

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

**Tuesday, September 23, 2014 @ 6:30 PM**

City of Winters Council Chambers  
318 First Street  
Winters, CA 95694-1923  
Community Development Department  
Contact Phone Number (530) 794-6713  
Email: [jenna.moser@cityofwinters.org](mailto:jenna.moser@cityofwinters.org)

Chairman: Bill Biasi  
Vice Chairman: Kate Frazier  
Commissioners: Dave Adams, Lisa Baker,  
Paul Myer, Luis Reyes, Patrick Riley  
City Manager: John W. Donlevy, Jr.  
Mgmt. Analyst: Jenna Moser

**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 August 26, 2014 meeting of the Winters Planning Commission

**V STAFF/COMMISSION REPORTS**

**VI DISCUSSION ITEMS:**

- A. Winters Putah Creek Committee Liaison Appointment
- B. Resolution 14-01, Public Hearing and Consideration of a Parcel Map (3 lots) for APN 003-282-002 near Mermod Road and Anderson Avenue. Project Applicant Miguel Moreno - Next Generation Development, LLC seeks to divide the existing 20,000 square foot parcel into three (3) new lots. Lot 1 - 5670.58 square feet, Lot 2 - 6544.20 square feet, and Lot 3 - 5462.97 square feet.

**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 SEPTEMBER 18, 2014



JENNA MOSER, MANAGEMENT ANALYST, PLANNING – GIS

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

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

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

**PUBLIC REVIEW OF AGENDA, AGENDA REPORTS, AND MATERIALS:** PRIOR TO THE PLANNING COMMISSION MEETINGS, COPIES OF THE AGENDA, AGENDA REPORTS, AND OTHER MATERIAL ARE AVAILABLE DURING NORMAL WORKING HOURS FOR PUBLIC REVIEW AT THE COMMUNITY DEVELOPMENT DEPARTMENT. IN ADDITION, A LIMITED SUPPLY OF COPIES OF THE AGENDA WILL BE AVAILABLE FOR THE PUBLIC AT THE MEETING. COPIES OF AGENDA, REPORTS AND OTHER MATERIAL WILL BE PROVIDED UPON REQUEST SUBMITTED TO THE COMMUNITY DEVELOPMENT DEPARTMENT. A COPY FEE OF 25 CENTS PER PAGE WILL BE CHARGED.

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

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

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

**THE COUNCIL CHAMBER IS WHEELCHAIR ACCESSIBLE**

MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD AUGUST 26,  
2014

***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.*

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

**PRESENT:** Commissioners Adams, Baker, Frazier, Myer, Riley, Reyes and Chair Biasi

**ABSENT:** None

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

Commissioner Dave Adams led the Pledge of Allegiance.

**CITIZEN INPUT:** None at this meeting.

**CONSENT ITEM:**

1. Approval of Meeting Minutes of the July 22, 2014 Regular meeting of the Planning Commission.

**Commissioner Riley moved to approve the Meeting Minutes of the July 22, 2014 Planning Commission Meeting. Seconded by Commissioner Reyes.**

**AYES:** Commissioners Adams, Baker, Frazier, Riley, Reyes and Chairman Biasi.

**NOES:** None

**ABSTAIN:** Myer

**ABSENT:** None

**COMMISSION REPORTS:** Chairman Biasi reported on his attendance and participation in the recent PG&E Design Review and Creek meetings along with Commissioner Baker. Donlevy added to expect more PG&E updates towards the end of September.

**STAFF REPORTS:** None

**DISCUSSION ITEM:**

**A. Planning Commission Appointment**

City Clerk, Nanci Mills administered the Oath of Office to incoming commissioner Paul Myer. Riley nominated Frazier for Vice-Chair, seconded by Baker.

**AYES:** Commissioners Adams, Baker, Frazier, Myer, Riley, Reyes and Chairman Biasi.

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD AUGUST 26,  
2014

**B. Public Hearing and Consideration of a Planning Application Submitted by James George – Designer, for Approval of Site Plan/Design Review for conversion of an existing church building at 301 Main Street (APN 003-191-006) to a duplex housing unit.**

At this time Frazier recused herself due to a possible conflict of interest – property proximity.

