

# CITY OF WINTERS PLANNING COMMISSION AGENDA

**Tuesday, January 24, 2006 @ 7:30 PM**

City of Winters Council Chambers  
318 First Street  
Winters, CA 95694-1923  
Community Development Department  
Contact Phone Number (530) 795-2101  
Email: [dan.sokolow@cityofwinters.org](mailto:dan.sokolow@cityofwinters.org)

Chairman: Ed Ross  
Vice-Chair: Don Jordan  
Commissioners: Albert Vallecillo, Jack Graf, Joe  
Tramontana, Cecilia Curry, and Pierre Neu  
Administrative Secretary: Jen Michaelis  
Community Development Director: Dan Sokolow

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

## **II ROLL CALL & PLEDGE OF ALLEGIANCE**

## **III COMMUNICATIONS:**

1. Staff Report  
Current Planning Projects list dated January 18, 2006.
2. Commission Reports

## **IV 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. Each speaker is limited to three (3) minutes.

## **V CONSENT ITEM**

Approve minutes of December 21, 2005 regularly scheduled meeting of the Planning Commission.

## **VI ACTION ITEMS:**

1. Public Hearing and consideration of Downtown Master Plan.
2. Public Hearing and consideration of Habitat Mitigation Policy.
3. Public Hearing and consideration of Zoning Ordinance Interpretation (2005-001-INT) application submitted by Glenn and Jeanette DeVries for 112 Main Street (APN 003-202-02) on whether a structure in the Central Business District (C-2) Zone that has been destroyed by a fire or other catastrophe can be re-built and used as a single-family residence if it had not been used as a single-family residence at the time of its destruction but has a history of use as a single-family residence.
4. Public Hearing and consideration of amendment to Zoning Ordinance to drop the conditional use permit requirement for multi-family projects in the R-3 (Multi-Family Residential) and R-4 (High Density Multi-Family Residential) Zones.

## **VII DISCUSSION ITEM**

None.

## **VIII INFORMATIONAL ITEM**

None.

## **IX ADJOURNMENT**

**POSTING OF AGENDA:** PURSUANT TO GOVERNMENT CODE § 54954.2, THE COMMUNITY DEVELOPMENT DIRECTOR OF THE COMMUNITY DEVELOPMENT DEPARTMENT POSTED THE AGENDA FOR THIS MEETING ON WEDNESDAY, JANUARY 18, 2006.



DAN SOKOLOW – COMMUNITY DEVELOPMENT DIRECTOR

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

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

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

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

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

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

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

**THE COUNCIL CHAMBERS IS WHEELCHAIR ACCESSIBLE**

**CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT (530) 795-4910 X 112**

**CURRENT PROJECTS FOR THE CITY OF WINTERS AS OF JANUARY 18, 2006**

Website: [www.cityofwinters.org](http://www.cityofwinters.org)

<b>PROJECT NAME AND PROPONENT WITH CONTACT INFORMATION</b>	<b>PROJECT DESCRIPTION</b>	<b>STATUS/PROCESS</b>	<b>PLANNER/ENGINEER</b>
(1) Winters Highlands Subdivision, Granite Bay Holdings, LLC. Larry John (916) 960-1656	Proposal to develop approximately 413 single-family residential units and 30 multifamily residential units in northwestern part of city.	Application is being processed, focused EIR (on specific biological aspects), GPA, Zoning Amendment, Inclusionary Housing Agreement. Planning Commission public hearing scheduled for February 9, 2006, and City Council public hearing scheduled for February 21, 2006.	Heidi Tschudin, Nick Ponticello
(2) Winters Townhomes & Apartments, Bob Thompson (707) 372-9355 & John Siracusa (530) 795-0213	Proposal to develop 15 condominiums on the southeast and southwest corners of East Main and East Baker Streets	City Council approved the final map for the West Project (10 units) at its October 4, 2005 meeting while the East Project (5 units) still needs final map approval.	Dan Sokolow, Nick Ponticello
(3) Callahan Estates, Hofmann Land Development Company, Jim Hildenbrand (925) 682-4830	Proposal to develop 120 single-family residential lots in northwest section of city.	City Council approved Tentative Subdivision Map at its March 15, 2005 meeting.	Heidi Tschudin, Nick Ponticello
(4) Creekside Estates, Don Miller (530) 753-2596	40-unit subdivision at southwest part of city.	City Council approved Tentative Subdivision Map at its April 19, 2005 meeting.	Heidi Tschudin, Nick Ponticello
(5) Main Street Village, JDS Construction, Albert Vallecillo, Elliot Landis John Siracusa, and Paul Fair (530) 795-0213	Mixed Use commercial/residential project at edge of downtown business district. Project is bounded on the north by Abbey Street, on the south by Main Street, on the west by Railroad Street, and on the east by Elliot Street.	Construction completed at 5 and 7 East Main Street buildings.	Dan Sokolow, Nick Ponticello

(6) Hudson-Ogando, Hofmann Land Development Company, Jim Hildenbrand (925) 682-4830	Proposal to develop 72 single-family residential lots in northwest section of city.	City Council approved Tentative Subdivision Map at its December 19, 2005 meeting.	Heidi Tschudin, Nick Ponticello
(7) The Cottages at Carter Ranch Phase 2, Sacramento Pacific Development, Mark Wiese (916) 853-9800	Proposal to develop 6 single-family residential affordable subdivision (moderate-income units) directly south of Cottages at Carter Ranch.	Tentative Subdivision Map, Planned Development Overlay Modification, and Site Plan (design review) approved by Planning Commission on November 23, 2004.	Dan Sokolow, Nick Ponticello
(8) Casitas at Winters, Napa Canyon LLC, Mark Power (707) 253-1339	Proposal to develop 16 condominium units on a 1.27-acre site on Grant Avenue east of Tomat's restaurant.	Tentative Subdivision Map, Planned Development, Conditional Use Permit, and Site Plan (design review).	Dan Sokolow, Nick Ponticello
(9) Dunmore Commercial Project, Dunmore Communities, Rad Bartlam, (916) 676-1115	Proposal to construct hotel, two retail outlets, three fast food restaurants, and gas station on the south side of Grant Avenue adjacent to the Interstate 505 southbound on-ramp.	General Plan Amendment, Rezone, Conditional Use Permit, Amendment/Update to Gateway Master Plan, & Site Plan (design review).	Heidi Tschudin, Nick Ponticello
(10) Winters II, Community Housing Opportunities Corporation, Paul Ainger (530) 757-444	Proposal to construct a 34-unit apartment complex for very low- & low-income households at 110 East Baker Street.	Site Plan & Conditional Use Permit. approved at September 27, 2005 Planning Commission meeting.	Dan Sokolow, Nick Ponticello
(11) Village on the Park, Village Partners, LLC, Mark Walther (310) 798-5656	Proposal to construct a 75-unit condominium project on a 10-acre site on Railroad Avenue south of NC Foliage (1029 Railroad).	Tentative Subdivision Map, Conditional Use Permit, & Site Plan (design review).	Heidi Tschudin, Nick Ponticello

**Affordable Housing Units:**

**Project #1 proposal includes 26 units for very low-income households and 40 units for low- to moderate-income households; Project #2 will include 3 units for low-income households; Project #3 will include 7 units for very low-, 7 units for low-, and 4 units for moderate-income households; Project #4 will include 1 unit for very low-, 2 units for low-, and 1 unit for moderate-income households; Project #6 will include 11 units for very low- and low-income households; Project #7 will include 6 units for moderate-income households; Project #8 proposal includes 2 units for low-income households; Project #10 will include 34 rental units for very- and low-income households; and Project #11 proposal includes 5 units for very low-income and 7 units for low- to moderate-income households.**

**MINUTES OF A REGULAR WINTERS PLANNING COMMISSION MEETING HELD  
TUESDAY, DECEMBER 21, 2005**

Vice-Chairman Graf called the meeting to order at 7:30 p.m.

**PRESENT:** Curry, Jordan, Neu, Tramontana, Vallecillo (arrived at 7:35 p.m.) & Vice-Chairman Graf

**ABSENT:** None

**STAFF:** Dan Sokolow, Community Development Director, Heidi Tschudin, Contract Planner

Vice-Chairman Graf led in the Pledge of Allegiance.

**COMMUNICATIONS:**

**1. Staff Report**

Current Planning Projects list dated December 14, 2005.

Community Development Director Sokolow noted a change to #7. The second readings of the development agreement and planned development overlay for the Hudson-Ogando project were held on December 19 and tentative subdivision map has been approved for the project.

Sokolow also stated that the Grant Avenue Traffic Study is ongoing, exploring some creative alternatives to signalization at intersections on Grant.

Sokolow said that the Winters Highlands Project is not looking like it's going to make the January meeting date. Sokolow asked commissioners if they would be willing to consider a special meeting in February to discuss and consider Highlands only. Commissioners concurred on the preferred date of Tuesday February 9<sup>th</sup> at 7:30 p.m.

Commissioner Tramontana moved to hold a special meeting to consider Winters Highlands on Tuesday, February 9<sup>th</sup> at 7:30 p.m.

Seconded by Jordan.

**AYES:** Curry, Graf, Neu, Ross, Tramontana, Jordan

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Vallecillo

Motion carried unanimously with Vallecillo absent.

Commissioner Graf noted the next regular meeting of the Commission is January 24<sup>th</sup>, 2006.

**Commission Reports**

Commissioner Curry noted the joint City Council & Planning Commission workshop scheduled for January 11, 2006 at the Community Center.

Commissioner Vallecillo arrived at 7:35 p.m.

Commissioner Curry voiced her concern about dust mitigation at the new Winters Apartments site.

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Sokolow replied that there are existing conditions, however he would pose the question to CHOC and bring more information back to the Commission.

Commissioner Graf brought forward for review/reminder the calendar of meetings for the next two months. January 11<sup>th</sup>, 2006- 7:30 p.m. workshop with City Council regarding Winters Highlands at the Community Center. January 24<sup>th</sup>- 7:30 p.m regular Planning Commission meeting at City Hall. February 9<sup>th</sup>- 7:30 p.m. special Planning Commission meeting (public hearing) regarding Winters Highlands at City Hall.

There was no citizen input.

**CONSENT ITEM #1:**

1. Approve minutes of November 29, 2005 regularly scheduled meeting of the Planning Commission.

Sokolow made the correction of the addition of two sentences at the end of Page 3, "the commission did not take action on this item. The item will need to be re-noticed and agendized."

Commissioner Curry moved to approve minutes of November 29, 2005 regularly scheduled meeting of the Planning Commission with revisions.

Seconded by Commissioner Vallecillo.

AYES: Curry, Graf, Neu, Ross, Tramontana, Vallecillo, Jordan

NOES: None

ABSTAIN: None

ABSENT: None

Motion carried unanimously.

**ACTION ITEM #1**

1. Selection of Planning Commission Chairperson and Vice Chairperson.

Sokolow introduced the item and the need for a selection to be made.

Commissioner Jordan made a motion to nominate Ed Ross as Chairman.

Seconded by Commissioner Curry.

AYES: Curry, Graf, Neu, Ross, Tramontana, Vallecillo, Jordan

NOES: None

ABSTAIN: None

ABSENT: None

Motion carried unanimously.

Vice-Chairman Graf passed the gavel over to new Chairman Ed Ross.

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Commissioner Tramontana moved to nominate Don Jordan as Vice-Chairman.

Seconded by Commissioner Graf.

AYES: Curry, Graf, Jordan, Neu, Tramontana, Vallecillo, Chairman Ross

NOES: None

ABSTAIN: None

ABSENT: None

Motion carried unanimously.

**DISCUSSION**

**1. Public Hearing and consideration of Habitat Mitigation Policy.**

Heidi Tschudin, Contract Planner, began her item by noting that she has worked on this issue, agriculture and habitat mitigation, for the past 20 years. Her work has involved the Cache Creek Conservation Area in Yolo County which involves public ownership on the creek as well as a 1000-acre habitat plan for the City of Woodland Springlake Specific Plan. She is also part of a speaker series on habitat mitigation that the Great Valley Center has put together. Tschudin said the Callahan Estates, Creekside Estates, Hudson-Ogando, and Winters Highlands projects open an opportunity for the City to create a strategy to gain multiple benefits from the various habitat mitigation requirements. She introduced a chart on the four projects that details the habitat mitigation requirements and noted that the cumulative acreage is significant.

Tschudin provided the Commission with a handout regarding the perceptions of open. As a planner, she said that open space is zoning and general designation, but it may mean other things to other people. Tschudin cited parkland, agriculture land, habitat mitigation land, habitat mitigation bank, undeveloped private land, and undeveloped public land.

She also posed a series of questions to the Commission regarding habitat mitigation.

Discussion Question #1: Are multi-use goals important to the Commission? Tschudin gave the example of the Cache Creek Conservation Area which is open to the public. Commissioner Curry asked who manages it and whether it was non-profit. Tschudin said the non-profit Cache Creek Conservancy manages it. Commissioner Vallecillo asked why the State and Federal governments might not like overlapping uses for habitat mitigation. Tschudin said that with no overlapping uses there is no possibility for conflicting uses. Vallecillo asked if there was any scientific evidence that one approach for habitat mitigation is better than another one. Tschudin replied that under State/Federal rules you have to prove value for the specific species being mitigated.

Discussion Question #2: Method for mitigation (local program, regional program, mitigation bank)?

Discussion Question #3: Multiple species or Swainson's hawk only?

Discussion Question #4: Land dedication or in-lieu fees? If you accept money, Tschudin said, the value of the money erodes over time. However, it is difficult to mitigate for small projects. There may be a need to combine in-lieu fees with other funds to acquire better value for habitat

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mitigation. If a jurisdiction is going to accept in-lieu fees, its needs to have a program in place to spend the funds on habitat mitigation.

Discussion Question #5: Proximity of mitigation? Tschudin noted that designating properties or areas for habitat mitigation changes the market.

Chairman Ross asked if staff was looking for general input or a resolution/ordinance to be considered by the City Council regarding a habitat mitigation policy. Sokolow answered that a form of a resolution from the City Council was needed, but staff is seeking direction from the Commission on their ideas about habitat mitigation.

Discussion Question #6: Is stacking of mitigation acceptable? Tschudin noted that the City of Woodland made a policy for the Springlake Specific Plan to allow stacking of agriculture and Swainson's hawk mitigation; however, the City of Davis doesn't allow stacking. Commissioner Neu noted that he is in favor of stacking uses.

Vice-Chair Jordan asked if there is any reason that the Yolo County Habitat Conservation Plan/Natural Community Conservation Plan Joint Powers Agency (JPA) has not expended funds on Swainson's hawk mitigation easements. Sokolow gave an overview of the background of the JPA. He noted that the State Department of Fish and Game only allowed the JPA to purchase Swainson's hawk easements a couple of years ago. The JPA has gotten close to purchasing easement, but hasn't been able to complete a transaction yet. The JPA is in process of updating its in-lieu fees and the per-acre fee is expected to increase from the current fee of \$4900 to more than \$7000. Commission Graf said that reinvigoration of the JPA doesn't prevent the City from doing what its wants to do with respect to habitat mitigation.

Chairman Ross opened the Public Hearing at 8:40 p.m. and closed it at 8:40 p.m.

Graf said that the Commission really needs to think about what is the best to do for the hawk, and he does not support in-lieu fees. Curry this is a regional issue. The hawk doesn't just fly over Winters; there needs to be contiguous acres acquired for Swainson's hawk mitigation. Curry said she supports land dedication for the hawk. Neu said land needs to be acquired for the hawk and the lands need to be as close as possible to Winters.

Ross said his view is to acquire dedications across the board. Jordan said this could impact small, in-fill type projects. Ross said that he would support an appeal and discretionary process for smaller projects regarding habitat mitigation. Vallecillo said he wants dedication for habitat mitigation, but the Commission may want to allow smaller projects to pay in-lieu fees. Neu said that he wasn't comfortable in establishing a threshold for when the payment of in-lieu fees would be allowed.

In response to a question from the Commission regarding habitat mitigation within the City Limits, Tschudin said that as a planner she wouldn't recommend this since a city wants to grow within its boundaries.

Ross asked staff to come up with a policy on small projects.

Sokolow wrapped up this item by stating that this would have to be brought back to the

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Commission at a later time for further discussion and consideration by the Commission.

The Commission took a recess at 9:03 p.m. and reconvened at 9:08 p.m.

**2. Public Hearing and Consideration of Site Plan application for the landscaping of the streetscapes and green spaces in the Callahan Estates (West Main Street, APN 030-220-22) and Hudson-Ogando (537 West Grant Avenue, APN 030-430-29 and 13) projects. Applicant: Winters Investors, LLC.**

Sokolow gave a brief overview and asked for questions.

Scott Foyer, landscape designer for the project from Rose Associates, discussed the types of trees chosen. He has chosen trees with 30-40 foot canopies at full growth. The trees were chosen to create continuity in the streetscape with a variety of trees in front yards. Two trees not on the City Approved Tree List were used as accent trees, not as street trees. Foyer said the Columbia (London Plane) was chosen because it is resistant to two diseases. Over time, the understory trees will adjust to the shading provided by the taller, shade trees.

Regarding the addition of a centerline for the bike path on the west side of Main Street, Foyer said the centerline might be considered at a later date when there is more growth in the north area.

Commissioner Tramontana asked why only one bike rack in green space #3 (the area on the west side of Callahan Estates). Foyer replied that the reason is because of the small size of the green space.

Commissioner Graf voiced concern about the maintenance of the landscaped areas. Sokolow replied that there is a one-year warranty on the landscaping and the City's Public Works Department will maintain the landscaping.

Commissioner Curry asked about using drought resistant shrubs, obtaining a soils report so the trees don't rot, using larger trees such as 24" box trees, and what steps will be taken to prevent sidewalk damage from tree roots.

Foyer replied that the trees will have root barriers and that they have avoided picking trees that have invasive root systems such as Liquid Ambers and others.

Commissioner Vallecillo asked whether Foyer would be doing the construction management for the project. Foyer replied that he would.

Vallecillo suggested avoiding the use of Rayburn Ash because they tend to get mistletoe and have a limited lifespan. Vallecillo also asked why the City is not offering the Tree Rebate Program for planting strips when we are encouraging these types of trees. He said this is discrimination against people with planter strips.

Curry asked about locations for bus stops. Vallecillo asked whether staff could investigate what the bus stop standards are for YoloBus.

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Commissioner Jordan said the soil in the Callahan Estates and Hudson-Ogando areas is clay. The landscapers dig the 15-gallon hole, add the soil amendment, and plant the tree. Then the tree sits in water because of the poor drainage.

Vallecillo noted that the City needs to be responsible for the oversight of the program to ensure that everything is done to plans. Commissioner Graf added that the City may want to contract with a landscape inspector to interface with Foyer.

Sokolow stated that Tony Luna's crew from the City's Public Works Department's Field Staff would perform the inspections of the new landscaped areas.

Chairman Ross opened the Public Hearing at 9:56 p.m.

Marcia Gibbs, 204 Main Street, commented on how important it is to have a plan and ensure it is maintained. She said there's a subdivision in the City where most of the plants have died. Gibbs is concerned that there is a lack of native plants such as native grasses in the landscape plans and suggested that the Planning Commission needs to review the shrub list. She questioned why there were no provisions for trash cans. Gibbs said the landscape plans have too much hardscape; there needs to be more soft, impervious surfaces. She questioned whether anyone would use the sitting area at the intersection of Main Street and Grant Avenue.

Chairman Ross closed the Public Hearing at 10:00 p.m.

Commissioner Jordan suggested placing trash cans at the play structure and the picnic green spaces.

Commissioner Curry added that she also has concerns about the lack of native grasses.

Commissioner Graf stated that he thinks the City needs strong professional staff to support City Staff and work with the landscape architect.

City Manager John Donlevy would support placing a trash can near the street corner for the tot lot area (green space). He said the Streets Division in the Public Works Department will be part of the overall inspection effort for the landscaping and staff will come back to the Planning Commission and detailed how the City will handle inspections of the landscape improvements.

Ross noted that tree planting really need to be reviewed by an arborist.

Commissioner Neu asked about installing something in the storm drain inlets to prevent debris from collecting in the storm drain system.

Vallecillo recommended that a staff person/consultant do the quality assurance/plan inspection of the landscaping.

Commissioner Vallecillo moved to approve the Site Plan (landscape plans) for the Callahan Estates and Hudson-Ogando projects with the following conditions.

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**CONDITIONS OF APPROVAL FOR THE WEST MAIN STREET (CALLAHAN ESTATES) AND 537 WEST GRANT AVENUE (HUDSON-OGANDO) PROJECT (SITE PLAN) LOCATED ON ASSESSOR PARCEL NUMBER 030-220-22 FOR CALLAHAN ESTATES AND ASSESSOR PARCEL NUMBERS 030-430-29 and 13 FOR HUDSON-OGANDO, WINTERS, CA 95694.**

1. In the event any claim, action or proceeding is commenced naming the City or its agents, officers, and employees as defendant, respondent or cross defendant arising or alleged to arise from the City's approval of this project, the project Applicant shall defend, indemnify, and hold harmless the City or its agents, officers and employees, from liability, damages, penalties, costs or 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 includes court costs and attorney fees. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense. Nothing in this condition shall be construed to prohibit the City of Winters from participating in the defense of any claim, action, or proceeding, if City bears its own attorney fees and cost, and defends the action in good faith. Applicant shall not be required to pay or perform any settlement unless the 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.
2. The applicants shall provide the City with one mylar and four paper copies of the final landscape plans.
3. The applicant shall pay all applicable taxes, fees, and charges at the rate and amount in effect at the time of such taxes, fees, and charges become due and payable.
4. The applicant shall submit the manufacturer's specifications for the furnishings (play structures, bicycle racks, picnic tables, benches, etc.) for the green spaces and parkway areas located in Callahan Estates and Hudson-Ogando to the Public Works Director and City Engineer for review and approval. The Public Works Director and City Engineer shall determine the colors of the furnishings.
5. Applicant shall submit irrigation plans to the City for review and approval of the Public Works Director and City Engineer; the irrigation plans shall also identify the type and location of the irrigation controllers, water meters, and backflow devices. The type, number, and location of the irrigation controllers, water meters, and backflow devices shall be determined by the Public Works Director and City Engineer. To the greatest extent possible, the applicant shall utilize water efficient irrigation devices.
6. The applicant shall install a trash can at each of the following three locations: Hudson-Ogando green space, westerly Callahan Estates green space, and easterly Callahan Estates green space.
7. The City shall utilize a consultant to plan check the landscape plans and ensure quality

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assurance with implementation of the landscape plans.

8. Native plants shall be used within the planting palette where appropriate.

Seconded by Commissioner Jordan.

AYES: Curry, Graf, Jordan, Neu, Tramontana, Vallecillo, Chairman Ross

NOES: None

ABSTAIN: None

ABSENT: None

Motion carried unanimously.

The meeting was adjourned at 10:28 P.M.

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ED ROSS, CHAIRMAN

ATTEST:

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DAN SOKOLOW, COMMUNITY DEVELOPMENT DIRECTOR



**PLANNING COMMISSION STAFF REPORT**  
January 24, 2006

**TO:** Planning Commission  
**FROM:** Stephen Streeter, Redevelopment Consultant  
**SUBJECT:** Downtown Master Plan

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**RECOMMENDATION:** After hearing an overview of the Downtown Master Plan from the consultants and staff, forward a recommendation for approval of the Downtown Master Plan to the City Council.

**SUMMARY OF PROJECT:** The Downtown Master Plan Area encompasses about 50 acres in size. It incorporates the historic downtown commercial core along Main Street; properties along Main Street between Elliot Street on the east and Second Street on the west; along Railroad Avenue between Grant Avenue/State Route 128 on the north, Wolfskill Street on the south; and portions of adjacent blocks along Abbey, Edwards and Baker Streets. The northerly boundary includes "downtown gateway" properties at the northeast corner of Railroad and Grant Avenues. The Master Plan Area is bounded by Putah Creek on the south.

As part of the implementation process for the City's General Plan and Zoning Ordinance, The *Downtown Winters Master Plan* describes policy changes and capital improvement projects that will help Downtown continue to attract investment and grow, while maintaining the historic, small town character that is fundamental to its identity. The Master Plan offers a vision for the expansion of Downtown that is consistent with the findings of the *Downtown Winters Market Evaluation*, prepared in 2004. It contains development concepts for key properties, sketch plans for community design-related capital improvements, and new policy recommendations for shared district parking and architectural design. The Master Plan is expected to serve as the principal guide to revitalization-related efforts in the district. A number of its recommendations will require amendment to existing City of Winters policies and/or adoption of new ones as outlined in Chapter V, "Implementation Recommendations".

**BACKGROUND:**

- On March 22, 2005, City staff and the Master Plan consultant, Terry Bottomley, began the Downtown Master Plan process with a public workshop forum.
- On March 24, 2005, the first Steering Committee meeting was held.
- On April 28, 2005, the second Steering Committee meeting was held to go over the vision plan, discuss parking issues, infill-development, parking standards and reference statistics, existing parking supply, angle parking frontage setbacks and pedestrian walkways.
- On May 3, 2005, the City Council approved the conceptual layout for the intersection

improvements at Main Street and Railroad Avenue with the stipulation that stamped or colored crosswalks be included.

- On May 25, 2005, a second public meeting was held to discuss the vision plan, parking issues, and the northern area of the downtown master plan.
- On June 6, 2005, the third Steering Committee meeting was held to discuss the water tower design options, downtown signage, intersection improvement designs, angle parking, pedestrian esplanades and the northern section of the master plan area.
- On July 8, the fourth Steering Committee was held to discuss vision plan modifications, Main Street/Railroad Avenue bulb-out design, Railroad Avenue frontage and Double M development concepts.
- On August 9, 2005, the fifth Steering Committee meeting was held to finalize discussions on parking standards, project costs and priorities, design guidelines, and the master plan content.
- On October 11, 2005, a joint City Council/Planning Commission workshop was held on the Downtown Master Plan. See post-it note comments in Attachment 1.
- On December 14, 2005, the Steering Committee met to critique a draft Master Plan prepared by the consultant. The committee's comments are summarized in Attachment 2.

## **DISCUSSION**

A total of fifteen policy changes and capital improvement projects that require implementation or subsequent action by the Planning Commission and/or the City Council/Community Development Agency are listed on page 5 of the downtown master plan and described in more detail on pages 28 to 39.

### ***Plans & Policies***

- 1. Shared Downtown Parking Standards**
- 2. Railroad Avenue/Mariani Properties Redevelopment**
- 3. North Downtown Gateway Site Redevelopment**
- 4. Updated Development Guidelines**
- 5. Form-Based Downtown Development Code**

### ***Capital Improvement Projects***

- 6. Downtown Parking Lot**
- 7. Grant Avenue Streetscape Improvements**
- 8. Downtown Entrance Sign**
- 9. Railroad Avenue Streetscape Improvements**
- 10. Downtown Alley Renovations**
- 11. Mid-Block Paseo**
- 12. Mid-Block Parking Areas**
- 13. Intersection Bulb-Outs**
- 14. Main Street Streetscape Renovation**
- 15. South Gateway/Creekside Park**

### ***Art in Public Places***

A paragraph was added on page 27, as recommended at the December 14, 2005 Steering Committee, about incorporation of public art and artisan-made elements into urban design-related capital improvements.

**Form-Based Code**

As a follow up step to adoption of the Downtown Master Plan, the staff will recommend working with the same consultant and members of the Downtown Master Plan Committee to prepare form-based standards and design guidelines for the Downtown Master Plan area. This Development Code would be a concise, graphically oriented document that clearly expresses the city's recommendations and requirements for new development. New land use and parking requirements will be established, in addition to quantitative standards for building heights, setbacks and massing. Design guidelines would address specifics of architectural design and detailing to ensure that new development complements downtown's mix of historic buildings. Additional standards related to street rights-of-way, easements, and/or funding of infrastructure would be incorporated.

If this concept proceeds, it is anticipated that the form-based code policies and regulations would be adopted as a new "Planned Development – Downtown" zoning district. Adoption of the new code would require amendment of the General Plan and the Zoning Code, and amendment of General Plan and Zoning Code land uses, boundaries, and standards would be accomplished as part of the adoption process.

**ENVIRONMENTAL:** In accordance with the California Environmental Quality Act (CEQA), the Downtown Master Plan is found to be a project consistent with a Community Plan, General Plan, or Zoning per Section 15183 of the CEQA Guidelines. CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as may be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.

**ATTACHMENTS:**

- 1) Downtown Winters Master Plan, Community Workshop - October 11, 2005 Workshop: Post-It Note Comments
  - 2) Downtown Master Plan – Committee Changes to Draft (at December 14, 2005 Steering Committee meeting)
  - 3) City of Winters Downtown Master Plan, January 2006 – Public Distribution Draft
- [A pdf version of the entire document is available on the City's website at [www.cityofwinters.org](http://www.cityofwinters.org)]

City of Winters, Downtown Winters Master Plan  
Community Workshop - October 11, 2005  
Post-It Note Comments

The notes below were transcribed from post-it note comments placed on wall graphics by workshop participants. Two colors of post-it notes were used, green to represent "like" comments and pink to signify "dislike" or "needs improvement" comments.

