.1	5.7	5.8	5.6	5.3	4.2	3.5	2.4	1.9	47.4
Santa Ynez	1.7	2.2	3.5	5.0	5.8	6.2	6.4	6.0	4.5	3.6	2.2	1.7	48.7
Sisquoc	2.1	2.5	3.8	4.1	6.1	6.3	6.4	5.8	4.7	3.4	2.3	1.8	49.2
Solvang	2.0	2.0	3.3	4.3	5.0	5.6	6.1	5.6	4.4	3.7	2.2	1.6	45.6
SANTA CLARA													
Gilroy	1.3	1.8	3.1	4.1	5.3	5.6	6.1	5.5	4.7	3.4	1.7	1.1	43.6
Los Gatos	1.5	1.8	2.8	3.9	5.0	5.6	6.2	5.5	4.7	3.2	1.7	1.1	42.9
Morgan Hill	1.5	1.8	3.4	4.2	6.3	7.0	7.1	6.0	5.1	3.7	1.9	1.4	49.5
Palo Alto	1.5	1.8	2.8	3.8	5.2	5.3	6.2	5.6	5.0	3.2	1.7	1.0	43.0
San Jose	1.5	1.8	3.1	4.1	5.5	5.8	6.5	5.9	5.2	3.3	1.8	1.0	45.3
SANTA CRUZ													
De Laveaga	1.4	1.9	3.3	4.7	4.9	5.3	5.0	4.8	3.6	3.0	1.6	1.3	40.8
Green Valley Rd	1.2	1.8	3.2	4.5	4.6	5.4	5.2	5.0	3.7	3.1	1.6	1.3	40.6
Santa Cruz	1.5	1.8	2.6	3.5	4.3	4.4	4.8	4.4	3.8	2.8	1.7	1.2	36.6
Watsonville	1.5	1.8	2.7	3.7	4.6	4.5	4.9	4.2	4.0	2.9	1.8	1.2	37.7
Webb	1.8	2.2	3.7	4.8	5.3	5.7	5.6	5.3	4.3	3.4	2.4	1.8	46.2

Appendix A - Reference Evapotranspiration (ETo) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
SHASTA													
Burney	0.7	1.0	2.1	3.5	4.9	5.9	7.4	6.4	4.4	2.9	0.9	0.6	40.9
Fall River Mills	0.6	1.0	2.1	3.7	5.0	6.1	7.8	6.7	4.6	2.8	0.9	0.5	41.8
Glenburn	0.6	1.0	2.1	3.7	5.0	6.3	7.8	6.7	4.7	2.8	0.9	0.6	42.1
McArthur	0.7	1.4	2.9	4.2	5.6	6.9	8.2	7.2	5.0	3.0	1.1	0.6	46.8
Redding	1.2	1.4	2.6	4.1	5.6	7.1	8.5	7.3	5.3	3.2	1.4	0.9	48.8
SIERRA													
Downieville	0.7	1.0	2.3	3.5	5.0	6.0	7.4	6.2	4.7	2.8	0.9	0.6	41.3
Sierraville	0.7	1.1	2.2	3.2	4.5	5.9	7.3	6.4	4.3	2.6	0.9	0.5	39.6
SISKIYOU													
Happy Camp	0.5	0.9	2.0	3.0	4.3	5.2	6.1	5.3	4.1	2.4	0.9	0.5	35.1
MacDoel	1.0	1.7	3.1	4.5	5.9	7.2	8.1	7.1	5.1	3.1	1.5	1.0	49.0
Mt Shasta	0.5	0.9	2.0	3.0	4.5	5.3	6.7	5.7	4.0	2.2	0.7	0.5	36.0
Tule lake FS	0.7	1.3	2.7	4.0	5.4	6.3	7.1	6.4	4.7	2.8	1.0	0.6	42.9
Weed	0.5	0.9	2.0	2.5	4.5	5.3	6.7	5.5	3.7	2.0	0.9	0.5	34.9
Yreka	0.6	0.9	2.1	3.0	4.9	5.8	7.3	6.5	4.3	2.5	0.9	0.5	39.2
SOLANO													
Dixon	0.7	1.4	3.2	5.2	6.3	7.6	8.2	7.2	5.5	4.3	1.6	1.1	52.1
Fairfield	1.1	1.7	2.8	4.0	5.5	6.1	7.8	6.0	4.8	3.1	1.4	0.9	45.2
Hastings Tract	1.6	2.2	3.7	5.1	6.8	7.8	8.7	7.8	5.7	4.0	2.1	1.6	57.1
Putah Creek	1.0	1.6	3.2	4.9	6.1	7.3	7.9	7.0	5.3	3.8	1.8	1.2	51.0
Rio Vista	0.9	1.7	2.8	4.4	5.9	6.7	7.9	6.5	5.1	3.2	1.3	0.7	47.0
Suisun Valley	0.6	1.3	3.0	4.7	5.8	7.0	7.7	6.8	5.3	3.8	1.4	0.9	48.3
Winters	0.9	1.7	3.3	5.0	6.4	7.5	7.9	7.0	5.2	3.5	1.6	1.0	51.0
SONOMA													
Bennett Valley	1.1	1.7	3.2	4.1	5.5	6.5	6.6	5.7	4.5	3.1	1.5	0.9	44.4
Cloverdale	1.1	1.4	2.6	3.4	5.0	5.9	6.2	5.6	4.5	2.8	1.4	0.7	40.7
Fort Ross	1.2	1.4	2.2	3.0	3.7	4.5	4.2	4.3	3.4	2.4	1.2	0.5	31.9
Healdsburg	1.2	1.5	2.4	3.5	5.0	5.9	6.1	5.6	4.5	2.8	1.4	0.7	40.8
Lincoln	1.2	1.7	2.8	4.7	6.1	7.4	8.4	7.3	5.4	3.7	1.9	1.2	51.9
Petaluma	1.2	1.5	2.8	3.7	4.6	5.6	4.6	5.7	4.5	2.9	1.4	0.9	39.6
Santa Rosa	1.2	1.7	2.8	3.7	5.0	6.0	6.1	5.9	4.5	2.9	1.5	0.7	42.0
Valley of the Moon	1.0	1.6	3.0	4.5	5.6	6.6	7.1	6.3	4.7	3.3	1.5	1.0	46.1
Windsor	0.9	1.6	3.0	4.5	5.5	6.5	6.5	5.9	4.4	3.2	1.4	1.0	44.2
Denair	1.0	1.9	3.6	4.7	7.0	7.9	8.0	6.1	5.3	3.4	1.5	1.0	51.4
La Grange	1.2	1.5	3.1	4.7	6.2	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.2
Modesto	0.9	1.4	3.2	4.7	6.4	7.7	8.1	6.8	5.0	3.4	1.4	0.7	49.7
Newman	1.0	1.5	3.2	4.6	6.2	7.4	8.1	6.7	5.0	3.4	1.4	0.7	49.3
STANISLAUS													
Oakdale	1.2	1.5	3.2	4.7	6.2	7.7	8.1	7.1	5.1	3.4	1.4	0.7	50.3
Patterson	1.3	2.1	4.2	5.4	7.9	8.6	8.2	6.6	5.8	4.0	1.9	1.3	57.3
Turlock	0.9	1.5	3.2	4.7	6.5	7.7	8.2	7.0	5.1	3.4	1.4	0.7	50.2
SUTTER													
Nicolaus	0.9	1.6	3.2	4.9	6.3	7.5	8.0	6.9	5.2	3.4	1.5	0.9	50.2
Yuba City	1.3	2.1	2.8	4.4	5.7	7.2	7.1	6.1	4.7	3.2	1.2	0.9	46.7
TEHAMA													
Corning	1.2	1.8	2.9	4.5	6.1	7.3	8.1	7.2	5.3	3.7	1.7	1.1	50.7
Gerber	1.0	1.8	3.5	5.0	6.6	7.9	8.7	7.4	5.8	4.1	1.8	1.1	54.7
Gerber Dryland	0.9	1.6	3.2	4.7	6.7	8.4	9.0	7.9	6.0	4.2	2.0	1.0	55.5
Red Bluff	1.2	1.8	2.9	4.4	5.9	7.4	8.5	7.3	5.4	3.5	1.7	1.0	51.1

Appendix A - Reference Evapotranspiration (ETo) Table*													
County and City	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual ETo
TRINITY													
Hay Fork	0.5	1.1	2.3	3.5	4.9	5.9	7.0	6.0	4.5	2.8	0.9	0.7	40.1
Weaverville	0.6	1.1	2.2	3.3	4.9	5.9	7.3	6.0	4.4	2.7	0.9	0.7	40.0
TULARE													
Alpaugh	0.9	1.7	3.4	4.8	6.6	7.7	8.2	7.3	5.4	3.4	1.4	0.7	51.6
Badger	1.0	1.3	2.7	4.1	6.0	7.3	7.7	7.0	4.8	3.3	1.4	0.7	47.3
Delano	1.1	1.9	4.0	4.9	7.2	7.9	8.1	7.3	5.4	3.2	1.5	1.2	53.6
Dinuba	1.1	1.5	3.2	4.7	6.2	7.7	8.5	7.3	5.3	3.4	1.4	0.7	51.2
Lindcove	0.9	1.6	3.0	4.8	6.5	7.6	8.1	7.2	5.2	3.4	1.6	0.9	50.6
Porterville	1.2	1.8	3.4	4.7	6.6	7.7	8.5	7.3	5.3	3.4	1.4	0.7	52.1
Visalia	0.9	1.7	3.3	5.1	6.8	7.7	7.9	6.9	4.9	3.2	1.5	0.8	50.7
TUOLUMNE													
Groveland	1.1	1.5	2.8	4.1	5.7	7.2	7.9	6.6	5.1	3.3	1.4	0.7	47.5
Sonora	1.1	1.5	2.8	4.1	5.8	7.2	7.9	6.7	5.1	3.2	1.4	0.7	47.6
VENTURA													
Camarillo	2.2	2.5	3.7	4.3	5.0	5.2	5.9	5.4	4.2	3.0	2.5	2.1	46.1
Oxnard	2.2	2.5	3.2	3.7	4.4	4.6	5.4	4.8	4.0	3.3	2.4	2.0	42.3
Piru	2.8	2.8	4.1	5.6	6.0	6.8	7.6	7.8	5.8	5.2	3.7	3.2	61.5
Port Hueneme	2.0	2.3	3.3	4.6	4.9	4.9	4.9	5.0	3.7	3.2	2.5	2.2	43.5
Thousand Oaks	2.2	2.6	3.4	4.5	5.4	5.9	6.7	6.4	5.4	3.9	2.6	2.0	51.0
Ventura	2.2	2.6	3.2	3.8	4.6	4.7	5.5	4.9	4.1	3.4	2.5	2.0	43.5
YOLO													
Bryte	0.9	1.7	3.3	5.0	6.4	7.5	7.9	7.0	5.2	3.5	1.6	1.0	51.0
Davis	1.0	1.9	3.3	5.0	6.4	7.6	8.2	7.1	5.4	4.0	1.8	1.0	52.5
Esparto	1.0	1.7	3.4	5.5	6.9	8.1	8.5	7.5	5.8	4.2	2.0	1.2	55.8
Winters	1.7	1.7	2.9	4.4	5.8	7.1	7.9	6.7	5.3	3.3	1.6	1.0	49.4
Woodland	1.0	1.8	3.2	4.7	6.1	7.7	8.2	7.2	5.4	3.7	1.7	1.0	51.6
Zamora	1.1	1.9	3.5	5.2	6.4	7.4	7.8	7.0	5.5	4.0	1.9	1.2	52.8
YUBA													
Browns Valley	1.0	1.7	3.1	4.7	6.1	7.5	8.5	7.6	5.7	4.1	2.0	1.1	52.9
Brownsville	1.1	1.4	2.6	4.0	5.7	6.8	7.9	6.8	5.3	3.4	1.5	0.9	47.4
* The values in this table were derived from:													
1) California Irrigation Management Information System (CIMIS);													
2) Reference EvapoTranspiration Zones Map, UC Dept. of Land, Air & Water Resources and California Dept of Water Resources 1999; and													
3) Reference Evapotranspiration for California, University of California, Department of Agriculture and Natural Resources (1987) Bulletin 1922 4) Determining Daily Reference Evapotranspiration, Cooperative Extension UC Division of Agriculture and Natural Resources (1987), Publication Leaflet 21426													

SECTION B. WATER BUDGET CALCULATIONS

Section B1. Maximum Applied Water Allowance (MAWA)

The project's Maximum Applied Water Allowance shall be calculated using this equation:

$$MAWA = (ETo) (0.62) [(0.7 \times LA) + (0.3 \times SLA)]$$

where:

- MAWA = Maximum Applied Water Allowance (gallons per year)
- ETo = Reference Evapotranspiration from Appendix A (inches per year)
- 0.7 = ET Adjustment Factor (ETAF)
- LA = Landscaped Area includes Special Landscape Area (square feet)
- 0.62 = Conversion factor (to gallons per square foot)
- SLA = Portion of the landscape area identified as Special Landscape Area (square feet)
- 0.3 = the additional ET Adjustment Factor for Special Landscape Area (1.0 - 0.7 = 0.3)

Maximum Applied Water Allowance = _____ gallons per year

Show calculations.

Effective Precipitation (Eppt)

If considering Effective Precipitation, use 25% of annual precipitation. Use the following equation to calculate Maximum Applied Water Allowance:

$$MAWA = (ETo - Eppt) (0.62) [(0.7 \times LA) + (0.3 \times SLA)]$$

Maximum Applied Water Allowance = _____ gallons per year

Show calculations.

Section B2. Estimated Total Water Use (ETWU)

The project's Estimated Total Water Use is calculated using the following formula:

$$ETWU = (ET_o)(0.62) \left(\frac{PF \times HA}{IE} + SLA \right)$$

where:

- ETWU = Estimated total water use per year (gallons per year)
- ET_o = Reference Evapotranspiration (inches per year)
- PF = Plant Factor from WUCOLS (see Definitions)
- HA = Hydrozone Area [high, medium, and low water use areas] (square feet)
- SLA = Special Landscape Area (square feet)
- 0.62 = Conversion Factor (to gallons per square foot)
- IE = Irrigation Efficiency (minimum 0.71)

Hydrozone Table for Calculating ETWU

Please complete the hydrozone table(s). Use as many tables as necessary.

Hydrozone	Plant Water Use Type(s)	Plant Factor (PF)	Area (HA) (square feet)	PF x HA (square feet)
			Sum	
	SLA			

Estimated Total Water Use = _____ gallons

Show calculations.

Appendix C – Sample Certificate of Completion.

CERTIFICATE OF COMPLETION

This certificate is filled out by the project applicant upon completion of the landscape project.

PART 1. PROJECT INFORMATION SHEET

Date		
Project Name		
Name of Project Applicant	Telephone No.	
	Fax No.	
Title	Email Address	
Company	Street Address	
City	State	Zip Code

Project Address and Location:

Street Address		Parcel, tract or lot number, if available.
City		Latitude/Longitude (optional)
State	Zip Code	

Property Owner or his/her designee:

Name	Telephone No.	
	Fax No.	
Title	Email Address	
Company	Street Address	
City	State	Zip Code

Property Owner

"I/we certify that I/we have received copies of all the documents within the Landscape Documentation Package and the Certificate of Completion and that it is our responsibility to see that the project is maintained in accordance with the Landscape and Irrigation Maintenance Schedule."

Property Owner Signature Date

Please answer the questions below:

1. Date the Landscape Documentation Package was submitted to the local agency _____
2. Date the Landscape Documentation Package was approved by the local agency _____
3. Date that a copy of the Water Efficient Landscape Worksheet (including the Water Budget Calculation) was submitted to the local water purveyor _____

PART 2. CERTIFICATION OF INSTALLATION ACCORDING TO THE LANDSCAPE DOCUMENTATION PACKAGE

"I/we certify that based upon periodic site observations, the work has been substantially completed in accordance with the ordinance and that the landscape planting and irrigation installation conform with the criteria and specifications of the approved Landscape Documentation Package."

Signature*	Date	
Name (print)	Telephone No.	
	Fax No.	
Title	Email Address	
License No. or Certification No.		
Company	Street Address	
City	State	Zip Code

*Signer of the landscape design plan, signer of the irrigation plan, or a licensed landscape contractor.

PART 3. IRRIGATION SCHEDULING

Attach parameters for setting the irrigation schedule on controller per ordinance Section 492.10.

PART 4. SCHEDULE OF LANDSCAPE AND IRRIGATION MAINTENANCE

Attach schedule of Landscape and Irrigation Maintenance per ordinance Section 492.11.

PART 5. LANDSCAPE IRRIGATION AUDIT REPORT

Attach Landscape Irrigation Audit Report per ordinance Section 492.12.

PART 6. SOIL MANAGEMENT REPORT

Attach soil analysis report, if not previously submitted with the Landscape Documentation Package per ordinance Section 492.5.

Attach documentation verifying implementation of recommendations from soil analysis report per ordinance Section 492.5.