Management Analyst, Jenna Moser presented the staff report and design exhibits. Chairman Biasi opened the Public Hearing at 6:45pm. Hearing no comment, Biasi closed the Public Hearing at 6:46pm. Moser outlined the parking requirement section of the staff report, further detailing the reduced parking requirement due to change of use and non-applicability of major alteration or enlargement in section 17.72.040. Baker asked about details in the type of landscaping proposed for the property. Designer George responded that a detailed landscaping plan incorporating a water-conscious design would be given to the Community Development Department for approval prior to installation. Baker asked about the color and type of roofing material, encouraging an energy-saving concept. George responded that while the roof color appears to be a dark color, it has been engineered with a reflective rating comparable to a very light roof color. Biasi asked about the location of the HVAC unit. George responded that it would be located in attic space. Biasi commented that he liked the re-use of the existing pavers in the project. Baker stated that this was a nice use of the property and existing buildings.

**Commissioner Baker moved to approve the Site Plan/Design Review for conversion of an existing church building at 301 Main Street (APN 003-191-006) to a duplex housing unit. Seconded by Commissioner Riley.**

**AYES:** Commissioners Adams, Baker, Myer, Riley, Reyes and Chairman Biasi.

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Frazier

**C. Public Hearing and Consideration of a Parcel Map (3 lots) for APN 003-282-002 near Mermod Road and Anderson Avenue. Project Applicant Miguel Moreno – Next Generation Development, LLC seeks to divide the existing 20,000 square foot parcel into three (3) new lots. Lot 1 – 5359 square feet, Lot 2 – 6358 square feet, and Lot 3 – 5641.68 square feet. (*Staff requests to continue the Public Hearing until the 9/23/14 Regular Meeting of the Winters Planning Commission – No backup*)**

This item was continued to the September 23, 2014 Planning Commission Meeting.

**COMMISSIONER/STAFF COMMENTS:** City Manager Donlevy provided additional information and discussion regarding wastewater re-use, Walnut Park, Creek Realignment, water leak on Grant Ave, and the Railroad Avenue paving project.

**ADJOURNMENT:** Chairman Biasi adjourned the meeting at 7:20 p.m.

MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD AUGUST 26,  
2014

ATTEST:

\_\_\_\_\_

Jenna Moser, Management Analyst

\_\_\_\_\_

Bill Biasi, Chairman





**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Chairman and Planning Commissioners  
**DATE:** September 23, 2014  
**FROM:** Jenna Moser – Management Analyst, Planning - GIS  
**SUBJECT:** Liaison to the Winters Putah Creek Committee

---

**RECOMMENDATION:** Appoint a liaison to the Winters Putah Creek Committee

**BACKGROUND:** The Winters Putah Creek Committee's primary objective is to provide recommendations and advise the City Council on matters related to Creek Projects.

The Committee meets every other month, on the third Monday at 6pm at City Hall. The City Staff contact for the Committee is Carol Scianna, Environmental Services Manager.

Current Committee Members are: Kurt Balasek, Eric Larsen, Stephanie Myers, Bill Biasi, Dennis Kilkenny, Dante Mazza, Pierre Neu, Carol Scianna.

The next meeting is scheduled for November 17<sup>th</sup>, 2014.





**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Chairman and Planning Commissioners  
**DATE:** September 23, 2014  
**FROM:** Jenna Moser – Management Analyst, Planning - GIS  
**SUBJECT:** Resolution 14-01, Public Hearing and Consideration of a Parcel Map (3 lots) for APN 003-282-002 near Mermod Road and Anderson Avenue. Project applicant Miguel Moreno – Next Generation Development, LLC seeks to divide the existing 20,000 square foot parcel into three (3) new lots. Lot 1 – 5670.58 square feet, Lot 2 – 6544.20 square feet, and Lot 3 – 5462.97 square feet.

---

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

- 1) Receive the staff report;
- 2) Conduct the Public Hearing to solicit public comment; and
- 3) Conditionally Approve Resolution 14-01, Parcel Map (3 lots) for parcel 003-282-002 near Mermod Road and Anderson Avenue.

**SURROUNDING LAND USES AND SETTING:** Surrounding land uses are as follows:

North: Existing single-story Multi-Family Housing – Zoned R-2  
East: Existing single-story Multi-Family Housing – Zoned R-2  
South: Winters High School Campus – Zoned PQP  
West: Existing single-story Single-Family Housing – Zoned R-2, Mermod Road

Historically, the site has been an undeveloped open lot with grassy landcover. The general topographic character is flat.