#### Downtown Vision Plan

The following are "like" comments:

- "Growers Station" is a fabulous idea, indoor/outdoor quality merchants will draw people
- Extend the Downtown Vision (area) north to Nieman
- People-friendly intersection is needed @ Grant & RR Avenue. Free or low cost transit, like a trolley around town, is needed to keep cars at home.
- Grant Avenue / Railroad Avenue intersection should be pedestrian friendly and should welcome everyone to Winters!
- Promenade (along Railroad Avenue) will attract people.
- Add mid-block passages (along Railroad Avenue).
- Developing a promenade (along Railroad Avenue) will probably bring in retail.
- Need a jitney or small bus service in downtown and throughout the whole city.
- Yes to New Creek Bridge (consider design of Folsom Lake).
- More office space and "clean" commercial is good. I live five minutes from my work; it saves gas and keeps the environment clean.

The following are "needs improvement" comments:

- It's so important to promote specialty businesses so the community supports and keeps them in business.
- There should be pedestrian connections to the northwest quad, pathways to high school from surrounding area.
- Too heavy on (infill) residential.

#### Downtown Vision Concept

The following are "like" comments:

- Infill (residential) is a great idea here (i.e., site between Dutton and Railroad Avenue).

#### Alley / Parking Improvements (A)

The following are "like" comments:

- Like pavers and paver stones (for alley surfacing).
- Pavers look good, but they don't hold up to vehicle traffic. Maybe stamped concrete?
- Good concept for pedestrian pass-through (mid-block paseo).
- I like the trees in front of the walk as in Palo Alto.
- Pedestrian crossing at mid-block (of Main) good! Loss of parking spaces is minimal when you see some businesses parking several of their vehicles out front, while their rear lots are unused.
- Add pedestrian crossing here (across Main at end of mid-block paseo).
- Dumpster storage? (noted at proposed patio area between buildings).
- Like mid-block paseo concept.
- I like pavers wherever we can afford them.

- I agree (with above comment re: pavers).

The following are "needs improvement" comments:

- Stay off "Express Garden" area.
- This isn't Palms accurate. The Express building doesn't extend this far to the west. Need parking space in back for performers and buses.
- Change one-way traffic direction shown (i.e., from west/east to east/west); safer for pedestrians (exiting the alley to Railroad between First Street and Main).

Alley / Parking Improvements (B)

The following are "like" comments:

- Alley improvement good.
- I like the expansion of parking into the center of the blocks. Perhaps some controls such as modern metering devices should be included to generate funding - free parking is not free! Additionally, considering that current businesses can park several of their (employee) vehicles in prime parking spots is there a modern metering systems that can allow "free" parking and metered parking to coexist at different hours of the day?
- This is excellent! Now, this is a slum. Needs upgrade/improvements!
- Good luck cleaning up the mess.
- Good alley plan.

Core Area Commercial/Parking Supply

The following are "needs improvement" comments:

- Need to keep the same or more parking.
- Parking (new, next to Rotary Park) should have lots of trees to be like an extension of the park.
- Should be all park (at Rotary Park); parking should be located next to the by Community Center.
- Need trees and/or shade structures. Trees would be best but shade structures would be okay.

Railroad Avenue Plan Options (Plans)

The following are "like" comments:

- Keep streets narrow, slow traffic. Good plan.
- Keep the street as narrow as possible, no turn lanes.
- Like this one! (Angle Parking w/ Left Turn Lane)
- The best plan! (Angle Parking w/ Left Turn Lane)
- Good! Like diagonal parking (Angle Parking w/ Left Turn Lane)
- Yes! (Angle Parking w/ Left Turn Lane)
- Must allow left turns, angle parking very good.
- Good idea, also looks very organized and easy to park (Angle Parking w/ Left Turn Lane)
- Angle parking and left turn lanes okay.
- Yes (Angle Parking w/ Left Turn Lane).

The following are "needs improvement" comments:

- No turn lanes, narrow street good, slow traffic.

Railroad Avenue Options (Cross Sections)

The following are "like" comments:

- Good use of space.
- Angled parking, no left turn, necessary (for) slower (traffic).
- Yes (Angle Parking w/ Left Turn Lanes)
- Good. We don't need left turn lanes, we want to slow down here.
- Left turn lanes are needed around RR Ave, would make it more user friendly.
- I like the cross section without the turn lane.
- Much prefer no turn lanes.
- Great plan! No left turn lanes equals slower traffic.
- Diagonal parking increases parking density but uses valuable building space.
- Angle parking and left turn lanes okay.

The following are "needs improvement" comments:

- We don't want turn lanes or wide streets.
- Need left turn lanes.
- Seems this option would allow for too much traffic at higher speeds (Angle Parking w/ Left Turn Lanes).

North Gateway Site - Commercial / Residential (1)

The following are "like" comments:

- Excellent; #1 favored over #2 and #3.
- Great idea to put landmark/Ag-related retail on this corner.
- Dense housing is good, less expensive and will support businesses.
- Dense housing is good, include low and moderate income w/ higher end townhouses.
- Need townhouses, very good idea.

The following are "needs improvement" comments:

- Good place for a library (proposed location of Interpretive Ag Retail).
- Not sure of year round success (proposed Interpretive Ag Retail).
- Too much residential.
- Residential too dense for this space.
- I prefer that residential not be included in this area.

North Gateway Site - Commercial / Residential (2)

The following are "like" comments:

- This will increase need for in-town transportation system, shuttles, etc...
- I like the store concept.
- Store idea is great; should have more more supportive retail around it.
- Great concept (proposed Interpretive Ag Retail).
- The Growers Station Concept is great! It builds upon what we have and do. It builds on our regional character. Architects call this "critical regionalism."
- Dense residential is needed to support the commercial.
- A community need (Grocery/Specialty Food).
- A Grocery/Specialty Food store is the best concept.

The following are "needs improvement" comments:

- This may be too dense (proposed townhouses).
- Not a good place (proposed Grocery/Specialty Food location).
- Grocery store should not be here, put it south of Grant.

- Grocery store good but put it downtown!
- Don't put a big grocery store away from downtown.

#### North Gateway Site - Commercial / Residential (3)

The following are "like" comments:

- Great idea (proposed Interpretive Ag Retail).
- Good idea (proposed Interpretive Ag Retail).
- Good concept (proposed Interpretive Ag Retail).
- I love this idea! (proposed Interpretive Ag Retail).
- 2-story offices and less townhouses are good.
- No more than 2-story (office buildings); great for access and local business.
- Offices are okay.

The following are "needs improvement" comments:

- Offices here are boring for such a prominent location.
- Business (offices) should be located south of here.

#### Downtown Revitalization Projects

The following are "like" comments:

- Trees great. Who will care for them? Build water (irrigation) into plans.
- Yes! (Continue RR Ave esplanade to North Gateway).
- Gateway/Landmark sign - See Briggs & Co for design and build. Good idea!
- To attract boat traffic into town must have easy access parking not too far away, maybe good pedestrian access.
- Limited delivery hours (recommended).
- Gateway will attract visitors and residents.
- I like the paseo shown from the alley to Main Street.
- Bulb-Outs wherever possible.
- Diagonal parking a must (Railroad Avenue).
- Esplanade is a good linkage, carry through to the creek.
- Extend downtown theme east along Grant to 505.
- Overall good.
- Yes, good draw for Winters (expanded creek park, amphitheater, water-oriented rec).
- Concerned about crossing at Grant & RR Avenue; must be pedestrian-friendly.
- Railroad & Grant intersection needs to invite visitors to come downtown, pleasing, historical, and accessible.
- ASAP, pump priming for larger projects to come.
- Crucial to making east gateway to Winters attractive (extend Grant Ave streetscape improvements to East Street).

The following are "needs improvement" comments:

- I'm not a fan of gateway signs.

#### Main & Railroad Bulb-Outs

The following are "like" comments:

- I like this configuration.
- Beautiful!
- All of this is good.

- Excellent idea.
- This is good, makes people feel safer (bulb-out).
- This is cool (bulb-out w/ furnishings). - Great concept, will bring people out (bulb-out w/ furnishings).
- Like the bulb-outs, they narrow the streets and slow traffic.

The following are "needs improvement" comments:

- The Rotary Club Sign is actually a clock.
- Where is the "Community Events" sign on the corner of RR/Main?

Design & Development Guideline Areas

The following are "like" comments:

- Need new guidelines and good enforcement; no more than 2-stories, diversity, and patterned after existing (historic buildings).
- Excellent flexibility, opportunity in guidelines.
- Architectural guidelines are good. However, how will there be room to expand imagination (architecturally) w/o being cute or simply a historic copy - i.e. Windsor, CA. Need to allow some modernity to exist. After all we are living in the 21<sup>st</sup> century, not the 19<sup>th</sup>.
- Downtown building height limit is a good thing - 3-story max.
- Too late (Downtown/Creekside Community Open Space).
- As much residential as possible, 3-stories (max.).
- Good area for higher percentage of work/live production; easy access, reduce trucking downtown (re: North Gateway Guidelines).

The following are "needs improvement" comments:

- Where's the casino and monorail?
- Maximum of 3-stories or equal to current downtown buildings.
- Three story max.
- Three story max.

## MEMORANDUM

DATE: January 17, 2006

TO: Steve Streeter, Redevelopment Consultant  
City of Winters

FROM: Terry Bottomley

RE: **Downtown Master Plan - Committee Meeting Changes to Draft**

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The changes listed below were recommended at the December 14, 2005, Committee meeting and have been incorporated in the public distribution draft *Downtown Master Plan*. (Minor wording changes and/or text corrections are not listed.)

- Note deficiencies and capacity constraints of existing infrastructure; i.e., sewer, water, etc. (page 8).
- Provide a more general discussion of a downtown-related grocery/market (page 13).
- Delete discussion of North Gateway site grocery (page 17) and diagram (page 17).
- Note relationship of recommended capital improvements to "Grant Avenue Corridor Access Study" (page 17).
- Provide alley renovation photos (page 20).
- Show rear service access to Railroad Avenue properties (diagram, page 22).
- Change text and graphic references from "North Gateway" to "North Downtown Gateway."
- Expand description of "South Gateway/Creekside Park" to include future Railroad Avenue/Putah Creek vehicle bridge (page 27).
- Provide discussion of Art in Public Places (page 27).
- Provide a more generalized discussion of potential for increased density in the Master Plan area (page 28).
- Provide recommendation to create a Downtown-specific intersection Level of Service (LOS) policy (page 30).
- Delete Rotary Park parking lot from Cost Summary; add Community Center Rest Rooms (page 31).
- Delete guideline permitting one bay of surface parking along Grant Avenue (page 39).

*January 2006 - Public Distribution Draft*

# CITY OF WINTERS DOWNTOWN MASTER PLAN

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*Prepared by the City of Winters  
with assistance from  
Bottomley Associates Urban Design & City Planning*

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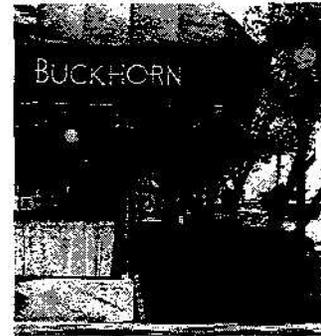
## I. Background and Vision for Downtown

### Background

Downtown Winters is a unique place, representing the city's future as well as its past. Its attractive historic buildings express the importance of Downtown to the community's identity and the value the community places on its origin. They are also indicators of the City's growth and economic development policies, focusing investment at the center of the community rather than allowing sprawl to spread into surrounding agricultural lands. The lack of strip commercial development and the presence of nearby neighborhoods encourage residents to visit Downtown daily, creating a lively and active district that is no longer common in the Central Valley.

Though nearby technology facilities, regional tourism, and UC Davis all are expanding, agriculture remains a basis of the local economy. It evolves just as other industries do, and Winters is the regional center for farms growing and distributing the high quality, value-added produce that supplies Northern California's farmers markets and most-renowned restaurants. Winters is also home to an active arts and artisan community, and residents prize the quality of life in a small town that is close to major cities as well as expansive recreational and open space areas. With these and other attributes, Winters' desirability as a place to live and work will continue to grow.

Recent building renovations and new businesses attest to Downtown's viability. However, as the community grows, there are opportunities to improve the district as a public place and to solidify it as a thriving, small-scale, walkable commercial district. Additional commercial space can significantly reduce the leakage of local spending to other communities. Visitor-oriented business can also expand Downtown's offerings to the local community. Re-development of vacant and warehouse-related properties offers



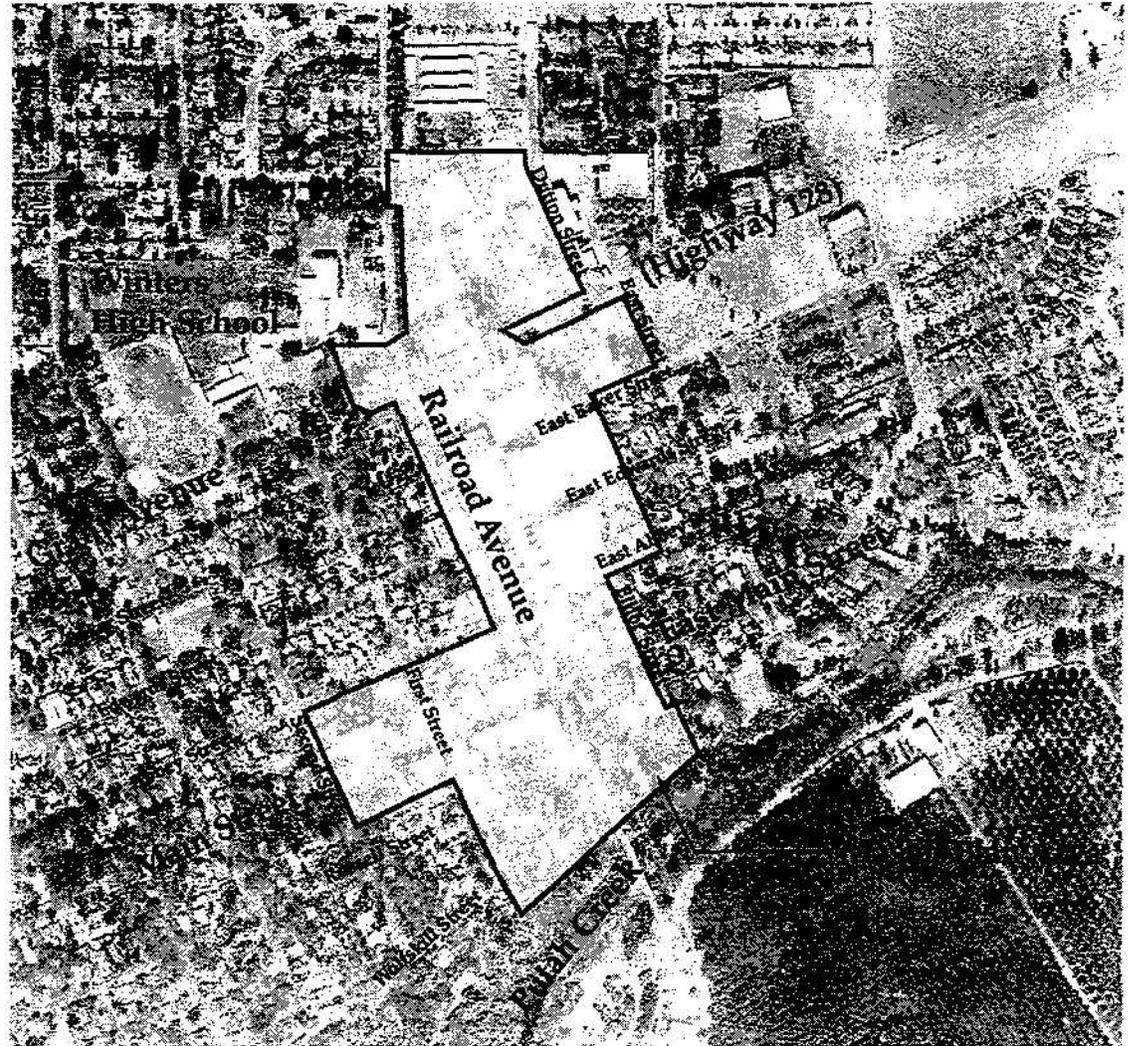
*Attractive historic structures characterize Downtown Winters.*

opportunities for new housing that supports Downtown and reduces pressure for growth on the city's perimeter. And improvement of streetscapes and public spaces will support Downtown as a community destination that attracts local residents as well as visitors.

### The Downtown Master Plan Area

The Downtown Master Plan Area is about 53 acres in size. It incorporates the historic downtown commercial core along Main Street, with buildings dating back to the late 1800's. It includes properties along Main Street between Elliot Street on the east and Second Street on the west; along Railroad Avenue between Grant Avenue/SR 128 on the north and Wolfskill Street on the south; and portions of adjacent blocks along Abbey, Edwards, and Baker Streets. The northerly boundary includes "downtown gateway" properties at the northeast corner of Railroad and Grant Avenues. The Master Plan Area is bounded by Putah Creek on the south.

The Winters *General Plan* designates most of the Master Plan Area as "Central Business District (CBD)." This designation provides for restaurants, retail, services, offices, hotels, multi-family residential units, and similar and compatible uses. The Master Plan Area is within the Community Development Agency (CDA) Project Area as well, with current CDA projects including a new downtown parking lot, renovation of an historic trestle bridge for pedestrian and bicycle use, a storm drainage facilities upgrade to support new development, a facade improvement program, and a pedestrian-oriented street lighting project.



### Downtown Master Plan Area

Recent private sector investment in Downtown Winters includes the Main Street Village project, currently underway with rehabilitation of two buildings that now house Steady Eddy's coffee shop, Ficelle's restaurant, and Textures home decor and gifts.

Berryessa Gap Winery, Velo City Bicycles, El Pueblo Meat Market and Taqueria/Deli are new businesses that have located in recently-renovated storefront buildings, complementing The Buckhorn, Putah Creek Café, The Palms Playhouse, and others catering to visitors as well as local residents.

### Purpose of the Master Plan

The *Downtown Winters Master Plan* describes policy changes and capital improvement projects that will help Downtown continue to attract investment and grow, while maintaining its historic, small-town character. The Master Plan offers a vision for the expansion of Downtown that is consistent with the findings of the *Downtown Winters Market Evaluation*, prepared in 2004. It contains development concepts for key properties, sketch plans for community design-related capital improvements, and policy recommendations for shared district parking and architectural design.

Ideally, the Master Plan will serve as the principal guide to revitalization-related efforts in the district. However, pursuing a number of its recommendations will require amendment to existing City of Winters policies and/or adoption of new ones. Chapter V, "Implementation Recommendations," describes the efforts needed to embed the Master Plan in the city's regulatory and funding framework.

### The Planning Process

The *Downtown Master Plan* was developed by a 16-member Downtown Master Plan Committee consisting of residents, business owners, and property owners. Five Downtown Master Plan Committee working meetings were held between March and November, 2005. During the course of the meetings, the Committee directed and evaluated Downtown-related studies, and recommended capital improvements and policies related to land

use, parking, and community design. Recommendations were critiqued and debated, and alternatives and options were prepared as appropriate. All Committee meetings were open to the public.

Two community review meetings were also held. The first, to review the *Master Plan's* objectives and plan area conditions and issues, was on March 22, 2005. The second, to review major project and policy recommendations, was held on October 11, 2005. Summaries of community comments are provided in Appendix A.

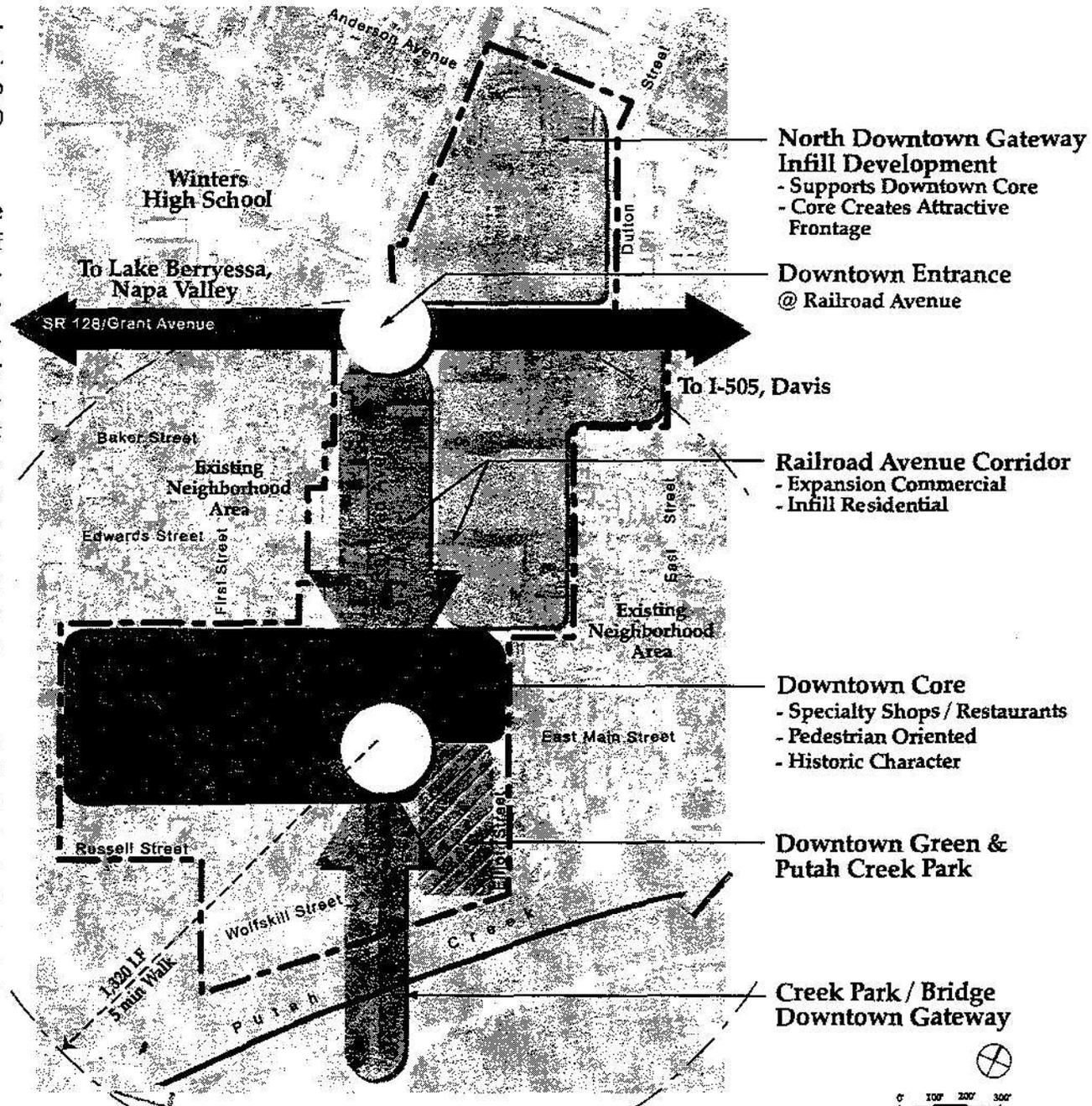
### Plan Objectives

The "Downtown Vision Concept" on the following page illustrates the basic objectives of the *Downtown Master Plan*. These are:

1. **Concentrate Specialty Commercial Businesses in the Downtown Core.** The *Winters Downtown Market Evaluation* recommends that the City plan to accommodate a minimum of 50,000 square feet of additional specialty commercial space by the year 2020. This space should be concentrated in Downtown's older historic buildings along Main Street. Approximately 20,000 square feet of first floor space in the area is non-specialty office or other uses today. Over time this should be replaced with specialty commercial space, and up to an additional 30,000 square feet of new commercial space and new and replacement office space should be accommodated in adjacent areas.
2. **Support Infill Development along Railroad Avenue.** New development along Railroad Avenue could accommodate most of the anticipated demand for commercial and office space, as well as a significant share of projected residential growth. This would bolster the economic base of Downtown Winters for years to come. Up to 40,000 square feet of additional first floor commercial space could be accommodated in the four blocks between Main Street and Grant Avenue. An equivalent amount of office

space (or residential units) could be provided in second or third floor space above. Infill residential development on land to the east could accommodate over 200 residential dwelling units.

- 3. Improve the Railroad Avenue Streetscape.** Railroad Avenue is one of the most visible streets in the city, linking Main Street to Grant Avenue/Route State 128. As noted under Objective 2, frontage properties have the potential for significant new commercial and residential development. To attract and support this new investment, traffic calming measures and streetscape amenities, such as corner bulb-outs, street trees and pedestrian-oriented street lights, are recommended. Ideally, new development and streetscape improvements together would reshape Railroad Avenue as an attractive Downtown expansion area.
- 4. Create an Attractive North Gateway to Downtown.** Grant Avenue is the city's most heavily-used roadway. New development and frontage streetscape improvements are needed to create an attractive Downtown and community image. As existing light industrial and storage uses phase out over time, new development and streetscape improvements should be coordinated on the north and south sides of the street to create a harmonious appearance. A Downtown Entrance Sign should be installed to direct visitors to Downtown.



**Downtown Vision Concept**

5. **Establish Downtown-Oriented Parking Policies.** New Downtown development is currently required to provide parking on a standalone rather than a shared-use basis. This deters the denser forms of development and the higher occupancy businesses (such as restaurants) needed for a thriving, pedestrian-oriented downtown district. The City's parking policies need to reflect the shared parking pattern of behavior that is typical of Winters today, and to expand district-based, shared parking facilities.
6. **Retain Downtown's Historic Building Character.** The City's current design guidelines, adopted in 1999, provide a basis for preparing and reviewing site plan (design review) applications. However, more detailed standards and guidelines are needed to ensure that the historic character and architectural quality of Downtown's older buildings are reflected in renovations and new construction. New development should reflect the pedestrian scale of Main Street, but not copy or compete with the area's original historic buildings. Key elements should address building height and massing, facade composition, and facade and storefront design details.
7. **Improve the Rotary Park/Downtown Green and Expand Creekside Park.** Following completion of the new downtown parking lot, Rotary Park should be improved to accommodate Downtown events as well as day-to-day use. Additional walks, planting areas, and furniture should be provided. Expanded pedestrian areas and creekside park facilities should be created adjacent to the amphitheater, incorporating the renovated SP trestle bridge and small boat use on Putah Creek.

## Vision Plan Recommendations

The Vision Plan on the next following page highlights specific district revitalization efforts. They consist of policy changes, such as modification of existing parking standards, and capital improvement projects, such as alley renovations. Together, these efforts support

investment in Downtown's existing historic buildings, new development consistent with downtown's historic character, and improvement of the district's pedestrian environment and its overall image.

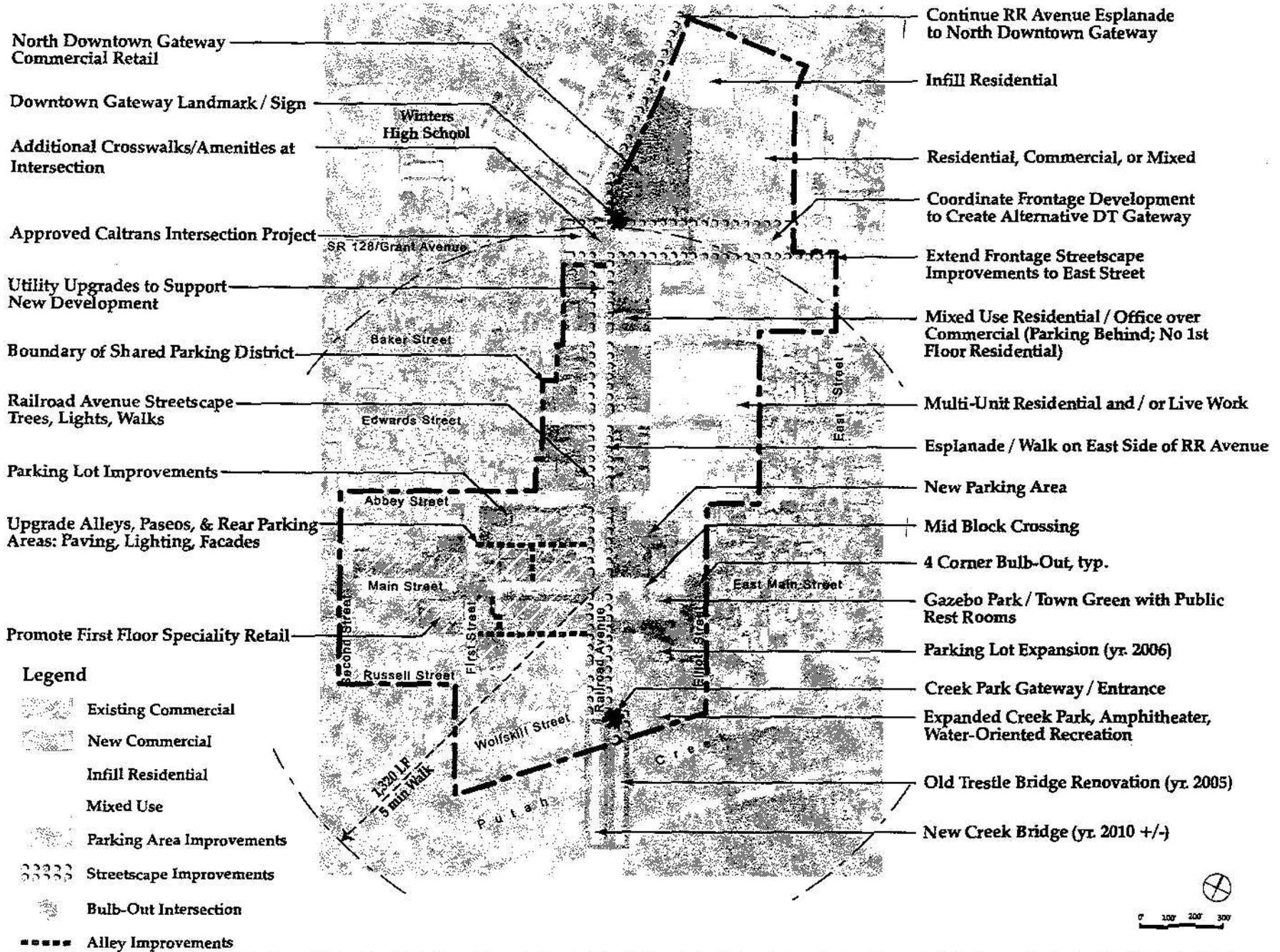
A total of fifteen policy changes and capital improvement projects are listed below. More detailed descriptions are provided in subsequent chapters of the *Master Plan*.