APPENDIX E

City of Winters Master Tree List

City of Winters

Master Street Tree List

Botanical Name	Common Name	Size	Color Change (F)	Evergreen	Flowering	Drought Resistant	Grown Here	Street Tree
<u>Acer buergerianum</u>	Trident Maple	M 30					M	X
<u>Acer campestre</u>	Hedge Maple	S 30					M	X
<u>Acer freemanii</u>	Maple, 'Autumn Blaze'	L 50					M	X
<u>Acer platanoides</u>	Easy Street Maple, 'Ezestre'	M 20					M	
<u>Acer rubrum</u>	Maple, 'October Glory'	M 30					M	X
<u>Acer truncatum x plat.</u>	Pacific / Norwegian Sunset Maple	M 25					M	
<u>Arbutus undedo</u>	Strawberry Tree, 'Marina'	S 20	X	X			M	X
<u>Brachychiton populneus</u>	Bottle Tree	L 60	X	X			M	X
<u>Carpinus betulus</u>	European Hornbeam	M 40					M	X
<u>Cedrus deodara</u>	Deodar Cedar	L 30	X			X	M	X
<u>Celtis australis</u>	European Hackberry	L 35					M	X
<u>Ceratonia siliqua</u>	Carob	M 25	X				M	X
<u>Cercidium x 'Desert Museum'</u>	Desert Museum Palo Verde	M 25	X			X	M	
<u>Cercis reniformis</u>	Redbud, 'Oklahoma'	S 20			X		S	X
<u>Chilopsis linearis</u>	Desert Willow	S 20			X	X	M	X
<u>Cornus controversa</u>	Giant Dogwood	M 30					S	
<u>Diospyros virginiana</u>	Persimmon (male clones)	M 20					M	
<u>Fraxinus americana</u>	White Ash, 'Autumn Purple'	L 35					M	X
<u>Fraxinus americana</u>	White Ash, 'Chicago Regal'	L 35					M	X
<u>Ginkgo biloba</u>	Ginkgo, 'Autumn Gold' (male clones)	L 30					S	X
<u>Gymnocladus dioica</u>	Kentucky Coffee Tree (male clones)	L 30					M	X
<u>Koelreuteria bipinnata</u>	Chinese Flame Tree	M 30			X		M	X
<u>Koelreuteria elegans</u>	Formosan Flame Tree / Flamegold	M 25					M	
<u>Koelreuteria paniculata</u>	Goldenrain Tree	M 30			X		M	X
<u>Lagerstroemia indica x L. fauri clones</u>	Crape Myrtle	S 20			X		M	X
<u>Laurus nobilis</u>	Grecian Laurel	M 25	X				S	X
<u>Liriodendron tulipifera</u>	Tulip Tree	L 30			X		F	
<u>Magnolia grandiflora</u>	Southern Magnolia	L 30			X		M	X
<u>Malus</u>	Flowering Crabapple, 'Snowdrift', 'Golden Raindrops'	S 20			X		M	
<u>Malus arnoldiana</u>	Arnold Crabapple	S 20			X		M	X
<u>Metasequoia glyptostroboides</u>	Dawn Redwood	L 25					M	
<u>Olea europaea</u>	Fruitless Olive, 'Swan Hill'	M 25	X				S	X
<u>Pinus canariensis</u>	Canary Island Pine	L 30	X				F	X
<u>Pistacia chinensis</u>	Chinese Pistache - Fruitless Varieties Only, 'Keith Davey' (male clones)	L 30					M	X

<u>Pistacia chinensis</u>	Chinese Pistache - Fruitless Varieties Only, 'Pearl Street', 'Red Push' (male clones)	L	30			M	X
<u>Platanus acerifolia</u>	London Plane, 'Bloodgood'	L	35			M	X
<u>Platanus acerifolia</u>	London Plane, 'Yarwood'	L	35			M	X
<u>Platanus orientalis</u>	Oriental Plane	L	35			M	X
<u>Platanus x hispanica</u>	London Plane, 'Columbia'	L	30			M	X
<u>Prosopis alba</u>	Colorado Mesquite, 'Colorado'	M	25	X		X	M
<u>Pyrus calleryana</u>	Pear, 'Trinity' and 'Chanticleer'	M	20		X		F
<u>Quercus agrifolia</u>	Coast Live Oak	L	35	X		X	M X
<u>Quercus buckleyi</u>	Texas Red Oak	L	35			X	M X
<u>Quercus douglasii</u>	Blue Oak	L	35			X	S X
<u>Quercus frainetto</u>	Oak, 'Forest Green'	M	35			X	M X
<u>Quercus ilex</u>	Holly Oak	L	35	X			M
<u>Quercus lobata</u>	Valley Oak	L	35			X	M X
<u>Quercus robur</u>	English Oak	L	35				M X
<u>Quercus shumardii</u>	Shumard Red Oak	L	35			X	M X
<u>Quercus suber</u>	Cork Oak	L	35	X		X	M X
<u>Quercus virginiana</u>	Southern Live Oak	L	35	X			M
<u>Quercus wislizenii</u>	Interior Live Oak	L	35	X		X	M X
<u>Sequoia sempervirens</u>	Coast Redwood	L	25	X			F X
<u>Syringa reticulata</u>	Ivory Silk Japanese Tree Lilac	M	20		X		M
<u>Taxodium distichum</u>	Montezuma Bald Cypress	L	30				M X
<u>Tilia cordata</u>	Littleleaf Linden	M	30				M X
<u>Ulmus parvifolia</u>	Chinese Elm, Upright Varieties, 'Athena', 'Allee'	L	30				F X
<u>Ulmus wilsoniana</u>	Hybrid Elms, 'Frontier', 'Prospector', 'Accolade', 'Pioneer'	M	25				M X
<u>Vitex agnus-castus</u>	Chaste Tree	S	20		X	X	S X
<u>Xylosma congestum</u>	Shiny Xylosma	S	20	X			F
<u>Zelkova serrata</u>	Zelkova, Green Vase, Utility cut	L	35			X	M X

Crown Diameter:

If the sun were directly above the tree, the crown diameter would be the width of the shade pattern. Estimate at full growth (about 15 years).

Size (small, medium, large):

Estimated height at maturity. May vary due to soil, climate, and other growing conditions.

Small = 15 to 25 feet

Medium = 25 to 40 feet

Large = More than 40 feet

Growth Rate (slow, moderate, fast)

Estimated growth rate per year. May vary due to soil climate, and other growing conditions.

Slow = 18 inches or less

Moderate = 18 to 30 inches

Fast = More than 30 inches

Street Tree:

Trees not marked Street Tree should not be planted in parkways or street easements.



Grant Avenue Design Guidelines Applicant Checklist

Background

The Grant Avenue Design Guidelines were adopted on August 16, 2011 for the purpose of meeting our community expectations and developing project consistency for the Grant Avenue Business and Commercial District and assisting applicants in the planning process. The attached checklist was adopted with the guidelines as a tool for applicants, staff and policy boards to use in determining the application of the guidelines to a project. The information appearing in parenthesis on the checklist provides examples of ways to achieve the desired effects of the guidelines, recognizing that it is impossible to reduce the art and practice of design into a checklist of individual elements. Please note that the checklist does not supersede or substitute for the guidelines and that the guidelines should be referred to for the full text and illustrations.

Checklist Process

The attached checklist is designed to be completed by the applicant while working through the project design. For each item on the checklist the applicant is to indicate if the guideline has been met, not met or is not applicable. Additionally, the applicant is to explain each response in the comment section after each item. The checklist has been designed to allow the comment section to expand so that the applicant can use as much space as needed to respond.

Each item on the checklist is labeled (i.e. A1, A2, B1, etc.). Applicants are to use the item labels (A1, A2, etc.) on the note section of the site plan, landscape plan and elevations allowing for a clear understanding of the application of the guidelines to the project.

Upon receipt of a complete Planning Application packet, including a project narrative and completed design guidelines checklist, a meeting will be scheduled with the applicant and the Winters Design Review Committee (DRC). The meeting will follow a set agenda with the applicant presenting the project followed by a review of the project by the DRC using the guidelines checklist.

The project narrative should give the specifics of the project (lot size, building size, location, etc.) and discuss how the project contributes favorably to the surrounding area and the City.

Prior to final submittal of the project to the Winters Planning Commission the applicant will have the opportunity to revise the project using feedback gathered from the meeting with the DRC and from the DRC's written review of the project.



Grant Avenue Design Guidelines Applicant Checklist

Item	Yes	No	N/A	Yes - consistent; No - Not consistent; N/A - not applicable. Please explain each response in the comment section. Thank you.	DRC Use Only
Section A - Site Planning					
A1				The proposed buildings are sited in a manner that considers the surrounding environment.	
Comments:					
A2				The development includes limited conflicts between pedestrians, bicyclists, vehicles and utility/delivery vehicles.	
Comments:					
A3				Public, open or gathering spaces are included, where appropriate.	
Comments:					
A4				Low impact design features, such as bioretention facility, rain gardens, and permeable pavements are included in the proposed development.	
Comments:					
A5				Consideration for transit facilities is included in the proposed development.	
Comments:					
A6				On-site planning encourages connectivity to off-site bicycle and pedestrian pathways.	
Comments:					
Section B – Architecture					
B1				Design of proposed buildings reflect Winters and its surroundings (compatible materials, colors, quality, coordinated but not the same as properties in Winters, avoid strong or vivid colors unless they fit within local context, concrete block/exposed concrete on visible walls finished in aesthetic manner).	
Comments:					
B2				Buildings and design features are scaled to human proportion.	
Comments:					
B3				Buildings exhibit variety and distinctiveness (but avoid overly obtrusive or overly monotonous designs, or strong contrast with adjacent buildings, creative use of natural or recycled materials).	
Comments:					



Grant Avenue Design Guidelines Applicant Checklist

Item	Yes	No	N/A	Yes - consistent; No - Not consistent; N/A - not applicable. Please explain each response in the comment section. Thank you.	DRC Use Only
B4				Variety of architectural features encouraged tied to comprehensive design theme (arches, raised parapets, cornices, eaves, windows, balconies, entry insets, roof angles and pitches, wall relief features).	
Comments:					
B5				Site and buildings are visually attractive from neighboring properties, traffic and corridors, and public spaces (service areas and devices screened, integrated and compatible with site features; above criteria is applied to areas visible to public view; rear and side views are visually interesting, coordinated, and well-maintained).	
Comments:					
Section C – Connectivity					
C1				The proposed development connects with:	
				*Grant Avenue Complete Streets Concept Plan	
				*Class I and II Bicycle Lanes	
				*Pedestrian/bicycle facilities within the project and with bordering facilities.	
				*Putah Creek Park Master Plan and Trail System	
Comments:					
C2				Pedestrian elements are attractive and functional (walkways link parking to building entrances and other walkways; planters, street furniture, outdoor seating, pedestrian oriented signs, low level lighting provided).	
Comments:					
C3				Parking areas include a defined sidewalk or marked pedestrian facilities in landscaped areas or separated from traffic lanes required.	
Comments:					
C4				The project provides connections for walkers and bicyclists to the surrounding community (provides walking/biking facilities on the site, connects to walking/biking facilities in town, provides shortcuts for walkers/bikers).	
Comments:					



Grant Avenue Design Guidelines Applicant Checklist

Item	Yes	No	N/A	Yes - consistent; No - Not consistent; N/A - not applicable. Please explain each response in the comment section. Thank you.	DRC Use Only
C5				Sidewalks provide convenient and safe access (sidewalks sufficiently wide, without obstruction; curbs, shade, lighting provided; buffers between walkers and traffic provided; safe and direct street crossings for walkers).	
Comments:					
C6				Entrances provide convenient access (entrances adjacent to street, minimal setback, routes are well marked, sidewalks provide uninterrupted access to entrances, safe bike parking is located next to entrances).	
Comments:					
Section D – Landscaping					
D1				The proposed landscaping complies with the State's Model Water Efficient Landscape Ordinance and the California Green Building Standards Code (CalGreen).	
Comments:					
D2				Scale and nature of landscape materials is appropriate to site and structure (Plants are of type, spacing, and sizing to reach maturity within reasonable time. Hardy, drought tolerant, low maintenance species adapted to Winters climate are emphasized, parking lot trees also withstand heat, pollutants).	
Comments:					
Section E – Signs					
E1				Signs are compatible with architectural character of buildings (signage does not dominate site, uses compatible colors and material, lighting is restrained and harmonious)	
Comments:					
Section F – Lighting					
F1				Lighting harmonizes with site, building design, architecture, and landscaping (lighting form, function, character, fixture styles, design and placement; lighting does not interfere with pedestrian movement).	
Comments:					
F2				The proposed development includes consideration of the effects of light pollution on the environment, as well as utilization of energy conservation technologies.	
Comments:					



Grant Avenue Design Guidelines Applicant Checklist

Item	Yes	No	N/A	Yes - consistent; No - Not consistent; N/A - not applicable. Please explain each response in the comment section. Thank you.	DRC Use Only
Section G - Energy Conservation					
G1				Active and passive solar and other renewable energy design and devices are used (building orientation, landscaping, lighting, heating and cooling, photovoltaic system-ready or installed).	
Comments:					
G2				Devices are unobtrusive and complement design (solar panels flush with roof).	
Comments:					
Section H - Green Building (incorporating green building elements)					
H1				Water efficiency	
Comments:					
H2				Energy	
Comments:					
H3				Materials and Resources	
Comments:					
H4				Indoor environmental quality	
Comments:					

Chapter 17.58 FORM-BASED CODE FOR DOWNTOWN

Sections:

- [17.58.010](#) Purpose, intent, and applicability.
- [17.58.020](#) Introduction to the form-based code for downtown.
- [17.58.030](#) Form-based code for downtown definitions.
- [17.58.040](#) Regulating plan and street typologies and standards.
- [17.58.050](#) Allowed use regulations.
- [17.58.060](#) Development standards.
- [17.58.070](#) Architectural and design standards.
- [17.58.080](#) Special use regulations and other standards.

17.58.010 Purpose, intent, and applicability.

A. Chapter Purpose and Intent. The purpose of this chapter is to establish unique allowed use and development standards for properties within the downtown master plan area of Winters. These standards are intended to help preserve and protect the existing, historic, and distinctive character of the downtown by requiring new construction and remodels and existing development to complement the existing built environment. Through the application of these standards, the downtown will continue to be the pedestrian-oriented shopping, dining, entertainment, and living center of the greater Winters area.

B. Applicability of Standards and Entitlement Review. The downtown master plan area has been divided into downtown-A (D-A) and downtown-B (D-B). These districts are shown on the regulating plan (Figure 17.58-1). The standards of this chapter apply to all property zoned either downtown-A (D-A) or downtown-B (D-B). All qualifying projects under Section [17.36.020](#) (Requirements for design review) within the D-A or D-B zones shall be subject to design review prior to issuance of building permit. Additionally, those uses that require a use permit as listed in Section [17.58.050](#) (Allowed use regulations) shall obtain a use permit prior to establishment of the use.

The application of both the zoning district and the regulating plan (see Section [17.58.030](#) for definition) are described in more detail in Sections [17.58.020\(A\)](#) (Defining the Form-Based Code for Downtown) and [17.58.040](#) (Regulating plan and street typologies and standards). Generally, the zoning district designation (D-A or D-B) defines the character and allowed use provisions for the subject site while the regulating plan defines the development standards (setbacks, building typology, street standards).

C. Applicability of Regulating Plan Standards. Generally, the development standards applicable to a property shall be those for the respective zone (either D-A or D-B) and street frontage as reflected in the regulating plan. However, for those properties that face onto multiple street frontages (e.g., a corner lot or a double frontage lot), the following shall apply:

1. Site Development. The development standards applicable to the site shall be reflective of the individual sides of the lot. For instance, if a corner lot faces Street A

and Street B, then that side of the lot facing Street A shall be developed consistent with the standards for Street A and the side facing Street B shall be developed consistent with the standards for Street B. At the corner, the design shall merge and unify the two standards together such that:

a. The more restrictive setback requirement shall prevail on that side of the corner. For instance, if Street A has a five-foot build-to line and Street B has a zero-foot build-to line, then that side facing Street A shall be located at the five-foot build-to line and the side facing Street B shall be located at the zero foot build-to line (note: in this example, the building is not centered on the corner; this is consistent with the intent of this provision).

b. The more restrictive design standards shall prevail on that side of the corner, provided the two standards are architecturally integrated together. For instance, if Street A allows for a stoop frontage and Street B does not, a stoop may be developed along the Street A frontage, but at the corner the design of the building must architecturally transition into a frontage type that is allowed along Street B. The same shall be true for allowed building types, storefront regulations, sign types, and landscaping. Only those features allowed on that frontage may be developed on said frontage.

2. Allowed Uses. The least restrictive use provisions shall apply to the entire lot; provided, that the primary entrance for the use either faces the street with the least restrictive use regulations or (preferred) faces the intersection/street corner. For instance, if a corner lot faces Street A and Street B and Street A allows a particular use by right and Street B requires a conditional use permit for the same use, then the use shall be allowed by right on that lot provided the primary entrance to the use is located facing Street A or (preferred) facing the intersection/at the corner.

3. Parking. Parking requirements are generally based on the use of the building; however, where there is a conflict based upon street frontages, the more restrictive/higher parking ratio shall prevail (e.g., 1.75 spaces per unit are required, not 1.5 spaces per unit) across the entire site. (Ord. 2009-10 § 1 Exh. 1 (part))

17.58.020 Introduction to the form-based code for downtown.

A. Defining the Form-Based Code for Downtown. The form-based code for downtown is the regulating document for development within the Winters downtown master plan area. The form-based code for downtown recognizes the historic character of the downtown and identifies a special set of development standards, allowed use regulations, and other special use regulations that, when applied to new construction and qualifying remodels/expansions (as identified in Section [17.36.020](#), Requirements for design review), will ensure that the historic character is positively complemented.

The standards in this chapter are presented in a format that is unique to the downtown – through a form-based code. Form-based zoning provides a method of regulating development to achieve a desired urban form. Form-based provisions address the relationship between building facades and the public realm, the form and mass of buildings, and the size, character and type of streets and blocks. The central focus of form-based provisions is the regulating plan that designates the appropriate form (and

character) of development rather than only distinctions in land use types, which is the basis of conventional zoning.

This form-based code for downtown also includes regulations for the street – the space between buildings. Part of the historical context of the downtown includes how individual developments relate and interact with the street. This is because the street acts as a unifying thread across all development.

B. Relationship to Other Zoning Provisions. Generally, the regulations of this chapter shall govern development within the downtown – specifically within the D-A and D-B zoning districts. In cases where there is a conflict between the provisions of this chapter and the regulations elsewhere in the zoning code, this chapter shall prevail. However, with regard to topics that this chapter is silent on, provisions elsewhere in the zoning code shall prevail.