**GENERAL PLAN & ZONING DESIGNATION:** The General Plan land use designation for the property is Medium Density Residential (MR). The project parcel is zoned Single Family Residential (R-2).

**BACKGROUND:** In March, 2014 the applicant met with the City to discuss the possible Parcel Map application process for the subject property – several options were discussed over two meetings.

A Parcel Map application was received by the City on April 23, 2014, and a public hearing was held on May 27<sup>th</sup>, 2014 and continued to June 24<sup>th</sup>, 2014 pending submittal of a professionally surveyed parcel map. A professionally surveyed map was not received by the City in order to hold the hearing June 24<sup>th</sup>, 2014 and no meeting was held.

Subsequently the City received a revised planning application, and a professionally surveyed map prepared and submitted on July 16, 2014, however revisions to the map due to comments on engineering map-check were not completed in time for the August 26<sup>th</sup> Planning Commission Meeting. The Public Hearing was continued to the September 23, 2014 Planning Commission Meeting.

Revisions have now been completed and the application that you see before you is the result.

**PROJECT DESCRIPTION:** Project applicant Miguel Moreno – Next Generation Development, LLC seeks to divide the existing 20,000 square foot parcel into three (3) new lots. Lot 1 – 5670.58 square feet, Lot 2 – 6544.20 square feet, and Lot 3 – 5462.97 square feet.

**ANALYSIS:** Attachment 2 illustrates the proposed Parcel Map. The configuration of the proposed lots is consistent with the City's General Plan and standards of the subdivision and zoning ordinances; meeting minimum lot size requirements with the consideration that minimum lot sizes may be reduced for residential subdivisions if parcel map approval is obtained at the upper reaches of the applicable density range for the site as prescribed by the General Plan, Section 17.060.020 subsection E. Inclusion of high quality architecture for housing. The lots as proposed fall short of minimum *average* by a total of 107.5 square feet without this consideration, however all exceed *absolute* minimum. A condition has been included in the Resolution stating that the approval of the Parcel Map with reduced minimum lot sizes is conditional upon the inclusion of high quality architecture. The site is appropriate for the specified density of development because the site is designated Medium Density Residential (MR).

The project site is surrounded by residential uses, and the WHS campus. Division of the property as proposed would allow for the construction of one single-family residence on each lot. No conflict with easements acquired by the public at large, for access through or use of, property within the proposed project have been identified.

Access to all proposed lots is with driveways off of the dead-end roadway at Mermod Road. Review by Public Safety was performed during map-check and the configuration of the roadway was determined to be acceptable. Dedication of road right-of-way and the Public Utility Easement will be handled by Grand Deed that will go the City Council for approval before the Map is recorded. Sidewalks are to be constructed along the Public Utility Easement around the curve of the road-end.

Water and Sewer services would be provided by the City of Winters. Other services such as gas and electricity would be provided by PG&E.

**PROJECT NOTIFICATION:** Public notice advertising for the public hearing on this planning application was prepared by the Community Development Department's Management Analyst in accordance with notification procedures set forth in the City of Winters' Municipal Code and State Planning Law. Two methods of public notice were used: a legal notice was published in the Winters Express on 08/13/14 and notices were mailed to all property owners who own real property within three hundred feet of the project boundaries at least ten days prior to tonight's hearing. Copies of the staff report and all attachments for the proposed project have been on file, available for public review at City Hall since 09/18/14.

**ENVIRONMENTAL ASSESSMENT:** Staff has concluded that the Categorical Exemption provided in Section 15315 of the CEQA Guidelines (Minor Land Divisions) is most applicable to the subject project.

**RECOMMENDED FINDINGS FOR THE PARCEL MAP (3 LOTS) FOR PARCEL 003-282-002 NEAR MERMOD ROAD AND ANDERSON AVENUE**

CEQA Findings:

1. The Parcel Map qualifies for categorical exemption provided in Section 15315 of the CEQA Guidelines (Minor Land Divisions).
2. The Planning Commission has considered comments received on the project during the public review process.
3. The exemption finding reflects the independent judgment and analysis of the City of Winters.
4. The Planning Commission hereby confirms that a Categorical Exemption for the Parcel Map (3 lots) for parcel 003-282-002 near Mermod Road and Anderson Avenue.