### *Plans & Policies*

1. Shared Downtown Parking Standards
2. Railroad Avenue/Mariani Properties Redevelopment
3. North Downtown Gateway Site Redevelopment
4. Updated Development Guidelines
5. Form-Based Downtown Development Code

### *Capital Improvement Projects*

6. Downtown Parking Lot
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# Vision Plan

## II. Existing Conditions

### Land Use and Development Pattern

Of the Master Plan Area's 53 acres, approximately 10 acres, or 20%, are currently in commercial use. Approximately 15 acres are in public use, including streets and public facilities such as City Hall, Fire Station #6, and the Rotary Park/Community Center. Approximately 20 acres, or 40% of the Master Plan Area, are used for some form of warehousing or storage, or are vacant.



*As illustrated by this aerial photo, Railroad Avenue is the spine of the Master Plan area. Warehouse properties along the east frontage are likely to redevelop in coming years.*

Commercial development is concentrated in storefront buildings along Main Street, between Second and Railroad, and along the westerly frontage of Railroad Avenue. The total floor area of commercial space in the Main Street "downtown core" – including retail, office, and personal and service businesses – is approximately 100,000 square feet. Though the allocation of space is generally in "specialty" categories along Main Street and "service" categories along Railroad, approximately 20,000 square feet of the first floor space in the Main Street core is non-specialty oriented, including small offices, clinics, and similar uses. Floor area along the westerly frontage of Railroad Avenue is approximately 15,000 square feet. The mix of commercial uses in Winters is limited by the community's relatively small current population of 6,979.

Located along the easterly frontage of Railroad Avenue are land and buildings dedicated to warehousing and storage, which extend north from Anderson Avenue, the Plan Area's boundary, south to Main Street. North of Grant Avenue property ownership is mixed, while the properties to the south are owned by the Mariani Nut Company. These types of land uses are typically considered "underutilized" when located in close proximity to a downtown commercial district. Ideally, land uses in such locations have a high ratio of workers or residents to land area, who can take advantage of a downtown's concentration of goods and services. Given growth and development trends in Winters and the surrounding Yolo County area, it is likely these properties will be redeveloped in the foreseeable future with different, more intensive land uses. The westerly frontage of Railroad Avenue contains a mix of commercial uses, including a small restaurant, a bar, personal service businesses, Tru-Value Hardware, auto services, and the local branch Post Office.

Residential neighborhood areas flank Downtown to the north, east, and west, with a general density of 4 to 5 units per acre. Approximately 100 acres, or 450 homes, are located within a 5-minute walk from the Master Plan Area. South of Putah Creek, orchards extend over ten miles to the city of Vacaville.

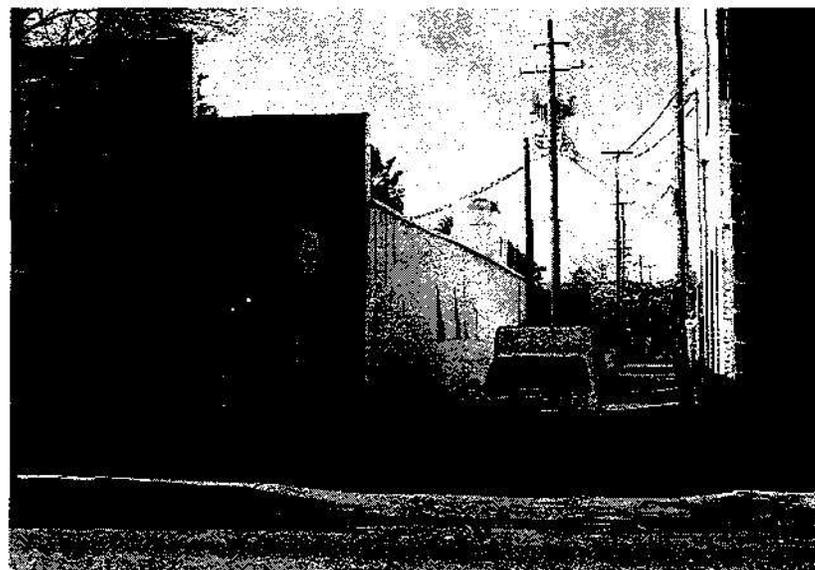
## Streets and Public Spaces

Principal streets in the Master Plan Area are Main Street, Railroad Avenue, and Grant Avenue/SR 128. The two-block segment of Main Street between Second Street and Railroad Avenue is the heart of Downtown Winters. In this area, the street has angle parking on both sides, with a curb-to-curb width of 60' and sidewalk widths of 10'. Historic commercial buildings line the street between First and Railroad, and together with street trees and period street lights combine to create an attractive, pedestrian-oriented commercial district. A mix of commercial buildings and residences converted to commercial use line the southerly frontage between First and Second. A mix of businesses, including Eagle Drug and Buckhorn Catering are located along the northerly frontage.

Mid-block alleys parallel Main Street, providing service access to frontage buildings. Alleys are approximately 11' wide, with paving in need of repair and utility poles that constrain vehicle and pedestrian movement.

Railroad Avenue is an "edge street," as indicated under "Land Use and Development Pattern," above. A mix of commercial retail, service, and public facilities are located along the westerly frontage. Warehouses, storage facilities, and frontage parking lots are located along the east. North of Main Street Railroad is 40' in width, and 44' wide to the south. Street trees and post-top pedestrian street lights are located between Russell and Abbey, flanking Main Street on the north and south. A 10' concrete sidewalk exists along the westerly frontage. A 12' asphalt walkway exists along the east, north of Main Street. A planting strip and 6' walk is located south of Main Street adjacent to the Community Center. Curbside parallel parking is provided along both sides of the street.

From Main Street south to Putah Creek, a contiguous public open space area extends along the east side of Railroad Avenue. It includes Rotary Park, Downtown's principal public open space.



*Midblock alleys parallel Main Street, providing service access to frontage buildings.*

Planned expansion and reconfiguration of the Community Center parking area will shift parking south and east away from the corner of Main Street. This will integrate the Park and Gazebo with Downtown, providing a place to relax for Downtown patrons and a space for local concerts, small farmers markets, and other events.

The Winters Community Center, Creekside Amphitheater, and renovated Trestle Bridge pedestrian and bike way anchor Downtown on the south. The adjacent Railroad Avenue vehicle bridge is planned for replacement in 2010.

Downtown's subsurface sewer and water infrastructure is aging and needs to be upgraded to maintain efficiency and accommodate the minor capacity increases required to serve new development. A major storm drainage improvement project is planned for the Railroad Avenue corridor. Other upgrades are anticipated to be completed in conjunction with new development or additional city-sponsored capital improvement projects.

### The Downtown Market Evaluation

In 2004, the City assessed commercial and residential development opportunities in Downtown. The *Downtown Market Evaluation* (Keyser Marston Associates) estimates quantities of development that could be supported by the *General Plan's* time horizon of 2010 and by the year 2020. The City's current General Plan provides for a population limit of 12,500.

Key elements of the *Market Evaluation* are retail sales and expenditure potentials, and the amount of sales "leakage" to nearby cities such as Vacaville and Davis. The *Evaluation* also includes an assessment of current housing stock and potential housing types for Downtown. The *Market Evaluation's* space allocation recommendations for comparison retail, restaurants, and office space guide the *Downtown Master Plan's* land use and development recommendations.

Additional specialty retail space that could be supported in Downtown Winters is estimated to range from 25,000 to 40,000 square feet by the year 2010, up to a total of from 50,000 to 70,000 square feet by 2020. As the *Evaluation* notes, "comparison retail and eating and drinking are generally clustered together as small tenants, often occupying space that is interchangeable ... such uses are often referred to as specialty retail." Estimates of new and replacement office space are from 15,000 to 25,000 square feet by 2010, up to a total of from 30,000 to 50,000 square feet by 2020.

The *Market Evaluation* makes a number of findings related to the city's potential to actually attract this new development, however. Among them:

- New construction of retail and office space will require rent levels in excess of those prevailing today. An enhanced downtown environment and measures to improve pedestrian

activity would help retailers sustain higher rent levels than currently prevail.

- A part of this (retail location) strategy could be to identify suitable locations for new office space in other areas and encourage a transition of office uses out of existing space in good locations (e.g., first floor space on Main Street).
- New retail must cater first and foremost to existing residents. If the downtown successfully draws residents, it will become more attractive to visitors as well.
- Residential development, in any configuration, will provide a downtown population to support commercial uses.

With respect to infill residential development, the *Market Evaluation* notes that while the local housing market is small in terms of volume, it has been strong in recent years as indicated by appreciation and low vacancy rates. While sales information for new townhouses and condominiums is quite limited relative to that for single family homes, the *Market Evaluation* notes that the market for such units appears to be solid. To the extent vacancies indicate market strength, the rental market offers opportunities as well.

Downtown is a largely untested location for new housing, however. Mixed-use forms of development with residential above commercial space need to be approached carefully because of the potential difficulty maintaining commercial tenants. For the near term, the *Market Evaluation* notes that townhomes and other freestanding forms of residential development aimed at first- or second-time buyers have less risk. Given the ups and downs of the economy, and particularly the housing bubble that has affected prices in the Central Valley over the last few years, flexibility to adapt to market conditions and cycles should be built into the City's Downtown housing objectives.

### III. Plans and Policies

#### Shared Downtown Parking Standards

**Existing Parking Supply.** The Core Downtown blocks extending along Main Street from Second Street on the west to Elliot Street on the east contain approximately 100,000 square feet of first and second floor commercial space. As indicated by the "Core Area Parking Supply" map on the following page, the area contains a total of approximately 362 parking spaces, including the new Downtown Parking lot adjacent to the Community Center. (Parking planned for the Main Street Village development is not included in this total.)

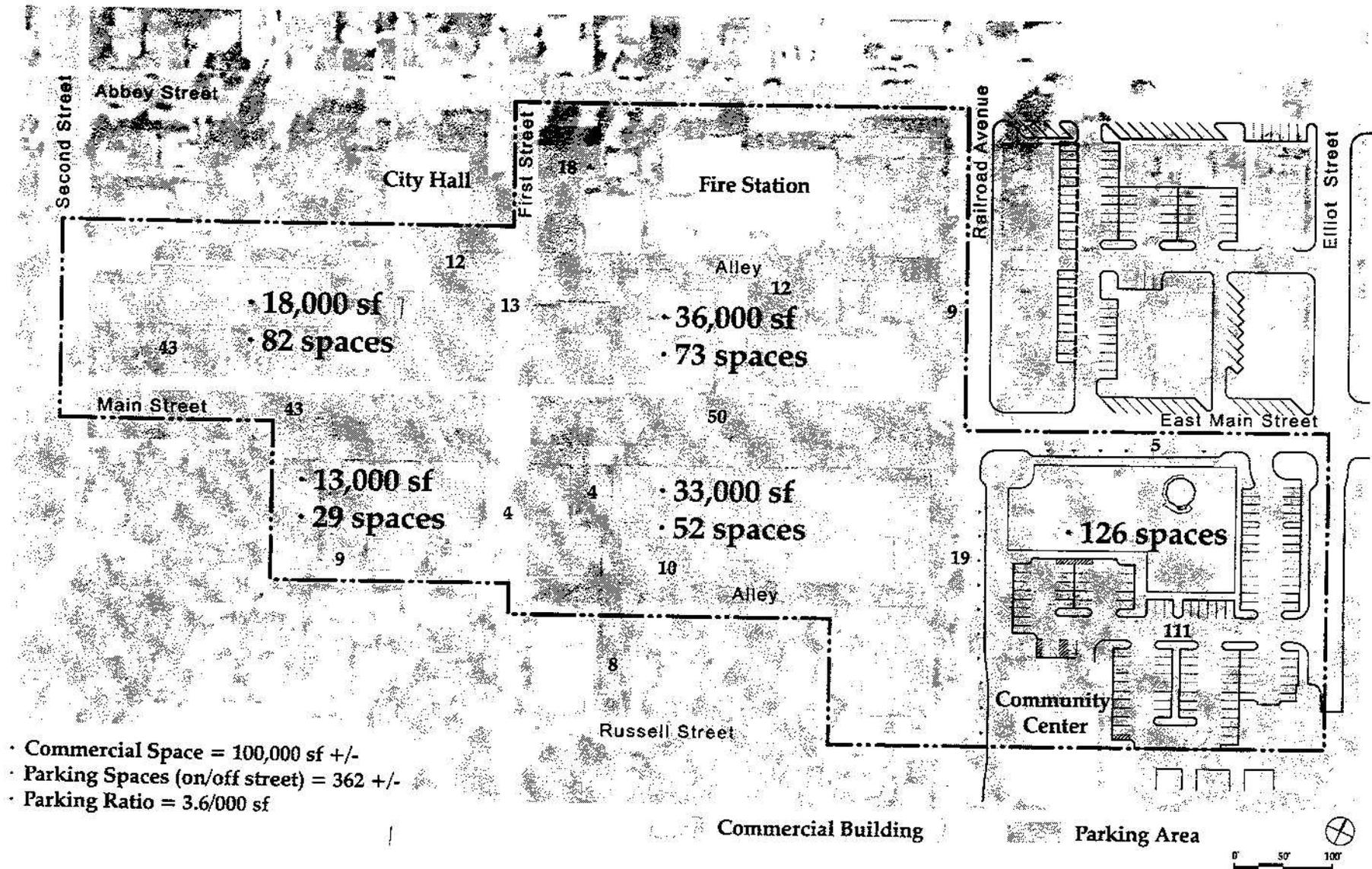
Approximately 75%, or 270, of the existing parking spaces are publicly-accessible, shared by Downtown's property owners, tenants, and patrons. Of these, 143 are on-street curbside stalls and 111 are provided by the Downtown Parking Lot. The remaining 25%, or 93 spaces, are located on private property, with some in formal paved lots and some in informal gravel areas. As the "Parking Supply" map illustrates, parking is concentrated at the new lot on the east side of the district and along Main Street, which contains over 90 angle parking spaces.

**Comparative Parking Standards.** At current City of Winters parking standards, a total of approximately 530 parking spaces, or an average of 5.3 spaces per 1,000 square feet of commercial space, would be required to serve existing commercial development. With a supply of 362 spaces, this would yield a deficit of 168 spaces. Much of this required parking would be for restaurants and cafes based on a current standard of 1 space per 3 occupants, or between 15 and 20 spaces per 1,000 square feet of floor area. If current standards were applied literally, with parking for each tenant required on-site and no consideration of shared on-street parking, the area's parking deficit would actually be 437 spaces.

Current standards are based on "standalone" land use assumptions; i.e., that patrons make a separate driving and parking trip to visit each business. This may be typical for isolated commercial properties or for strip commercial corridors, but it is not the way downtown or neighborhood commercial districts typically function. In pedestrian-oriented areas, patrons typically walk to multiple destinations from a single parking space, and peak demand for shops and for restaurants often occurs at different times of day. Fewer spaces are needed because they are shared by multiple businesses.



*Approximately 75% of the existing parking spaces in Downtown Winters are in the form of shared, on-street parking. Of these, almost half are located on Main Street.*



## Core Area Parking Supply

A number of cities have adopted shared or "blended" minimum parking standards for their downtown districts. Four examples are listed below:

- *Downtown Petaluma*: 3.3 spaces/1,000 sf ground floor commercial
- *Downtown Hercules*: 2.5 spaces/1,000 sf ground floor commercial
- *Downtown Napa*: 4 spaces/1,000 sf ground floor; 3/000 sf upper floors

(Source: City of Napa)

Downtown Winters' ratio of approximately 3.6 spaces/1,000 sf is comparable to the shared downtown parking standards for the cities listed above. Considering that some businesses are probably not generating maximum demand today, there is actually likely to be a surplus of parking today.

**New Parking Standards.** Land use-based parking standards should be consolidated and the average number of spaces required Downtown should be reduced based on shared parking assumptions. The following standards are recommended:

- **First Floor Commercial/Restaurant - 3 spaces/1000 square feet**
- **Upper Floor Residential - 1.25 space/dwelling unit**
- **Upper Floor Office- 3/1,000 square feet**
- **Existing and new curbside parking should be considered as contributory to parking requirements.**

These standards would apply primarily to new development along Railroad Avenue, as the Downtown Core's existing parking supply should be enough to accommodate the new occupancies and expansions likely to occur in the foreseeable future. However, the distribution of patron and employee parking in the district could be

improved; see the following section and Chapter V, "Mid-Block Parking Areas," for a discussion of recommended additional public parking areas.

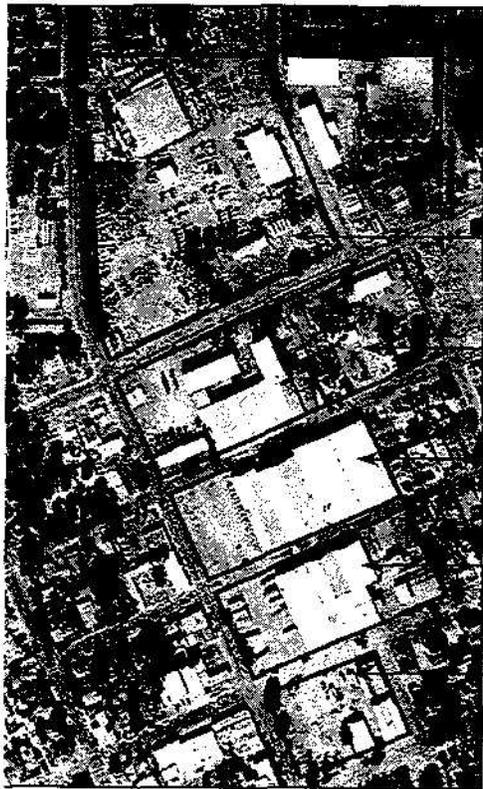
In addition, the City should pursue reciprocal access agreements for privately-owned parking lots to allow use by the general public during non-business hours.

**Employee Parking.** Perceived parking shortages in Downtown tend to result from employees parking in prime on-street parking spaces that should be reserved for Downtown visitors and patrons. Employees should generally park in less-accessible locations. The City and Downtown's business owners should work together shift employee parking from Main Street to the new Downtown Lot and possibly new alley and mid-block parking areas.

### **Railroad Avenue Corridor/Mariani Properties**

The properties of the Mariani Nut Company and the adjacent City corporation yard total approximately 8.5 acres. Existing storage and warehouse structures are not likely to remain indefinitely, given the Mariani Nut Company's plans to consolidate facilities and generally increasing property values in the Downtown area. The corporation yard is not a facility that requires a Downtown location. These properties are a major development opportunity that offer the potential to support and expand a vital Downtown district for years to come.

New development in the Railroad Corridor area should expand Downtown's commercial and residential base. Consistent with the *Downtown Market Evaluation*, the area is the preferred location for accommodating the 30,000 to 50,000 square feet of first floor commercial space estimated for 2020. The Railroad Avenue frontage should provide space for local- and convenience-oriented businesses, such as small food markets, hair salons, and office/



- Area A: 9.1 acres +/-
- Area B: 5.0 acres +/-
- Area C: 3.0 acres +/-
- Area D: 3.0 acres +/-
- Main Street Village: 1.8 acres

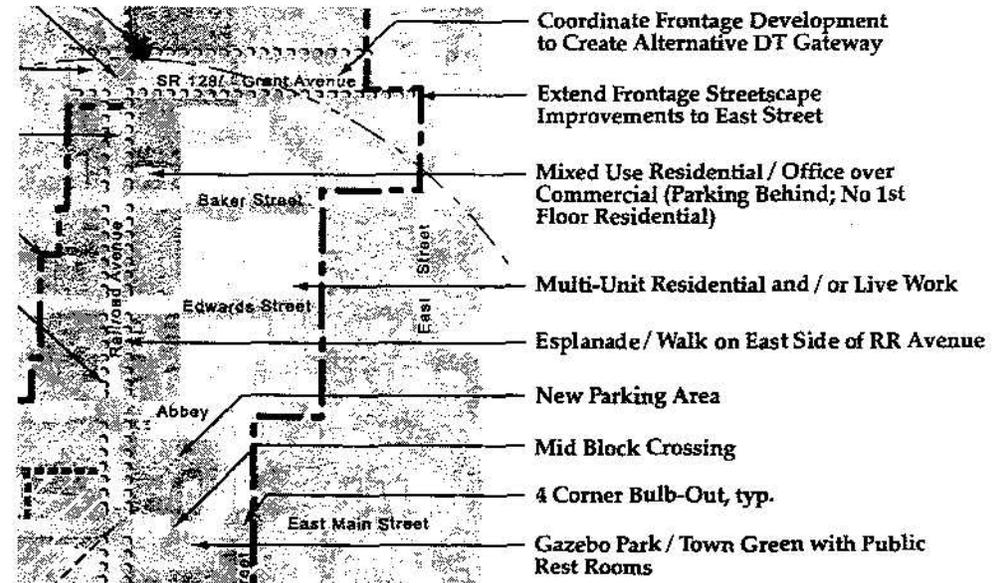
*Aerial view of Railroad Avenue Properties*

commercial businesses. This would allow floor area in the Core blocks to be dedicated to the specialty commercial, restaurant and café businesses that place a premium on a location in and among Downtown's historic buildings.

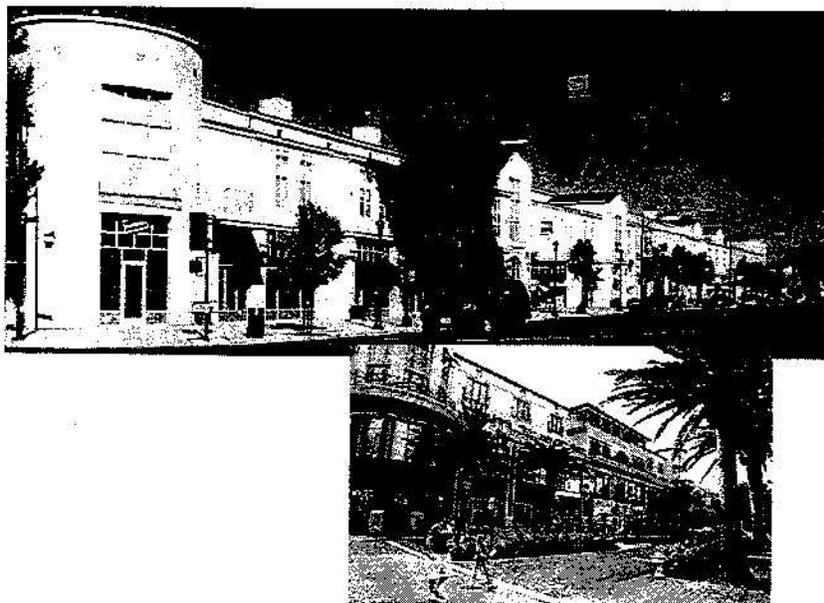
As illustrated by the "Downtown Vision Plan" map, a continuous first floor commercial frontage is recommended along Railroad Avenue, with residential and/or office space above. Residential development is recommended for remaining property areas east of Railroad, with densities ranging from 15 to up to 45 units per acre – i.e., townhouses to multi-unit apartments or condominiums.

Depending upon development assumptions, the area has the potential to accommodate up to 30,000 square feet of additional first floor commercial space; up to 60,000 square feet of second and third floor office space; from 180 apartment and townhouse units, at a height of two stories, to significantly more apartments or condominiums at a height of three stories over submerged parking.

A small specialty supermarket close to Downtown that would help draw patrons to the area would be desirable, depending on the specifics of the location and operator. Though major supermarket chains typically require a larger population than Winters offers, small- to mid-size local operators, similar to Nugget or the Davis Food Co-op, may be a possibility. This market could serve new residential development proposed by the *Master Plan* as well as the existing community.



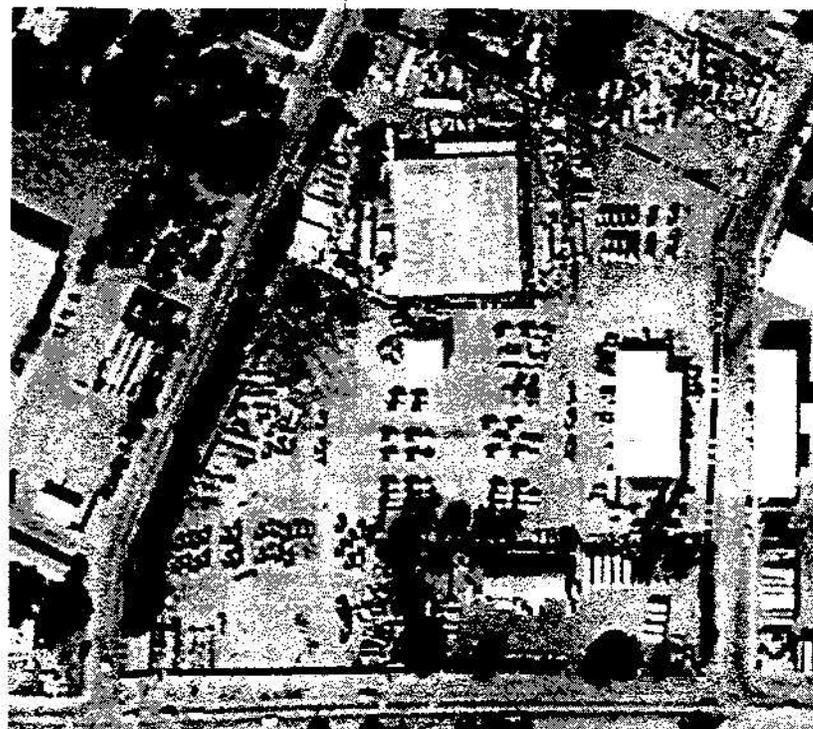
*Enlargement of Vision Plan diagram for the Railroad Avenue Corridor*



*Continuous first floor commercial frontage with residential/office above is recommended for the Railroad Avenue corridor.*

### North Downtown Gateway Site

The "North Downtown Gateway Site" is approximately 9.1 acres in size, located at the northeast corner of Railroad and Grant Avenues. It consists of three parcels: A vacant warehouse site on the northwest corner; a staging and truck storage yard owned by Double M Trucking that occupies the bulk of the site, and; a small maintenance office and storage yard owned by the Winters Joint Unified School District on the southeast corner. The North Gateway Site is significantly underutilized in terms of existing land use given its location on Highway 128 and its proximity to Downtown. Current development and frontage conditions do not project an attractive community image or create an attractive entrance to Downtown.