C. Administration of the Form-Based Code for Downtown.

1. Review of Development Applications. Generally, review of development applications (e.g., design review, use permit, and variance) located within the downtown (D-A, D-B) zoning districts is the responsibility of the planning commission. The designated approval authority for each planning permit is listed under the regulations for each permit type:

- a. Use permits: Chapter [17.20](#);
- b. Variances: Chapter [17.24](#);
- c. Design review: Chapter [17.36](#).

2. Amendments to the Form-Based Code for Downtown. Amendments to the form-based code for downtown shall be processed like any other zoning code amendment as described under Chapter [17.28](#) (Zoning Amendments).

3. Findings for Approval. When approving an application for a development and/or amendment to the form-based code for downtown, the designated approving authority shall, in addition to any other findings required by this zoning code, make the following findings:

- a. Development Application. That the proposed development complies with the regulations of the form-based code for downtown, promotes the spirit of the downtown by integrating into the fabric of its DNA and complementing the architectural quality of the downtown.
- b. Amendment to the Form-Based Code for Downtown. The proposed amendments to the form-based code for downtown are consistent with the intent of the form-based code for downtown by helping to preserve and protect the existing, historic, and unique character of the downtown. (Ord. 2009-10 § 1 Exh. 1 (part))

17.58.030 Form-based code for downtown definitions.

The following terms are used throughout the form-based code for downtown and are defined as follows:

“Build-to line (BTL)” means an urban setback dimension that delineates the maximum distance from the property line a front or street side building facade can be placed. Typically, build-to lines range from zero feet to ten (10) feet.

“Building type” defines the type of structure based on massing, layout, and use. (See Section [17.58.060\(D\)](#) for further discussion.)

“Bulkhead” means the portion of a commercial facade located between the ground and the bottom of the street level display windows. It is typically constructed of stone, brick, or concrete.

“ Dwelling unit” means any room or group of connected rooms that have sleeping, cooking, eating, and bathroom facilities, and are intended for long-term occupation.

“Expression line” is an architectural embellishment that delineates the end of the ground floor and the start of the second floor of a building.

“Facade” means the architecturally finished side of a building, typically facing onto a public right-of-way or street.

“Form-based code (FBC)” means a development code emphasizing the regulation of building form, scale, and orientation, rather than zoning and land use.

“Frontage line” means a lot line fronting a street, public right-of-way, paseo, plaza, or park.

“Height” means the vertical distance of a building measured between the point where the final grade intersects a building or its foundation to the highest point of the building directly above that point.

“Regulating plan” designates building form and streetscape standards based on location, street hierarchy, and character. More specifically, it addresses how development interacts with the street and how the street is developed, and it defines the development standards (setbacks, building typology, street standards).

“Setback” means the required distance between a property line and a building or ancillary structure. (Ord. 2009-10 § 1 Exh. 1 (part))

17.58.040 Regulating plan and street typologies and standards.

A. Establishment of the Regulating Plan and Street Hierarchy and Character. In addition to the application of the downtown (D-A or D-B) zoning districts, development within the downtown is also governed by the regulating plan. The regulating plan “codes” development based upon the street it is located along. This plan is based on the following street hierarchy and character, and as illustrated on the regulating plan (see Figure 17.58-1, The Regulating Plan):

1. Main Street. Main Street is the historic commercial heart of downtown Winters

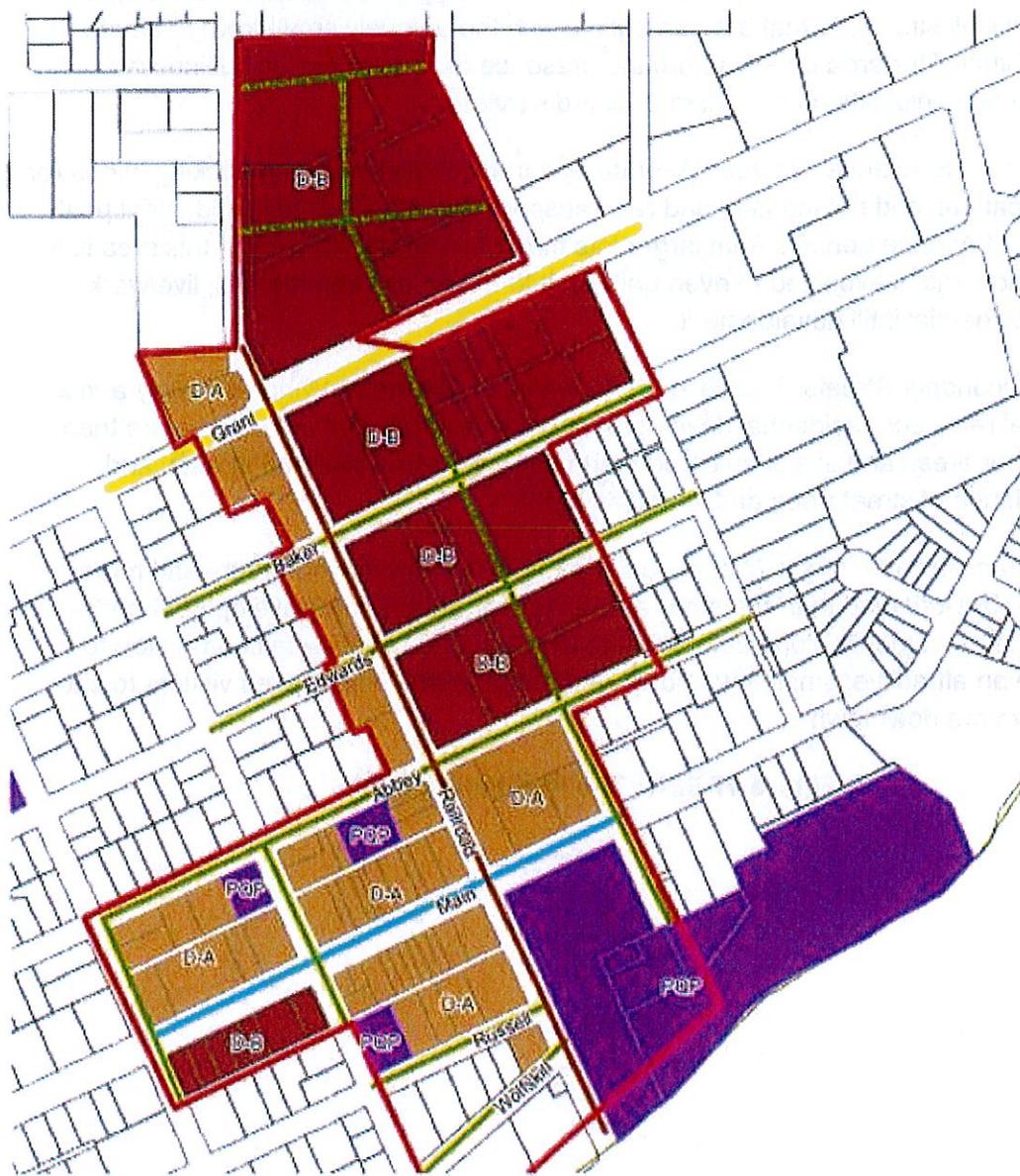
and the social soul of the community. It is pedestrian-oriented and the focus is on the preservation and rehabilitation of existing buildings, as well as the development of new infill structures that are compatible with the uniquely small-town character of the district. This area benefits from the presence of specialty retail businesses, restaurants, nightlife, and tourism-oriented services.

2. **Railroad Avenue.** Railroad Avenue was traditionally lined with packing sheds for the local fruit and nut industry and rail-transported goods. Due to its industrial past, Railroad Avenue benefits from larger lots than Main Street. Currently, this area is in transition and is expected to eventually shift to mixed-use commercial, live/work, and residential infill development.

3. **Secondary Streets.** The secondary streets of downtown Winters display a mix of local retail and residential development. They have a more intimate nature than the other areas and this is reflected in the narrower sidewalks and streets, and abundance of street trees and landscaping.

4. **Grant Avenue.** Grant Avenue is the gateway to downtown Winters and more automobile-oriented than the other areas. As a gateway, new development and street improvements along both sides of Grant Avenue should be coordinated to create an attractive, small-town boulevard frontage that encourages visitors to shop and explore downtown.

Figure 17.58-1: The Regulating Plan



Zoning Districts

- D-A: Downtown A
- D-B: Downtown B
- PQP - Public Quasi Public (parks, City Hall, Fire Station)
- Downtown Master Plan Boundary

Street Typology

- Avenue (Grant Avenue)
- Avenue (Railroad Street)
- Main Street
- Secondary Streets
- Dashed infrastructure are proposed to continue the grid pattern

Street Hierarchy

- Highest Hierarchy
- Main Street
 - Railroad Street
 - Secondary Streets
 - Grant Avenue
- Lowest Hierarchy

Example:



This building is located at the corner of Main Street and Railroad Street. Main Street is higher than Railroad Street in the hierarchy of street types, therefore the building should follow Main Street requirements.

Prepared by JENI ASSOCIATES, INC. ©2016 City of Winters, Community Development Department 5/19/16

B. Street Typologies and Standards. The purpose of this section is to provide roadway standards that will facilitate the creation of streets that are inviting, multimodal public places for vehicular traffic, bicyclists, and pedestrians. These streetscape typologies and standards are unique to this chapter and are intended to implement the vision of the 2006 Winters downtown master plan.

1. Street Typologies. The streetscape typologies allowed in zones D-A and D-B

are listed below:

a. **Avenue (Grant Avenue and Railroad Avenue).** Avenues connect districts or regions and are capable of carrying a high amount of vehicular traffic while still maintaining a higher quality pedestrian environment and retail-supporting urban edge. This street typology may be used in place of an arterial.

The landscaping strip along the sides of the roadway should be designed to facilitate the safe passage of pedestrians. It is suggested that the strip include a continuous landscaped area between the edge of the curb and the sidewalk. This area should include street trees and lighting designed at a pedestrian scale. Landscape strips should be a minimum of five feet wide, where feasible, in the area south of Grant Avenue. Additionally, Grant Avenue corridor pedestrian pathways are designated to be at least eight feet wide with landscape strips that are also eight feet wide. This width allows large tree canopy shade for pedestrians, and creates a buffer from high volume traffic.

Wherever an avenue intersects with another avenue, Main Street, or a neighborhood street, the intersection should be designed to enhance pedestrian safety and convenience. Features may include pedestrian bulbouts, differentiated accent paving within the intersection, in-street crossing lights (if there is no crosswalk signal), and pedestrian refuge areas within the medians of avenues.

b. **Main Street.** Street trees should frequently interrupt the parking lanes to soften visual impact of the parked vehicles and to help cool the air heated by the pavement.

Diagonal parking and wide sidewalks should create a safe, inviting environment for both pedestrians and motorists.

Wherever a main street intersects with an avenue or a neighborhood street, the intersection should be designed to provide pedestrians with safe passage. Features may include pedestrian bulbouts, differentiated accent paving within the intersection, and in-street crossing lights (if there is no crosswalk signal).

Turning movements typically occur from within the main travel lanes; however, short (one to two car-lengths) turn pockets may be provided at some intersections in lieu of parking on one side of the street.

c. **Secondary Streets.** Neighborhood streets are home to the majority of residential development in downtown Winters as well as a few small offices and neighborhood-serving retail stores. These streets have a more intimate nature than the other areas and due to this landscaping and larger street trees should frequently interrupt the parking lanes to soften visual impact of the parked vehicles and to help cool the air heated by the pavement.

d. **Alley.** Alleys are narrow public drives serving commercial and residential development. In commercial developments, alleys provide the primary service

access and loading areas for businesses.

Customer entrances may also be located off of alleys. In addition, if it does not obstruct the flow of vehicular and pedestrian traffic, portions of the alley may be used for outdoor retail space, patios, art gardens, and related uses. In residential development, parking should be accessed via alleys.

Alley street lighting and landscaping should be designed at a pedestrian scale with an emphasis on creating an inviting, safe and secure environment. Additionally, landscaping shall not impede automobile or pedestrian visibility within or immediately adjacent to an alley.

e. Paseo. Paseos are local and private pathways serving pedestrians and bicyclists only, and may also provide limited service access during specified periods of the day. In addition, if it does not obstruct the flow of pedestrian traffic, portions of the paseo may also be used for outdoor dining, retail space, patios, art gardens, and related uses.

These types of "streets" are not shown on the regulating plan but are appropriate to include in the D-B district as part of a unified development plan to connect uses and activities in a pedestrian orientation without additional public rights-of-way. Paseos could also be used in the D-A district when connecting front (street) and rear (alley) activity areas of the commercial block.

Paseo street lighting and landscaping should be designed at a pedestrian scale. Larger canopy trees should be used where possible for shade.

2. Street Typology Standards. The following table displays associated standards for each street typology.

Table 17.58-1: Street Typology Standards

	Grant Avenue	Railroad Avenue	Main Street	Secondary Streets	Alley	Paseo
Thoroughfare Type:	Avenue	Avenue	Collector	Local	Alley	Pathway
Right-of-Way Width:	60 – 126 feet	60 – 80 feet	60 feet	44 – 60 feet	15 – 25 feet	20 – 100 feet
Through Traffic Lanes:	2 – 4 lanes	2 lanes	2 lanes	2 lanes ¹	1 lane	Emergency only
Turning Lanes:	N/A	N/A	Optional turn pockets	N/A	N/A	N/A
Parking Lanes:	N/A	9.5 feet wide minimum, diagonal, each side	9 feet wide minimum, diagonal, each side	9 feet wide, parallel, one or two sides	N/A	N/A

Planter Strip Width:	8 feet	5 feet	4 feet	4 feet	N/A	N/A
Curb Radius:	25 feet ²	25 feet	25 feet	25 feet	25 feet	25 feet
Bicycle Facilities:	On-street, stripped	On-street, stripped	On-street, not stripped	On-street, not stripped	N/A	Designate bicycle lanes (s)

¹ While Wolfskill Street is identified as a secondary street, due to its narrow width it is only improved to a narrow one-lane, one-way street.

² Twenty-five (25) feet is ideal but actual curb radius shall be determined in consultation with CalTrans and the city engineer.

(Ord. 2009-10 § 1 Exh. 1 (part))

17.58.050 Allowed use regulations.

This section lists allowed uses by zoning district within the downtown form-based code area. The zoning districts are shown on the regulating plan (Figure 17.58-1). This list is not meant to be comprehensive and does not regulate building character or design, but instead delineates the types of uses allowed within a building. These allowed use regulations are unique to this chapter and are intended to implement the vision of the 2006 Winters downtown master plan.

A. Principally Permitted Uses. The following table identifies the permitted uses within the downtown. These allowed use regulations are listed by street type, then by zoning district (D-A or D-B), as applicable. The uses listed are defined in subsection B of this section (Definitions of Permitted Uses). The symbols in the table are defined as:

P—Permitted Use

C—Conditionally Permitted Use

N—Not Permitted

Table 17.58-2: Permitted Uses

Uses	Main Street		Railroad Avenue		Secondary Streets		Grant Avenue	
	D-A	D-B	D-A	D-B	D-A	D-B	D-A	D-B
Attached Single-Family Residential	N	N	N	N	N	P	N	N
Banks and Financial Institutions	P	P	P	P	P	C	P	P
Bars, Pubs and Cocktail Lounges	C	C	C	C	N	N	C	C

Bed and Breakfast Inns	P ¹	P ¹	P ¹	P	P	P	P ¹	P
Child Day Care	N	N	N	N	C	C	N	C
Commercial Recreation and Entertainment	C	C	C	C	N	N	C	C
Detached Single-Family Residential	N	C	N	N	C	P	N	N
Government/Institutional	P	P	P	P	P	C	P	P
Hotels or Motels	P ¹	P ¹	P ¹	P ¹	P	P	P ¹	P
Live/Work Units	C	P	P	P	P	C	N	C
Mixed-Uses	P	P	P	P	P	C	C	P
Multifamily Residential	C ¹	P	N	P ¹				
Neighborhood Commercial	P	P	P	P	P	C	C	N
Offices	P	P	P	P	P	C	P	P
Personal Services	P	P	P	P	P	C	C	P
Religious Institutions	C	C	C	C	N	N	C	C
Retail Commercial	P	P	P	P	P	N	P	P
Service Stations	N	C	C	C	N	N	C	C
Sit-Down Restaurants ²	P	P	P	P	C	C	P	P
Specialized Agriculture and Processing	C	C	C	C	C	C	C	C

Notes:

1 Only on the second floor or above.

2 Drive-thrus are not allowed within the downtown form-based code area (see Section 17.58.070(A)(2)(d)).

B. Definitions of Permitted Uses.

1. "Attached single-family residential" means a building designed exclusively for occupancy by one family on a single lot that has zero-foot side yard setbacks, and shares a party wall with the adjacent building(s) (e.g., townhouse).

2. "Banks" and "financial institutions" mean financial institutions such as banks and trust companies, credit agencies, holding companies, lending and thrift institutions, and investment companies. Also includes automated teller machines (ATMs).

3. "Bars," "pubs" and "cocktail lounges" means establishments, including brew

pubs, which are primarily designed, maintained, operated, used or intended to be used for the selling and on-site consumption of beer, wine and/or distilled spirits. Food sales may be incidental to the bar use. Live entertainment may also be offered as an incidental use if conducted within a building. The storage and sale of alcoholic beverages, including a liquor store, is included in this classification.

4. "Bed and breakfast inns" means residential structures with up to four bedrooms rented for overnight lodging, where meals may be provided subject to applicable Health Department regulations. A bed and breakfast inn with more than four guest rooms is considered a hotel or motel.

5. "Child day care" means a state-licensed facility which provides nonmedical care, protection and supervision to children under eighteen (18) years of age, on a less than twenty-four (24) hour basis. Commercial or nonprofit child day care facilities include infant centers, preschools, sick-child centers, and school-age day care facilities. These may be operated in conjunction with a school or church facility, or as an independent land use.

6. "Commercial recreation and entertainment" means establishments providing indoor or outdoor recreation and entertainment services including: bars, movie theaters, dance halls, electronic game arcades, bowling alleys, billiard parlors, ice/roller skating rinks, health clubs, skateboard parks.