General Plan and Zoning Consistency Findings:

1. The project is consistent with the goals and policies of the General Plan. The General Plan designates the project site as Medium Density Residential (MR) and this designation provides for residential uses such as single-family dwellings, and two-family or duplex dwellings. The applicant anticipates developing the newly created parcels for residential use.
2. The project is consistent with the provisions of the Zoning Ordinance. The property is zoned Single-Family Residential (R-2) and this zone provides for residential use. The applicant anticipates developing the newly created parcels for residential use.

**RECOMMENDATION:** Staff recommends that the Planning Commission make an affirmative motion as follows:

**MOVE THAT THE CITY OF WINTERS PLANNING COMMISSION CONDITIONALLY APPROVE RESOLUTION 14-01, PARCEL MAP (3 LOTS) FOR PARCEL 003-282-002 NEAR MERMOD ROAD AND ANDERSON AVENUE.**

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

**ATTACHMENTS:**

1. Vicinity Map
2. Parcel Map
3. Resolution 14-01, & Conditions of Approval

APN 003-282-002



091114 - Jenna Moser, Winters CDD

**OWNER'S STATEMENT**

THE UNDERSIGNED BEING THE ONLY PARTIES HAVING RECORD TITLE INTEREST IN ALL LAND DELINEATED WITHIN THE EXTERIOR BOUNDARY OF THIS PARCEL MAP, HEREBY CONSENTS TO THE PREPARATION AND FILING OF THIS PARCEL MAP NO. 5058, ALL LAND, RIGHTS OF WAY, EASEMENTS, AND ROADS ARE HEREBY OFFERED FOR DEDICATION BY THE UNDERSIGNED, PURSUANT TO A GRANT DEED, TO THE CITY OF WINTERS, RECORDED ON \_\_\_\_\_ BOOK NO. \_\_\_\_\_ PAGE NO. \_\_\_\_\_ IN THE OFFICE OF THE COUNTY OF YOLO RECORDER.

NEXT GENERATION DEVELOPMENT LLC, A CALIFORNIA LIMITED LIABILITY COMPANY

(SIGNED) \_\_\_\_\_ DATE: \_\_\_\_\_

**PARCEL MAP  
MERMOD ROAD**

A PORTION OF BLOCK 15 OF HILLS SUBDIVISION, BOOK 39, DEEDS, PAGE 63  
PARCEL MAP NO. 5058  
CITY OF WINTERS  
SHEET 1 OF 2  
STATE OF CALIFORNIA  
SEPTEMBER 2014  
CNA ENGINEERING, INC.

**COMMUNITY DEVELOPMENT DIRECTOR'S STATEMENT**

I HEREBY STATE THAT I HAVE EXAMINED THIS PARCEL MAP NO. 5058 AND HAVE FOUND THAT IT COMPLES WITH ALL APPLICABLE CITY ORDINANCES, AND ALL CONDITIONS OF APPROVAL HAVE BEEN COMPLIED WITH.

DATE: \_\_\_\_\_  
JOHN DONLUEY  
COMMUNITY DEVELOPMENT DIRECTOR  
CITY OF WINTERS

**COUNTY TAX COLLECTOR'S STATEMENT**

I, THE UNDERSIGNED, TAX COLLECTOR AND REDEMPTION OFFICER OF YOLO COUNTY, STATE OF CALIFORNIA, DO HEREBY STATE THAT ACCORDING TO THE RECORDS OF THIS OFFICE THERE ARE NO LENS AGAINST THIS SUBDIVISION, OR ANY PART THEREOF, FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES, AND SPECIAL ASSESSMENTS COLLECTED AS TAXES, EXCEPT TAXES OR SPECIAL ASSESSMENTS NOT YET PAYABLE.