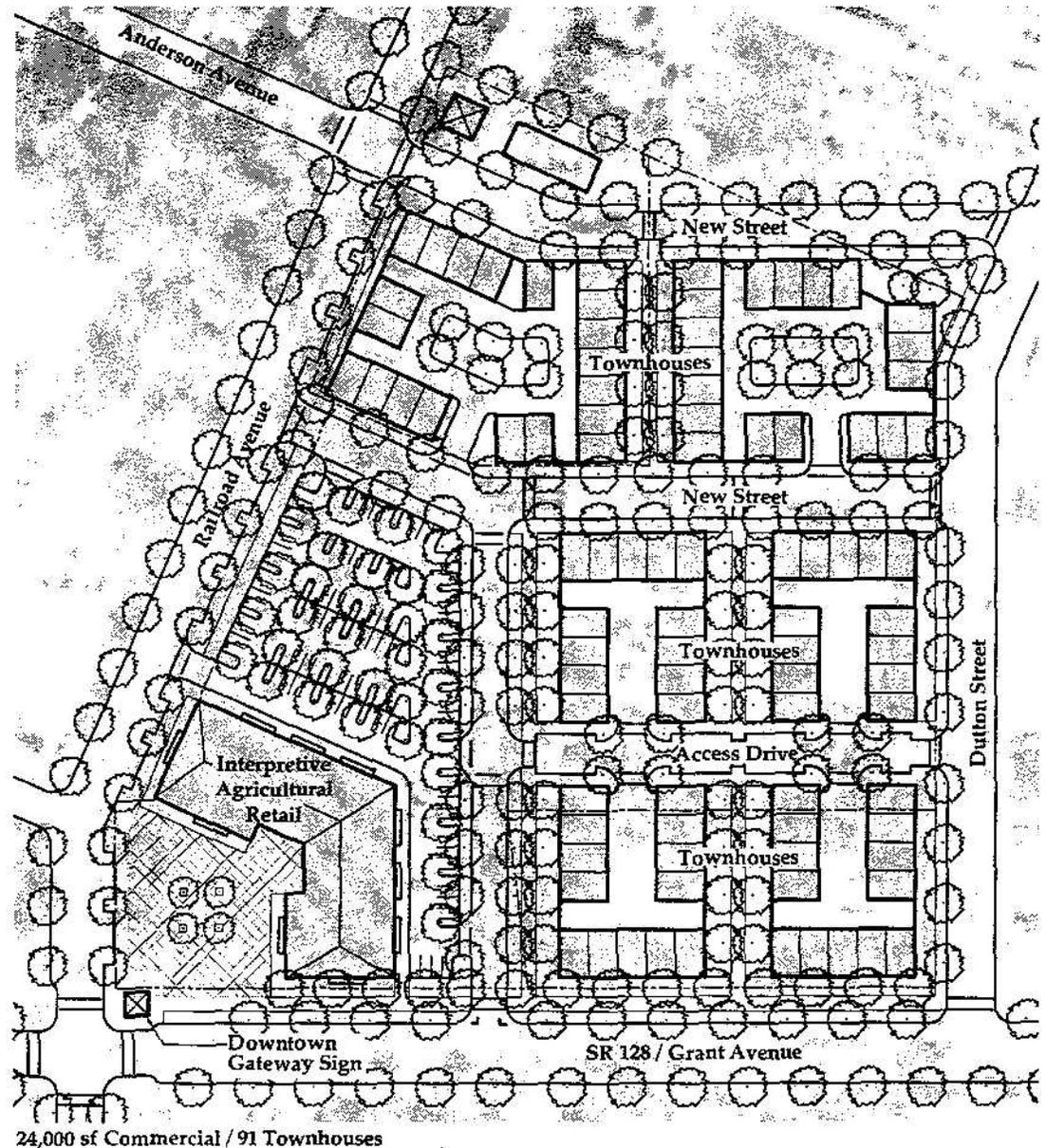


*"Marquee Agricultural Retail" examples (top); the North Gateway Site (above)*

The City should promote a mix of commercial and residential development that supports Downtown's specialty commercial focus and creates attractive frontages along Grant and Railroad Avenues. The North Downtown Gateway should provide land uses that are appropriate for the relatively high driveby traffic on Grant Avenue/SR 128. New commercial development should be able to capitalize upon this highly-visible location, but not compete with the restaurants, cafes, and specialty shops in the Downtown Core.

The northeast corner of Railroad and Grant Avenues is one of the most visible sites in the community. The City should work with property owners to attract a unique commercial enterprise that reflects the agricultural culture of Winters. Ideally, this would be food- or produce-related, and could incorporate processing as well as retail and wholesale sales. This "marquee agricultural commercial" enterprise could showcase local companies, such as Mariani Nuts, Full Belly Farms, Terra Firma Farms and others, and/or a range of products that typify the growing "slow foods" movement. There are a number of similar types of facilities in the East Bay, including Scharfenberger Chocolate, Acme Bakery, Semifreddi's Bakery, and Peet's Coffee Roasting Company. A concept description for a "Growers Station" development concept is provided in Appendix A.

Residential development is recommended to the north, and residential, commercial, and/or office development on the remainder of site. Sketch plans depicting two potential development approaches and concept descriptions are provided to the right and on adjacent page. Each contains a number of common

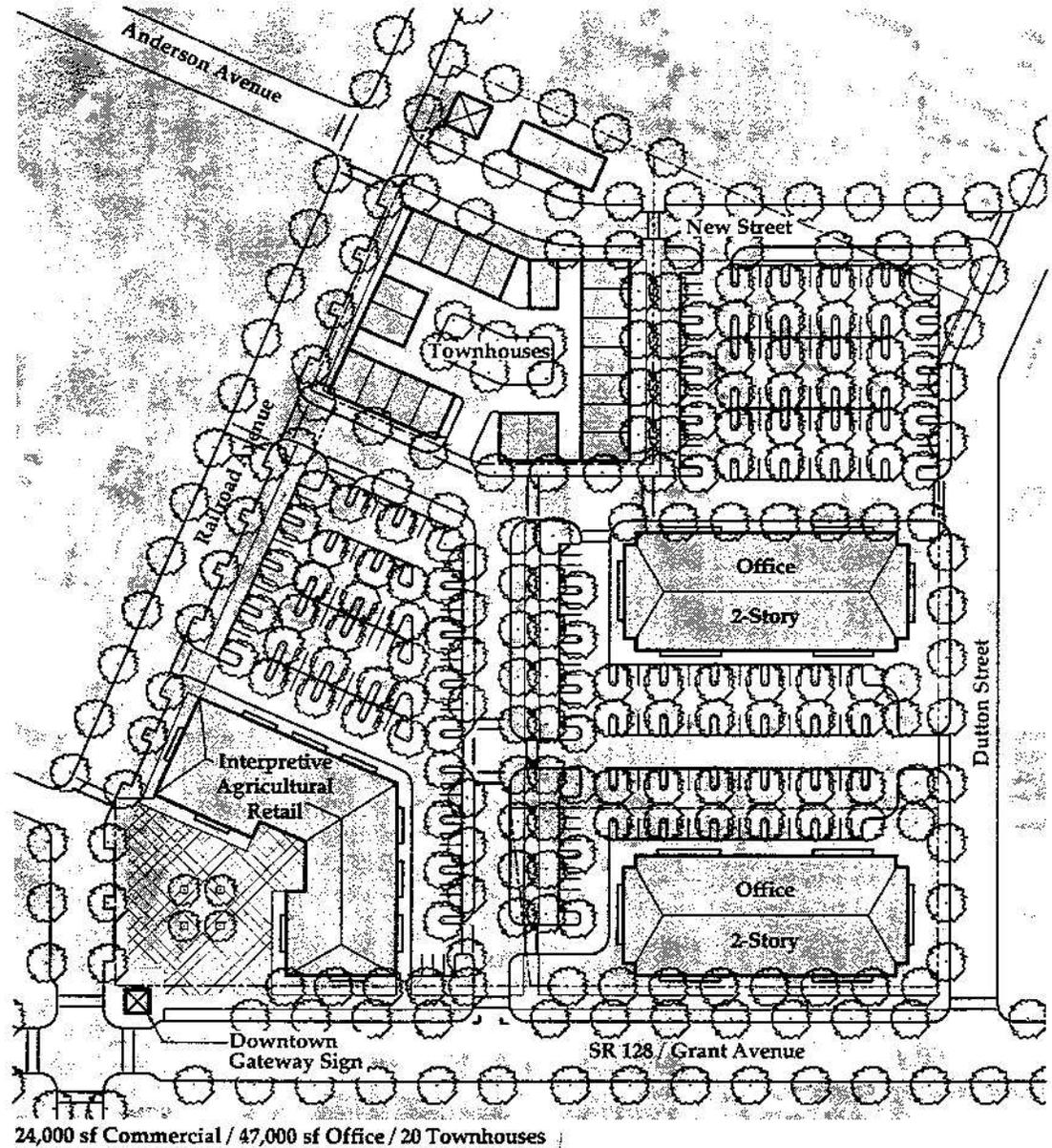


24,000 sf Commercial / 91 Townhouses

### North Downtown Gateway Site - Concept A

elements: The corner site at Railroad and Grant is reserved for an "Agricultural Commercial" enterprise; A Downtown Winters Entrance sign is located adjacent to the intersection; A "New Street" extends Anderson Avenue, consistent with current City policies. Curbside parking is provided along the Railroad Avenue and Grant Avenue frontages; An attractive, boulevard frontage with sidewalks, street lighting, and street trees is provided along Grant Avenue. A broad pedestrian walk or esplanade is located along the east frontage of Railroad Avenue.

- **Concept A** - Approximately 32,000 square feet of commercial space is concentrated within a single footprint for the marquee agriculture development. The Grant Avenue frontage is split between commercial and residential development. Approximately 91 townhouses are shown on the remaining land area, with new cross streets to provide access to internal garage and parking areas. Townhouses are arranged in street-like blocks, with pedestrian paths linking north/south through to Grant Avenue. Ideally, new residential development on the south side of Grant Avenue would complement the townhouses depicted on the north side.
- **Concept B** - The Grant Avenue frontage is split between commercial and office development, with a marquee agriculture building at the corner and two, two-story, locally-oriented office building to the east. Commercial area totals approximately 32,000 square feet, office approximately 70,000 square feet. One cluster of approximately 20 townhouses is depicted at the northerly portion of the site.



24,000 sf Commercial / 47,000 sf Office / 20 Townhouses

### North Downtown Gateway Site - Concept B

## IV. Capital Improvements

The "Downtown Revitalization Projects" map on the following page highlights recommended projects that will require capital improvements funding and/or coordination with new development.

### Grant Avenue Streetscape Improvements

Grant Avenue is the city's major through-route and its busiest roadway. It projects the community's image to visitors and residents, and it is the principal way that visitors enter Downtown. Today, the portion east of Railroad Avenue looks more like a rural highway than a community street. A patchwork of sidewalk segments, gravel shoulders, vacant lots, light industrial warehouses, strip commercial buildings and parking lots line the frontage.

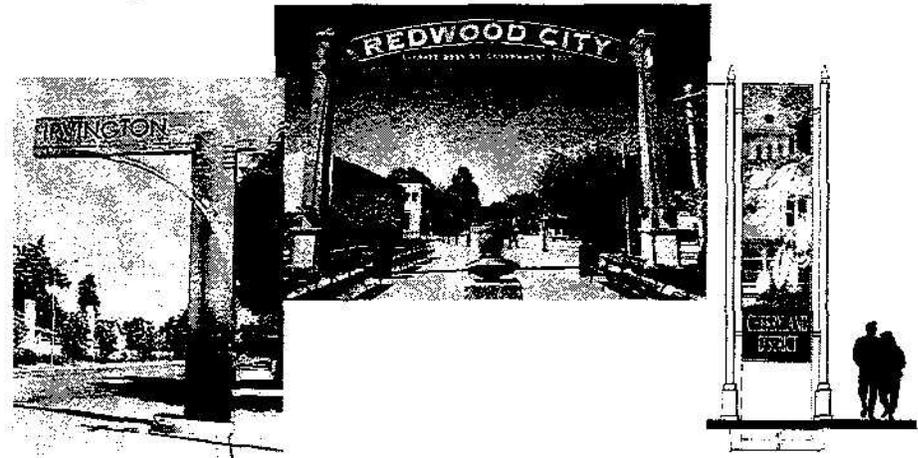
At Railroad Avenue, neither the street or adjacent development indicates Downtown is four blocks to the south. The fenced Double M Trucking site and adjacent school district property border the intersection on the north east. A mini-market, gas station, parking lot and storage shed border the intersection on northwest, southwest, and southeast, respectively. Recent City improvements to the Grant and Railroad intersection include the widening and the signalization of the intersection, the installation of dedicated left- and right-hand turn lanes, and the construction of sidewalk, curb, and accessible curb ramp improvements. However, there are no other crosswalks or other amenities to encourage walking or bicycling to Downtown from the residential areas to the north.

The sketch on the next following page illustrates improvements recommended to create an attractive Downtown entrance and streetscape frontage. Consistent building setbacks with a landscape strip, double row of street trees, and ornamental street lights border the street to create an attractive boulevard character. Initial

improvements would extend to East Street; over time the improvements could continue east to the I-505 interchange in conjunction with new frontage development and traffic calming and design improvements associated with the "Grant Avenue Corridor Access Study." An additional crosswalk should be added to the east side of the Railroad Avenue intersection to link with the esplanade to Main Street and Putah Creek. Space for a Downtown Entrance Sign should be reserved at the northeast corner.

### Downtown Entrance Sign

An entrance sign that directs visitors to Downtown and is an attractive expression of Downtown's historic character should be installed. Functionally, this sign would complement other existing signs on Grant Avenue, including the Chamber of Commerce sign at East Main Street and Caltrans historic district signs. As illustrated by the Downtown Vision and Infrastructure Projects map, the sign should be located at the northeast corner as part of overall renovation of crosswalks and corner conditions. Its visibility should be maintained as new frontage streetscape improvements are installed and development occurs on the adjacent Double M Trucking site.



*Entrance signs can take a variety of forms. A vertical form is recommended at Railroad Avenue.*

Continue RR Avenue Esplanade to North Gateway (Coordinate w/ New Development)

Downtown Gateway Landmark/ Sign

Additional Crosswalks/ Amenities at Intersection

Utility Upgrades to Support New Development

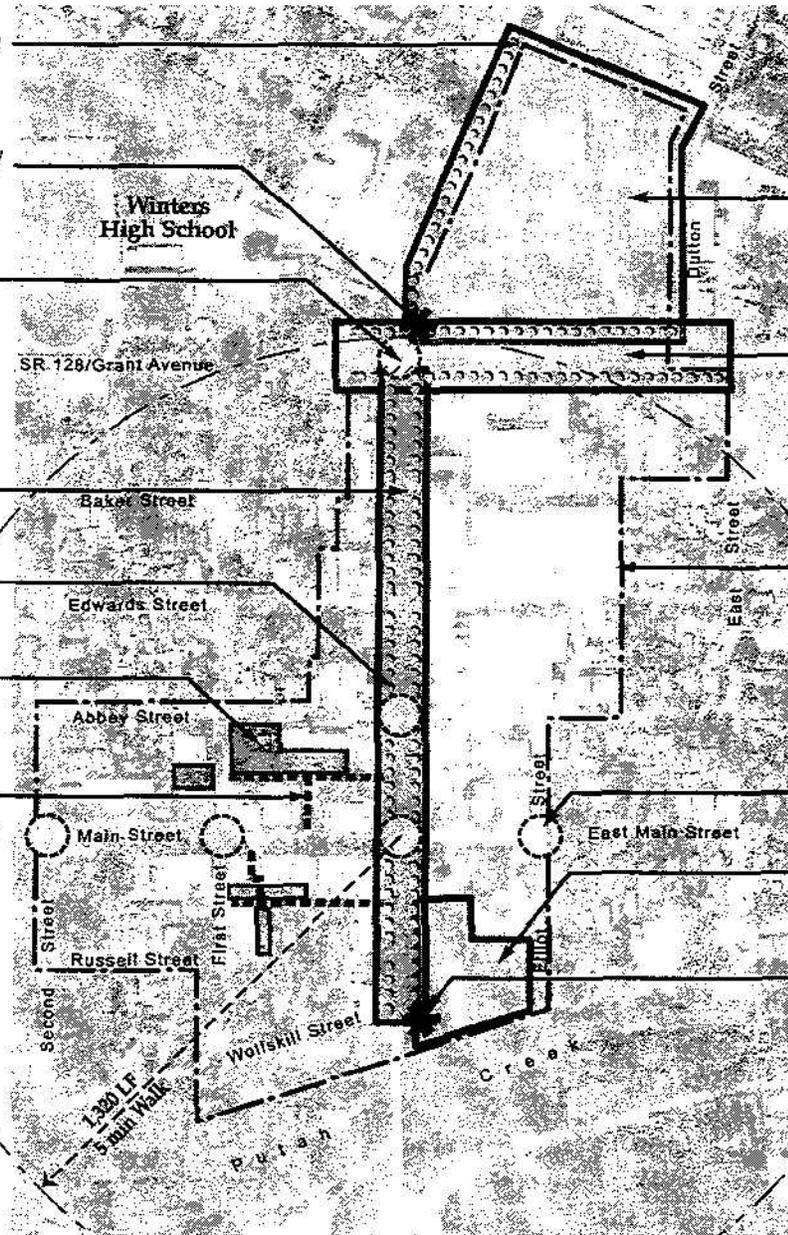
Railroad Avenue Streetscape Trees, Lights, Walks

Parking Lot Improvements

Upgrade Alleys, Paseos, & Rear Parking Areas: Paving, Lighting, Facades

**Legend**

-  Parking Area Improvements
-  Streetscape Improvements
-  Bulb-Out Intersection
-  Alley Improvements



North Downtown Gateway Redevelopment

Extend Grant Avenue Streetscape Improvements to East Street (Coordinate w/ New Development on Both Sides)

Downtown Master Plan Area

4 Corner Bulb-Out, Typ.

Expanded Creek Park, Amphitheater, Water-Oriented Recreation

Creek Park Gateway / Entrance

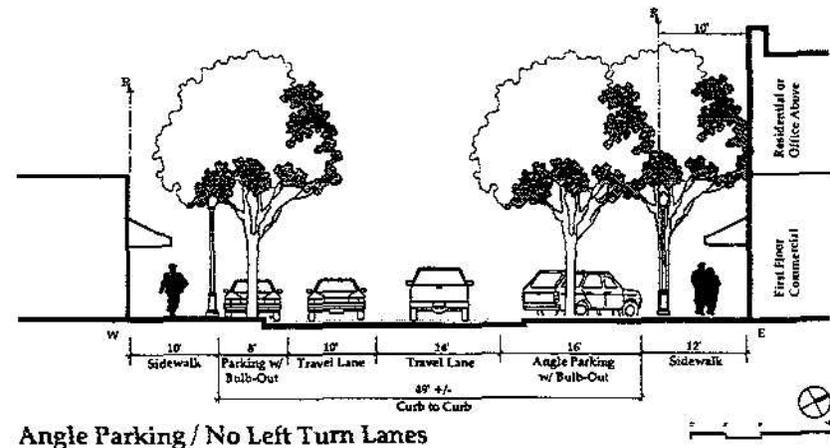
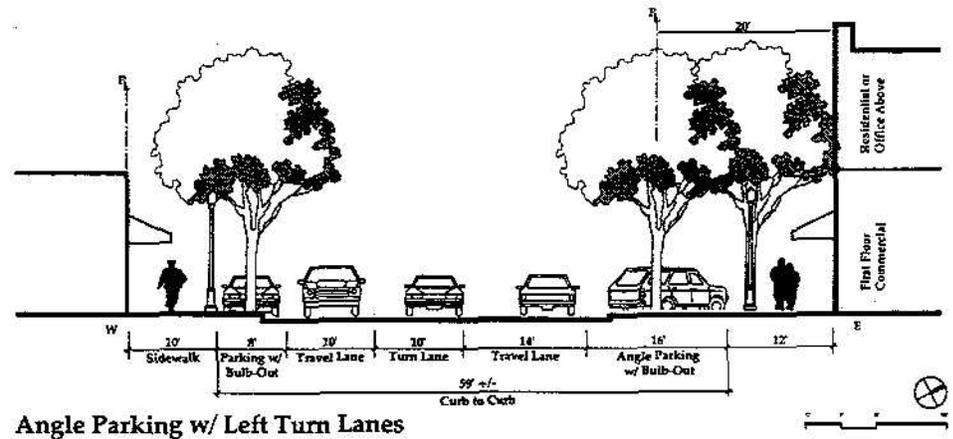
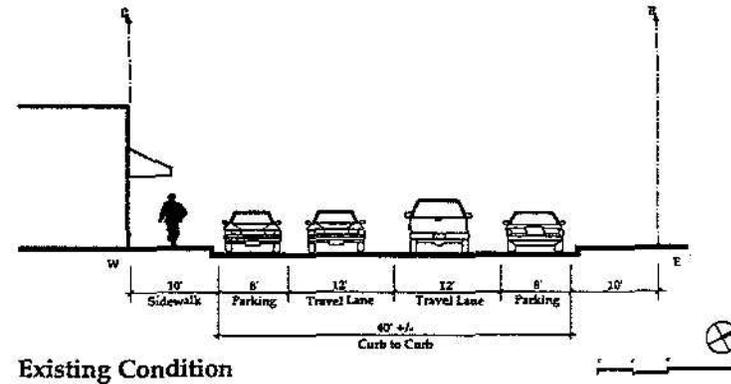
**Downtown Revitalization Projects**

The sign should be relatively tall for visibility, and should incorporate attractive materials, graphics, and lighting. A vertical architectural form is recommended, with a minimum height of 16', approximately the same as a one-story building. Brick should be considered as a surface material, for the base or the entire structure, with a sign panel and lettering that relates to graphics that could be throughout the district for directional signs and/or in district marketing materials. Given the historic character of Downtown, uprights are likely to be more appropriate than an internally-illuminated panel. Given the sign's proximity to the "agricultural commercial" site and an important pedestrian street crossing, it may be appropriate to incorporate a bench, planter, ornamental area lighting, and/or other features into the design.

### Railroad Avenue Streetscape Improvements

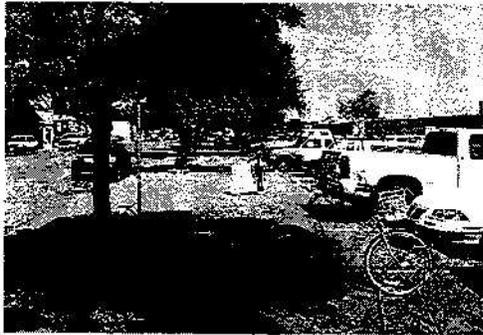
Railroad Avenue is in a sense a half-street today, with a commercial frontage on the west and parking, outdoor storage, and warehouses on the east. As noted in Chapter I, it is assumed that Mariani Nut Company properties on the east side will be developed with a mix of infill commercial and residential buildings in the near to medium term.

Extending street lights and street trees north to Grant Avenue is recommended. Street trees should be located in curbed planters between curbside parking spaces to free up sidewalk space, if possible given subsurface utility conditions. Angle parking is recommended along the easterly frontage, with the extra street width needed provided by new development as it occurs. As illustrated by plan and cross section illustrations, the amount of widening depends on whether exclusive left turn lanes are provided at intersections. Without turn lanes an additional 10' of frontage property would be required; with turn lanes, an additional 20' of property would be required. Subsequent traffic analysis is necessary to determine whether left turn lanes are needed given projected Downtown growth and traffic.

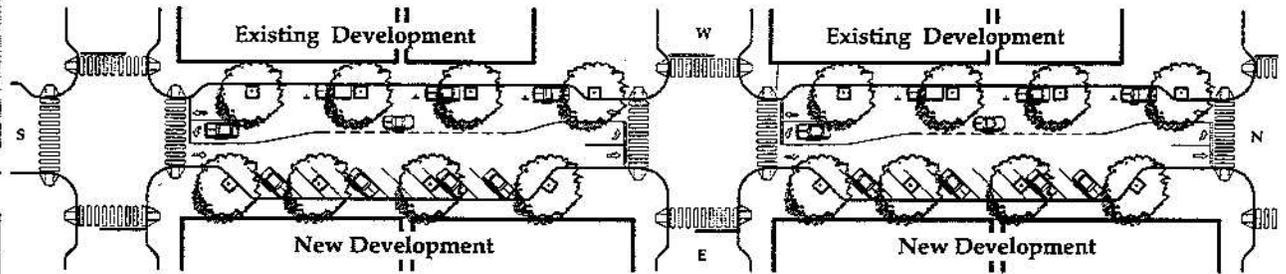




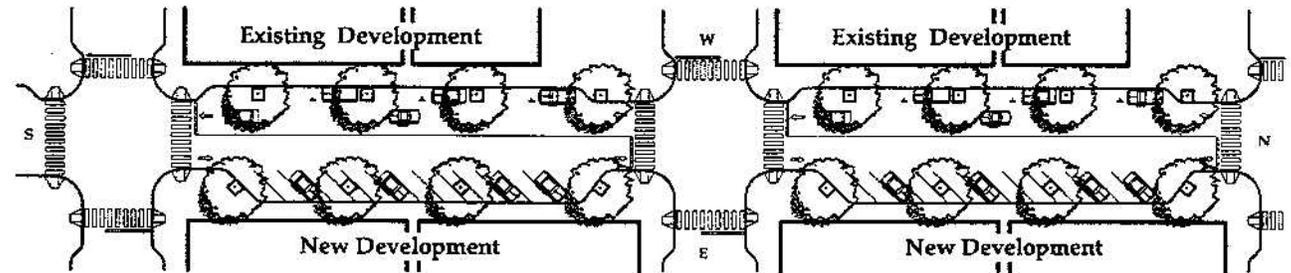
*Alleys can be attractive pedestrian spaces, and still provide service and parking access as shown in the photos above.*



*Street improvements proposed for Railroad Avenue include street trees located between angle parking stalls (above). Left turn lane and No left turn lane design options are depicted right.*



**Angle Parking w/ Left Turn Lanes**



**Angle Parking, No Left Turn Lanes**

## Railroad Avenue

Regardless of the ultimate street width, corner curb bulb-outs are recommended at all intersections. In conjunction with angle parking, these bulbouts could widen corner sidewalk areas along the east side of the street to 26'. These could be implemented in conjunction with new development. Improvements to the west side of the street – including street lights, bulb-outs, and parking zone street trees – could be installed prior to development of the Mariani properties on the east.

### Downtown Alley Renovations

The alleys paralleling Main Street have the potential to be attractive pedestrian-oriented spaces, as well as provide access for mid-block service and parking areas. The "Core Block A" and "Core Block B" sketch plans on the following pages show alley and parking area improvements recommended to maximize use of internal block areas. Alleys should be repaved with truck-strength unit pavers or other pedestrian-oriented surfaces, and existing utility lines should be undergrounded to eliminate obstructions created by existing utility poles.

One-way vehicular movement is recommended to minimize congestion: One-way westbound would minimize left turn movements onto Railroad Avenue; one-way eastbound for the north alley and westbound for the south alley would reflect the typical movement of patrons who first look for angle parking on Main Street; one-way westbound for both alleys would minimize potential for pedestrian/vehicle conflicts at Railroad Avenue. Because the alleys are very narrow, approximately 11', lighting, trees, and other amenities would need to be provided in conjunction with renovation of adjacent properties.

### Mid-Block Paseo

A mid-block pedestrian walkway, or "paseo," is recommended for the northerly Main Street block. It would extend from the existing

Downtown Mini-Park through a vacant property to the alley and the proposed mid-block parking area. This property is approximately 30' wide and is owned by Community Expressions Gallery, which has offered to work with the City to improve it as a public open space. As depicted by the "Core Block A" sketch plan, the westerly portion could be reserved for display space for the gallery, with the remaining 15' for a public walkway that has benches, lighting, and landscaping. The paseo could also link to a Main Street mid-block crossing; see "Main Street Streetscape Renovation," below.