7. "Detached single-family residential" means a building designed exclusively for occupancy by one family on a single lot. This classification includes manufactured homes (defined in California Health and Safety Code Section [18007](#)).

8. Government/Institutional. This use includes government agency and service facilities (e.g., post office, civic center, police department, fire department), as well as public educational facilities, and publicly owned parkland.

9. "Hotel" or "motel" means a facility with guest rooms or suites, with or without kitchen facilities, rented to the general public for transient lodging. Hotels typically include a variety of services in addition to lodging; for example, restaurants, meeting facilities, personal services, etc. Also includes accessory guest facilities such as swimming pools, tennis courts, indoor athletic facilities, accessory retail uses, etc.

10. "Live/work unit" means an integrated housing unit and working space, occupied and utilized by a single household in a structure, either single-family or multifamily, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes:

a. Complete kitchen space and sanitary facilities in compliance with the city building code; and

b. Working space reserved for and regularly used by one or more occupants of the unit.

11. "Mixed-use" facilities are characterized by commercial retail use on the ground floor, and office, hotel, or residential uses on the upper floors.

12. "Multifamily residential" means a building designed and intended for occupancy by two or more families living independent of each other, each in a separate dwelling unit, which may be owned individually or by a single landlord (e.g., duplex, triplex, quadplex, apartment, apartment house, condominium). Also includes senior housing.
13. "Neighborhood commercial" means a pedestrian-oriented market store oriented to the daily shopping needs of the surrounding residential areas. Neighborhood markets are less than eight thousand (8,000) square feet in size and operate no more than eighteen (18) hours a day. Neighborhood markets may include deli or beverage tasting facilities that are ancillary to the market/grocery portion of the use. Alcohol sales are allowed for off-site consumption, or on-site consumption as part of the beverage tasting facility only.
14. Offices. This use includes businesses providing direct services to consumers (e.g., insurance companies, utility companies), professional offices (e.g., accounting, attorneys, doctors, dentists, employment, public relations, real estate), and offices engaged in the production of intellectual property (e.g., advertising, architectural, computer programming, photography studios).
15. "Personal services" means establishments providing nonmedical services as a primary use, including, but not limited to, barber and beauty shops, clothing rental, dry cleaning pick-up stores with limited equipment, day spas, laundromats (self-service laundries), printing and reproduction, business support services, shoe repair shops, and tailors. These uses may also include accessory retail sales of products related to the services provided.
16. "Religious institutions" means facilities operated by religious organizations for worship, or the promotion of religious activities (e.g., churches, mosques, synagogues, temples) and accessory uses on the same site (e.g., living quarters for ministers and staff, child day care facilities) which were authorized in conjunction with the primary use. Other establishments maintained by religious organizations, such as full-time educational institutions, hospitals and other potentially related operations (e.g., recreational camp) are classified according to their respective activities.
17. "Retail commercial" means stores and shops selling multiple lines of merchandise. These stores and lines of merchandise include but are not limited to art galleries, bakeries (all production in support of on-site sales), clothing and accessories, collectibles, department stores, drug stores, dry goods, fabrics and sewing supplies, florists and houseplant stores, furniture, home furnishings and equipment, general stores, gift shops, hardware, hobby materials, musical instruments, parts and accessories, newsstands, pet supplies, specialty shops, sporting goods and equipment, and stationery stores.
18. "Service station" means a retail business selling motor vehicle fuels, related products and providing vehicle services. Body work is not permitted. Boundary landscaping is required along all property lines abutting streets, except for driveways. Landscaped areas shall have a minimum width of five feet, and shall be

separated from abutting vehicular areas by a wall or curbing at least six inches higher than the abutting pavement. Planters at the pump islands are encouraged.

19. "Sit-down restaurant" means a retail business selling food and beverages prepared and/or served on the site for on-premises consumption where most customers are served food at tables, but may include providing food for take-out. Also includes coffee houses, and accessory cafeterias as part of office and industrial uses. Alcohol sales are allowed for on-site consumption only.

20. "Specialized agriculture and processing" means establishments that provide locally produced foods and spirits including but not limited to produce, cheese, beer, and wine for retail, on-site sale. This use includes on-site agricultural processing in support of the on-site retail activities. (Ord. 2009-10 § 1 Exh. 1 (part))

17.58.060 Development standards.

Development standards are intended to encourage, protect, and preserve the historic urban image of downtown Winters. They are also intended to improve overall aesthetic appearance and to serve as an incentive for private investment in the downtown area.

An important initiative of the Winters form-based code for downtown is to clearly spell out development standards that shape the desired urban form. Building intensities are regulated through conformance to the prescribed development standards and design guidelines (e.g., height, setbacks, parking, form, massing). These standards are designed to simplify, streamline, and customize the standards and requirements described in this title and to encourage preservation, investment, and revitalization of property in the downtown area.

A. General Development Standards.

1. **Mandatory Conformance.** Standards listed in this section, as well as architectural and design standards listed in Section [17.58.070](#), are mandatory requirements that must be satisfied for all new projects and modifications to existing development. Projects shall be reviewed for conformance with these provisions as part of design review. For "qualifying modifications" to existing development that only require issuance of a building permit, conformance with these standards shall be reviewed as part of plan check during building permit review. "Qualifying modifications" are all modifications to a structure except repair, restoration, or reconstruction of a structure where such work, as determined by the community development director, maintains the outer dimensions and surface relationships of the existing structure (e.g., repainting, replacement of windows or doors with matching size and style, repair of exterior materials such as stucco, brick, and wood).

2. **Area-Wide Maximum Allowable Residential Development.** The maximum allowable residential development in downtown Winters is twenty (20) dwelling units per acre.

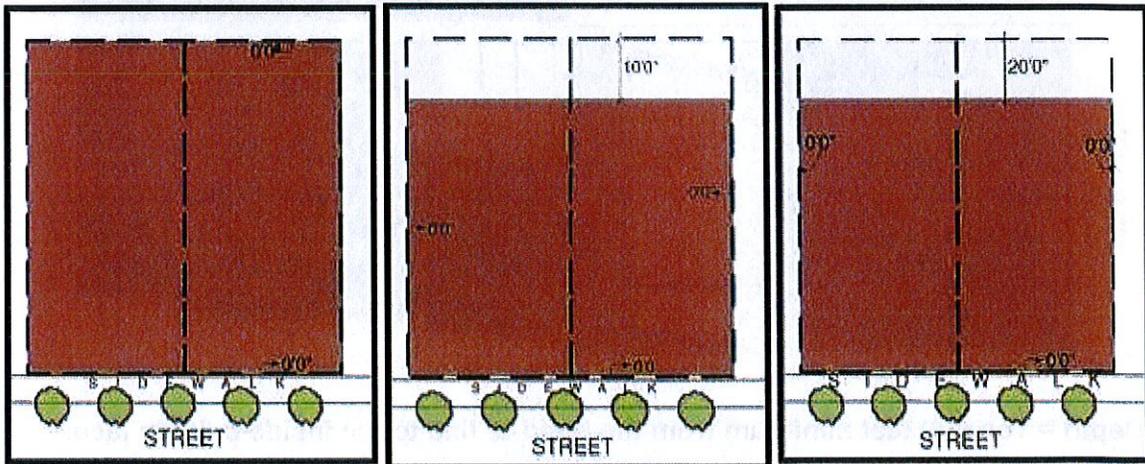
B. Height Requirements. The maximum height of forty-five (45) feet in downtown Winters is intended to preserve the compact, walkable, historic downtown core while

Minimum Side Yard	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	
Minimum Rear Yard ²	0 feet	10 feet	10 feet	20 feet	10 feet	20 feet	

¹ Build-to lines are defined as the edge where the public right-of-way ends and the private property boundary begins. It is the maximum distance from the property line a front or street side building facade can be placed. Typically, build-to lines range from zero feet to ten (10) feet.

² Alley-loaded garages may be located with a zero-foot rear yard setback.

Building Placement



Main Street D-A

Railroad Avenue D-A

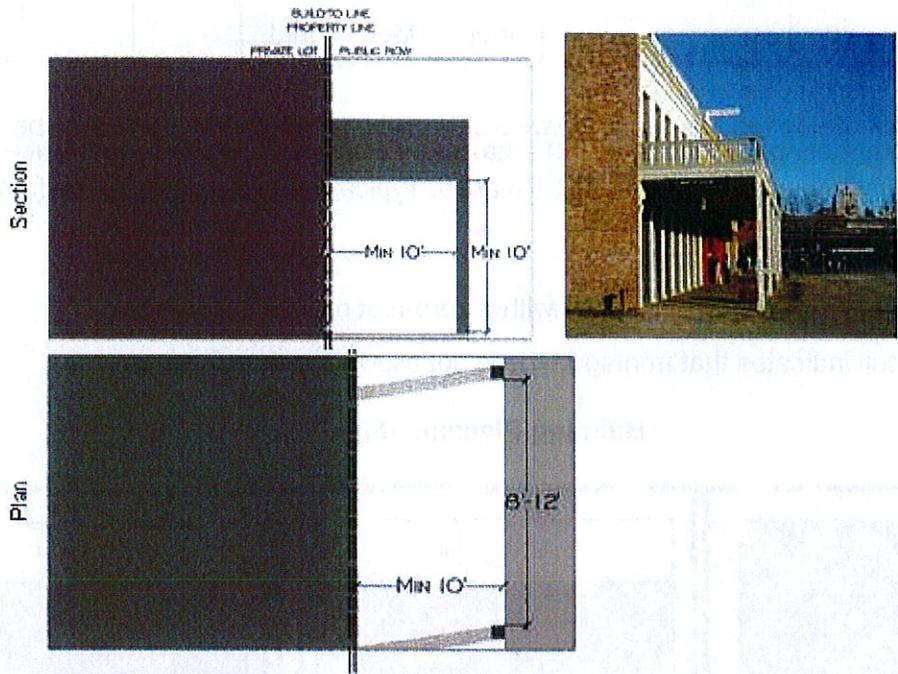
Railroad Avenue D-B

Secondary Street D-A

Secondary Street D-B

Main Street D-B

Gallery



- Depth = Ten (10) feet minimum from the build-to line to the inside column face.
- Height = Ten (10) feet minimum clear.
- Seventy-five (75) percent to one hundred (100) percent of the building front.

A gallery frontage is characterized by a facade which is aligned close to or directly on the right-of-way line with the building entrance at sidewalk grade, and with an attached colonnade that projects over the public sidewalk and encroaches into the public right-of-way.

The sidewalk must be fully absorbed within the colonnade so that a pedestrian may not bypass it.

This frontage is typically for retail use.

An encroachment permit is needed to construct this frontage type.

Table 17.58-6: Gallery Setback Requirements

Building Placement	Main Street		Railroad Avenue		Secondary Streets		Grant Avenue	
	D-A	D-B	D-A	D-B	D-A	D-B	D-A	D-B
Build-To Front Line ¹	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet		
Minimum Side Yard	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet		
Minimum Rear Yard ²	0 feet	10	10	20	10 feet	20 feet		

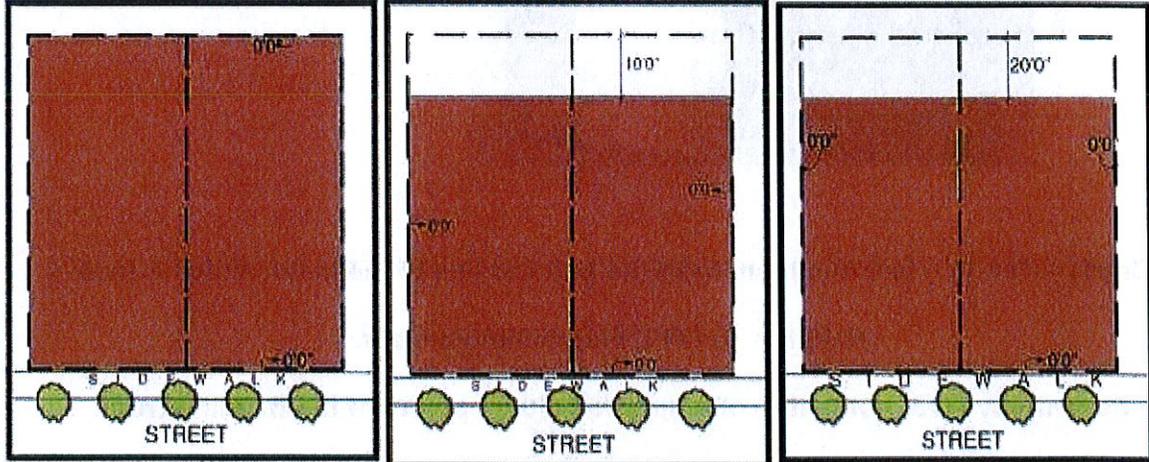
			feet	feet	feet			
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1 Build-to lines are defined as the edge where the public right-of-way ends and the private property boundary begins. It is the maximum distance from the property line a front or street side building facade can be placed. Typically, build-to lines range from zero feet to ten (10) feet.

2 Alley-loaded garages may be located with a zero-foot rear yard setback.

Note: A blank cell indicates that frontage type is not allowed in that zone.

Building Placement

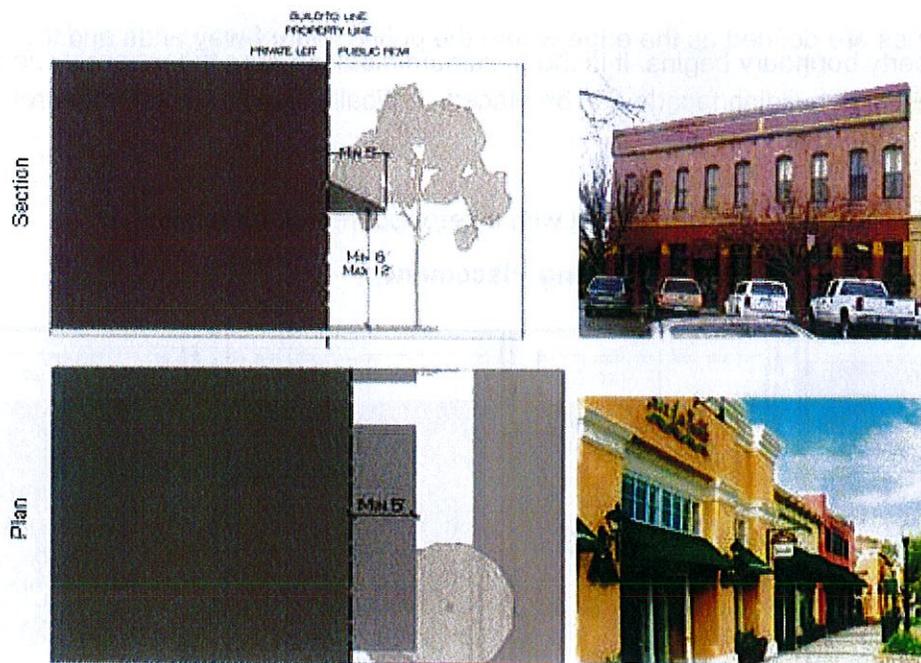


Main Street D-A

Railroad Avenue D-A
 Secondary Street D-A
 Main Street D-B

Railroad Avenue D-B
 Secondary Street D-B

Storefront



• Depth = Five feet minimum over the sidewalk.

• Height = Eight feet minimum clear, twelve (12) feet maximum.

• Minimum of fifty (50) percent of the overall building frontage.

A storefront frontage is characterized by a facade which is aligned close to or directly on the right-of-way line with the building entrance at sidewalk grade.

Storefront frontage has substantial glazing on the ground floor.

Storefront frontages provide awnings or canopies cantilevered over the sidewalk.

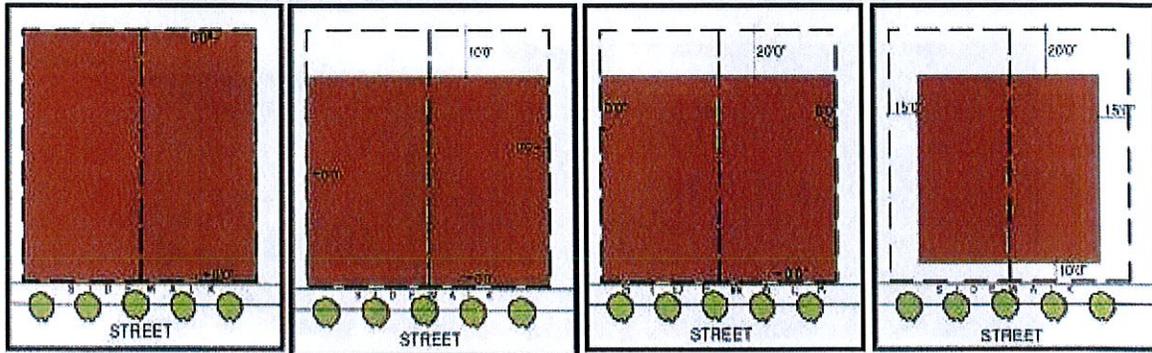
Building entrances may either provide a canopy or awning or, alternatively, may be recessed behind the front building facade.

Table 17.58-7: Storefront Setback Requirements

Building Placement	Main Street		Railroad Avenue		Secondary Streets		Grant Avenue	
	D-A	D-B	D-A	D-B	D-A	D-B	D-A	D-B
Build-To Front Line ¹	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	10 feet	10 feet
Minimum Side Yard	0 feet	0 feet	0 feet	0 feet	0 feet	0 feet	15 feet	15 feet
Minimum Rear Yard ²	0 feet	10 feet	10 feet	20 feet	10 feet	20 feet	20 feet	20 feet

- 1 Build-to lines are defined as the edge where the public right-of-way ends and the private property boundary begins. It is the maximum distance from the property line a front or street side building facade can be placed. Typically, build-to lines range from zero feet to ten (10) feet.
- 2 Alley-loaded garages may be located with a zero-foot rear yard setback.