FURTHERMORE, PURSUANT TO THE YOLO COUNTY BOARD OF SUPERVISORS' RESOLUTION NO. 89--168, I DO HEREBY STATE ON BEHALF OF THE CLERK OF THE BOARD OF SUPERVISORS THAT CHAPTER 4, ARTICLE 8, OF THE SUBDIVISION MAP ACT HAS BEEN COMPLIED WITH REGARDING DEPOSITS.  
IN WITNESS WHEREOF, THE UNDERSIGNED HAS CAUSED HIS NAME TO BE SUBSCRIBED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

HOWARD NEMENS  
COUNTY TAX COLLECTOR  
YOLO COUNTY, CALIFORNIA

BY: \_\_\_\_\_  
DEPUTY

**CITY CLERK'S STATEMENT**

I HEREBY STATE THAT AT ITS REGULARLY SCHEDULED MEETING OF \_\_\_\_\_ THE PLANNING COMMISSION OF THE CITY OF WINTERS APPROVED THIS PARCEL MAP NO. 5058. ALL LAND, RIGHTS OF WAY, EASEMENTS, AND ROADS ARE HEREBY OFFERED FOR DEDICATION, PURSUANT TO A GRANT DEED FROM OWNER TO THE CITY OF WINTERS, RECORDED ON \_\_\_\_\_ BOOK NO. \_\_\_\_\_ PAGE NO. \_\_\_\_\_ IN THE OFFICE OF THE COUNTY OF YOLO RECORDER.

CITY CLERK, CITY OF WINTERS \_\_\_\_\_ DATE: \_\_\_\_\_

**ENGINEER'S STATEMENT**

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF MIGUEL MORENO IN MAY 2014. HEREBY STATE THAT ALL MONUMENTS SHOWN HEREON ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED. THE MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

CHRIS OLIVEIRA  
R.C.E. 33407 EXP. 06/30/18



**CITY CONSULTANT'S STATEMENT**

I, THE CITY'S CONSULTANT LAND SURVEYOR, HEREBY STATE THAT I HAVE EXAMINED THIS PARCEL MAP ENTITLED "MERMOD ROAD PARCEL MAP NP. 5058" AND AM SATISFIED THAT SAID PARCEL MAP IS TECHNICALLY CORRECT IN ACCORDANCE WITH 66442 OF THE SUBDIVISION MAP ACT.

BRYAN P. BONINO, L.S.  
DATE: \_\_\_\_\_

**CITY ENGINEER'S STATEMENT**

I, HEREBY STATE THAT I HAVE EXAMINED THIS PARCEL MAP NO. 5058, AND FIND THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND ALL APPLICABLE CITY ORDINANCES, IF REQUIRED, HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.  
I HEREBY APPROVE THIS PARCEL MAP OF "MERMOD ROAD".  
DATE: \_\_\_\_\_

NICHOLAS J. PONTICELLO  
CITY ENGINEER, CITY OF WINTERS  
EXP. DATE \_\_\_\_\_

**RECORDER'S CERTIFICATE**

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ IN BOOK \_\_\_\_\_ OF MAPS, AT PAGE \_\_\_\_\_ AT THE REQUEST OF C.N.A. ENGINEERING, 2014  
FREDDIE OAKLEY  
COUNTY CLERK--RECORDER  
YOLO COUNTY, CALIFORNIA

BY: \_\_\_\_\_  
DEPUTY

**NOTARY ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ IN THE YEAR OF \_\_\_\_\_ BEFORE ME \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED \_\_\_\_\_

PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE, TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITIES, AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND \_\_\_\_\_  
SIGNATURE \_\_\_\_\_ PRINTED NAME \_\_\_\_\_  
MY REGISTRATION NUMBER: \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_  
MY PRINCIPAL PLACE OF BUSINESS IS: \_\_\_\_\_

**BASIS OF BEARINGS:**

THE BASIS OF BEARINGS OF THIS SURVEY IS IDENTICAL TO THE CENTERLINE OF RAILROAD AVENUE AS SHOWN ON THE SUBDIVISION NO. 2995, WALNUT TREE FILED IN BOOK 12 OF MAPS PAGE 31, BEING ESTABLISHED BY THE FOUND MONUMENTS SHOWN HEREON, THE BEARING BEING N00°13'58"W.

**PARCEL MAP  
MERMOD ROAD**

PORTION OF BLOCK 15 OF HILLS SUBDIVISION, BOOK 39, DEEDS, PAGE 63

**PARCEL MAP NO. 5058**

CITY OF WINTERS STATE OF CALIFORNIA  
SCALE: 1"=20' SHEET 2 OF 2 SEPTEMBER 2014  
CNA ENGINEERING, INC.