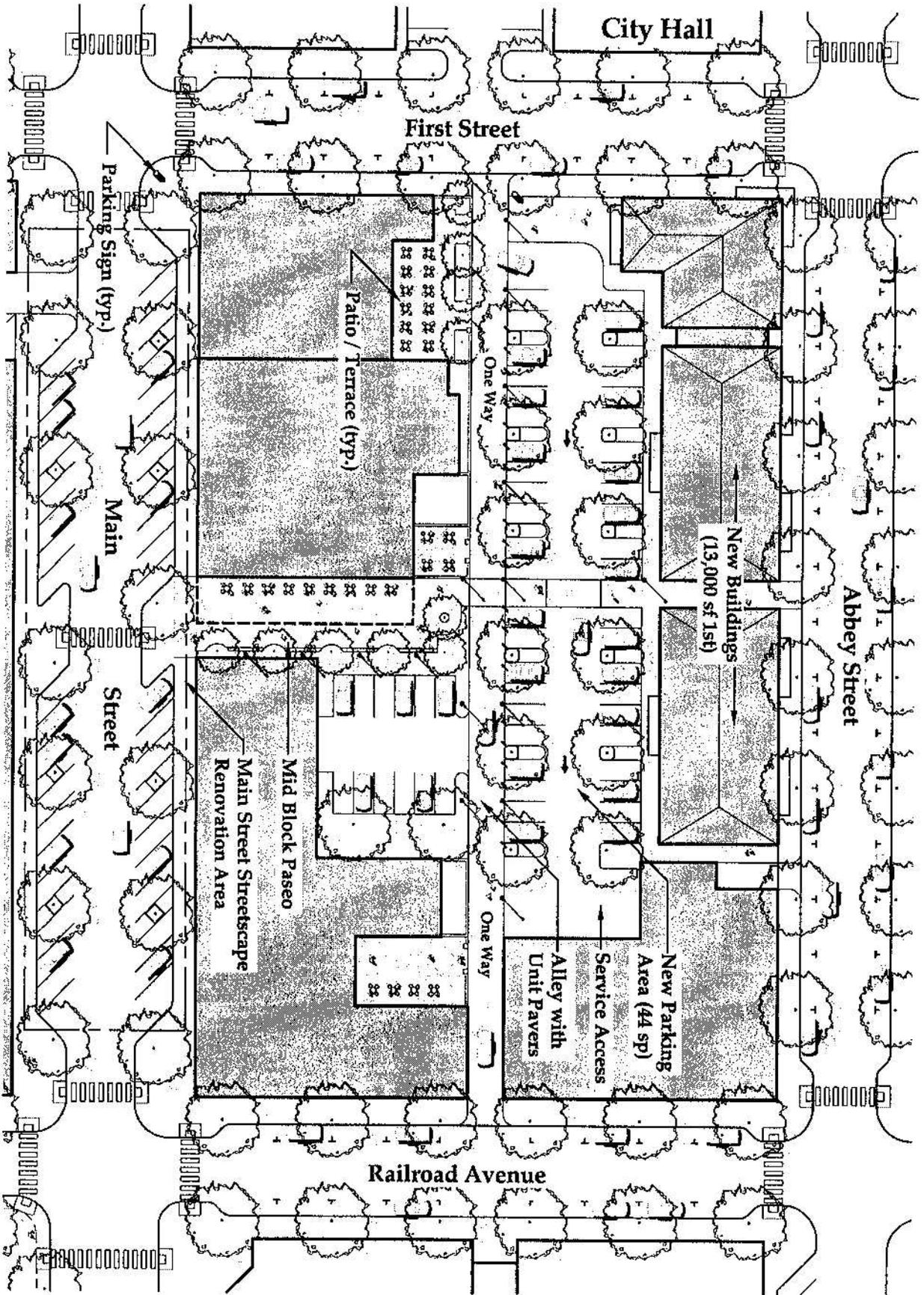
### Mid-Block Parking Areas

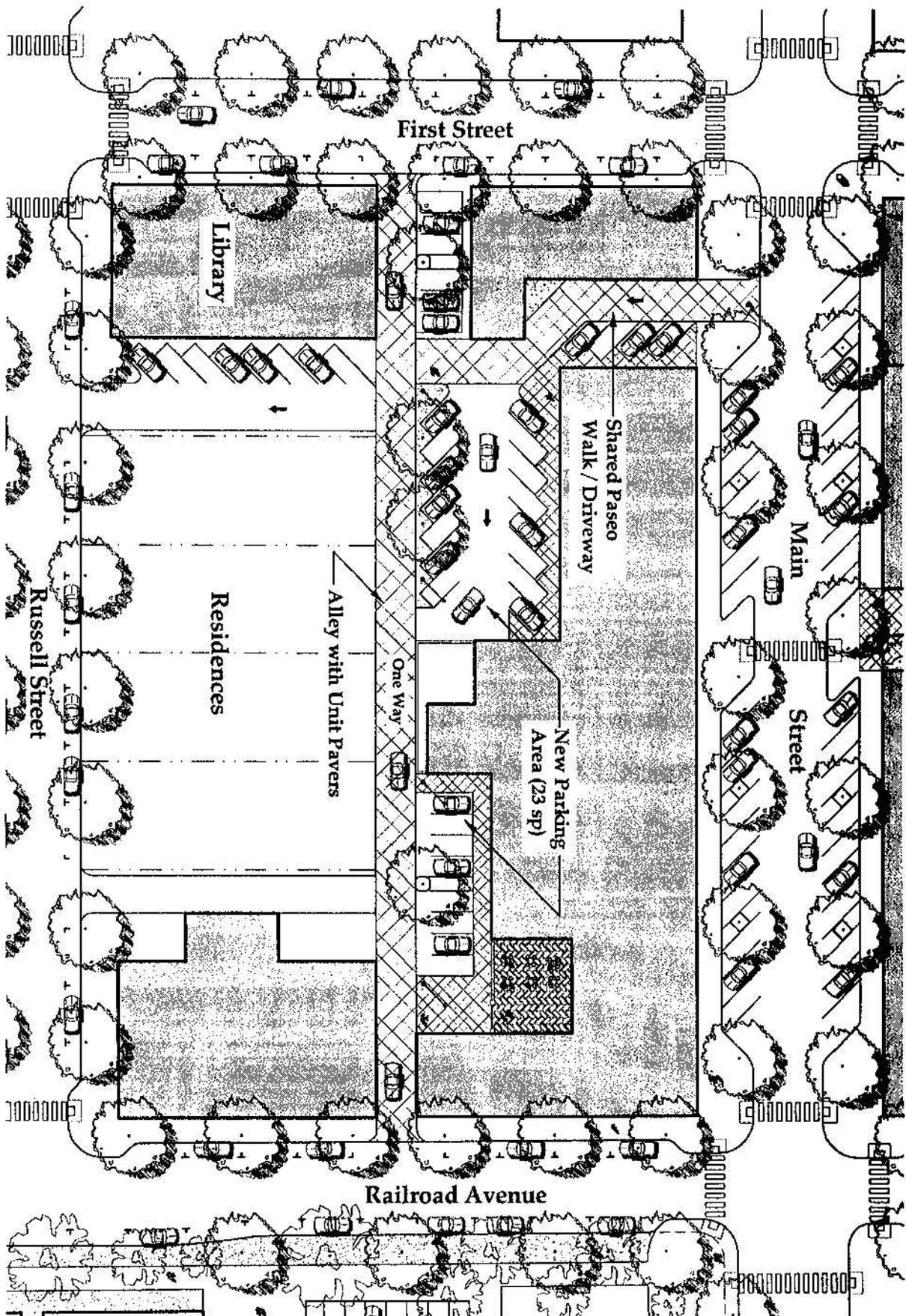
The "Core Block A" and "Core Block B" sketch plans show improved mid-block parking areas that together provide up to approximately 67 parking spaces. These parking areas could be targeted for employee parking, leaving more accessible on-street parking for



*The mid-block paseo offers opportunities for outdoor dining as well as pedestrian access.*

Core Block A





**Core Block B**

patrons of local businesses. They could also provide overflow parking for evening-oriented uses, such as The Palms and Downtown's other restaurants and bars.

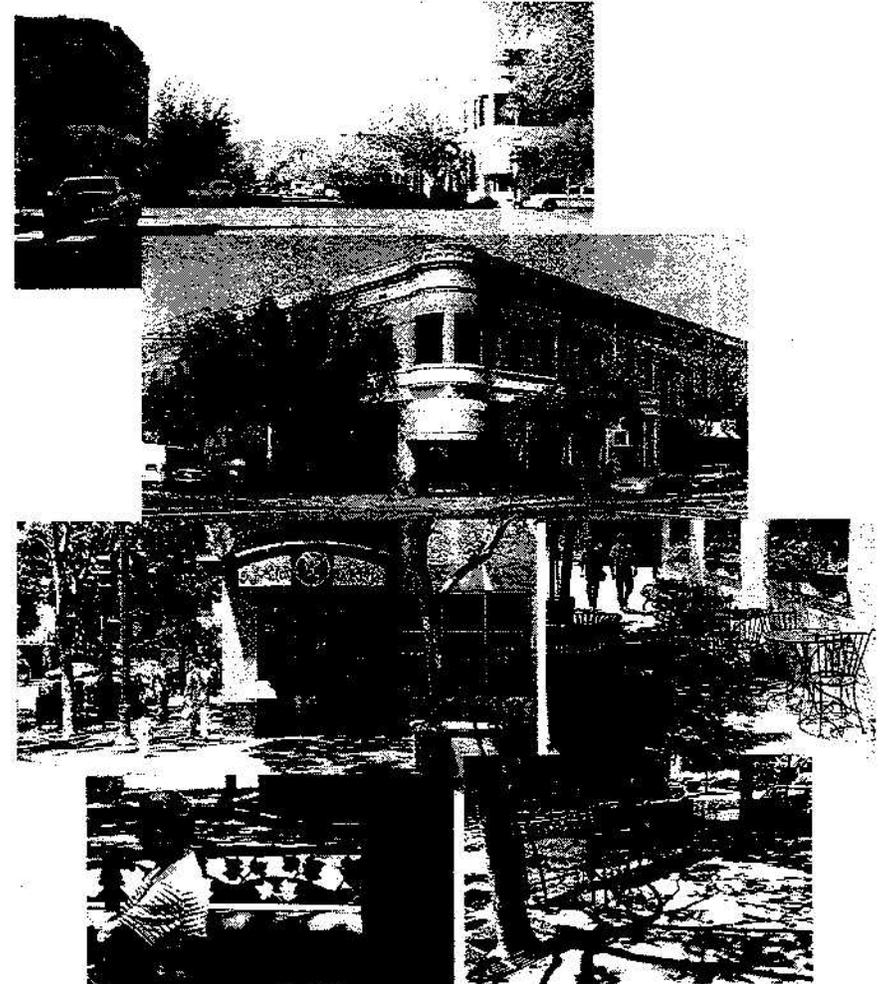
The mid-block lots are shown on lands that are privately owned and/or contain existing structures. Access and parking-related improvements would need to be negotiated with existing landowners. The parking area shown in Core Block A is currently the site of Fire Station #26 and a print shop. The sketch shows new buildings along First and Abbey Streets as well as a new parking area. These new buildings could contain infill commercial space or infill residential units, consistent with the increased level of development and activity desired for Downtown. Parking areas should be paved with unit pavers or asphalt, framed by pedestrian walkways, and incorporate lighting and shade trees as space permits.

In Core Block B, the areas recommended for parking are gravel surfaces used informally for parking today. Improvement would not require re-development of adjacent properties. Similar to recommendations for Block A, parking areas should be paved with asphalt or unit pavers, framed by pedestrian walkways, and should incorporate lighting and shade trees as space permits.

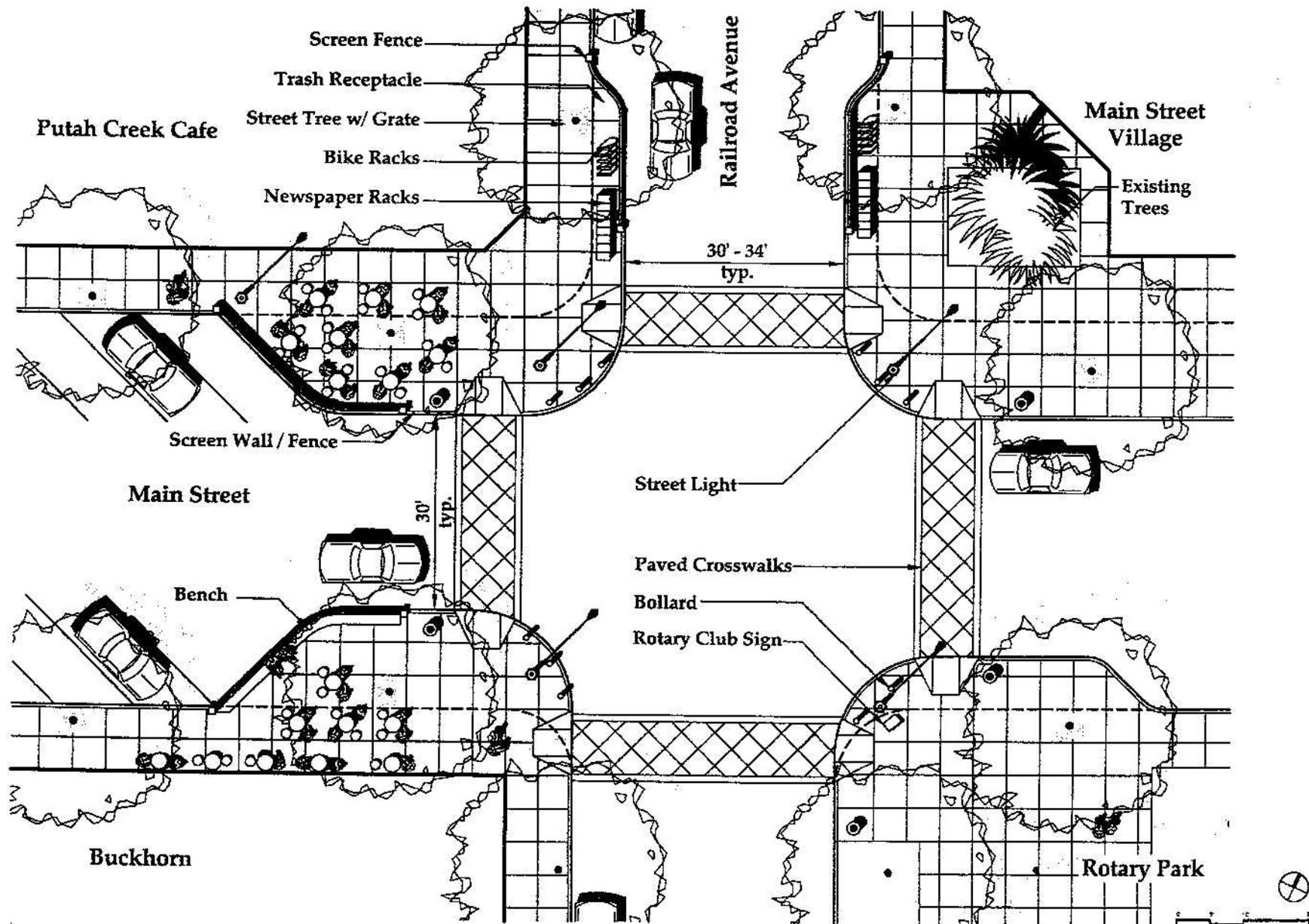
### Corner Bulb-Outs

Corner curb bulb-outs are recommended at key pedestrian intersections in the Downtown Core. Locations are: Main/Second; Main/First; Main/Railroad; East Main/Elliott, and; Abbey/Railroad. (Bulb-outs are recommended for all Railroad Avenue intersections, vehicle turning conditions permitting, as part of the Railroad Avenue streetscape improvements.) A bulb-out has already been constructed at the northwest corner of East Main/Elliott, in conjunction with first phase development of the Main Street Village project. A bulb-out at the southwest could be constructed in conjunction with the Rotary Park/Downtown Parking Lot project.

The intersection of Main and Railroad is the most important and visible intersection in the Downtown Core, linking Main Street's concentration of shops and restaurants to Rotary Park, the Downtown Parking lot, and Community Center. The "Main & Railroad Intersection" sketch plan on the following page illustrates recommendations for this particular intersection, and could serve as a prototype for bulb-outs at the other locations as well.

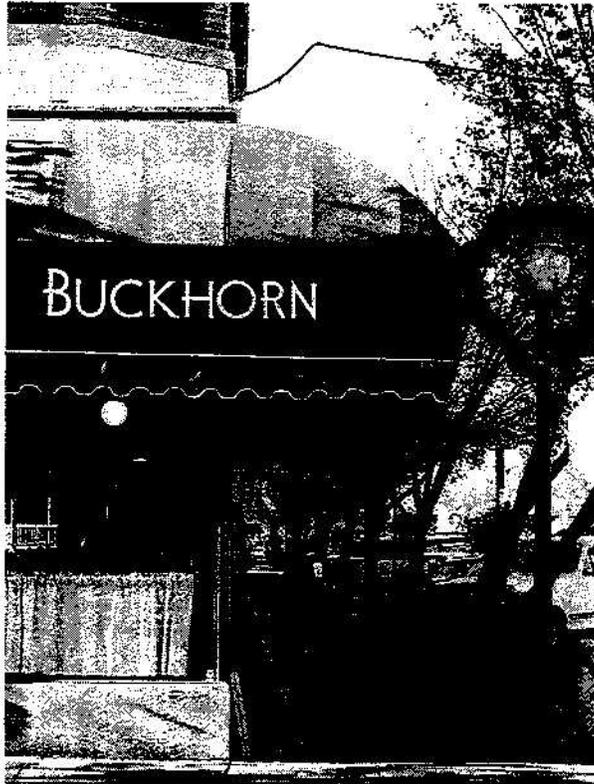


*The Main and Railroad intersection (top) is recommended for "mini-plaza" bulb-outs. These would include space for outdoor dining as well as bike racks, newsracks, and other amenities.*



Main and Railroad Intersection Plan

Bulb-outs are shown at all four corners, with large bulb-outs adjacent to the angle parking areas on the west that could accommodate outdoor dining areas. A minimum roadway clearance of 30' is recommended on Main Street to accommodate two travel lanes. If a traffic signal is needed at some point in the future, initial evaluation indicates that a left turn traffic signal could maintain capacity consistent with current City standards. As depicted by the sketch, tables and chairs could be located adjacent to or away from frontage buildings. An ornamental fence is recommended to buffer seating from passing traffic.



*While attractive, existing street trees constrain the use of sidewalk areas along Main Street.*



*Mid-block crosswalks offer opportunities to expand sidewalk areas. Trees located between parking stalls free up sidewalk space.*

A large bulb-out should also be provided at the northeast corner adjacent to recently striped angle parking. Standard 5' to 6' bulb-outs should be installed at the other corners. Special paving is recommended for all crosswalks, and protective bollards and ADA-compliant ramps should be installed as well. To make crosswalks as well as ramps ADA-compliant (i.e., less than 5% slope), the City should consider "table" grading the adjacent roadway so it is flush or close to flush with the bulb-outs.

### **Main Street Streetscape Renovation**

A mid-block pedestrian crossing should be considered to link the south side of Main Street to the proposed paseo and mid-block parking area on the north; see "Core Block A" sketch. Additional sidewalk space could be created along Main Street by relocating street trees to the angle parking zone, similar to recommendations for the east side of Railroad Avenue. This would free walks for outdoor café tables and merchandise displays as well as pedestrian movement. New street trees should be a deciduous species, with

deep-growing roots to prevent pavement damage and an open canopy to maintain visibility of Main Street's attractive older buildings.

Corner bulb-outs at adjacent intersections, a mid-block crossing and relocation of street trees to the parking zone would together remove approximately 15 parking spaces: bulb-outs at the Second Street and Railroad Avenue intersections would remove about 5 spaces; a mid-block crossing would remove about 6; locating street trees between parking stalls would remove about 4.

However, new mid-block parking areas would more than offset this loss, adding a total of approximately 67 spaces for a net increase in the immediate area of 52 spaces. The new parking lot adjacent to Rotary Park will provide an additional 52 spaces.

### **South Gateway / Creekside Park**

Sidewalks, street lights, and street trees should be extended along the easterly frontage of Railroad Avenue from Main Street to Putah Creek. This will link Rotary Park, the Community Center and the renovated Trestle Bridge as a continuous public open space, encouraging users to walk from one facility to another.

Additional design features are recommended including trellises, kiosks, and other architectural features to highlight entrances to the Community Center and Creekside Park and give the area a more civic appearance. Trellises are also recommended through the new downtown parking lot to link the Community Center to Rotary Park and The Gazebo.

Access to Putah Creek should also be improved to link Railroad Avenue and the Community Center to planned trails, and to encourage residents and visitors to make use of the Creek as a recreational resource. Publicly-accessible rest rooms should be installed adjacent to the Community Center to serve Downtown patrons, visitors, and Park users.

The Putah Creek Bridge replacement project, planned for 2010, is an opportunity to improve pedestrian and bicycle access as well as vehicular access to Downtown. It is also an opportunity to create an attractive Gateway. Bridge lane widths should accommodate bicycle travel, attractive walks, pedestrian-oriented lighting, railings, and other urban design elements are strongly recommended. Bridge-related sidewalks, pedestrian crossings, site improvements and landscaping should be integrated with improvements to the Park.

### **Art in Public Places**

The City should incorporate public art and artisan-made elements into urban design-related capital improvement projects. These could include sculpture, furnishings, murals, and/or other elements that express Winters' active arts scene. Depending on the project, supporting efforts could include defining locations for permanent and/or rotating art exhibits, coordinating educational displays related to history, industry, or natural features, establishing "percent for art" budget allocations, and/or other approaches that help to showcase the local arts community.



*The recently constructed Third Street Bridge in Napa incorporates bike lanes and creates an attractive Downtown gateway.*

## V. Implementation Recommendations

This chapter describes the actions, costs, and/or financing approaches needed to put the *Downtown Master Plan's* policy and capital improvement recommendations into effect. Policy-related actions include incorporating *Downtown Master Plan* into the *City of Winters General Plan (2002)*, and the *Five-Year Implementation Plan for the Winters Community Development Project*. Establishing administrative procedures for Guidelines-related review and approval of projects within the *Downtown Master Plan* area is also required.

Capital improvements-related actions include establishing public-private financing mechanisms for the streetscape- and infrastructure-related improvements. The Winters Community Development Agency will assume the lead role for initiating capital improvement projects, facilitating new development through assistance with parcel assembly and financial incentives, and pursuing additional state and federal grant funding sources as needed.

### Policy-Related Actions

Consistency with and/or needed amendments to existing city policies are described in this section. Amendments could be made on an individual, ad-hoc basis as needed to implement the *Downtown Master Plan*, or as part of new policy area for the district; see last section, "Focused Land Use and Development Standards," below.

**General Plan Consistency.** The *Downtown Master Plan* is a policy tool intended to implement *City of Winters General Plan* Goals and Policies that apply to Downtown. These include but are not limited to the following:

IA1 -The City shall seek to preserve Winter's traditional small-town qualities and agricultural heritage, while increasing its residential and employment base.

**Goal B** -To promote the development of a pedestrian-oriented central business district that includes retail commercial, office, residential, civic, cultural, and recreational uses.

I.B.1 -The City's first priority for commercial development within the Central Business District shall be the area west of East Street and south of Grant Avenue.

I.B.2 - The City shall promote infill development and the conversion of industrial buildings and properties to commercial uses in the Central Business District.

I.B.4 - First Priority for ground floor uses in the Central Business District shall be given to retail uses. New residential and office uses shall be permitted on a case-by-case basis over ground floor retail uses.

I.D.5 - New commercial and office development along Highway 128/Grant Avenue shall be designed to avoid the appearance of strip development.

**Goal VIII.B** -To create a well-defined, pedestrian-oriented downtown which serves as the center of Winters' commercial, civic, and cultural life.

The *Downtown Master Plan* area is located within the boundaries of the area designated "Central Business District (CBD)." Recommended forms of development and land uses – e.g., restaurants, retail, and multi-unit residential – are consistent with the *General Plan's* basic policies. However, the *General Plan's* Land Use Standards for the CBD area limit densities to a maximum of 20.0 units per acre, while the *Downtown Master Plan* recommends considering higher densities to accommodate forms of development that incorporate submerged parking. Implementation of the *Downtown Master Plan* would therefore require a General Plan Amendment to allow higher densities within the CBD-designated area.

Two other *General Plan* designated land use areas are located within the boundaries of the *Downtown Master Plan*: An area designated "Office (O-F)" extends over a small portion of the northernmost parcel of the North Gateway Site, just north of the proposed alignment for extension of Anderson Avenue; a "Public/Quasi-Public (PQP)" area is designated for the Rotary Park and Community Center sites. The *Master Plan* recommends infill residential/townhouse development for the northerly parcel of the North Gateway Site, and depending upon the ultimate configuration of development there a *General Plan* Amendment to shift the boundary of the O-F and CBD areas to the north may be required. No amendments related to the PQP area appear to be required.

The *General Plan's* circulation-related Street Standards designate the portion of Railroad Avenue within the *Downtown Master Plan* area as an "Arterial Street" with 12-foot travel lanes. The *Master Plan* recommends narrower lanes of from 10' to 11' to support traffic calming efforts, and angle parking along the easterly frontage north of Main Street. These proposed elements would be inconsistent with "Arterial" policies and standards, and a *General Plan* Amendment that either establishes different standards for the *Downtown Master Plan* area and/or re-classifies the street would be required.

In addition, intersection Level of Service (LOS) policies should be amended to reflect the higher levels of congestion that are typical of successful, pedestrian-oriented commercial districts. Current citywide policies require that LOS of "C" be maintained. This tends to result in wider streets, with additional through and turn lanes. By contrast, many cities require only LOS "D" or "E" for downtown intersections.

**Zoning Consistency.** The *Downtown Master Plan* area is located within the boundaries of the Zoning Code's "C-2: Central Business District." Land uses recommended by the *Master Plan* are among those listed as permitted or conditional under the C-2 designation.

However, amendments related to boundaries and residential densities as discussed under "General Plan Consistency," above, would also be required for the zoning code.

In addition, a number of the uses listed under the C-2 designation are not consistent with the objectives of the *Downtown Master Plan*; e.g., funeral parlors and service stations are permitted uses and drive-through restaurants are conditional uses that are not consistent with the pedestrian-oriented character envisioned. A more refined policy approach and a special zoning designation for land use and form of development in the *Master Plan* area may be the best approach, as discussed under "Focused Land Use and Development Standards," last section below.

Reducing parking requirements for Downtown land uses would require amendment to the Zoning Code as well, with new, shared standards applied to the *Downtown Master Plan* area.

**Community Development Project Consistency.** The *Downtown Master Plan* is a tool to implement the *Winters Community Development Project Area Plan*, as well as to implement the *General Plan*. The *Downtown Master Plan* area is located within the boundaries of the *Winters Community Development Project* area, and the *Master Plan's* recommended policies and capital improvements are intended to promote specific Objectives and Program Activities of the *Community Development Project's* "Five Year Implementation Plan" (2003). These include:

- Provide economic incentives for infill development, facilitate seismic retrofits in (the) downtown business district, improve streetscapes (sidewalks, landscaping, furnishings, etc.), upgrade building facades, construct a parking facility in or adjacent to the central business district.
- Prepare a master plan/special zoning designation for a portion of the central business district in order to enhance the development prospects of this area.

- Continue efforts to improve the Putah Creek Nature Park with native plantings, trails, access points, interpretive signage, and other amenities.

**Street Plan Lines.** The *Downtown Master Plan* proposes the following right-of-way-related projects:

1. Establish a new right-of-way line along the easterly frontage of Railroad Avenue that accommodates angle parking between Grant Avenue and Main Street.
2. Establish streetscape improvement easement lines along both frontages of Grant Avenue between Railroad Avenue and East Street.
3. The City should establish a new intersection Level of Service (LOS) policy specifically for Downtown. The current General Plan LOS "C" policy applies to the entire City, and does not reflect the more pedestrian-oriented nature of circulation in an active downtown commercial district.

Additionally, pedestrian crossings and curb returns at intersections are proposed at specific locations on Main Street and Railroad Avenue to make pedestrian movement safe and inviting. In order to provide for coordinated development of this area, plan lines for these new and modified streets and intersections must be adopted.

**Downtown-Specific Land Use and Development Standards.** The *Winters Design Guidelines* (1999) provide general design and development recommendations for the *Downtown Master Plan* area. Guidelines contained in the *Downtown Master Plan* compile those that address Downtown with additional guidelines to reflect specific recommendations of the *Master Plan*. However, these guidelines do not address land use, density, setbacks, and other quantitative aspects of development, nor do they address the

specifics of architectural design and detailing required to ensure that new development complements Downtown's mix of historic architectural building forms.

The City should create a special zoning district that incorporates "form-based code" development standards and design guidelines focus on creating a lively, architecturally complementary, and pedestrian-oriented commercial district and infill residential area. This zoning district could be most easily created as a new "PD: Planned Development - Downtown" district, with all new development in the area requiring a Planned Development (PD) permit. Standards for land use, density, setbacks and design would be provided in a zoning code-like format that can be referenced easily by project applicants and designers and cited easily by City staff and public officials.

Adoption of a form-based regulations for Downtown would require amendment of the *General Plan* and the zoning code. As part of the adoption process, amendment of the land use boundaries and standards noted under "General Plan Consistency" and "Zoning Code Consistency," above, could be accomplished, as well as adoption of new parking and LOS standards. Additional standards related to street rights-of-way, easements, and/or funding of infrastructure improvements could be incorporated as well. If necessary, this new document would provide the basis for CEQA-related impact evaluation.

**City Capital Improvement Program (CIP).** Capital improvement projects recommended by the *Master Plan* will need to be incorporated in the City of Winters's five-year Capital Improvement Program (CIP) and managed by the City's Engineering Department. Estimated project budgets and time frames would need to be adopted by the City. Concept-level estimates of construction costs are listed in the following section.

## Capital Improvements Costs Summary

Concept-level cost estimates for the *Downtown Master Plan's* major capital improvement projects are listed below. These estimates include costs for construction, design, and management.

Grant Avenue Streetscape Improvements -	\$650,000
Downtown Entrance Sign -	\$130,000
Railroad Avenue Utility Upgrades -	\$1,170,000
Railroad Avenue Streetscape Improvements -	\$1,270,000
Downtown Alley Renovations -	\$490,000
Mid-Block Paseo -	\$200,000
Mid-Block Parking Areas -	\$1,100,000
Intersection Bulb-Outs -	\$1,100,000
Main Street Streetscape Renovation -	\$120,000
South Gateway/Creekside Park -	\$390,000
Community Center Rest Rooms -	\$135,000
<b>TOTAL</b>	<b>\$6,755,000</b>

The total cost for these projects is considerable, and they will need be phased over time as funding becomes available.