Building Placement



Main Street D-A

Railroad Avenue D-A

Railroad Avenue D-B

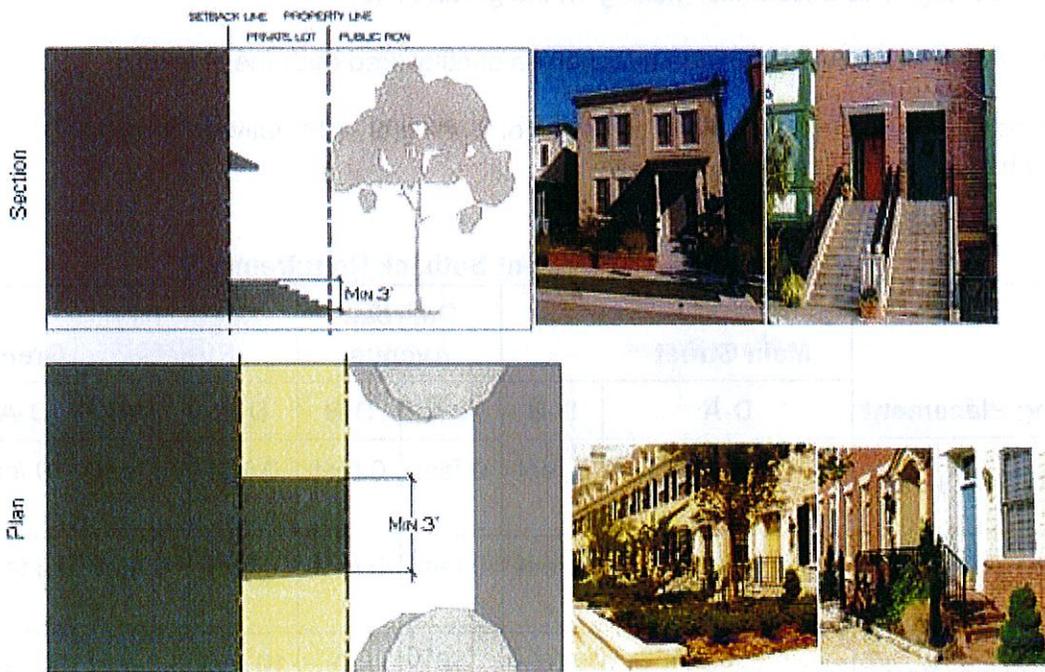
Grant Avenue

Secondary Street D-A

Secondary Street D-B

Main Street D-B

Stoop



- Stoops must rise to a minimum of three feet above grade.

- Stoop is a minimum of three feet wide.

A stoop frontage is characterized by a facade which is aligned close to the frontage line with the ground story elevated from the sidewalk to provide privacy for the ground floor uses.

The entrance is usually an exterior stair or landing which may be combined with a small porch or roof.

The stoop frontage type is suitable for ground floor residential uses with short setbacks.

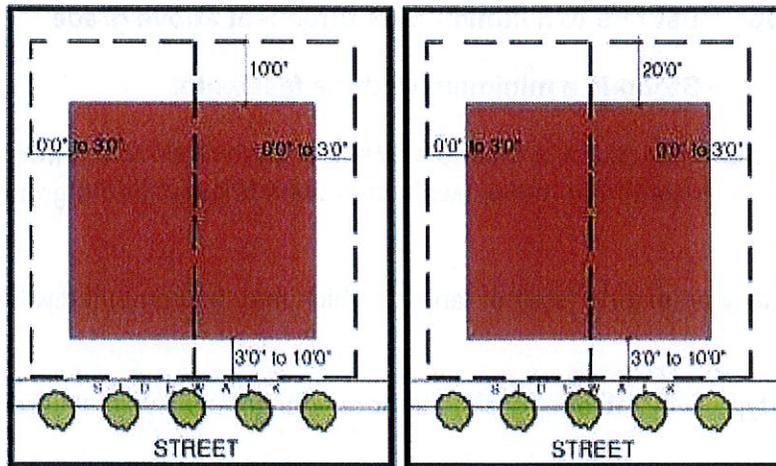
Table 17.58-8: Stoop Setback Requirements

Building Placement	Main Street		Railroad Avenue		Secondary Streets		Grant Avenue	
	D-A	D-B	D-A	D-B	D-A	D-B	D-A	D-
Front Setback Line		3—10 feet			3—10 feet	3—10 feet		
Minimum Side Yard		0—3 feet			0—3 feet	0—3 feet		
Minimum Rear Yard ¹		10 feet			10 feet	20 feet		

¹ Alley-loaded garages may be located with a zero-foot rear yard setback.

Note: A blank cell indicates that frontage type is not allowed in that zone.

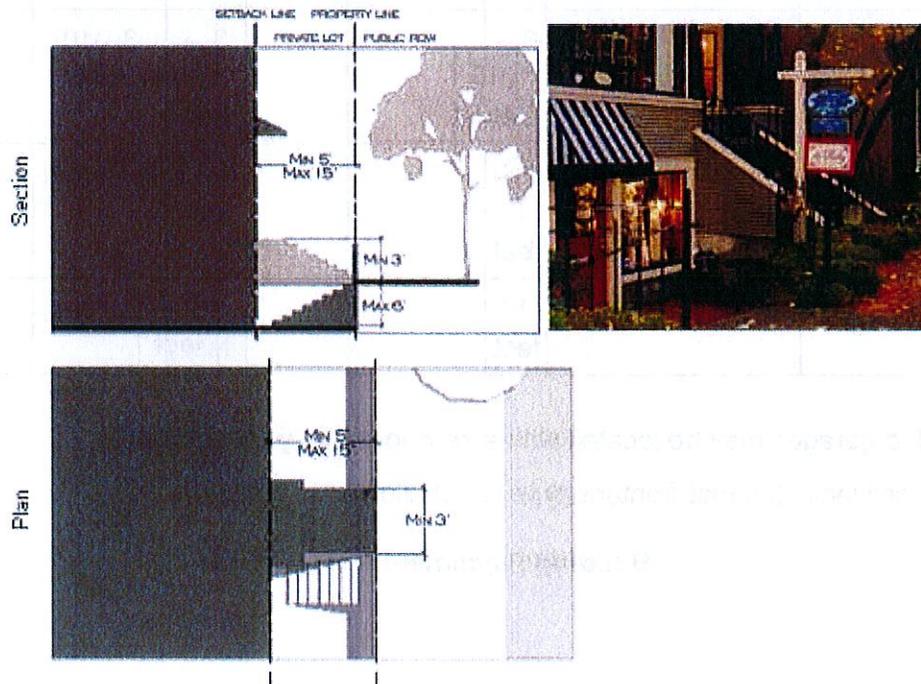
Building Placement



Secondary Street D-A
Main Street D-B

Secondary Street D-B

Door Yard/Terrace



- Minimum of three feet above grade.

- Minimum of three feet wide.

A door yard/terrace frontage is characterized by a facade that is set back from the street property line and multiple levels of the building directly accessible from the street.

Door yard/terrace is a variation on the stoop frontage, but it provides opportunities for multiple levels of commercial/retail easily accessible from the street.

Could also be used for a lower-level commercial use with office or residential on the second level.

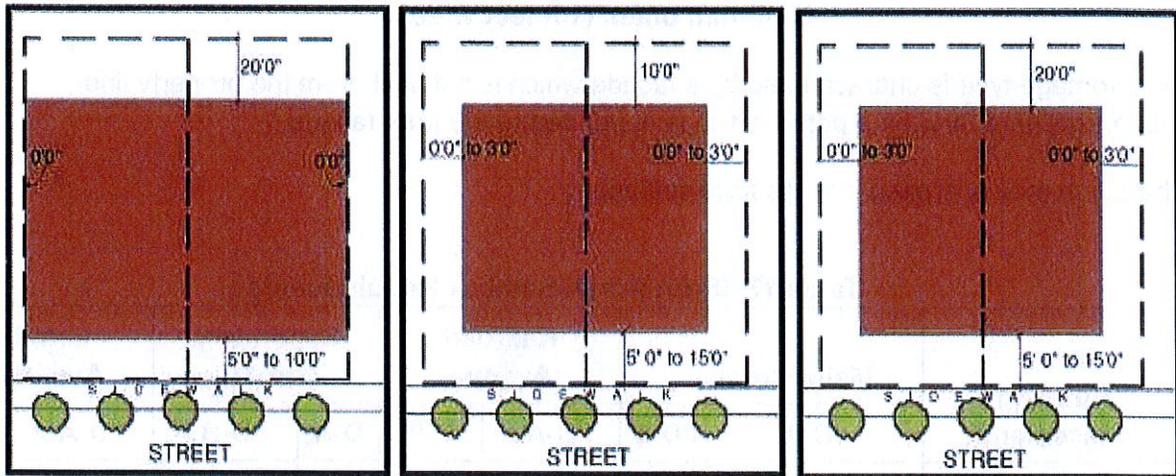
Table 17.58-9: Door Yard/Terrace Setback Requirements

Building Placement	Main Street		Railroad Avenue		Secondary Streets		Grant Avenue	
	D-A	D-B	D-A	D-B	D-A	D-B	D-A	D-
Front Setback Line		5—15 feet		5—10 feet	5—15 feet	5—15 feet		
Minimum Side Yard		0—3 feet		0 feet	0—3 feet	0—3 feet		
Minimum Rear Yard ¹		10 feet		20 feet	10 feet	20 feet		

¹ Alley-loaded garages may be located with a zero-foot rear yard setback.

Note: A blank cell indicates that frontage type is not allowed in that zone.

Building Placement



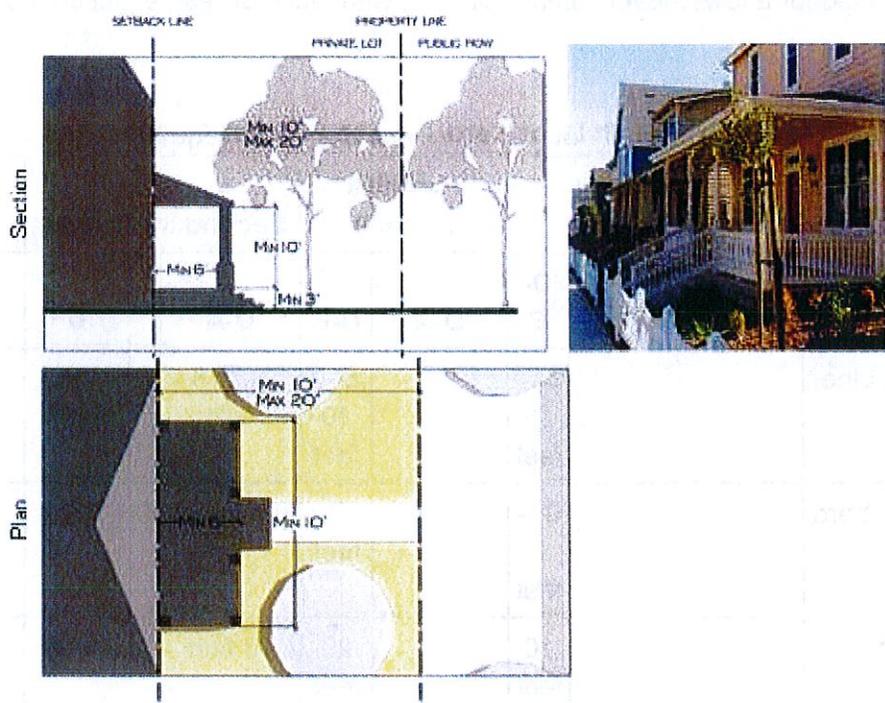
Railroad Avenue D-B

Secondary Streets D-A

Secondary Streets D-B

Main Street D-B

Porch



- Minimum of ten (10) feet tall (clear).
- Minimum of six feet deep (clear).
- Porch height must be a minimum of three feet above grade.
- Minimum of ten (10) feet wide.

This frontage type is characterized by a facade which is set back from the property line with a front yard, and by a porch which is appended to the front facade.

The porch may encroach into the front setback.

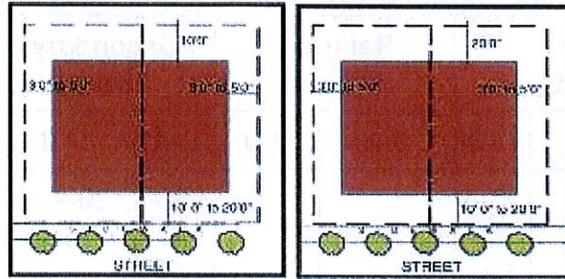
Table 17.58-10: Porch Setback Requirements

Building Placement	Main Street		Railroad Avenue		Secondary Streets		Grant Avenue	
	D-A	D-B	D-A	D-B	D-A	D-B	D-A	D-I
Front Setback Line		10— 20 feet			10— 20 feet	10—20 feet		
Minimum Side Yard		3—5 feet			3—5 feet	3—5 feet		
Minimum Rear Yard ¹		10 feet			10 feet	20 feet		

1 Alley-loaded garages may be located with a zero-foot rear yard setback.

Note: A blank cell indicates that frontage type is not allowed in that zone.

Building Placement

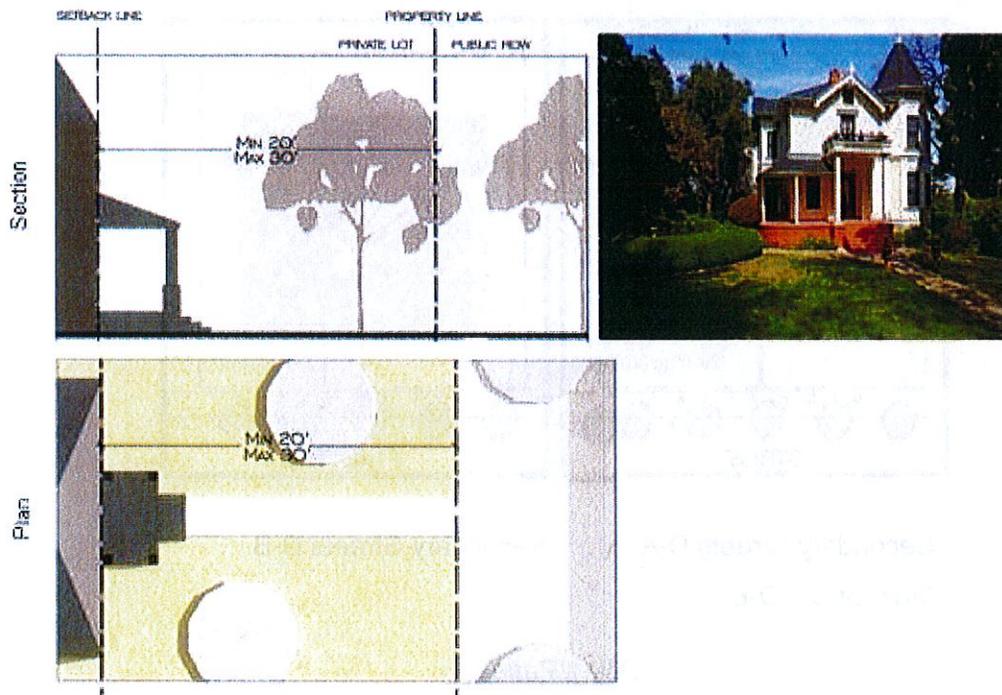


Secondary Streets D-A

Secondary Streets D-B

Main Street D-B

Neighborhood Yard



- Minimum twenty (20) foot setback.
- Maximum thirty (30) foot setback.

A neighborhood yard frontage is characterized by deep front yard setbacks. The building facade is set back substantially from the front property line. The resulting front yard is unfenced and is visually continuous with adjacent yards, supporting a common landscape. Porches and/or stoops are not required, though they are recommended.

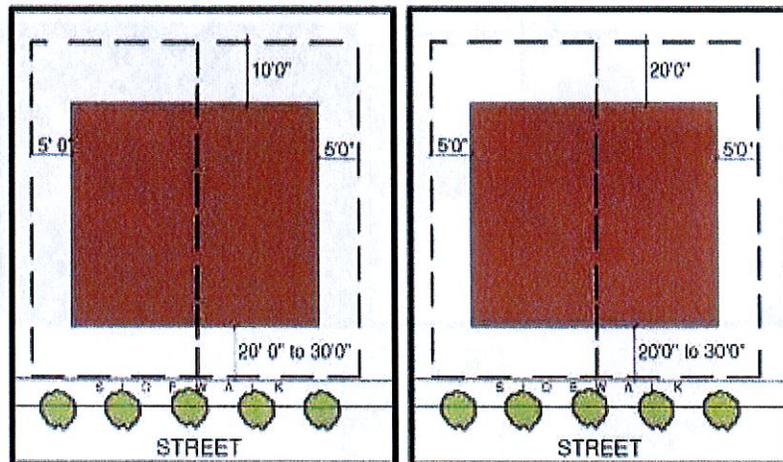
Table 17.58-11: Neighborhood Yard Setback Requirements

Building Placement	Main Street		Railroad Avenue		Secondary Streets		Grant Avenue	
	D-A	D-B	D-A	D-B	D-A	D-B	D-A	D-B
Front Setback Line		20—30 feet			20—30 feet	20—30 feet		
Minimum Side Yard		5 feet			5 feet	5 feet		
Minimum Rear Yard ¹		10 feet			10 feet	20 feet		

¹ Alley-loaded garages may be located with a zero-foot rear yard setback.

Note: A blank cell indicates that frontage type is not allowed in that zone.

Building Placement



Secondary Streets D-A

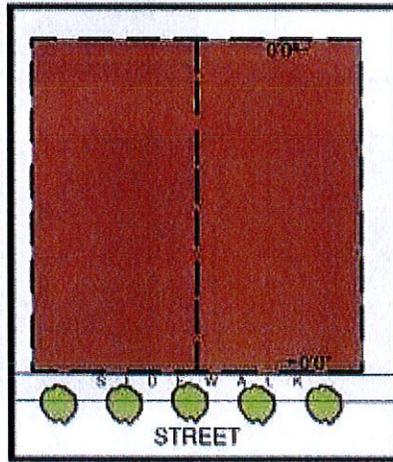
Secondary Streets D-B

Main Street D-B

Alley/Paseo

- 1 Build-to lines are defined as the edge where the public right-of-way ends and the private property boundary begins. It is the maximum distance from the property line a front or street side building facade can be placed.