S89°47'37"W(1,3,4) 1263.85'  
(N89°35'20"E)(2)

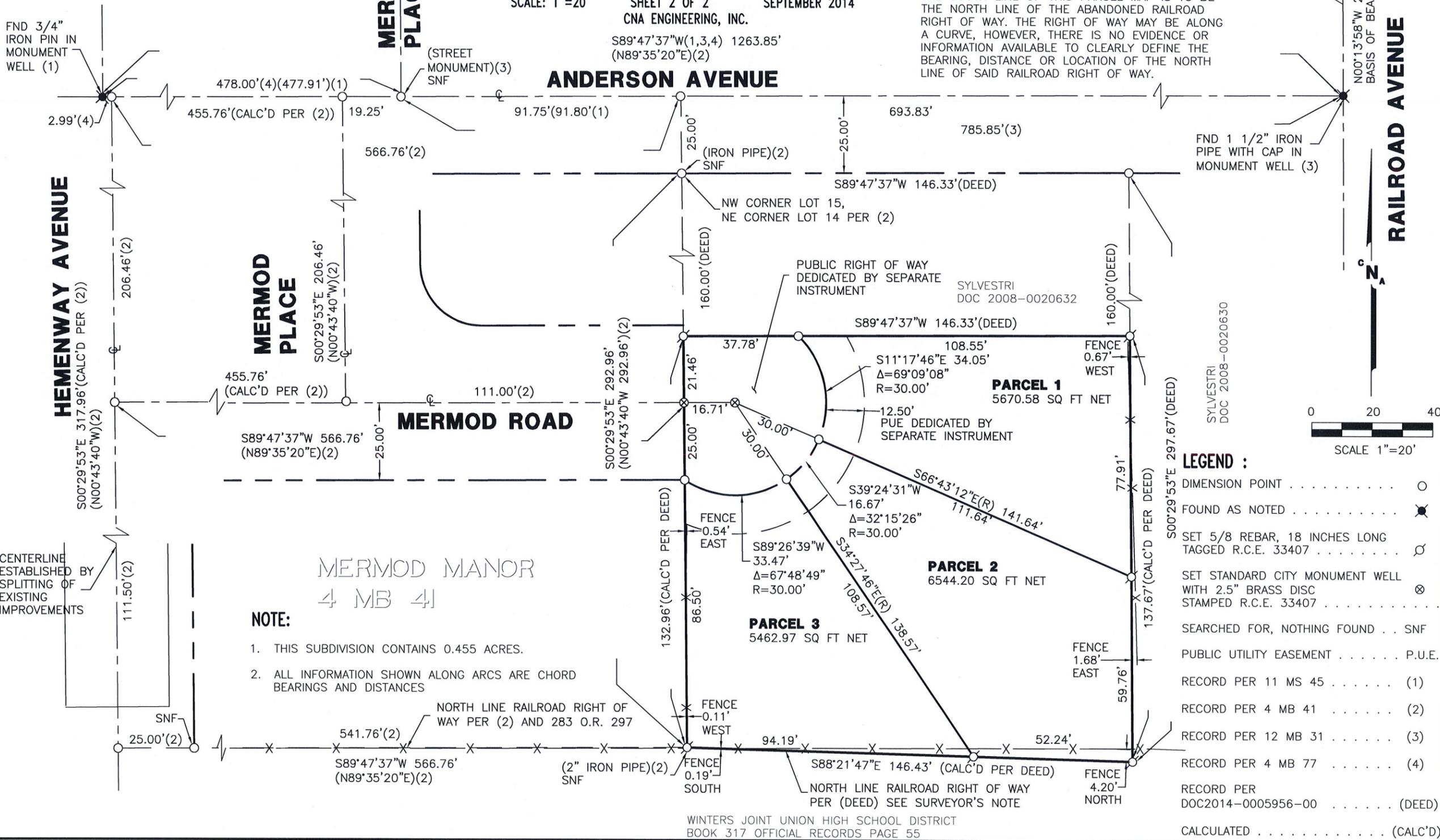
**SURVEYOR'S NOTE:**

THE SOUTH LINE OF THIS PARCEL MAP IS TO BE THE NORTH LINE OF THE ABANDONED RAILROAD RIGHT OF WAY. THE RIGHT OF WAY MAY BE ALONG A CURVE, HOWEVER, THERE IS NO EVIDENCE OR INFORMATION AVAILABLE TO CLEARLY DEFINE THE BEARING, DISTANCE OR LOCATION OF THE NORTH LINE OF SAID RAILROAD RIGHT OF WAY.