## Capital Projects Funding

Though funding is planned to come from the Community Development Agency and a variety of grant sources, projects will need to be incorporated in the Winters's five-year Capital Improvement Program (CIP) and managed by the City's Engineering Department.

**Grant Funding.** As indicated above, the Community Development Agency alone will not be able to fund all of the proposed downtown projects. However, there are a range of grant programs available for the kinds of transportation and urban livability-oriented projects proposed by the *Design & Development Plan*. In the coming years the Community Development Agency will work with the Community Development and Engineering departments to apply for the grant funds needed to implement the projects.

Potential grant program/funding sources include the following:

- *Community Development Block Grant (CDBG) Program:* This US Department of Housing and Urban Development (HUD) program provides annual grants to States. States in turn award grants to local governments to carry out a range of development-related activities and efforts, based on State-defined priorities and criteria. CDBG-funded projects must benefit low- and moderate-income populations and/or prevent or eliminate blight, and must incorporate citizen participation.
- *Federal Transportation Enhancements Authorization (TEA-21):* This program typically funds bicycle and pedestrian transportation projects.
- *Transportation Development Act, Article 3:* This program funds alternative transportation projects, with an emphasis on bicycle and pedestrian circulation.

- *Sacramento Area Council of Governments (SACOG) Programs:* This agency solicits project applications from public agencies and their partners for three transportation-related project areas: bicycle and pedestrian circulation, air quality enhancement, and community design.

**Local Funding.** A number of the grants require that improvements be combined with transportation planning efforts and/or a local funding match. Given match requirements and the uncertainties associated with grants, City-based funding approaches will need to be maximized. Capital improvements could be piggy-backed on basic road maintenance projects funded by the State Gas Tax. Exactions are required from new development for directly-related capital improvements such as frontage curbs, walks, and streetscape amenities.

However, the majority of the recommended capital improvements will likely be funded by the Community Development Agency with tax increment financing. This is consistent with goals and objectives of the *Community Development Project*.

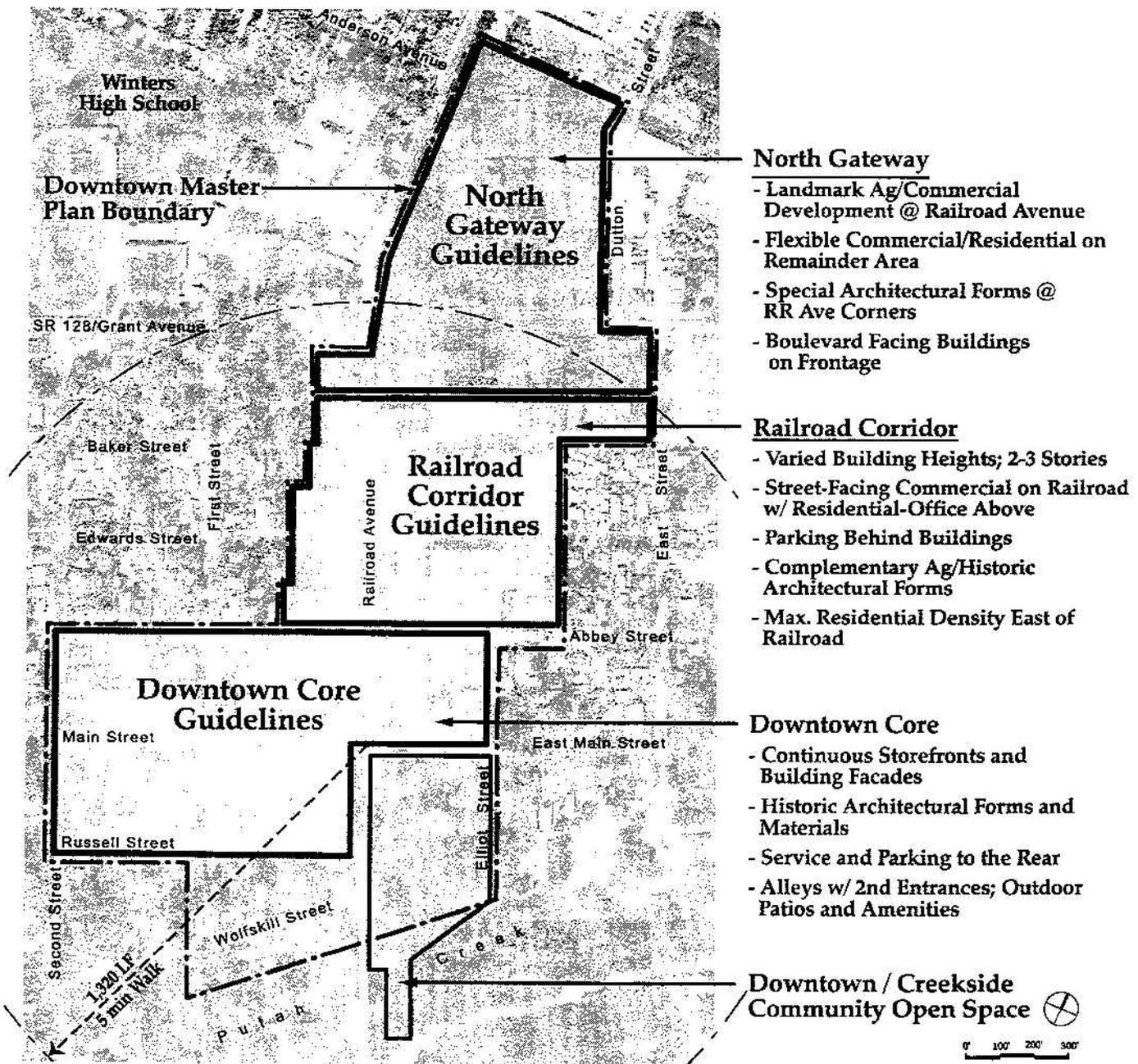
## VI. Development & Design Guidelines

The guidelines included in this chapter consist of those originally contained in the *Winters Design Guidelines* (1999) plus additional guidelines developed during the course of the *Downtown Master Plan* process. Guidelines are keyed to the "Downtown Guidelines Areas" map on the following page. A number of guidelines are repeated from one section to the next as applicable.

### 1. Downtown Core

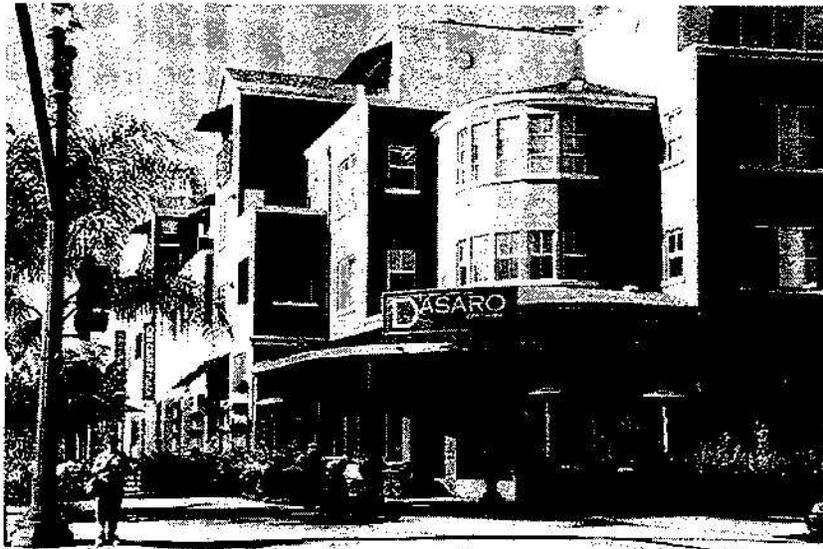
The Downtown Core is the heart of Winters, and new construction and building renovations should maintain the area's historic character. Architectural design and materials should complement the area's older buildings and its pedestrian-oriented streets and alleys.

1. Residential units should be allowed on upper floors to support local commercial businesses and to create a lively "all hours" downtown.
2. Structures should be built to the property line/back of walk to create a continuous and attractive "street wall" that frames streets as public spaces.

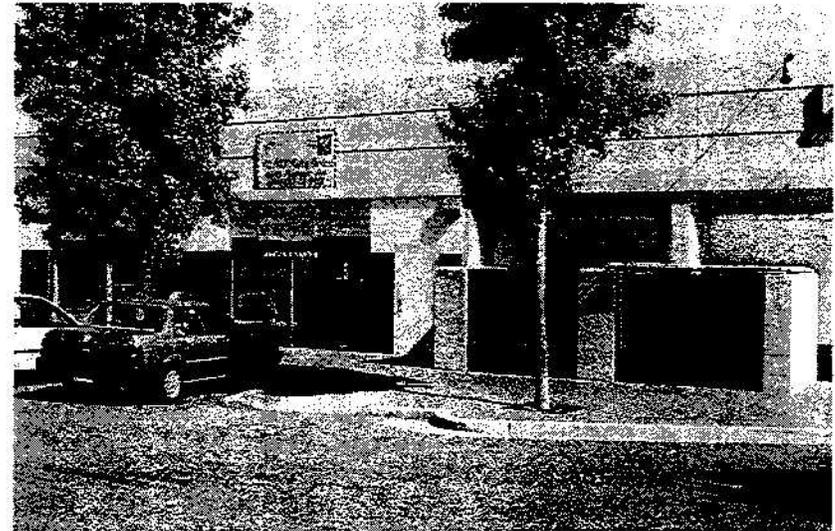


Downtown Guidelines Areas

3. Landscape elements such as trellises, arbors, fountains, plazas, planters should be provided to accent pedestrian-oriented spaces between buildings, along street and parking frontages, and at other similar locations.
4. A comprehensive lighting program for Downtown should be implemented to create an attractive nighttime pedestrian environment, to highlight downtown's many attractive older structures, and to ensure personal safety.
5. Shared parking should be provided throughout the Downtown Core. Parking should be distributed for easy access and located behind buildings and/or in the interior of blocks to maintain continuous commercial street frontages. Reciprocal access agreements should be negotiated to allow parking in private lots .
6. Design guidelines to preserve and/or complement the historic character and architectural features of Downtown's buildings



*Residential dwelling units should be allowed on upper floors to support local businesses and create a lively Downtown.*



*Trash enclosures should reflect the materials of the principal building.*

should be applied to new buildings and renovations. However, more detailed standards as well as guidelines are needed to ensure that the historic character and architectural quality of Downtown's older buildings are reflected.

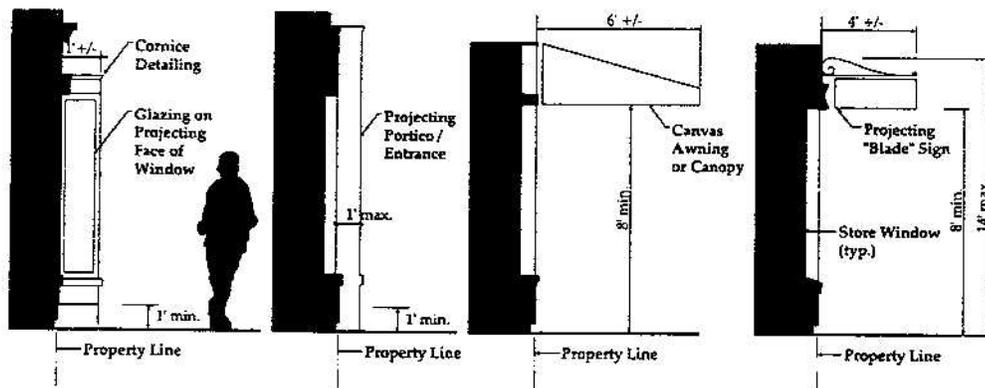
7. Attractively-designed arcades, canopies, and awnings may extend over sidewalks/ROW up to 10', provided they do not interfere with street lights, street trees, and/or other streetscape features. Upper floor balconies and window bays may extend over sidewalks/right-of-ways (ROW) up to 4', provided the clearance above grade is 8' or more and there is historic precedent for such modifications consistent with the National Historic Registry listing.
8. Main building entrance(s) should always face a public street or way, not side or rear parking areas. Secondary entrances to side or rear parking areas are acceptable and encouraged in most instances.

9. Driveway curb cuts should be minimized along Main Street and Railroad Avenue in order to maintain a continuous building frontage; mid-block breaks for pedestrian access ways are recommended.
10. First floor retail, restaurant, and/or other "specialty" commercial space should be provided on Main Street and Railroad Avenue. First floor office space is not recommended; first floor residential use is strongly discouraged.
11. The minimum height for all new buildings should be two stories. This will support a denser, more active downtown environment and help to frame downtown streets as public spaces.



*Windows on upper floors should be vertical in proportion (top). Substantial, profiled frames, sills and cornices (below) are recommended.*

12. Brick/masonry walls that complement Downtown's historic older buildings are strongly recommended for new construction and major renovations.
13. Service areas should be located to the rear of buildings. Dumpsters and other refuse-related facilities should be screened by architectural enclosures that complement and/or employ the materials of the principal buildings.
14. Street trees should be provided along all downtown street frontages; the minimum spacing should be 30' on center, the maximum 50' on center.
15. Main building and/or storefront entrances should be located no more than 50' apart along Main Street to maintain a lively and interesting commercial frontage; 25' is recommended.
16. Parapet roofs or false/front roofs consistent with the architectural character of the district are recommended to screen rooftop mechanical equipment.
17. Richly-detailed first floor storefronts are recommended along Main Street and Railroad Avenue, with an architectural base of tile, stone, or profiled wood, a recessed entrance(s), transom windows, and bay/display windows.
18. Storefront/main entrance doors should have quality materials and be attractively detailed.
19. Windows on upper floors should be vertical in proportion and complementary in form to upper floor windows in Downtown's historic older buildings.
20. Doors, windows, and other forms of building fenestration should be deeply inset from the adjacent wall surface. A minimum inset of 4" is recommended.



21. Substantial shaped/profile door and window frames, sills, and cornices are recommended, consistent with the detailing of Downtown's historic older buildings.
22. Multi-pane windows are recommended for first floor storefronts and for large upper level windows; operable windows are recommended for ventilation and natural climate control.
23. Blank wall area should be minimized, especially along highly-visible street frontages. Attractive surface materials and/or design detailing should be provided where large blank wall areas are necessary.

## 2. Railroad Avenue Corridor

1. Residential dwelling units should be allowed on upper floors to support local commercial businesses and to create a lively "all hours" downtown.
2. Structures along Railroad Avenue should be built to the property line/back of walk to create a continuous and attractive "street wall" that frames streets as public spaces. Portions of the building frontage may be setback up to 20' for outdoor seating, café space, plazas, and/or public art.

3. Landscape elements such as trellises, arbors, fountains, plazas, planters should be provided to accent pedestrian-oriented spaces between buildings, along street and parking frontages, and at other similar locations.
4. Driveway curb cuts should be minimized along Railroad Avenue in order to maintain a continuous building frontage; mid-block breaks in the frontage for pedestrian access ways are recommended.
5. Attractively-designed arcades, canopies, and awnings may extend over sidewalks/ROW up to 10', provided they do not interfere with street lights, street trees, and/or other streetscape features. Upper floor balconies and window bays may extend over sidewalks/ROW up to 4'.
6. Sidewalks and streetscape features along the east side of Railroad Avenue should be designed to create an attractive pedestrian environment.



*Recessed entries, transom windows, and an architectural base are recommended for storefront commercial buildings.*

trian way that leads people to Main Street and Putah Creek from Grant Avenue/SR 128. The frontage design should include angle parking, large corner bulb-outs, pedestrian-oriented street lighting, and an offset double row of street trees.

7. Street trees, pedestrian-oriented street lights, and corner curb bulb-outs should be extended to Grant Avenue/SR 128 along the west side of Railroad Avenue.
8. Parking should be located behind buildings along Railroad Avenue, not along the frontage. Parking should be located to the side or rear of buildings along side streets, not in front.
9. New buildings and renovations should incorporate architectural variety – e.g., facades, details, floor levels – to reduce the scale of development. No single building or project should appear to dominate an entire block.
10. Historical, railroad corridor-type building forms and materials – e.g., pitched roofs, metal, and other “agricultural/shed” materials are encouraged for new buildings and major renovations.
11. Main building entrance(s) should always face a public street or way, not side or rear parking areas. Secondary entrances to side or rear parking areas are acceptable and encouraged in most instances.
12. First floor commercial office, retail, and services space should be provided along Railroad Avenue. This commercial space should be locally oriented and not compete with the specialty commercial uses recommended for the Downtown Core.
13. Upper floor residential and office space is recommended along Railroad Avenue.
14. Infill residential development should be maximized along side streets, consistent with goals to provide additional population

downtown and design guidelines to maintain downtown’s traditional architectural character.

15. The minimum height for new buildings should be two stories. This will support a denser, more active downtown environment and help to frame downtown streets as public spaces. The maximum height should vary from 2 to 3 stories, with variations in height employed to reduce the perception of building mass and provide visual interest.
16. Service areas should be located to the rear of buildings; dumpsters and other refuse-related facilities should be screened by architectural enclosures that complement and/or employ the materials of the principal buildings.
17. Curbside parking should be provided along all frontages.
18. Street trees and pedestrian-oriented street lights should be provided along all frontages. Street trees should be located at a maximum of 50’ on center.
19. Main building and/or storefront entrances along Railroad Avenue should be located no more than 50’ apart to maintain a lively and interesting commercial frontage.
20. Changes in building massing and/or variations in facade design should be provided along all frontages at a maximum interval of 50’.
21. A combination of pitched and parapet roofs are recommended to provide variety and to screen rooftop mechanical equipment.
22. Attractively-detailed first floor storefronts are recommended along Main Street and Railroad Avenue, with an architectural base, recessed entrance(s), transom windows, and bay/display windows. The level of detailing does not need to be as rich as

that recommended for the Downtown Core, and more contemporary design and materials may be employed.

23. Windows on upper floors should be vertical in proportion and complementary to the upper floor windows in Downtown's historic older buildings.
24. Doors, windows, and other forms of building fenestration should be inset from the adjacent wall surface. A minimum inset of 2" is recommended.
25. Sills are recommended for all windows
26. Multi-pane windows recommended, especially for large glazed areas.

Blank wall area should be minimized, especially along Railroad Avenue. Attractive surface materials and/or design detailing should be provided where large blank wall areas are necessary.

### North Gateway / Grant Avenue Area

1. New development in this area should incorporate a bold urban statement, with mixed-use development, pedestrian walks, open spaces and bikeways.



*Architectural variety should be used to reduce the scale of development.*

2. Views south along Railroad Avenue should be enhanced with corner open/plaza spaces; the southeast corner of Grant and Railroad should be integrated with an esplanade link to Main Street and Putah Creek.
3. Left turn pockets with landscape island areas and distinctive crosswalks should be established on Grant Avenue.
4. Significant streetscaping and frontage walkways should be integrated into commercial/residential developments along Grant Avenue, Railroad Avenue, and Dutton Street.
5. Variable setback(s) for landscaping, public spaces, etc., should be considered along Grant Avenue.
6. Only monument/architectural signs of 6 to 8 feet maximum height should be used; pole-mounted signs should be prohibited. Depending on sign size and location, however, Caltrans review of monument signs may be required.
7. Lighting of buildings along street frontages should be consistent with Winters' small town character
8. Parking areas should be setback from frontages and/or located behind commercial and residential structures. Frontage parking areas and views of parked cars should be minimized. Canopy trees should be used generously to provide shade.
9. Architectural variety in facades, details, floor levels, etc., should be employed to reduce the scale of development and maintain a small town character.
10. Architecture should blend existing styles found in Winters.
11. The North Gateway Area should include a "local landmark" or "magnet" development that encourages visitors to stop and explore the town.

12. Urban design features such as fountains, statues, public art and landscaping should be incorporated at each corner of Grant/RR intersection.
13. A "local landmark" commercial development should be located at the northeast corner of Grant/Railroad, incorporating a downtown entrance sign adjacent to the intersection.
14. Infill residential/townhouses are recommended for the northerly portion of the Gateway Site. Mixed commercial and/or residential are recommend along the Dutton Street frontage.
15. New development and street improvements along both sides of Grant Avenue should be coordinated to create an attractive, small town boulevard frontage, with gracious setbacks, walks, double row of trees, and ornamental street lights.
16. Railroad Avenue Corridor guidelines should apply as appropriate to the North Gateway/Grant Avenue Area, provided they do not conflict with the North Gateway/Grant Avenue Area guidelines above.



*Infill residential development should be maximized along side streets in the Railroad Avenue Corridor.*

## Acknowledgments

### Winters City Council

Dan Martinez, Mayor  
Woody Fridae, Mayor Pro Tem  
Harold Anderson  
Steven C. Godden  
Tom Stone

### Winters Planning Commission

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**CITY OF WINTERS  
PLANNING COMMISSION STAFF REPORT**

TO: Members of the Planning Commission

FROM: Heidi Tschudin, Contract Planner

HEARING: January 24, 2006

SUBJECT: Workshop on Citywide Habitat Mitigation Program

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The City currently faces oversight of the implementation of various habitat mitigation requirements associated with recently approved and pending development project approvals. The purpose of this analysis is to examine parameters that should be addressed in order for the City to establish a citywide Habitat Mitigation Program (HMP) to guide the implementation of these measures.

Between the approvals for the Callahan Estate, Creekside Estates, and Hudson/Ogando projects there are a number of mitigation requirements that the City has imposed for Swainson's Hawk, other raptors, Burrowing Owls, Valley Elderberry Longhorn Beetle (VELB), wetlands invertebrates, and seasonal wetlands habitats. The Winters Highlands project, if approved, would add to this. Appendix A provides the biological mitigation measures for each of the projects.

As a prelude to development and adoption of citywide parameters for habitat mitigation implementation, the staff would like to receive early feedback and guidance from the Planning Commission. A number of questions are posed below (in no particular order) for discussion purposes. The staff will discuss each of these items and solicit input from the Commission and audience at the workshop. The staff requests that the Planning Commission deliberate the issues explored in this report and provide comments and direction to staff. A formal program will subsequently be developed for review and approval, if so directed.

**DISCUSSION QUESTION #1: Are multi-use goals important to the community?**  
The term "multi-use goals" refers to the preservation of habitat not just for species benefit, but also for passive quasi-recreational opportunities such as educational programs, walking trails, viewing stations, event gathering areas, and perhaps picnicking. State and federal agencies do not generally support multi-use goals for habitat mitigation areas due to concerns regarding incompatibilities between human activities (even passive) and

habitat preservation.

**DISCUSSION QUESTION #2: Method for mitigation (local program, regional program, mitigation bank?)** A local program would allow the City an opportunity to target preservation land in proximity to the City so that local open space values can be gained. There is an existing regional Joint Powers Agency (JPA) formed between the cities of Yolo County, the County, and the California Department of Fish and Game (CDFG) that serves as an interim in-lieu fee program for mitigation for loss of Swainson's Hawk foraging land until such time as a countywide Habitat Conservation Plan (HCP) for the hawk can be adopted. This program allows for payment of in-lieu fees for acquisition of land through the JPA. To date no acquisitions have been made. There are also five approved mitigation banks that serve the Winters area for different biological resources (see Appendix C).

**DISCUSSION QUESTION #3: Multiple species or Swainson's hawk only?** Is the community interested mostly in a program for Swainson's Hawk or should the program involve multiple species. Since mitigation for hawk foraging impacts generally results in the largest mitigation requirements in terms of acreage, this species is often the focus of mitigation programs.

**DISCUSSION QUESTION #4: Land dedication or in-lieu fees?** Should the developer be required to preserve land to achieve mitigation or can they pay in-lieu fees. The existing JPA program is examining a 40 acre threshold for projects. Those larger than 40 acres would be required to buy land. Those under that threshold could pay fees. The use of fees can be controversial as the value and buying power erode over time if not expended quickly.

**DISCUSSION QUESTION #5: Proximity of mitigation?** How far away from town (or how close) should developers be allowed/required to mitigate for impacts to biological resources. Appendix B shows a two-mile, five-mile, and ten-mile radius outside of the following area: Putah Creek on the south, Dry Creek on the west, CR 31 (or an imaginary extension thereof) on the north, and CR 92E (or an imaginary extension thereof) on the east.

**DISCUSSION QUESTION #6: Is "stacking" of mitigation acceptable?** Stacking refers to the concept of allowing mitigation for one species to occur on the same land (or portion thereof) as mitigation for another species. For example, Swainson's Hawk and Burrowing Owl, or locally required wetlands/riparian with federally required wetlands. Stacking is preferred by developers as they are able to satisfy more than one impact on the same acre of land. Stacking is generally not supported by the State or federal agencies. Stacking generally results in more complicated management and monitoring requirements and less flexibility for a particular mitigation preserve. Allowing the General Plan required mitigation for wetlands and riparian impacts to be satisfied by federally required mitigations would likely inhibit the City's ability to achieve multi-use goals.

**Attachments:**

Appendix A – Project Mitigation Measures

Appendix B – Qualifying Land Map

Appendix C – Approved Mitigation Banks Serving Winters (text goes before the map)

## APPENDIX A

### HABITAT-RELATED MITIGATION MEASURES FOR RECENT NEW DEVELOPMENT

#### CALLAHAN ESTATES SUBDIVISION:

**Mitigation Measure #3:** The project proponent shall mitigate for potential project-related impacts to nesting raptors by conducting a pre-construction survey of all trees suitable for use by nesting raptors on the subject property or within 500 feet of the project boundary as allowable. The preconstruction survey shall be performed no more than 30 days prior to the implementation of construction activities. The preconstruction survey shall be conducted by a qualified biologist familiar with the identification of raptors known to occur in the vicinity of the City of Winters. If active special-status raptor nests (e.g. Swainson's hawk or white-tailed kite) are found during the preconstruction survey, a 0.25-mile (1,320-feet) buffer zone shall be established around the nest and no construction activity shall be conducted within this zone during the raptor nesting season (typically March-August) or until such time that the biologist determines that the nest is no longer active. The buffer zone shall be marked with flagging, construction lathe, or other means to mark the boundary of the buffer zone. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.

**Mitigation Measure #4:** The project proponent shall mitigate for potential project-related impacts to burrowing owl by conducting a pre-construction survey no more than 30 days prior to the initiation of construction activity. The pre-construction survey shall be conducted by a qualified biologist familiar with the identification of burrowing owls and the signs of burrowing owl activity. If active burrows are found on the project site, the California Department of Fish and Game (CDFG) shall be consulted regarding appropriate mitigation measures for project-related impacts to burrowing owl. Pursuant to the CDFG document entitled "Staff Report on Burrowing Owl Mitigation" (September 25, 1995), it is likely that replacement habitat will be required by CDFG. The guidelines include specific mitigation to protect nesting and wintering owls and to compensate for loss of breeding sites. In general, if the project would remove habitat of an occupied breeding site (e.g., if an active nest and surrounding habitat are removed), the project proponent will be required to compensate by preserving 6.5 acres of suitable habitat for each active nest site. In addition, the project proponent must install artificial burrows to offset the direct loss of the breeding site. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.

**Mitigation Measure #5:** The project proponent shall mitigate for potential project-related impacts to Swainson's hawk foraging habitat by complying with the Yolo County Memorandum of Understanding (MOU) regarding project-related impacts to Swainson's hawk foraging habitat. The MOU requires the project proponent mitigate at a 1:1 ratio for every acre of suitable Swainson's hawk foraging habitat that is impacted by the project. A fee shall be collected by the City of Winters for impacts to 26.4 acres of potential Swainson's hawk foraging habitat. The fee shall be payable to the Wildlife Mitigation Trust Account. Funds paid into the trust account shall be used to purchase or acquire a conservation easement on suitable Swainson's hawk foraging habitat and for maintaining and managing said habitat in perpetuity. The cost per acre for acquisition and maintenance of foraging habitat is reviewed annually and the project proponent shall be charged at the rate per acre at the time of project approval. Payment shall be made to the trust account prior to the initiation of construction activity and shall be confirmed by the City of Winters prior to the issuance of a grading permit.

**Mitigation Measure #5.1:** (a) If the project can avoid ground disturbing activities that would affect the hydrology of the wetland or avoid fill into the wetland, then no mitigation for impacts to special status invertebrates is required. A buffer around the seasonal wetland would be required to ensure that any possibility of take is avoided. The amount of this buffer would be determined by a qualified biologist based on a site-specific determination of hydrology and shall not be less than 20-feet. If impacts to the wetland will not be avoided, then consultation and on-site inspection with USFWS shall determine whether the Service will require protocol surveys to be conducted to determine presence or absence of the listed species. If as a result of the consultation or protocol level surveys it is determined that the species are absent, then no mitigation is required. If the species are present, or if the project proponent

decides to assume presence by not conducting the surveys if such surveys are required by USFWS, then compensatory mitigation will be required. If compensatory mitigation is required and there is no federal regulatory lead agency (as is the case with this project), the project proponent, through coordination with the USFWS, would prepare a project-level Habitat Conservation Plan under Section 10 of the federal Endangered Species Act. The project-level HCP will identify specific actions including the amount of compensation that is required. Typically, impacts on these species require replacement of the habitat acreage at a 3:1 ratio (1:1 preservation and 2:1 creation). The City of Winters shall confirm implementation of this mitigation measure prior to the issuance of a grading permit.