Building Placement



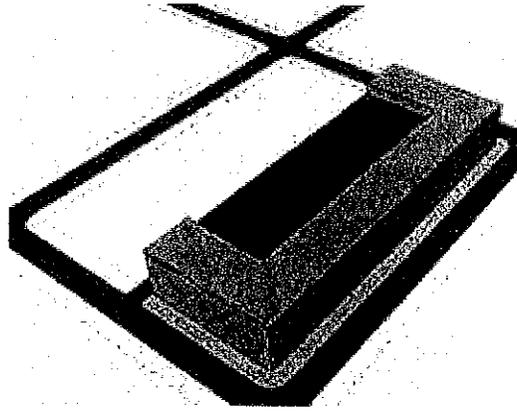
All Streets and Avenues

D. Building Types. The following building types are intended to provide a variety of flexible building styles appropriate for the small-town character of Winters that can be used to guide future development. Allowed building types in the different districts and along the four street types are listed in Table 17.58-13 and defined below. An “X” means that the building type is allowed; a blank cell means that the building type is not allowed.

Table 17.58-13: Allowed Building Types

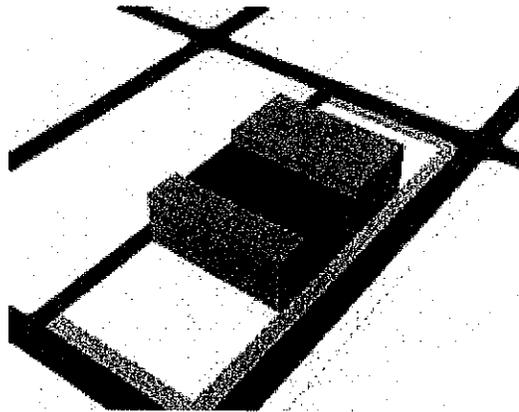
Allowed Building Types	Main Street		Railroad Avenue		Secondary Streets		Grant Avenue	
	D-A	D-B	D-A	D-B	D-A	D-B	D-A	D-I
Half Block Liner	X	X	X	X	X	X		
Infill	X	X	X	X	X	X		
Terraced		X	X	X	X	X	X	X
Front Yard Housing		X			X	X		
Rowhouse				X		X		
Courtyard Housing				X		X		

1. “Half block liner” means an attached building with a frontage of approximately one-third to one-half the length of a downtown block, and zero side yard setbacks. It is used for mixed-use, residential, and commercial development.



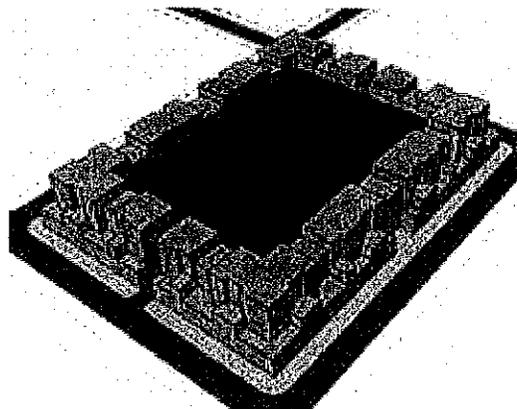
Half-Block Liner

2. "Infill" means an attached building with a frontage that is less than one-third the length of a downtown block, and zero side yard setbacks. It is used for mixed-use, residential, and commercial development.



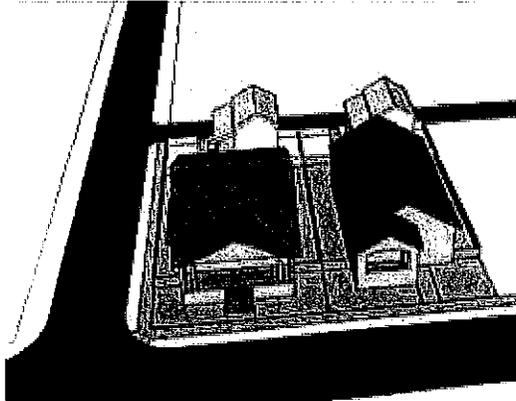
Infill Lot

3. "Terraced" means a mixed-use, residential, or commercial building characterized by individual units that are accessed via multi-leveled outdoor terraces. The terraces are intended to be semi-public spaces that are extensions of the public realm.



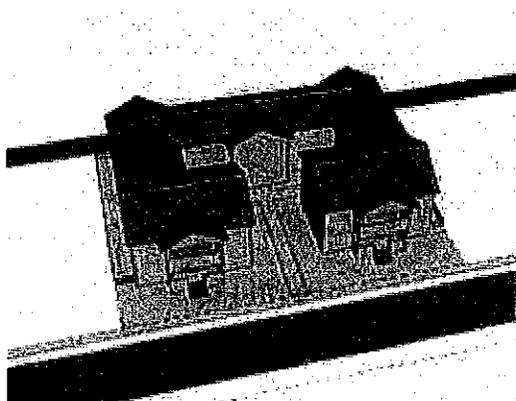
Terraced Lot

4. "Front yard housing" means a detached building designed as a single-family residence, duplex, triplex, or quadplex. Front yard housing is accessed from the sidewalk adjacent to the street build-to line.



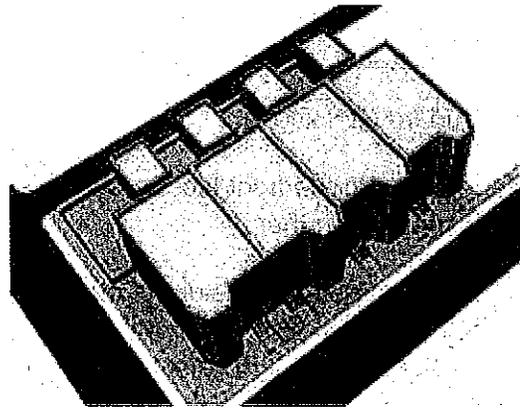
Front Yard Housing

5. "Rowhouse" means two or more detached two- or three-story dwellings with zero side yard setbacks. A rowhouse may be used for nonresidential purposes.



Courtyard Housing

6. "Courtyard housing" means a group of dwelling units arranged to share one or more common courtyards upon a qualifying lot in any zone. Dwellings take access from the street or the courtyard(s). Dwelling configuration occurs as townhouses, apartments, or apartments located over or under townhouses. The courtyard is intended to be a semi-public space that is an extension of the public realm.



Rowhouse

E. Storefront Regulations. The following storefront standards are intended to provide continuity of building form at street level in downtown Winters. Additionally, standards are meant to enhance the relationship between buildings and the sidewalk, subsequently encouraging more pedestrian activity.

Table 17.58-14 lists the storefront design standards. "Tags" refer to those elements labeled in Figure 17.58-2 and described in subsection (F)(1) of this section (Storefront Design Standard Definitions). These standards shall also apply to alley and paseo development.

Table 17.58-14: Storefront Design Standards

Storefront Standards	Main Street		Railroad Avenue		Secondary Streets		Grant Avenue	
	D-A	D-B	D-A	D-B	D-A	D-B	D-A	D-B
Storefront Width	10—40 feet	15—	20—	20—	15—	15—	20—	20—
Tag "A"		35 feet	50 feet	50 feet	35 feet	35 feet	50 feet	60 feet
Ground Floor Height	12—18 feet	10—	12—	12—	10—	10—	12—	12—
Tag "B"		15 feet	18 feet	18 feet	15 feet	15 feet	20 feet	20 feet
Bulkhead Height	1.5—3 feet	1.5—3	1.5—3	1.5—3	1.5—3	1.5—3	0—4	0—
Tag "C"		feet	feet	feet	feet	feet	feet	feet
Inset of Front Door from Build-To Line	3—7 feet	2—6	3—7	2—7	2—6	2—6	2—5	2—
Tag "D"		feet	feet	feet	feet	feet	feet	feet
Maximum Awning Extension from Building	6 feet	5 feet	6 feet	6 feet	5 feet	5 feet	6 feet	6 feet

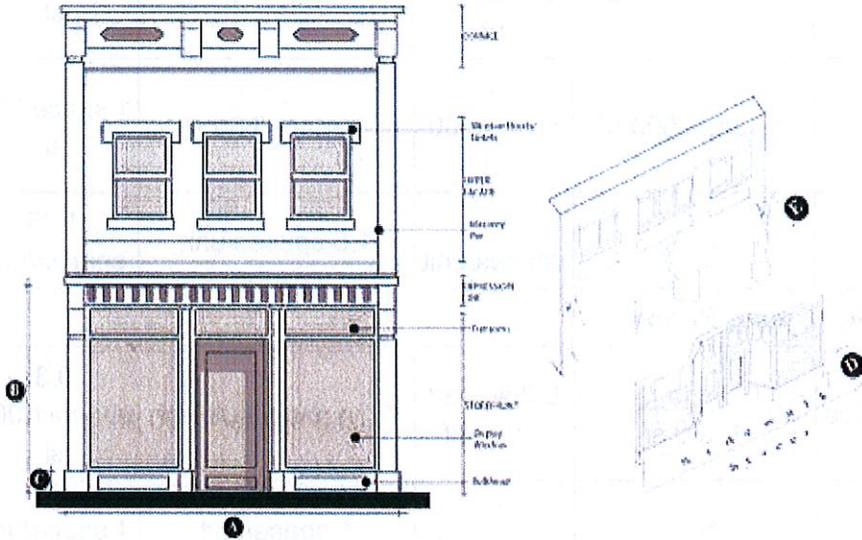
1. Storefront Design Standard Definitions.

- a. "Storefront width" refers to the front facade width as measured from one corner of the front facade to the other.
- b. "Ground floor height" refers to the height of the front facade's first story as measured from the sidewalk level to the top of the expression line. An "expression line" is an architectural embellishment that delineates the end of the ground floor and the start of the second floor of a building.
- c. "Bulkhead height" refers to the height of the bulkhead, which is the portion of a commercial facade located between the ground and the bottom of the street level display windows. It is typically constructed of stone, brick, or concrete.
- d. "Inset of front door from build-to line" refers to the distance from the front door of the building to the build-to line. A "build-to line" is an urban setback dimension that delineates the maximum distance from the property line a front building facade can be placed. Typically, build-to lines range from zero feet to ten (10) feet. See Table 17.58-7 for build-to line regulations in downtown Winters.
- e. "Maximum awning extension from building" refers to the maximum distance allowed between the building and the end of a fully extended awning. An awning is a temporary shelter that is supported from the exterior wall of a building. It is typically constructed of canvas or a similar fabric that is sturdy and flexible.

Figure 17.58-2: Storefront Design Standards

Storefront Standards

- Ⓐ Storefront Width
- Ⓑ Groundfloor Height
- Ⓒ Bulkhead Height
- Ⓓ Inset of Front Door from "Build-To Line"
- Ⓔ Maximum Awning Extension from Building



F. Parking. Parking requirements are intended to encourage pedestrian activity and economic growth in downtown Winters. Parking facilities should be located in the back or sides of buildings in order to maintain a continuous retail facade for pedestrians along downtown streets.

1. Allowable Parking Types. Allowable parking types are listed in Table 17.58-15 and depicted in Figure 17.58-3. An "A" means that the parking type is allowed; a "P" means that the parking type is preferred and highly encouraged. A blank cell means that the parking type is not allowed.

Table 17.58-15: Parking

	Main Street		Railroad Avenue		Secondary Streets		Grant Avenue	
	D-A	D-B	D-A	D-B	D-A	D-B	D-A	D-B
Allowed Parking Types								
Surface Parking— Behind Building	P	A	P	P	A	A	P	F
Surface Parking— Next to Building		A	A	A	A		A	A

Alley Access	A	P	A	P	P	P	A	A
Parking Structure			A	A				A
Tucked Under Building			A	A		A	A	A
Allowed Parking Ratios								
Commercial	1 space/400 sf							
Office	1 space/500 sf							
Residential	N/A	1.5 spaces/unit	1.5 spaces/unit	1.5 spaces/unit	1.75 spaces/unit	1.75 spaces/unit	N/A	N/A
Allowed Bicycle Parking Ratios								
Commercial/Office	0.3 space/1,000 sf							
Residential	N/A	1 space/unit	N/A	N/A				

Figure 17.58-3: Parking Types



Behind Structure



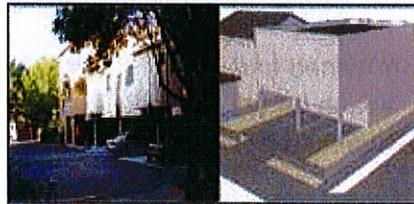
Alley Access



Parking Structure



Next to Structure



Tucked Under

2. **Parking Standards.** Downtown Winters should encourage “one-stop” parking where shoppers park once and visit multiple stores on foot. In addition, reduced parking requirements and shared parking lots will help create a pedestrian-oriented downtown environment.

- a. Locating parking lots between the front property line and the building storefront is prohibited. Instead, parking should be located to the rear of buildings.
- b. When off-street parking in the rear is not possible, the visual impact of headlight bleed and the asphalt parking surface shall be minimized by landscaped berms and/or walls with a maximum height of three feet.
- c. Rear parking lots should be designed and located contiguously, or adjacent to alleys, so that vehicles can travel from one private parking lot to the other either directly or via an alley without having to enter a street. This may be achieved with reciprocal shared access agreements.
- d. In order to minimize conflicting vehicle turning movement along major

roadways, the city encourages shared access drives within and between integrated nonresidential developments. This reduces the number of driveway curb cuts. The city also encourages reciprocal access between nonresidential developments to provide for convenience, safety, and efficient circulation. If incorporated, a reciprocal access agreement shall be recorded with the land by the owners of abutting properties to ensure that there will be continued availability of the shared access.

e. Parking areas that accommodate a significant number of vehicles should be divided into a series of connected smaller lots. Landscaping and offsetting portions of the lot are effective in reducing the visual impact of larger parking areas.

f. Demarcation of parking spaces should be legible, and the spaces should be adequate but not overly generous.

g. Locate rear parking lots or structure entries on side streets or alleys in order to minimize pedestrian/vehicular conflicts.

h. Create wide, well-lit, landscaped pedestrian walkways connecting on-site pedestrian circulation systems in parking lots to off-site public sidewalks and building entries.

i. The layout of parking areas should be designed so that pedestrians walk parallel to moving cars.

j. Parking structures (privately owned and operated) are encouraged to incorporate retail and/or office space on the street level of the structure. This prevents the structure from becoming a pedestrian "dead zone" in downtown Winters.

G. Landscaping. Landscaping in downtown Winters should be pedestrian-oriented and reflect and enhance the area's small-town charm. These provisions emphasize the use of potted plants, trees, landscaping along urban streetscapes, and within urban parking lots. Landscaping shall be provided on-site consistent with the standards set forth below:

1. Landscaping Standards.

a. Street Trees. Street trees shall be provided every thirty (30) feet on center within the required landscape area. Tree selection shall be from the city's adopted street tree list and as approved to the satisfaction of the community development director.

b. Standard Design Concepts.

i. Use landscaping to complement the architecture, provide visual interest, to minimize the impact of incompatible land uses, and to establish a transition between adjacent developments. Plant materials can absorb sound, filter air, curtail erosion, provide shade, and maintain privacy.



Tree canopies in parking lots provide shade.

- ii. Provide landscaping to break up blank walls, shade pedestrians, accent entries, and soften the connection of paving for vehicles to buildings.
 - iii. Landscaping strips on public streets should be wide enough for canopy shade that is consistent with the street width. See standards for landscape area width in Section [17.58.040](#).
 - iv. The use of alternative types of landscaping strip ground cover is strongly encouraged. Standard grass strip is discouraged.
 - v. Parking facilities shall attain and maintain a minimum of fifty (50) percent tree canopy coverage within ten (10) years of completion of construction to provide shade and minimize visual and environmental impacts.
 - vi. In surface parking lots, trees should be installed at a ratio of one tree per three parking stalls for the perimeter of the parking lot, and one tree per six spaces for the interior of the parking lot.
 - vii. Placement of trees and shrubs should not conflict with vehicular overhangs, traffic and visibility patterns, and on-site structures.
 - viii. Owners of vacant lots without any structures shall seed and turf the lot(s) on a regular basis, or appropriately secure the lot(s), or allow the lot(s) to be maintained by neighborhood residents as a community garden.
 - ix. Owners of vacant lots that contain structures shall maintain the existing landscaping on a regular basis so that the lot(s) remain tidy, attractive and do not become overgrown or a nuisance.
 - x. Landscape should be oriented in accord with the demands of the species for sunlight, and its susceptibility to the prevailing wind.
- c. Irrigation. Irrigation of landscaping shall only be directed onto the landscaping. Spillover onto hardscape shall be minimized to the maximum extent feasible.
 - d. Tree Grates/Guards.

- i. Install structural soil systems to direct new root growth downward below hardscape areas. This helps to postpone root damage caused to the surrounding hardscape and structures. Additional service life may be achieved by providing deep watering and air to root systems as appropriate when trees are planted within five feet of any permanent structure/paving/curb. Structural soil systems are preferred over root barriers as they are often more effective.
 - ii. A minimum of six feet of structural soil shall be provided for trees. The area of enhanced root zone environment shall be enlarged beyond this minimum according to the species size planted. The structural soil can be provided under tree grates and pavement.
 - iii. Trees and landscaping installed in parking lots should be protected from vehicle damage by a minimum six-inch-tall concrete curb surrounding the planter area. Planter barriers to protect landscaping should also be designed with intermittent curb cuts to allow parking lot runoff to drain into landscape areas.
 - iv. Tree grates should be utilized at passages to provide a continuous walking surface while providing adequate space for the tree to grow.
- e. Pots and Planters.
- i. Boxed and container plants in decorative planters of ceramic, terra cotta, metal, wood, or stucco should be used to enhance public areas.
 - ii. Large planters may also be incorporated into seating areas. Such planters should be open to the earth below and be provided with a permanent irrigation system.
 - iii. Hanging flower baskets enhance the beauty of the downtown and are encouraged. Supports and irrigation systems for hanging flower baskets should be considered for lamp posts, arcades, galleries and porches.