FND 1 1/2" IRON PIPE WITH CAP IN MONUMENT WELL (3)

N00°13'58"W 278.01'(3)  
BASIS OF BEARINGS

**RAILROAD AVENUE**



**NOTE:**

1. THIS SUBDIVISION CONTAINS 0.455 ACRES.
2. ALL INFORMATION SHOWN ALONG ARCS ARE CHORD BEARINGS AND DISTANCES

MERMOD MANOR  
4 MB 41

**LEGEND :**

- DIMENSION POINT . . . . . O
- FOUND AS NOTED . . . . . X
- SET 5/8 REBAR, 18 INCHES LONG TAGGED R.C.E. 33407 . . . . . ⊕
- SET STANDARD CITY MONUMENT WELL WITH 2.5" BRASS DISC STAMPED R.C.E. 33407 . . . . . ⊗
- SEARCHED FOR, NOTHING FOUND . . . . . SNF
- PUBLIC UTILITY EASEMENT . . . . . P.U.E.
- RECORD PER 11 MS 45 . . . . . (1)
- RECORD PER 4 MB 41 . . . . . (2)
- RECORD PER 12 MB 31 . . . . . (3)
- RECORD PER 4 MB 77 . . . . . (4)
- RECORD PER DOC2014-0005956-00 . . . . . (DEED)
- CALCULATED . . . . . (CALC'D)

WINTERS JOINT UNION HIGH SCHOOL DISTRICT  
BOOK 317 OFFICIAL RECORDS PAGE 55

## **CITY OF WINTERS RESOLUTION 14-01**

### **RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WINTERS APPROVING THE MERMOD PARCEL MAP TO SUBDIVIDE APN 003-282-002 INTO THREE PARCELS**

**WHEREAS**, the Planning Commission has noticed a public hearing pursuant to Government Code Section 65090 for the purpose of receiving public testimony concerning the proposed project; and

**WHEREAS**, pursuant to the California Environmental Quality Act, Staff has concluded that the Categorical Exemption provided in Section 15315 of the CEQA Guidelines (Minor Land Divisions) applies; and

**WHEREAS**, the Mermod Parcel Map to subdivide APN 003-282-002 into three parcels is consistent with the General Plan and Winters Municipal Code; and

**WHEREAS** the proposed site is physically suitable for the proposed type and density of development; and

**WHEREAS**, the design and improvements of the Mermod Parcel Map will not conflict with public easements for access through, or use of, property within the proposed subdivision; and

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission of the City of Winters hereby approves the Mermod Parcel Map with the following conditions:

#### **CONDITIONS OF APPROVAL FOR THE PARCEL MAP FOR THE PROPERTY LOCATED AT THE EAST END OF MERMOD ROAD - MAP NO. 5058**

##### **PLANNING**

1. The project is described in the September 23, 2014 Planning Commission staff report. The project shall be constructed as depicted on the exhibits included in the September 23, 2014 Planning Commission Staff report, except as modified by these conditions of approval. Substantive modifications require public hearing(s) and Planning Commission action.
2. Approval of the applicant's project with reduced minimum lot sizes is conditional upon the inclusion of high quality architecture.
3. Approval of the applicant's project shall be null and void if the applicant fails to submit a final map for the project within 36 months of the Planning Commission's approval of the Parcel Map application.
4. The applicant shall report to the City building materials diverted from landfilling during the course of their project, pursuant to the provisions of the City of Winters Ordinance 2002-03.

##### **PUBLIC WORKS**

5. In the event any claim, action or proceeding is commenced naming the City or its agents, officers, and employees as defendant, respondent or cross defendant arising or alleged to arise from the City's approval of this project, the project applicant shall defend, indemnify, and hold harmless the City or its agents, officers, and employees, from liability, damages, penalties, costs, or expenses in any such claim, action, or proceeding to attach, set aside, void, or annul an approval of the City of Winters, the Winters Planning Commission, any advisory agency to the City and local district, or the Winters City Council. Project applicant shall defend such action at applicant's sole cost and

expense, which include court costs and attorney fees. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense. Nothing in this condition shall be construed to prohibit the City of Winters from participating in the defense of any claim, action, or proceeding, if City bears its own attorney fees and cost, and defends the action in good faith. Applicant shall not be required to pay or perform any settlement unless the applicant in good faith approves the settlement, and the settlement imposes not direct or indirect cost on the City of Winters, or its agents, officers, and employees, the Winters Planning Commission, any advisory agency to the City, local district, and the City Council.