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

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

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

#### **CREEKSIDE ESTATES SUBDIVISION:**

**Mitigation Measure #4:** Focused surveys for Valley Longhorn Elderberry Beetles (VELB) shall be conducted by a qualified biologist to determine presence of the species. The surveys shall be conducted, data collected, and mitigation required according to the USFWS' guidance document Conservation Guidelines for the Valley Elderberry Longhorn Beetle (USFWS 1999). If no plants are found then no further mitigation is required. If plants are found they shall be avoided and a 20-foot buffer from the dripline is required. If the plants can not be avoided then consultation with the USFWS is required and a mitigation plan should be prepared for approval by the Service. At a minimum the mitigation plan should include acquisition of credits at an approved mitigation bank or implementation of onsite mitigation and monitoring plan that includes transplantation of plants and planting elderberry seedlings. If the potential for take is identified following surveys, the project proponent will implement the referenced guidelines through coordination with the USFWS under Section 10 of the federal Endangered Species Act.

**Mitigation Measure #5:** The project proponent shall mitigate for potential project-related impacts to nesting raptors by conducting a pre-construction survey of all trees suitable for use by nesting raptors on the subject property or within 500 feet of the project boundary as allowable. The preconstruction survey shall be performed no more than 30 days prior to the implementation of construction activities. The preconstruction survey shall be conducted by a qualified biologist familiar with the identification of raptors known to occur in the vicinity of the City of Winters. If active special-status raptor nests (e.g. Swainson's hawk or white-tailed kite) are found during the preconstruction survey, a 0.25-mile (1,320-foot) buffer zone shall be established around the nest and no construction activity shall be conducted within this zone during the raptor nesting season (typically March-August) or until such time that the biologist determines

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

**Mitigation Measure #6:** The project proponent shall mitigate for potential project-related impacts to burrowing owl by conducting a pre-construction survey no more than 30 days prior to the initiation of construction activity. The pre-construction survey shall be conducted by a qualified biologist familiar with the identification of burrowing owls and the signs of burrowing owl activity. If active burrows are found on the project site, the California Department of Fish and Game (CDFG) shall be consulted regarding appropriate mitigation measures for project-related impacts to burrowing owl. Pursuant to the CDFG document entitled "Staff Report on Burrowing Owl Mitigation" (September 25, 1995), it is likely that replacement habitat will be required by CDFG. The guidelines include specific mitigation to protect nesting and wintering owls and to compensate for loss of breeding sites. In general, if the project would remove habitat of an occupied breeding site (e.g., if an active nest and surrounding habitat are removed), the project proponent will be required to compensate by preserving 6.5 acres of suitable habitat for each active nest site. In addition, the project proponent must install artificial burrows to offset the direct loss of the breeding site. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.

**Mitigation Measure #7:** The project proponent shall mitigate for potential project-related impacts to Swainson's hawk foraging habitat by complying with the Yolo County Memorandum of Understanding (MOU) regarding project-related impacts to Swainson's hawk foraging habitat. The MOU requires the project proponent mitigate at a 1:1 ratio for every acre of suitable Swainson's hawk foraging habitat that is impacted by the project. The City shall review the MOU with DFG to determine whether or not the portion of the project area that was planted in orchard is subject to the mitigation fee. A fee shall be collected by the City of Winters for impacts to up to 13.7 acres of potential Swainson's hawk foraging habitat. The fee shall be payable to the Wildlife Mitigation Trust Account. Funds paid into the trust account shall be used to purchase or acquire a conservation easement on suitable Swainson's hawk foraging habitat and for maintaining and managing said habitat in perpetuity. The cost per acre for acquisition and maintenance of foraging habitat is reviewed annually and the project proponent shall be charged at the rate per acre at the time of project approval. Payment shall be made to the trust account prior to the initiation of construction activity and shall be confirmed by the City of Winters prior to the issuance of a grading permit.

#### **HUDSON/OGANDO SUBDIVISION:**

**Mitigation Measure #4** – The project proponent shall mitigate for potential project-related impacts to burrowing owl by conducting a pre-construction survey no more than 30 days prior to the initiation of construction activity. The pre-construction survey shall be conducted by a qualified biologist familiar with the identification of burrowing owls and the signs of burrowing owl activity. If active burrows are found on the project site, the California Department of Fish and Game (CDFG) shall be consulted regarding appropriate mitigation measures for project-related impacts to burrowing owl. Pursuant to the CDFG document entitled "Staff Report on Burrowing Owl Mitigation" (September 25, 1995), it is likely that replacement habitat will be required by CDFG. The guidelines include specific mitigation to protect nesting and wintering owls and to compensate for loss of breeding sites. In general, if the project would remove habitat of an occupied breeding site (e.g., if an active nest and surrounding habitat are removed), the project proponent will be required to compensate by preserving equivalent suitable habitat for each active nest site. In addition, the project proponent must install artificial burrows to offset the direct loss of the breeding site. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.

**Mitigation Measure #5** – The project proponent shall mitigate for potential project-related impacts to Swainson's hawk foraging habitat by complying with one of the following:

If the Yolo County Memorandum of Understanding (MOU) regarding project-related impacts to Swainson's hawk foraging habitat is in full force and effect at the time the applicant seeks to satisfy this mitigation, the applicant may pay the appropriate fees allowed by this agreement. The MOU requires the project proponent mitigate at a 1:1 ratio for every acre of suitable Swainson's hawk foraging habitat that is impacted by the project. A fee is collected by the City of Winters for impacts to 15.97 acres of potential Swainson's hawk foraging habitat. The fee shall be payable to the Wildlife Mitigation Trust Account. Funds paid into the trust account shall be used to purchase or acquire a conservation easement on suitable Swainson's hawk foraging habitat and for maintaining and managing said habitat in perpetuity. The cost per acre for acquisition and maintenance of foraging habitat is reviewed annually and the project proponent shall be charged at the rate per acre at the time. Payment shall be made to the trust account prior to the initiation of construction activity and shall be confirmed by the City of Winters prior to the issuance of a grading permit.

If the Yolo County NCCP/HCP has been adopted, the applicant shall mitigate for Swainson's hawk impacts by complying with the terms and requirements of the Plan. Compliance shall occur and be confirmed by the City of Winters prior to the issuance of a grading permit.

If the MOU is not in full force and effect, and if the NCCP/HCP has not yet been adopted, the project applicant shall purchase and set aside in perpetuity, 15.97 acres of Swainson's hawk foraging land in proximity to the City of Winters (as approved by the City) through the purchase of development rights and execution of an irreversible conservation easement to be managed by a qualified party (e.g. Yolo Land Trust). Mitigation shall include an annuity or other mechanism to pay for permanent maintenance and management by the managing entity. Compliance shall occur and be confirmed by the City of Winters prior to the issuance of a grading permit.

**Mitigation Measure #6** -- The project proponent shall mitigate for potential project-related impacts to nesting raptors (White-tailed Kite, Northern Harrier, and Loggerhead Shrike) by conducting a pre-construction survey of all trees suitable for use by nesting raptors on the subject property or within 500 feet of the project boundary as allowable. The preconstruction survey shall be performed no more than 30 days prior to the implementation of construction activities. The preconstruction survey shall be conducted by a qualified biologist familiar with the identification of raptors known to occur in the vicinity of the City of Winters. If active special-status raptor nests are found during the preconstruction survey, a 0.25-mile (1,320-foot) buffer zone shall be established around the nest and no construction activity shall be conducted within this zone during the raptor nesting season (typically March-August) or until such time that the biologist determines that the nest is no longer active. The buffer zone shall be marked with flagging, construction lathe, or other means to mark the boundary of the buffer zone. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.

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

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

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

**Mitigation Measure #8** -- (a) Pursuant to General Plan Policy VI.C.2, the applicant must replace loss of riparian and wetland habitat acreage and/or value on at least a 1:1 basis. Replacement entails creating habitat that is similar in extent and ecological value to that displaced by the project. The replacement habitat must consist of locally-occurring, native species and be located either at the City's Community Sports Park site north of Moody Slough Road, at the wetlands site in the northeast corner of the Winters Highlands property, or elsewhere as directed/approved by the City Council. Implementation of this condition shall be based on baseline data concerning existing native species. Study expenses shall be borne by development.

#### **WINTERS HIGHLANDS SUBDIVISION:**

**Mitigation Measure 4.3-1(a).** The applicant shall mitigate for Project-related impacts to 0.67 acre of habitat for federally listed vernal pool invertebrates by complying with U.S. Fish and Wildlife Service (USFWS) guidelines regarding mitigation for Project-related impacts to vernal pool invertebrate habitat. A mitigation plan shall be developed in conjunction with the USFWS to ensure no net negative effect to these species occurs.

**Mitigation Measure 4.3-2(a).** The applicant will develop and implement a plan to manage the Preserve with the objective of ensuring that the wetland and upland habitats within the Preserve core zone are maintained in perpetuity at their present condition or better, and ensuring that any activities or structures authorized within the Preserve buffer zone are consistent with preserving the integrity of the Preserve core zone.

The Preserve shall cover approximately 7.43 acres in the northeast portion of the Project site and will include both a core zone ("wetlands area") and a buffer zone ("open space area"). The Preserve core zone shall be approximately 3.10 acres and include the 0.99 acre of seasonal wetland/vernal pool habitat and 2.10 acres of immediately adjacent annual grassland habitat. The Preserve buffer zone will cover approximately 4.33 acres and border the Preserve core zone to the north and west and provide an upland buffer to protect the Preserve core zone from adjacent land uses.

The Management Plan shall be consistent with the terms proposed by the applicant as outlined in the EIR, with the following modifications:

1. The conservation easement shall protect the entire 7.43 acres, not just the 3.10-acre core zone.
2. The buffer zone shall be maintained in a natural condition and shall not be planted with non-native vegetation. Irrigation will occur only during the initial establishment of any vegetation planted at the Preserve.
3. The U.S. Army Corps of Engineers does not need to be involved in the decision-making for removal of problematic non-native plant species.
4. No surface runoff from other sources shall be allowed.
5. Approval for the use of pesticides and other chemical agents must go through the U.S. Fish and Wildlife Service but need not go through the U.S. Army Corps of Engineers.

6. "Low impact" activities shall be defined and guidance on activities not allowed shall be provided. The U.S. Army Corps of Engineers need not be involved in the decision-making.
7. The structure of the conservation easement, including parties to the agreement, shall be to the satisfaction of the City of Winters.
8. The U.S. Fish and Wildlife Service rather than the U.S. Army Corps of Engineers shall be given authority to enforce provisions of the Management Plan and conservation easement.
9. The Management Plan shall include provisions for access by the Sacramento-Yolo Mosquito & Vector Control District personnel for routine surveillance of the ponded area(s) and shall identify a procedure for addressing possible vegetation management concerns should the District determine that dense vegetation growth in the wetland(s) may contribute to future mosquito outbreaks.

**Mitigation Measure 4.3-3(a).** The applicant shall mitigate for potential project-related impacts to Swainson's hawk foraging habitat by complying with one of the following:

i) If the Yolo County Memorandum of Understanding (MOU) regarding project-related impacts to Swainson's hawk foraging habitat is in full force and effect at the time the applicant seeks to satisfy this mitigation, the applicant may pay the appropriate fees allowed by this agreement. The MOU requires the applicant to mitigate at a 1:1 ratio for every acre of suitable Swainson's hawk foraging habitat that is impacted by the project. A fee will be collected by the City of Winters for impacts to 102.6 acres of potential Swainson's hawk foraging habitat. The fee shall be payable to the Wildlife Mitigation Trust Account. Funds paid into the trust account shall be used to purchase or acquire a conservation easement on suitable Swainson's hawk foraging habitat and for maintaining and managing said habitat in perpetuity. The cost per acre for acquisition and maintenance of foraging habitat is reviewed regularly and the applicant shall be charged at the rate per acre in effect at the time. Payment shall be made to the trust account prior to the initiation of construction activity and shall be confirmed by the City of Winters prior to the issuance of a grading permit.

ii) If the Yolo County NCCP/HCP has been adopted, the applicant shall mitigate for Swainson's hawk impacts by complying with the terms and requirements of the Plan. Compliance shall occur and be confirmed by the City of Winters prior to the issuance of a grading permit.

iii) If the MOU is not in full force and effect and if the NCCP/HCP has not yet been adopted, the project applicant shall purchase and set aside in perpetuity 102.6 acres of Swainson's hawk foraging land in proximity to the City of Winters (as approved by the City) through the purchase of the underlying land and/or the development rights and execution of an irreversible conservation easement to be managed by a qualified party (e.g. Yolo Land Trust). Mitigation shall include an endowment or other mechanism to pay for permanent maintenance and management by the managing entity. Compliance shall occur and be confirmed by the City of Winters prior to the issuance of a grading permit. To the extent feasible as determined by the City, identification of acceptable mitigation land shall be coordinated with the Yolo County Habitat Conservation Joint Powers Agency.

**Mitigation Measure 4.3-4(a).** The applicant shall conduct pre-construction surveys of suitable habitat at the Project site and buffer zone(s) within 30 days prior to initiation of construction activity. If ground disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the Project site shall be resurveyed.

Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the California Department of Fish and Game verifies through non-invasive methods that either: (1) the birds have not begun egg-laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

If owls must be moved away from the Project site, passive relocation techniques shall be used rather than trapping. At least one or more weeks will be necessary to accomplish this and allow the owls to acclimate to alternate burrows.

**Mitigation Measure 4.3-4(b).** The loss of foraging and nesting habitat on the Project site will be offset by either acquiring and permanently protecting off-site at a location satisfactory to the City a minimum of 6.5 acres of foraging habitat (calculated on a 100 m {approx. 300 ft.} foraging radius around the burrow) per pair or unpaired resident bird or acquiring the requisite number of acres of credit at an approved mitigation bank satisfactory to the City.

The applicant shall either acquire and protect, or mitigation credits purchased at an approved mitigation bank 19.5 acres of burrowing owl habitat. If the applicant chooses to acquire and protect land for the burrowing owl, the protected lands shall be adjacent to occupied burrowing owl habitat and at a location acceptable to the California Department of Fish and Game and the City.

If the applicant chooses to acquire and protect land for the burrowing owl, existing unsuitable burrows at the protected land shall be enhanced (enlarged or cleared of debris) or new burrows created (by installing artificial burrows) at a ratio of 2:1. This will require that the applicant have the Project site surveyed to determine the number of active burrows being used by the burrowing owl.

The applicant shall provide funding for long-term management and monitoring of the protected lands should the applicant choose to pursue that option. The monitoring plan shall include success criteria, remedial measures, and an annual report to the California Department of Fish and Game and the City of Winters.

**Mitigation Measure 4.3-5(a).** Pursuant to General Plan Policy VI.C.2 the applicant must replace loss of riparian and wetland habitat acreage and ecological value on at least a 1:1 basis. Replacement entails creating habitat that is similar in extent and ecological value to that displaced by the Project. The replacement habitat must consist of locally occurring, native species and be located either at the City's Community Sports Park site north of Moody Slough Road or elsewhere as directed and approved by the City. Study expenses shall be born by the applicant.

The mitigation ratio for the 0.54 acre of seasonal wetlands that occur in the Highlands Canal shall be at a 1:1 ratio but the mitigation ratio for the 0.81 acre of wetlands that occur outside the Highlands Canal shall be mitigated at a 2:1 ratio (creation of 1.62 acres of new wetlands). The 0.81 acre of seasonal wetlands are dominated by native species and either provide known habitat or potential habitat for federally listed vernal pool crustaceans. These seasonal wetlands represent one of the few areas in the western part of Yolo County and nearby area of Solano County known to support federally listed vernal pool crustaceans.

The applicant shall develop and submit to the City of Winters a written plan that describes the actions to be taken to identify an appropriate site to construct 2.16 acres of seasonal wetlands, the construction procedures and a monitoring plan with performance criteria to document that the constructed seasonal wetlands achieve the desired habitat conditions.

The format of the plan shall follow the format prescribed by the Corps of Engineers for wetland mitigation and monitoring plans. The plan shall contain the following sections:

- Detailed description of the proposed mitigation site, including the location, ownership status, presence of any jurisdictional areas, topography and hydrology of the proposed site, soils (subsurface soil information to confirm that the soils are appropriate for wetland construction), vegetation and wildlife habitat and use of the proposed site, present and historical uses of the proposed mitigation site, and present and planned use of areas adjacent to the proposed mitigation site.
- Description of the seasonal wetland habitat to be created, including the mitigation ratio, long-term goals, anticipated future site topography and hydrology, vegetation, and anticipated wildlife habitat on the proposed mitigation site.
- Performance criteria and monitoring protocol to document that the constructed seasonal wetland habitat are meeting or exceeding the performance criteria, including a detailed description of the monitoring methods and justification of the methods, the monitoring schedule and other means of documenting the development of the mitigation (e.g., photo documentation).
- An implementation plan that describes in detail the physical preparation of the site, the planting plan, irrigation (if necessary) and the implementation schedule. The surface soils at the seasonal wetlands at the Project site that support primarily native species shall be collected and used to inoculate the constructed pools, especially the three largest pools at the Project site.
- A maintenance plan that describes the actions to be taken to address or prevent adverse conditions, such as invasion by undesirable vegetation, control of erosion of bare ground. This plan shall present a maintenance schedule and identify the party responsible for the

maintenance, which will be the applicant unless another party agreeable to the City of Winters is selected.

- A contingency plan that identifies measures to be taken if the constructed seasonal wetlands are not performing according to the established standards. This plan shall be adaptive and identify how monitoring data will be used to define future actions to achieve the performance criteria. The contingency plan shall also identify the funding mechanism for the initial monitoring period and the endowment that will be provided by the applicant for the long-term management of the site.

The applicant shall work with the City of Winters to identify an acceptable third-party entity (e.g., Yolo Land Trust, Wildlife Heritage Foundation) to manage the mitigation site once the initial monitoring period has been completed. The applicant will be responsible for the site until the performance criteria have been met and will work with the third-party entity to develop the long-term management endowment.

**Mitigation Measure 4.3-6(a).** The applicant shall mitigate for potential Project-related impacts to nesting raptors by conducting a pre-construction survey of all trees suitable for use by nesting raptors on the subject property or within 500 feet of the Project boundary as allowable. The preconstruction survey shall be performed no more than 30 days prior to the implementation of construction activities. The preconstruction survey shall be conducted by a qualified biologist familiar with the identification of raptors known to occur in the vicinity of the City of Winters. If active raptor nests are found during the preconstruction survey, a 500-foot buffer zone shall be established around the nest and no construction activity shall be conducted within this zone during the raptor nesting season (typically March-August) or until such time that the biologist determines that the nest is no longer active. The buffer zone shall be marked with flagging, construction lathe, or other means to mark the boundary of the buffer zone. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.

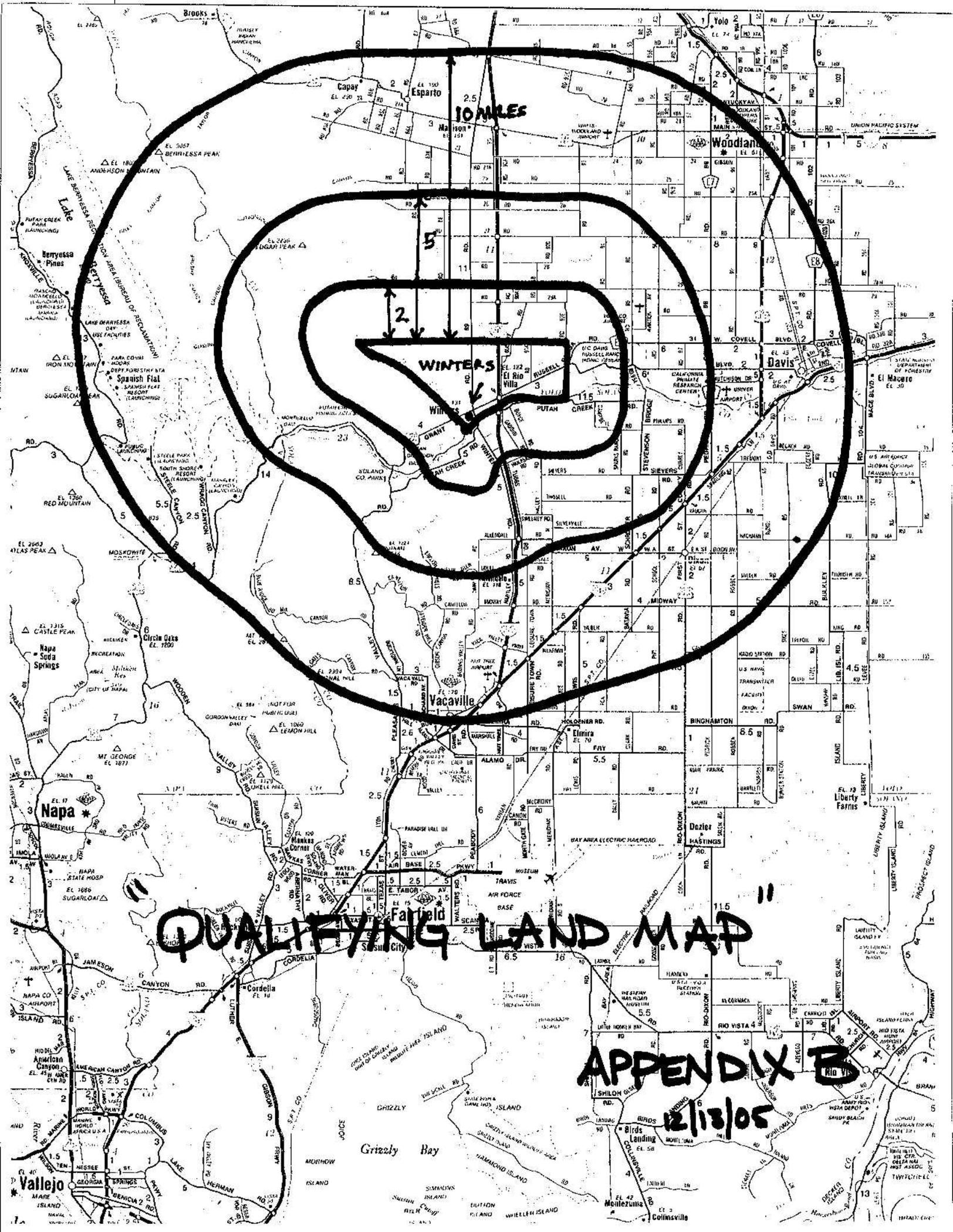
If an active Swainson's hawk nest is encountered during the pre-construction surveys, the buffer zone shall be 0.25 miles (1,320 feet) and it shall be fenced. This exclusion zone shall remain active until fledglings have left the nest or until such time that the biologist determines that the nest is no longer active.

**Mitigation Measure 4.3-7(a).** Implement Mitigation Measure 4.3-3(a).

**Mitigation Measure 4.3-8(a).** Implement Mitigation Measure 4.3-3(a).

**Mitigation Measure 4.3-9(a).** The applicant shall prepare and submit to the City for its approval a riparian restoration plan for restoring riparian trees and shrubs along a 50-foot section of Dry Creek on either side of where the outlet from the Highlands Canal is constructed.

This plan shall be similar in content to the wetland mitigation and monitoring plan described for Mitigation Measure 4.3-5(a) and shall be approved by the City prior to issuance of the grading permit. The proposed modifications to Dry Creek shall be coordinated with representatives of the California Department of Fish and Game, U.S. Army Corps of Engineers, and Central Valley Regional Water Quality Control Board, as necessary, to obtain the required permits and authorizations.



10 MILES

WINTERS

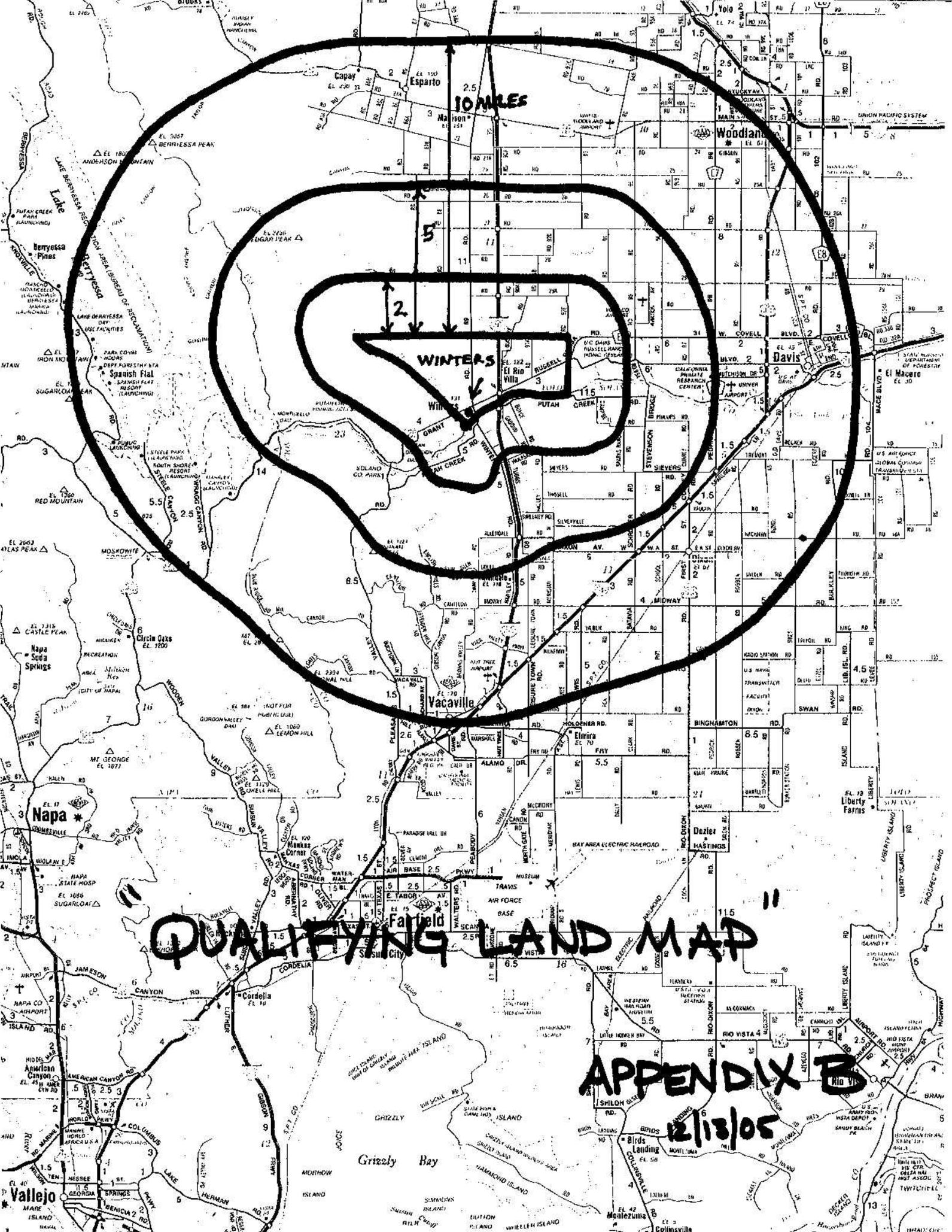
QUALIFYING LAND MAP

APPENDIX B

12/13/05

Grizzly Bay

Birds Landing



## **APPENDIX C: MITIGATION BANKS SERVING WINTERS**

Mitigation banks are large areas of constructed, restored, enhanced, or preserved habitat set aside for the express purpose of providing mitigation for project impacts to habitats. A bank is authorized to sell credits within an approved service area for various species/habitats. Credits are sold to landowners or others who need to provide compensation for habitat lost to development where avoidance or on-site mitigation is not feasible.

There are five approved (by the California Department of Fish and Game and/or the U.S. Fish and Wildlife Service) mitigation banks that include the City of Winters within their approved service areas (see attached map).

### **Jenny Farms Mitigation Bank**

Location: Solano County, approximately 15 miles south of Davis

Acres: 407 acres

Covered Species: Swainson's Hawk and Burrowing Owl

Operator: Wildlands, Inc.

Comments: Approved bank and nearly up and running. Agreement with DFG to accept funds in escrow while the bank is being entitled.

Contact: Matt Gause  
Wildlands, Inc.  
3855 Atherton Road  
Rocklin, CA 95765  
916-435-3555

### **North Suisun Mitigation Bank**

Location: Solano County, just east of Fairfield

Acres: 627 acres

Covered Species: Vernal pools and listed vernal pool invertebrates (preservation and creation credits)

Comments: Approved bank and nearly up and running. Expected very soon.

Operator: Wildlands, Inc.