Hanging baskets beautify the downtown.

- f. Water Quality and Urban Runoff in Redevelopment Areas. Because of the

proximity of the downtown to Putah Creek and the potential impact of urban activities on the natural environment, water quality and urban runoff in redevelopment areas are of particular concern. The use of bioswales and landscaped water quality basins represent the preferred approach to urban runoff and stormwater quality control in the D-B zone. Such features add aesthetic character, utilize natural materials, and serve as a functional element that allows for stormwater management.

- i. Bioswales and similar natural landscaped runoff control facilities shall be used to enhance appearance of stormwater management methods and allow for groundwater recharge.
- ii. Bioswales shall be used to collect surface runoff before it crosses pavement areas and to reduce ponding and damage to walkways. Bioswales shall be graded to direct water away from paved areas into detention basins.
- iii. Bioswales shall utilize a slope that is steep enough to prevent ponding and shallow enough to slow water velocity. Soils must not readily drain water; the goal is to get cleaner water to flow downstream. Recommended slopes of one to four percent should be used. Flow should be sufficiently low enough to provide adequate residence time within the channel. Flow depth should not be taller than the vegetation (a maximum depth of four inches is recommended). Final design of bioswales shall be subject to the approval of the city engineer.



A small bioswale along the edge of a parking area.

- iv. Porous paving shall be considered when designing paved areas. If used, porous paving shall first be approved and shall be applied as directed by the city engineer. (Ord. 2009-10 § 1 Exh. 1 (part))

17.58.070 Architectural and design standards.

The purpose of these architectural and design standards is to guide preservation, improvements, renovations, and future development in downtown Winters. These provisions describe and illustrate architectural and design standards that are appropriate for downtown Winters. They establish the criteria used by the city in reviewing proposed

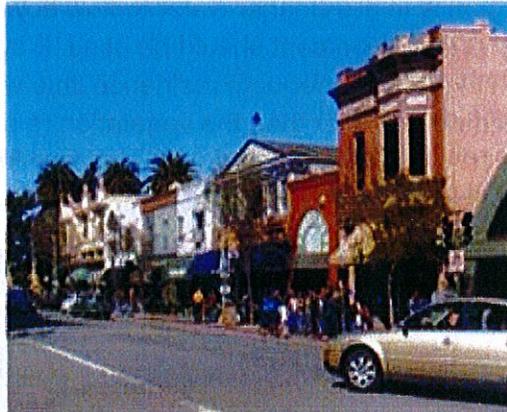
development, and are intended to encourage high quality design and development, creativity and innovation in downtown Winters.

Please note that the mandatory development standards contain the words "shall," "must," or "will." Standards that contain the word "should" mean that an action is required unless a determination is made that the intent of the standard is satisfied by other means.

A. Site Design. Siting involves a project's relationship to the property, the street, and adjacent buildings. In the downtown area, buildings should be sited in ways that provide a comfortable and safe environment for pedestrians while accommodating vehicles.

1. Building Siting.

- a. Most of the building street wall should meet the front setback lines, except for special entry features, architectural articulation, and plaza areas or other public spaces.
- b. Residential buildings should be oriented towards the street for safety considerations as well as to encourage social interaction among neighbors.



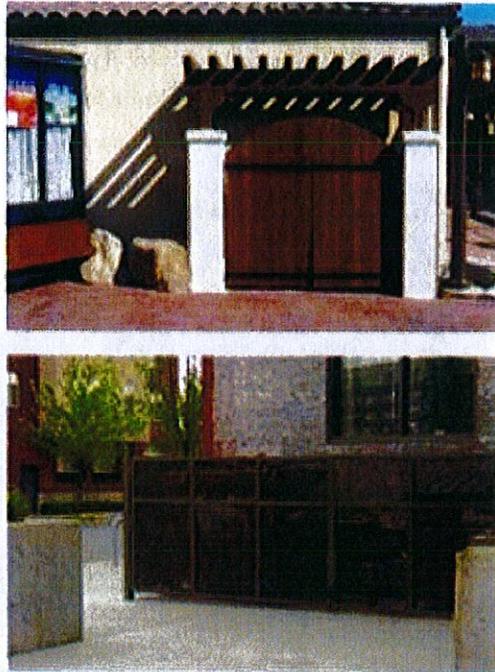
Buildings should meet the front setback lines to create a continuous building street wall.

2. Compatibility with Adjacent Uses.

- a. Commercial uses shall reduce potential nuisances to adjoining residential property by locating trash enclosures, loading areas, and restaurant vents away from residential uses and by proper screening of utilities and equipment.
- b. Commercial uses developed as part of a mixed-use project (with residential units) should not be noise-intensive.
- c. A fifteen (15) foot minimum landscaped buffer should be provided between a commercial or mixed-use structure and an adjoining residential parcel unless the type of building use calls for a wall to be located along the property line and the wall(s) include a sound-reducing design.
- d. Drive-thrus are not allowed within the downtown form-based code area.

3. Refuse, Storage, and Equipment Areas.

- a. Trash storage must be fully enclosed and incorporated within the main structures or separate freestanding enclosures. Where practical, storage at each unit is preferred over common enclosures. Trash storage cannot be placed under stairways.
- b. All trash and garbage bins should be stored in an approved enclosure. Refuse containers and service facilities should be screened from view by solid masonry walls with wood or metal doors. Chainlink fencing with slating is generally discouraged. Use landscaping (shrubs and vines) to screen walls and help deter graffiti.



Trash bins and other service areas should be located away from public streets and be screened from view.

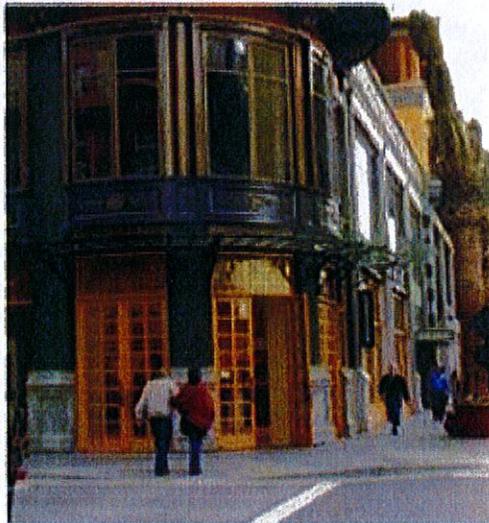
- c. Trash enclosures should allow convenient access for commercial tenants. Siting on-site service areas in a consolidated and controlled environment is encouraged.
- d. Trash enclosures should be located away from residential uses to minimize nuisance for the adjacent property owners. The enclosure doors should not interfere with landscaping, pedestrian, or vehicle path of travel.
- e. Trash enclosures should be architecturally compatible with the project.
- f. Refuse storage areas that are visible from an upper story of adjacent structures should provide an opaque or semi-opaque horizontal cover/screen to reduce unsightly views. The screening should be compatible with the design of adjacent development and shall be approved by the fire department.

g. Every public, quasi-public, commercial, or mixed-use development containing two or more units or businesses shall provide at least one publicly accessible on-site trash receptacle.

h. Public trash cans along the street or a paseo may not be located near eating areas.

i. Location and design of trash storage and enclosures is subject to approval by the fire department.

B. Architectural Standards. The purpose of the architectural standards is to guide improvements, renovations, and future development in downtown Winters to be consistent with the vision and goals for the area as detailed in the downtown master plan and this zoning code. These guidelines describe and illustrate building and landscape designs that are appropriate for downtown Winters. They establish the criteria used by the city in reviewing proposed development, and are intended to encourage high quality design and development, creativity and innovation.

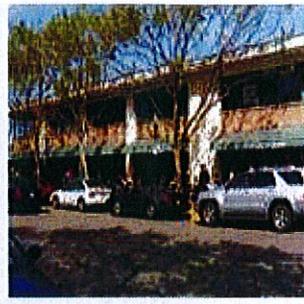
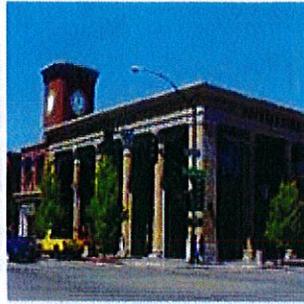


Buildings at street corners should be oriented to both intersecting streets with a building entrance fronting directly onto the corner.

1. General Design Standards.

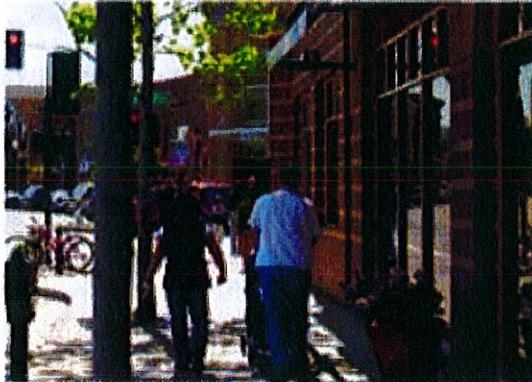
a. Awnings and overhangs should be used in conjunction with street trees to provide visual interest and shade for pedestrians.

b. Any seismic structural upgrading should be conducted in the interior of the building, if possible, unless the structural elements blend into the architecture of the exposed facade. Seismic structural upgrades shall not block or alter the original design of storefront windows.



Facades of larger buildings should be divided into pedestrian-scaled modules.

2. Building Height, Form, and Mass.
 - a. Incorporate elements such as covered walkways, building arcades, and trellises into the design of large structures which provide a transition to the human scale, particularly at the ground.
 - b. Create a comfortable and human scale of structures.
 - c. Corner buildings should have a strong tie to the front setback lines of each street. Angled building corners or open plazas are encouraged at corner locations.
 - d. On sites with multiple structures, buildings should be linked visually and physically. These links can be accomplished through architecture and site planning, such as trellises, colonnades or other open structures combined with landscape and walkway systems.
 - e. As a general rule, the scale of building(s) on a site edge should be compatible with the scale of adjoining development. Where surrounding development is of a small scale, large-scale buildings should be located internal to the site and transition down in scale as the outer edge of the site approaches.
 - f. Do not place the backs of buildings along a street frontage. Include entrances or public views into the site or building. If the rear of the building must be located along a street because of site constraints, then architectural detailing shall be included that provides the illusion of being a front to the building.
 - g. Building mass should be parallel or on axis with adjacent street(s).



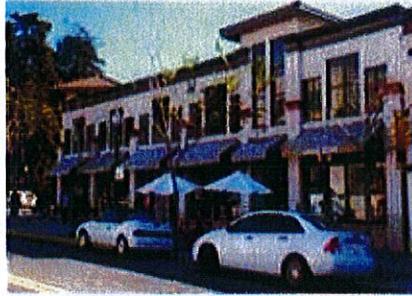
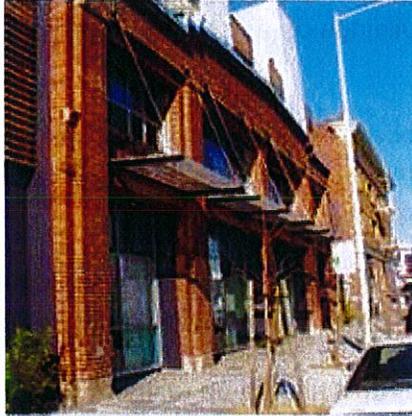
Primary facades should create a high level of transparency along the street.

3. Facades, Windows, and Doors.

- a. Design building entrances as prominent and easily identifiable; also, form a transition between the exterior and interior. Provide building entries with adequate lighting for security. Any building with more than seventy-five (75) feet of street frontage should have at least one primary entry.
- b. Building entrances should be designed to protect patrons and employees from the elements.
- c. Elements of architecture including window and door placement shall be designed to add variety and interest to the project.
- d. Windows shall not be blocked from inside a building due to retail display racks, plywood sheets, posters, et cetera.
- e. Additional sunlight should be brought into large developments through the use of atriums and skylights.
- f. The use of security grilles at windows and doors is highly discouraged. If security grilles are necessary, they shall be placed inside the building, behind the window display area, or otherwise hidden from public view.
- g. The physical design of building facades should vary at least every fifty (50)

linear feet (quarter block). This can be achieved through such techniques as:

- i. Architectural division into multiple buildings;
- ii. Break or articulation of the facade;
- iii. Significant change in facade design;
- iv. Placement of window and door openings; or
- v. Position of awnings and canopies.



Durable materials should be used, particularly at ground level, where they are more visible.

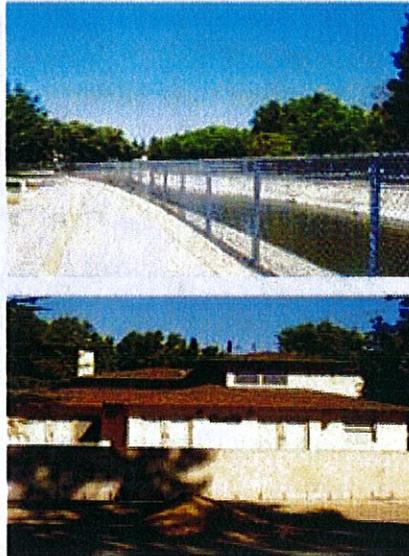
- h. The design of the project shall be expressed on all exterior elevations of the building.
- i. If maintaining a horizontal rhythm or alignment as a result of infill construction is not feasible, the use of canopies, awnings, or other horizontal devices should be included to maintain a (shared) horizontal rhythm.
- j. Mullions. "True divided light" windows or sectional windows are recommended where a divided residential window design is desired; "snap-in" grilles or mullions shall not be used.
- k. Primary building entrances should be oriented toward the street.
- l. In no case shall any facade consist of a blank wall.

4. Roofs and Upper Story Details.

- a. Roofs should be given design considerations and treatment equal to that of the rest of the building exteriors.
- b. Roofline elements should be developed along all elevations.
- c. Articulate side and rear parapet walls by using height variations, relief elements, and thoughtfully designed scuppers, downspouts, and expansion joints.
- d. Cornice lines of new buildings (a horizontal rhythm element) should transition with buildings on adjacent properties to avoid clashes in building height.
- e. The visible portion of sloped roofs should be sheathed with a roofing material complementary to the architectural style of the building and other surrounding buildings.
- f. The flat roofs of commercial buildings are encouraged to be used for outdoor lounges and dining areas when appropriate.
- g. Access to roofs should be restricted to interior access only.

5. Walls and Fences.

- a. Walls and fences should be integrated with the overall building and site design, and shall not exceed three feet in height in the front or side yards in order to avoid the appearance of being a "fortress."
- b. The use of chainlink, fabric, or concrete block fencing is prohibited.
- c. Fencing shall not obscure the front elevation of the primary structure on the property. Therefore, front yard privacy fences should not be allowed. Structural members of a fence should be turned in to face into the property.
- d. The finished side of the fence should be presented to the street. On corner lots, the guidelines apply to the front yard and street side yard of the property.



Undesirable Fencing

6. Building Materials and Colors.
 - a. Buildings and structures should be constructed with durable, low-maintenance, and timeless building materials of the same or higher quality as surrounding developments.
 - b. Metal seam, clay tile, concrete tile, or a similar grade of roofing material shall be used on all visible pitched roofs.
 - c. Factory-built, prefabricated, premanufactured buildings, portable, and similar structures, while generally discouraged, may be allowed and shall be designed in accordance with these standards.
 - d. All building materials shall be properly installed.
 - e. Horizontal material changes should not occur at external corners, but may occur at interior corners, or at other logical terminations.
 - f. Reflective materials should not be used to clad a building; however, if reflective materials must be used to protect the integrity of the architectural design, then the material absolutely shall not be a nuisance to the occupants of the existing surrounding structures, or a safety hazard to any type of traffic.
 - g. All abandoned materials including pipes, conduits, wires, and signs shall be removed and sign anchors shall be patched to match adjacent surfaces. Operational pipes, conduits, etc., must be hidden.
 - h. Mixed-use commercial developments that contain residential units on the upper levels shall utilize materials with known vibration and sound-reduction qualities in order to minimize noise impacts.



Mixed-Use Development

- i. Corrugated metal is an acceptable building material as long as it is not visible from a public street. However, it is acceptable for corrugated metal to be visible from an alley.
 - j. Colors should be consistent with an historic small, rural town including, but not limited to, shades of brown and dark reds, yellows, and greens. A wide variety of colors should be considered, and accent colors are encouraged. In no case shall color be used to deny a project, except that black as a primary building color shall be prohibited due to its severe nature. Brick shall not be painted unless it has been determined by the community development department that the brick has lost its "fire face" and painting is necessary to assist in slowing the degradation of the brick and mortar.
 - k. Stucco is discouraged for use as a building material unless it exhibits a high quality of workmanship and finish.
7. Hardscape Materials.
- a. Hardscape materials used in pedestrian-oriented spaces such as plazas, paths and sidewalks shall be attractive, durable, slip-resistant, of high quality, and compatible in color and pattern with a project's design. Surfaces in pedestrian circulation areas shall be constructed from materials that provide a hard, stable surface and that permit maneuverability for people of all abilities.
 - b. Pedestrian pathways crossing an on-site vehicle drive aisle, loading area, or parking area shall be made identifiable by the use of an alternative hardscape material such as pavers or patterned, stamped or colored concrete.
 - c. The primary hardscape materials used for pedestrian spaces shall be high quality poured-in-place concrete and silver-toned concrete.