6. The applicant shall provide the City with an additional deposit of \$1,000.00 to cover actual costs incurred by the City for the parcel map plan check.
7. The applicant shall provide the City with one mylar and four paper copies of the recorded map.
8. The applicant shall pay all applicable taxes, fees, and charges at the rate amount in effect at the time of such taxes, fees, and charges become due and payable.
9. Prepare improvement plans for work within the public right-of-way, including an on-site grading plan, and submit them to the Public Works department for review and approval. The improvement plan sheets shall conform to the City of Winters Public Improvements Standards and Construction Standards. This submittal is separate from the building permit submittal. The Applicant shall provide two sets of each improvement plan submittal for review. Upon City Engineer approval, the Applicant shall provide 2 wet-stamped sets of approved improvement plans, two wet-stamped sets of approved grading plans, and two print sets of the grading plans. The Applicant shall submit and one electronic media file (PDF) of the entire set of plans.
10. Submit a Soils Report along with the improvement plans.
11. 48-hours prior to commencement of construction activity, Applicant shall notify residents within 300 feet of the work.
12. The differential in elevation between rear and side abutting lot lines shall not exceed twelve inches (12") without construction of concrete or masonry block retaining walls.
13. All perimeter parcels and lots shall be protected against surface runoff from adjacent properties in a manner acceptable to the City Engineer.
14. All projects shall include implementation of post-construction best management practices (BMP). Post construction BMP's shall be identified on improvement plans and approved by the City Engineer. Construction of projects disturbing more than one acre of soil shall require a National Pollution Discharge Elimination System (NPDES) construction permit.
15. Landscaped slopes along streets shall not exceed 5:1; exceptions shall require approval of the City Engineer. Level areas having a minimum width of two (2) feet shall be required at the toe and top of said slopes.
16. All inactive portions of the construction site, which have been graded will be seeded and watered until vegetation is grown.
17. Grading shall not occur when wind speeds exceeds 20 MPH over a one hour period.
18. Potentially windblown materials shall be watered or covered.
19. Construction areas and streets shall be wet swept.

20. The property shall be connected to the City of Winters water and sewer system, at the Applicant's expense, with a separate water service and sewer lateral required for each parcel, in accordance with City of Winters Public Improvement standards and Construction Standards.
21. At the time the Building Permit is issued, the applicant will be required to pay the appropriate City connection Fees. All domestic water services will be metered. Water meters shall be installed on all water services to the satisfaction of the Public Works Department.
22. The City of Winters Inspection Fee applies and is due before approval of the public improvement plans.
23. The conditions as set forth in this document are not all inclusive. Applicant shall thoroughly review all City, state, and federal planning documents associated with this map and comply with all regulations, mitigations and conditions set forth.
24. Joint trench/utility/composite plans shall be submitted to the City Engineer for review, prior to approval of the final map and improvement plans.
25. The public improvements on the improvement plans shall be constructed and accepted prior to issuance of any building permit.
26. Occupancy shall not occur until on-site grading and off-site public improvements have been accepted by the City Engineer and as-built drawings have been submitted. Applicants, and/or owners shall be responsible to so inform prospective buyers, lessees, or renters of this condition.
27. As part of the public improvements, the engineer or surveyor shall set sufficient durable monuments to conform to the standards described in Section 8771 of the Business and Professions Code.
28. Conform to County Health regulations and requirements for the abandonment of a septic tanks and water wells.
29. Existing public and private facilities damaged during the course of construction shall be repaired by the applicant, at his sole expense, to the satisfaction of Public Works.
30. All utility poles that are to be relocated in conjunction with this project shall be identified on the improvement plans, with existing and proposed locations indicated.

**PASSED AND ADOPTED** by the City of Winters Planning Commission on this 23 day of September, 2014, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Bill Biasi, **CHAIRMAN**

---

Nanci G. Mills, **CITY CLERK**