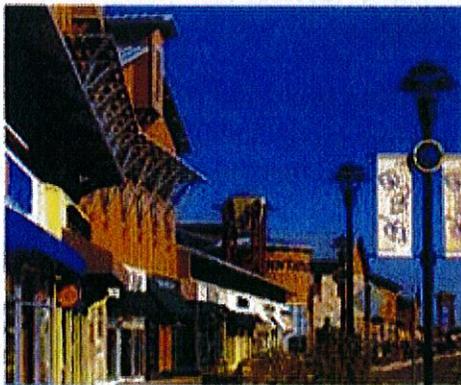
Pedestrian pathways are distinguished through the use of colored materials.

8. Franchise/Corporate.

- a. The scale, design, and materials of franchise/corporate architecture should be consistent with adjacent buildings.
- b. The city recognizes the unique development constraints for corporate retailers to accommodate the sales volume and vehicle parking demand of their users. The city encourages creative design solutions for franchise retail development to minimize the “one size fits all” look of corporate architecture.

9. Security.

- a. Create a secure development for both the site and its occupants by minimizing opportunities for crime and undesirable activities through natural surveillance, access control, and activities.
- b. Locate buildings and windows to maximize visibility of entryways, pathways, and parking lots.
- c. Adequate security and safety lighting for pedestrians from parking spaces to all building entries and exits shall be provided.



Provide adequate security lighting for pedestrians.

- d. Street addresses for commercial, public, or multi-use residential buildings

shall be easily visible on the front of the building both during the daytime, and at night.

C. Lighting. In downtown Winters lighting fixtures within developments should be attractively designed to complement the architecture of the project and surrounding development, and should improve the visual identification and safety of residences and businesses. Additionally, consideration should be given to the effects of light pollution on the environment, as well as energy conservation technologies.

1. General Design Standards.

a. Lighting shall provide security and visual interest.

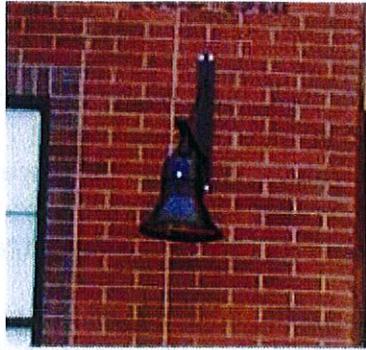


Lighting should provide security and visual interest.

b. All exterior doors, aisles, passageways and recesses shall be equipped with a lighting device providing a minimum maintained one foot-candle of light at ground level during hours of darkness. Vandal-resistant covers should protect lighting devices.

c. Decorative accent lighting and fixtures above the minimum one foot-candle illumination levels of surrounding parking lots should be provided at vehicle driveways, entry throats, pedestrian paths, plaza areas, and other activity areas.

d. Exterior lighting shall be sited and installed in a manner to minimize glare and light spillage beyond property lines. Outdoor light fixtures shall be the lowest wattage necessary to accomplish adequate lighting. Lighting shall be down-lit, shielded, and directed away from areas not intended to be lit and from the night sky. All light fixtures shall be installed and shielded in such a manner that no visible light is emitted from the fixture at angles above the horizontal plane.



Lighting directed downward (down-lit) with shielding.

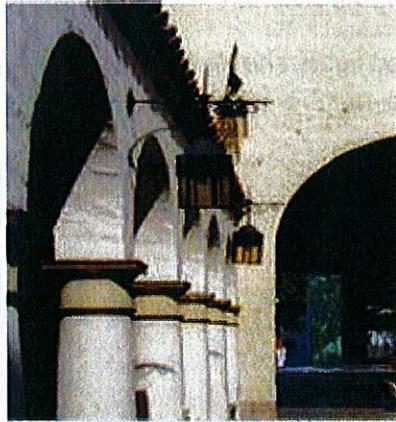
- e. Lighting fixtures should be attractively designed to complement the architecture of the project.
- f. Lighting should improve visual identification of residences and businesses and create an inviting atmosphere for passersby.
- g. Wall-mounted lights should be used to the greatest extent possible to minimize the total number of freestanding light standards.



Wall-mounted lights should be used to the greatest extent possible.

- h. Parking lot lighting fixtures should not exceed thirty-five (35) feet in height. When within fifty (50) feet of residentially zoned properties, fixtures should not exceed twenty (20) feet.
- i. Light standards within parking lots should be designed with raised bases to protect them from damage by vehicles.
- j. Provide street lighting that is scaled for the pedestrian while still meeting vehicular needs. On local streets and within project sites, fixtures should be primarily oriented towards pedestrians' needs. On major streets, light fixtures serve to illuminate both pedestrian areas and roadways. Consider the location and intended audience when choosing a light fixture for a project.

- k. Lighting for a parking lot or structures should be evenly distributed and provide pedestrians and drivers with adequate visibility and safety level at night.
- l. Lighting shall be maintained along the pathway of "urban trails" (i.e., those between buildings and in dense areas of the city) at a level sufficient to make the trail and abutting landscaping visible and safer at night while not detracting from the physical and aesthetic aspects of the trail and spilling onto abutting residential uses. Light fixtures should be vandal-resistant.
- m. The light source used in outdoor lighting should provide a white light for better color representation and to create a more pedestrian-friendly environment.
- n. Low pressure sodium lamps are prohibited.
- o. Lighting should be consistent with the historic small-town character of Winters.



Lighting should add drama and character to a building while being consistent with its character.

D. Sign Design. Signs in the downtown form-based code area are regulated by Chapter [17.80](#) (Signs) of the Winters Municipal Code. The following design standards are intended to guide the design of signs in the downtown and will be used as a basis of consideration for review of sign permits and management of signs in the downtown:

Design, color, materials, size, and placement are all important in creating signs that are architecturally attractive and integrated into the overall site design. Signs that are compatible with the surroundings and effectively communicate a message will promote a quality visual environment.

1. General Design Standards.
 - a. Design signs in harmony with the style and character of the development and as an integral design component of the building architecture, building materials, landscaping, and overall site development.
 - b. Sign letters and materials should be professionally designed and

fabricated.

c. Exposed conduit and tubing (raceway) are prohibited. All transformers and other equipment shall be concealed.

d. All signs shall be maintained in good repair, including the display surface, which shall be kept neatly painted or posted.

e. The exposed backs of all signs visible to the public shall be suitably finished and maintained.

f. The use of retractable awnings as a signage tool is acceptable.

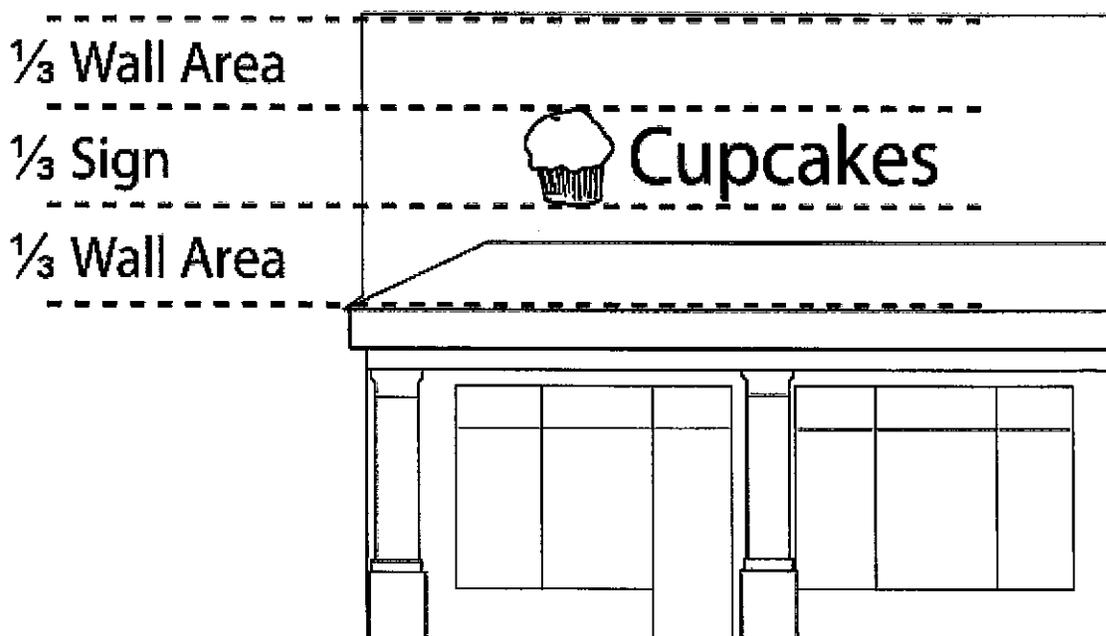
g. Nonconforming city-designated "heritage signs" shall be protected.

2. Placement.

a. Signs should be generally free of obstructions when viewed from different angles. However, trees or other landscaping that grow to a point that they obstruct the view of a sign or make it illegible shall not be grounds for removal or trimming of the plant(s).

b. Utilize a consistent proportion of signage to building scale, such as one-third text to two-thirds wall area or one-quarter text to three-quarters wall area. See Figure 17.58-4 (Text Scale).

Figure 17.58-4: Text Scale



3. Materials.

a. Paper and cloth signs are appropriate for interior temporary use only and

are not permitted on the exterior of a building.

b. A-frame signs shall be constructed of architecturally compatible materials such as metal or wood. Plastic or similar material A-frame signs are prohibited.

c. The use of neon is permitted in the D-A zone if it fits with the style of the architecture (e.g., art deco) and is not a nuisance (e.g., produces glare) to the surrounding properties.

Sign Tips: Colors and Materials

- **Use exterior materials, finishes, and colors in harmony with, or an upgrade to, those of the buildings or structures on site.**
- **The selected materials need to contribute to the legibility of the sign. For example, glossy finishes are often difficult to read because of glare and reflections.**
- **Contrast is an important influence on the legibility of signs. Light letters on a dark background or dark letters on a light background are most legible.**
- **Limit the total number of colors used in any one sign. Small accents of several colors may make a sign unique and attractive, but the competition between large areas of many different colors decreases readability.**



Exterior materials, finishes, and colors should be the same or similar to those of the buildings or structures on site.

4. Sign Legibility.

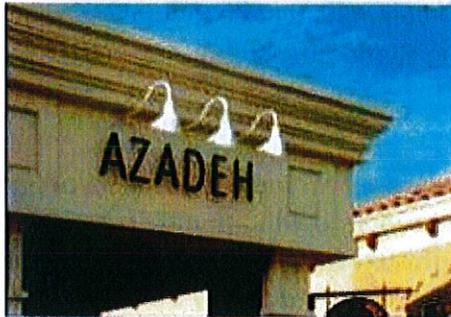
a. Avoid spacing letters and words too close together. Crowding of letters, words or lines will make any sign more difficult to read. Conversely, over-spacing these elements causes the viewer to read each item individually, again obscuring the message. As a general rule, letters should not occupy more than seventy-five (75) percent of the sign panel area.

Sign Tips: Legibility

- **Use a brief message whenever possible. Fewer words help produce a more effective sign. A sign with a brief, succinct message is easier to read and looks**

more attractive.

- Limit the number of lettering styles in order to increase legibility. A general rule to follow is to limit the number of different letter types to no more than two for small signs and three for large signs.
- Use symbols and logos in the place of words whenever appropriate. Pictographic images will usually register more quickly in the viewer's mind than a written message.
- Avoid hard-to-read, overly intricate typefaces and symbols. Typefaces and symbols that are hard to read reduce the sign's ability to communicate.



A brief message with simple lettering is easy to read and identify.

5. Sign Illumination.

- The light from an illuminated sign shall not be of an intensity or brightness that will create glare or other negative impact on residential properties in direct line of sight to the sign.



Light source must be directed against the sign such that it does not shine into

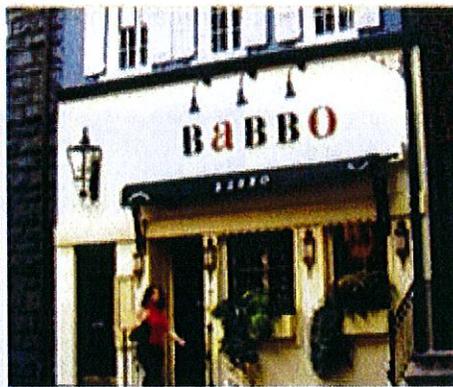
adjacent property or cause glare for motorists and pedestrians.

- b. Whenever indirect lighting fixtures are used (fluorescent or incandescent), care shall be taken to properly shield the light source to prevent glare from spilling over into residential areas and any public right-of-way.
- c. Internally illuminated plastic box "canned" signs are prohibited. Individually illuminated channel letters are acceptable.
- d. Signs shall not have blinking, flashing, or fluttering lights, or other illumination devices that have a changing light intensity, brightness, or color.
- e. Light sources shall utilize energy-efficient fixtures to the greatest extent possible and shall comply with Title 24 of the California Code of Regulations (California Building Standards Code).

Sign Tips: Illumination

- If the sign can be illuminated by an indirect source of light, this is usually the best arrangement because the sign will appear to be better integrated with the building's architecture. Light fixtures attached to the front of the structure cast light on the sign and the face of the structure as well.

- Individually illuminated letters should be backlit. Signs comprised of individual letters mounted directly on a structure can often use a distinctive element of the structure's facade as a backdrop, thereby providing a better integration of the sign with the structure.



Spotlights are preferred for wall and projecting signs.

(Ord. 2009-10 § 1 Exh. 1 (part))

17.58.080 Special use regulations and other standards.

The following special use regulations are to address concerns and provide standards for the following types of development and issues specific to downtown Winters. These standards are intended to provide guidance to planners, developers, builders, businesses, and residents to ensure consistency with the vision and goals defined in the downtown master plan and this zoning code.

A. **Live/Work.** Live/work units are built spaces that function predominantly as work spaces and secondarily as residences.

Live/work units shall comply with the following standards:

1. The unit must contain a cooking space and bathroom in conformance with applicable building standards.
2. Adequate and clearly defined working space must constitute no less than fifty (50) percent of the gross floor area of the live/work unit. Said working space shall be reserved for and regularly used by one or more persons residing there.
3. At least one residence in each live/work unit shall maintain at all times a valid city business license for a business on the premises.
4. Persons who do not reside in the live/work unit may be employed in a live/work unit when the required parking is provided.
5. Customer and client visits are allowed when the required parking is provided.
6. No portion of a live/work unit may be separately rented or sold as a commercial space for a person or persons not living on the premises, or as a residential space for a person or persons not working on the premises.

B. **Newspaper Racks.** For the purpose of this section, "newspaper rack" is defined as any type of unattended device placed upon or abutting any public right-of-way for the vending, display, or free distribution of newspapers, news periodicals, or other written materials.

1. Permission to install a newspaper rack requires an encroachment permit from the city of Winters.
2. No person shall place, erect, install, service, stock or maintain any newspaper rack or courtesy bench which obstructs or intrudes upon, in whole or in part, any public right-of-way. A minimum of four feet of clear walkway must be maintained.
3. Newspaper racks shall not be located directly in front of a building entrance.
4. Newspaper racks may not be anchored to a light pole, street sign, or other similar street element.
5. Any vendor choosing to distribute free publications in downtown Winters shall use modular newspaper racks provided and maintained by the city. Individual privately owned freestanding newspaper racks shall not be permitted for the purpose of distributing free publications.

C. **Public Art.** For the purpose of this section, "public art" in downtown Winters is defined as permanent or temporary works of art in the public realm, whether part of a building or freestanding.

1. Public art shall be incorporated into public plazas, parks, and municipal

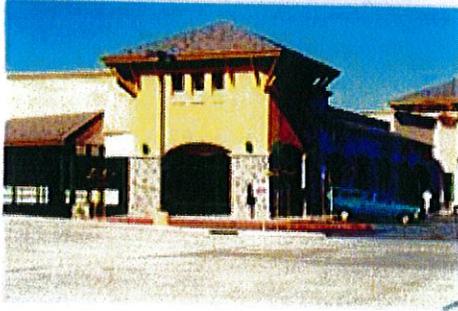
buildings. Additionally, the incorporation of public art into private development projects is strongly encouraged.

2. Possible types of public art include but are not limited to the following options:

- a. Building features and enhancements such as bike racks, gates, benches, water features, or shade screens, which are unique and/or produced in limited editions by a professional artist.
- b. Landscape art enhancements such as walkways, bridges, or art features within a garden.
- c. Murals or mosaics covering walls, floors, and walkways. Murals may be painted or constructed with a variety of materials, including the use of imbedded and nontraditional materials.
- d. Sculptures, which can be freestanding, wall-supported or suspended, kinetic, electronic, and made of durable materials suitable for the site.
- e. Fiberwork, neon, or glass artworks, photographs, prints, and any combination of media including sound, film, and video systems, or other interdisciplinary artwork applicable to the site. The use of light, sound, film, and video shall not create a nuisance for neighboring properties.
- f. Community arts projects resulting in tangible artwork, such as community murals, sculptures, or kiosks.

D. Storefront Vacancy. For the purpose of this section, a "storefront vacancy" in downtown Winters is defined as a vacant commercial ground floor (street level) space in any otherwise occupied or unoccupied building.

1. Vacant storefronts shall be properly locked and secured to prevent unauthorized trespassing during the period of vacancy.
2. The exterior facade of vacant storefronts shall be maintained by the property owner at the same level of quality as surrounding occupied storefronts and buildings.
3. Property owners of vacant storefronts shall implement creative temporary alternative uses of storefront window areas such as utilizing them as a display area for community info, public art by local artists, and merchandise from other stores.
4. Property owners of vacant storefronts shall consult with the city's economic development staff regarding possible available tenants.
5. Vacant storefronts shall not be boarded up, or otherwise appear derelict or abandoned.
6. An adequate level of exterior security lighting shall be regularly maintained regardless of storefront occupancy status.



Appropriately Maintained Storefronts

(Ord. 2009-10 § 1 Exh. 1 (part))

This page of the Winters Municipal Code is current through Ordinance 2010-02, passed March 8, 2010.

Disclaimer: The City Clerk's Office has the official version of the Winters Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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