Contact: Matt Gause  
Wildlands, Inc.  
3855 Atherton Road  
Rocklin, CA 95765  
916-435-3555

### **River Ranch VELB Conservation Bank**

Location: Yolo County, approximately 10 miles northeast of Woodland

Acres: 76 acres permitted for VELB

Covered Species: VELB

Comments: Fully entitled, open, and has credits available. The River Ranch Mitigation Bank is 3,600 acres. It will also soon be available for Swainson's Hawk credits.

Operator: Wildlands, Inc.

Contact: Matt Gause  
Wildlands, Inc.  
3855 Atherton Road  
Rocklin, CA 95765  
916-435-3555

### **Elsie Gridley Mitigation Bank**

Location: Solano County, approximately 10 miles southeast of Davis

Acres: 1,790 acres

Covered Species/habitats: Wetlands, vernal pools, and listed vernal pool invertebrates.

Comments: Located near the Campbell Ranch.

Operator: Wetland Resources, LLC  
Contact: Ed Flynn  
Wetland Resources, LLC  
3030 Bridgeway #107  
Sausalito, CA 94965  
415-289-0250

**Campbell Ranch Mitigation Bank**

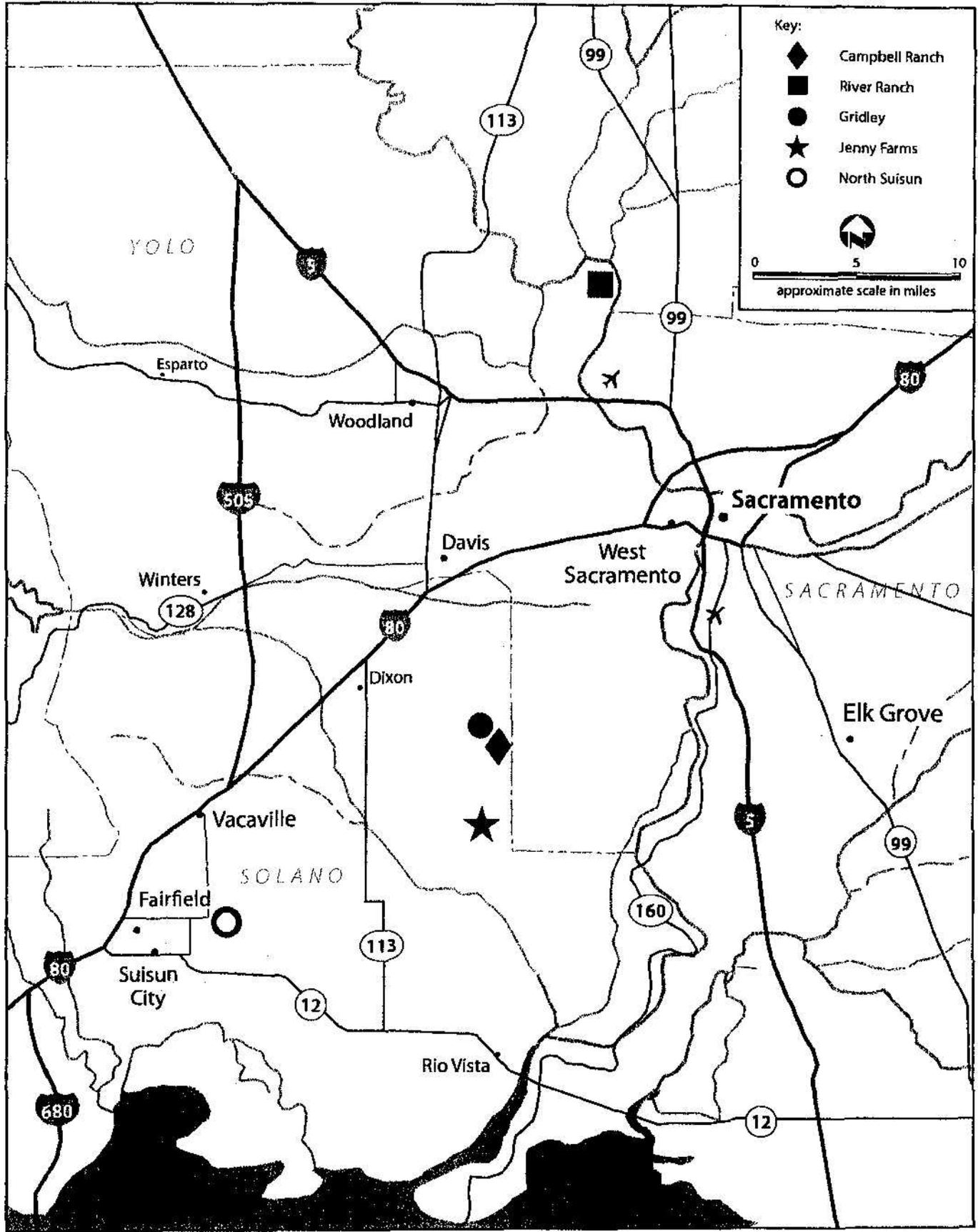
Location: Solano County, approximately 10 miles southeast of Davis.

Acres: 160 acres

Covered Species/habitats: Wetlands, vernal pools, listed vernal pool invertebrates.

Operator: RE Solutions

Contact: Dana Floss  
R.E. Solutions  
350 West A Street  
Dixon, CA 95620  
707-678-7386



Approved Mitigation Banks Available to the City of Winters



**PLANNING COMMISSION STAFF REPORT**

January 24, 2006

**TO:** Chairman and Planning Commissioners

**FROM:** Dan Sokolow – Community Development Director *DS*

**SUBJECT:** **Agenda Item VI #3, Action Items – Public Hearing and consideration of Zoning Ordinance Interpretation (2005-001-INT) application submitted by Glenn and Jeanette DeVries for 112 Main Street (APN 003-202-02) on whether a structure in the Central Business District (C-2) Zone that has been destroyed by a fire or other catastrophe can be re-built and used as a single-family residence if it had not been used as a single-family residence at the time of its destruction but has a history of use as a single-family residence.**

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**RECOMMENDATION:** Staff recommends that the Planning Commission receive the staff report, conduct the public hearing, and provide an interpretation of the Zoning Ordinance on whether a structure located in the C-2 Zone that has been destroyed by a fire or other catastrophe can be re-built and used as a single-family residence if it had not been used as a single-family residence at the time of its destruction but has a history of use as a single-family residence.

**BACKGROUND:** Applicants Glenn and Jeanette DeVries own the property located at 112 Main Street (APN 003-202-02). The parcel is 6000 square feet in size and has General Plan and Zoning designations of Central Business District. The applicants have used the building located on the property as an office for their business, Solano Construction, for approximately two years. In 1981, the previous owner of the property, Jerry Neil, submitted a Site Plan application to change the use of the property from residential to commercial. Subsequently, the property owner converted the single-family residence to an office and it has been used as a bookkeeping office, beauty salon, and a construction office (current use). The property's current use as an office for a construction company is a permitted use in the C-2 Zone.

Approximately two months ago, Mr. DeVries contacted the Community Development Department and inquired about obtaining a letter indicating that his building could be re-built and used as a single-family residence in the event that a fire destroyed it. Staff declined to provide the letter based on the Zoning Ordinance's Land Use/Zone Matrix

table and non-conforming uses section.

1. A single-family residence use is a conditional use in the C-2 Zone; however, this is limited to a historic structure that is moved to a C-2 parcel.
2. A structure that is destroyed by a fire or other catastrophe and contains a legal, non-confirming use at the time of the destruction may be rebuilt and the legal, non-confirming use continued as long as the structure is rebuilt within one year.

**DISCUSSION:** There are a number of single-family residences located in the C-2 Zone. These residences were built several years ago prior to changes in the Zoning Ordinance such as the re-zoning of residential areas to the Central Business District Zone. As a result, these residences are considered legal, non-confirming uses. From time to time staff receives a request from either a real estate agent or property owner to provide a letter indicating that a specific single-family residence located in the C-2 Zone could be rebuilt and used as a single-family residence in the event that a fire or other catastrophe destroyed the residence. Staff has provided these letters based on the language contained in the non-confirming uses section of the Zoning Ordinance.

According to Mr. DeVries, he may want to resume a residential use (single-family residence) at 112 Main Street in the future. While single-family residences in the C-2 Zone are adjacent to 112 Main Street, the property has not been used as a single-family residence for several years. As a result, the applicants' Zoning Ordinance interpretation request does not appear to be consistent with the Zoning Ordinance.

**PROJECT NOTIFICATION:** Public notice advertising for the public hearing on this project was prepared by the Community Development Department's Community Development Director 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: (1) a legal notice was published in the Winters Express on Thursday, January 12, 2006, and (2) 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 Wednesday, January 18, 2006.

**ENVIRONMENTAL ASSESSMENT:** The Zoning Ordinance Interpretation application has been reviewed in accordance with the California Environmental Quality Act (CEQA) and is not considered a project under CEQA. As a result, no further action is required under CEQA.

**ATTACHMENTS:**

1. Assessor's Parcel Map for Project Site
2. Letter dated December 12, 2005 from Applicants Glenn and Jeanette DeVries
3. Winters Municipal Code (Zoning Ordinance Land Use/Zone Matrix table and

- section on legal, non-conforming uses)
4. Public Hearing Notice (published and mailed copies)

Planning Commission/112 Main Street Interpretation PC Stf Rpt 24Jan06

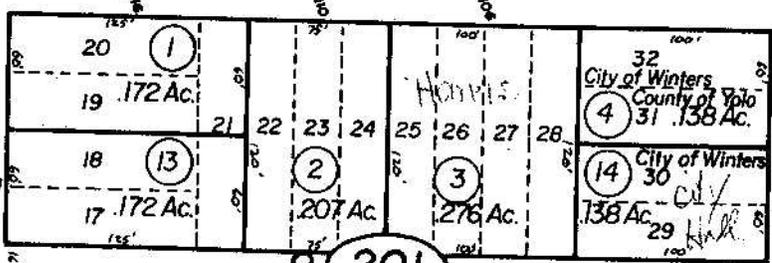
Portion of Rail.  
T.8N., R.1W., M.



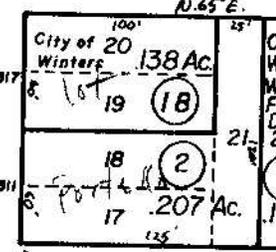
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ABBEY

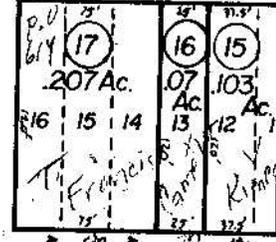
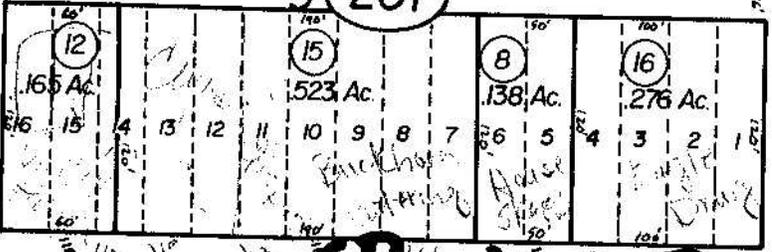
SECOND



FIRST

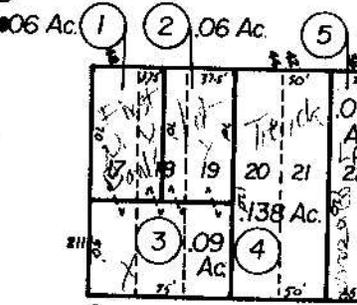
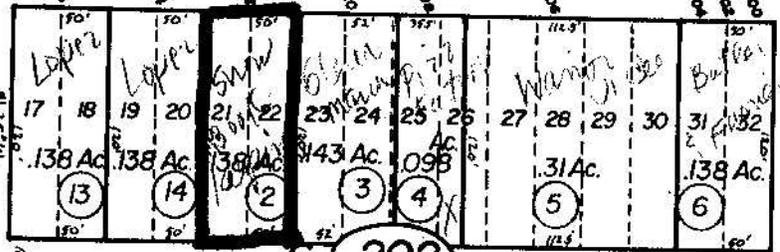


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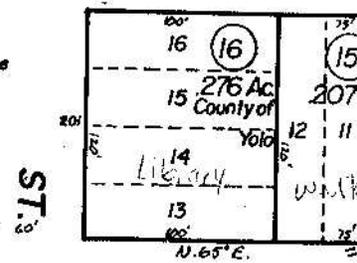
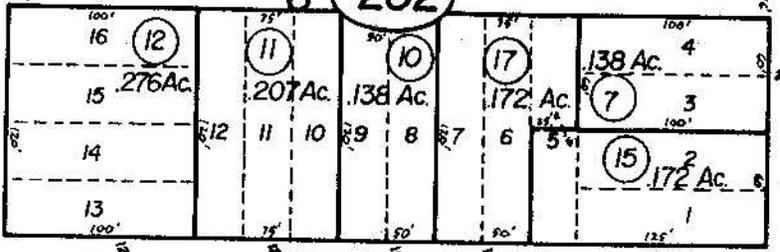


Project Site  
112 Main St.

MAIN



202



ST. 3

ST. 2

RUSSELL

of Winters  
own of Winters

19

24

110-79000-1  
100' 100' 100'  
N 87° 15' W  
55500'

December 12, 2005

To: Our Winters Neighbors

From: Glenn & Jeanette DeVries

We are sending you this letter regarding the zoning on our property at 112 Main Street, Winters, CA.

Our property is zoned C-2 Zone, and for all intense purposes is a single-family residence.

Currently our construction office occupies this property without any interior changes.

In the event of a fire, earthquake, or other type of disaster destroys the residence located at 112 Main Street, we are petitioning the City of Winters to let this property be rebuilt as a residence.

If you have any objection to our request from the City of Winters, please advise in writing to Glenn and Jeanette DeVries, 112 Main Street, Winters, CA 95694, 530-795-1080, or contact the City of Winters Development Department located at 318 First Street, Winters, CA 95694, (530) 795-4910.

Thank in advance for your consideration to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Glenn & Jeanette DeVries". The signature is written in a cursive, flowing style.

Glenn & Jeanette DeVries

LAND USE/ZONE MATRIX

KEY:  
 C= Conditional Use  
 P= Permitted Use  
 T= Temporary Use

Zoning Designations:

(A-1) General Agricultural  
 (R-R) Rural Residential

(R-1) Single-Family Residential

(R-2) One-and Two-Family Residential

(R-3) Multifamily Residential

(R-4) High Density Residential

(C-1) Neighborhood Commercial

(C-2) Central Business District

(C-H) Highway Service Commercial

(O-F) Office

(B/P) Business Industrial Park

(M-1) Light Industrial

(M-2) Heavy Industrial

(PQP) Public/Quasi-Public

(PD) Planned Development

AGRICULTURAL USES																	
	A-1	R-R	R-1	R-2	R-3	R-4	C-1	C-2	C-H	O-F	B/P	M-1	M-2	PQP	P-R	O-S	P-D*
Agricultural Operation	P	C															P
Animal Production	P																C
COMMERCIAL AND OFFICE USES																	
	A-1	R-R	R-1	R-2	R-3	R-4	C-1	C-2	C-H	O-F	B/P	M-1	M-2	PQP	P-R	O-S	P-D*
Adult Entertainment											C	C					
Automobile Repair, Major							C	C			C	C	P				
Automobile Repair, Minor							P	P	P		P						
Bar, Cocktail Lounge							C	C									
Bed and Breakfast Inn			C	C	C	C		C									
Business Service							P	P		P	P						
Financial Institutions							P	P		P	P						
Equipment Sales, Rental, Repair							P	P			P						
Funeral Parlor								P			C						
Hotel, Motel									C	C							
Nurseries	P						P	P			C	C					
Office, Business and Medical							P	P		P							
Outdoor Sales							C	C			C						
Personal Retail Services							P	P									
Personal Storage								C				C	C		C	C	
Recreation, indoor or Outdoor							C	C			C	C					
Recreational Vehicle Park									C		C						
Restaurant							P	P	P		C						
Restaurant, Drive-Through							C	C	P								
Retail Sales, General							P	P	C		C						
Roadside Stand	P	C					C	C									
Service Station							P	P	P		P						
Veterinary Hospital, Kennel	C						C	P									

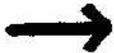
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INDUSTRIAL USES																	
	A-1	R-R	R-1	R-2	R-3	R-4	C-1	C-2	C-H	O-F	B/P	M-1	M-2	PQP	P-R	O-S	P-D*
Finished Goods Assembly											P	P	P				
Heavy Equipment Terminal											C	C	P				
Laboratory, Research, Equipment										C		C	C				
Manufacturing, Heavy General													C				
Manufacturing, Light General												C	P				
Mineral Extraction	C												C	C		C	
Recycling Center Collection							P	P			P	P	P				
Recycling and Salvage Yards													C				
Warehouse, Wholesale, Freight Terminal												C	P				
PUBLIC & QUASI-PUBLIC USES																	
	A-1	R-R	R-1	R-2	R-3	R-4	C-1	C-2	C-H	O-F	B/P	M-1	M-2	PQP	P-R	O-S	P-D*
Assembly Hall/ Community Services	C	C					C	C		C	C			C	C		
Cemetery	C													C		C	
Communication Equipment Facility	C	C			C	C	C	C	C	C	C	P	P	C	C	C	
Convalescence and Care Services		C	C	C	C	C	C	C						C			
Cultural Facility							C	C						C	C		
Day Care, General		C	C	C	C	C				C	C			C			
Emergency Shelter					C	C		C						C			
Government Offices										C	C			C	C		
Hospital										C	C			C			
Public Parks	C	C	C	C			C	C	C					C	C	C	
Religious Institutions			C	C			C	C		C	C			C			
Safety Services							C	C		C	C			C			
Utility Services, Major	C	C											C	C	C	C	
Utility Services, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
RESIDENTIAL USES																	
	A-1	R-R	R-1	R-2	R-3	R-4	C-1	C-2	C-H	O-F	B/P	M-1	M-2	PQP	P-R	O-S	P-D*
Day Care, Limited		P	P	P	P	P											
Dwelling, Multiple Family					C	C	C	C		C							
Dwelling, Single Family	P	P	P	P	C	C		C								C	
Dwelling, Two-Family or Duplex			P	P	C	C											



RESIDENTIAL USES (Continued)																	
	A-1	R-R	R-1	R-2	R-3	R-4	C-1	C-2	C-H	O-F	B/P	M-1	M-2	PQP	P-R	O-S	P-D*
Mobile Home Park		C	C	C	C	C											
Residential Care Facility		C	C	C	C	C								C			
TEMPORARY USES																	
	A-1	R-R	R-1	R-2	R-3	R-4	C-1	C-2	C-H	O-F	B/P	M-1	M-2	PQP	P-R	O-S	P-D*
Arts and Crafts Show	T						T	T	T	T	T	T	T	T	T	T	T
Carnivals/Fairs/Fund Raisers	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
Construction Trailers	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T
Religious Assembly	T													T	T	T	T
Seasonal Sales	T	T					T	T	T		T	T		T	T	T	T

Footnotes:



1. Affordable or market rate duplexes are allowed on all corner lots in the R1 and R2 zones citywide. 2003-01 §5
  2. Only if an existing historical structure is planned for relocation to a C-2 zone that adjoins a residential district.
- \* All PD uses per PD permit, and as consistent with the general plan.

Also see: Chapter 17.36 (Design review). Design review may be required, including for land uses which are otherwise permitted by this title, depending upon the type and location of the development project proposed.

(Ord. 2003-01 § 5; Ord. 2001-08; Ord. 97-03 § 2 (part); prior code § 8-1.502)

## Chapter 17.104

### **NONCONFORMING USES, STRUCTURES AND LOTS**

#### Sections:

- 17.104.010 Nonconforming uses.
- 17.104.020 Nonconforming structures.
- 17.104.030 Nonconforming lots.

#### 17.104.010 Nonconforming uses.

##### A. Continuing Existing Buildings and Uses.

Except as otherwise provided in this title, any use of land, buildings or structures which is legally nonconforming due to the adoption of previous zoning regulations, or a subsequent amendment to the zoning regulations contained in this title, may be continued. Except as provided for in this chapter, no legal, nonconforming use of land, buildings or structures shall be enlarged, expanded or intensified in any manner.

##### B. Continuing Conditional Uses.

Any use lawfully existing at the time of the adoption of these zoning regulations, or a subsequent amendment to this title, which use is listed as a conditional use in the zone in which it is located, shall remain a nonconforming use, and in no case shall the use be enlarged, expanded or intensified in any manner until a use permit has been obtained pursuant to the provisions of this title.

##### C. Extension of Nonconforming Uses in Buildings.

Upon an application for a use permit, the planning commission may permit the extension of a nonconforming use throughout those parts of an existing building which were designed or arranged for the use prior to the date the use of the building became nonconforming, if no structural alterations, except those required by law, are made therein.

##### D. Changes to Other Nonconforming Uses.

Upon an application for a use permit, the planning commission may permit the substitution of one nonconforming use for another nonconforming use which is determined by the planning commission to be of the same or more restrictive nature. Whenever a nonconforming use has been changed to be more re-

strictive use or conforming use, the more restrictive use or conforming use shall not be changed back to a less restrictive use or to a nonconforming use.

The nonconforming use shall not continue if more than fifty (50) percent of the area or fifty percent (50) of the use has been destroyed.

##### E. Cessation of Uses.

1. For the purposes of this chapter, a use shall be deemed to have ceased when it has been discontinued, either temporarily or permanently, whether with the intent to abandon the use or not, for a continuous time period as set forth in this chapter.

2. A building or structure which has been occupied by a nonconforming use shall not again be used for nonconforming purposes when the use has ceased for a continuous period of twelve (12) months or more.

3. Land on which there is a nonconforming use not involving any building or structure, except minor structures, including but not limited to buildings containing less than three hundred (300) square feet of gross floor area, fences and signs, where the use has ceased for one month or more, shall not again be used for nonconforming purposes, and the nonconforming use of land shall be discontinued, and the nonconforming buildings or structures shall be removed from the premises within six months after the first date of cessation of use. (Ord. 2003-04 § 24; Ord. 97-03 §2 (part): prior code § 8-1.6011)

#### 17.104.020 Nonconforming structures.

##### A. Nonconforming Structures—Continuation.

Structures which were legally constructed, but are now nonconforming as to setbacks, floor area, landscaping, parking or other development regulations of this title may continue to be used.

##### B. Nonconforming Structures—Improvement.

Any expansion of a nonconforming structure must be in conformance with current zoning and building codes. Where the health, safety or general welfare are found to be at issue, the city building official may require that modifications be made to existing nonconforming structures as part of the expansion.

##### C. Repair of Unsafe or Unsanitary Buildings.

# Winters Express

## P. B5

1/12/06

### City of Winters Notice of Public Hearing

The Winters Planning Commission will conduct a public hearing on the project application as described below, beginning at 7:30 P.M. on Tuesday, January 24, 2006, or as soon as possible thereafter, in the Council Chambers, City Offices, 318 First Street, Winters, CA 95694.

**PROJECT LOCATION:** 112 MAIN STREET, ASSESSOR PARCEL NUMBER 003-202-02.

**APPLICATION TYPE:** The Planning Commission is conducting a public hearing to solicit comments regarding the proposed Zoning Ordinance Interpretation on whether a structure located in the C-2 Zone that has been destroyed by a fire or other catastrophe can be re-built and used as a single-family residence if it had not been used as a single-family residence at the time of its destruction but has a history of use as a single-family residence.

**PROJECT DESCRIPTION:** The project proponents, Glenn and Jeanette DeVries, have submitted a Zoning Ordinance Interpretation request on whether their property located at 112 Main Street (APN 003-202-02), which is 6000 square feet in size and contains a structure in use as an office for their business (Solano Construction), could be re-built and used as a single-family residence in the event of its destruction by a fire or other catastrophe even though the property has not been used as a single-family residence for more than one year. The property has General Plan and Zoning designations of Central Business District. This project will require a Zoning Ordinance Interpretation from the Planning Commission.

The purpose of the public hearing will be to give citizens an opportunity to make their comments known. If you are unable to attend the public hearing, you may direct written comments to the City of Winters, Community Development Department, 318 First Street, Winters, CA 95694 or you may telephone (530) 795-4910, extension 112. In addition, a public information file is available for review at the above address between the hours of 8:00 a.m. and 5:00 p.m. on weekdays.

ALL INTERESTED PERSONS ARE INVITED TO APPEAR AT THE MEETING DATE(S) IDENTIFIED ABOVE AT 7:30 P.M. IN COUNCIL CHAMBERS TO COMMENT. COPIES OF ALL THE ABOVE PROJECT DESCRIPTIONS, PLANS AND THE COMPLETE FILE, CAN BE VIEWED AT THE OFFICE OF THE COMMUNITY DEVELOPMENT DEPARTMENT, 318 FIRST STREET, CITY HALL, AT LEAST FIVE DAYS PRIOR TO THE HEARING, OR CALL THE STAFF CONTACT PERSON AT (530) 795-4910, EXTENSION 112. ALL INTERESTED PERSONS ARE INVITED TO ATTEND THE HEARING AND EXPRESS THEIR COMMENTS. WRITTEN COMMENTS WILL BE ACCEPTED PRIOR TO, AT, AND DURING THE HEARING. ALL COMMENTS RECEIVED WILL BE GIVEN TO THE PLANNING COMMISSION FOR THEIR CONSIDERATION.

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".

Dan Sokolow - Community Development Director  
Published January 12, 2006



1/12/06

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**PROJECT LOCATION:** 112 MAIN STREET, ASSESSOR PARCEL NUMBER 003-202-02.

**APPLICATION TYPE:** The Planning Commission is conducting a public hearing to solicit comments regarding the proposed Zoning Ordinance Interpretation on whether a structure located in the C-2 Zone that has been destroyed by a fire or other catastrophe can be re-built and used as a single-family residence if it had not been used as a single-family residence at the time of its destruction but has a history of use as a single-family residence.

**PROJECT DESCRIPTION:** The project proponents, Glenn and Jeanette DeVries, have submitted a Zoning Ordinance Interpretation request on whether their property located at 112 Main Street (APN 003-202-02), which is 6000 square feet in size and contains a structure in use as an office for their business (Solano Construction), could be re-built and used as a single-family residence in the event of its destruction by a fire or other catastrophe even though the property has not been used as a single-family residence for more than one year. The property has General Plan and Zoning designations of Central Business District. This project will require a Zoning Ordinance Interpretation from the Planning Commission.

The purpose of the public hearing will be to give citizens an opportunity to make their comments known. If you are unable to attend the public hearing, you may direct written comments to the City of Winters, Community Development Department, 318 First Street, Winters, CA 95694 or you may telephone (530) 795-4910, extension 112. In addition, a public information file is available for review at the above address between the hours of 8:00 a.m. and 5:00 p.m. on weekdays.

**ALL INTERESTED PERSONS ARE INVITED TO APPEAR AT THE MEETING DATE(S) IDENTIFIED ABOVE AT 7:30 P.M. IN COUNCIL CHAMBERS TO COMMENT. COPIES OF ALL THE ABOVE PROJECT DESCRIPTIONS, PLANS AND THE COMPLETE FILE, CAN BE VIEWED AT THE OFFICE OF THE COMMUNITY DEVELOPMENT DEPARTMENT, 318 FIRST STREET, CITY HALL, AT LEAST FIVE DAYS PRIOR TO THE HEARING, OR CALL THE STAFF CONTACT PERSON AT (530) 795-4910, EXTENSION 112. ALL INTERESTED PERSONS ARE INVITED TO ATTEND THE HEARING AND EXPRESS THEIR COMMENTS. WRITTEN COMMENTS WILL BE ACCEPTED PRIOR TO, AT, AND DURING THE HEARING. ALL COMMENTS RECEIVED WILL BE GIVEN TO THE PLANNING COMMISSION FOR THEIR CONSIDERATION.**

**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".**

Dan Sokolow - Community Development Director



**PLANNING COMMISSION STAFF REPORT**  
January 24, 2006

**TO:** Chairman and Planning Commissioners

**FROM:** Dan Sokolow – Community Development Director *DS*

**SUBJECT:** **Agenda Item VI #4, Action Items – Public Hearing and consideration of amendment to Zoning Ordinance to drop the conditional use permit requirement for multi-family projects in the R-3 (Multi-Family Residential) and R-4 (High Density Multi-Family Residential) Zones.**

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**RECOMMENDATION:** Staff recommends that the Planning Commission (1) receive the staff report, (2) conduct the public hearing, and (3) recommend to the City Council approval of an amendment to the Zoning Ordinance to drop the conditional use permit requirement for multi-family projects in the R-3 (Multi-Family Residential) and R-4 (High Density Multi-Family Residential) Zones.

**BACKGROUND:** The California State Department of Housing and Community Development (HCD) in late March 2005 determined that the City's Housing Element was in conditional compliance. As detailed in the attached correspondence from HCD, the finding of compliance is conditioned on the City's successful completion of two actions by March 31, 2006: (1) removal of the conditional use permit (CUP) requirement on development of multi-family projects in multi-family zones (R-3 and R-4) and (2) approval of the Storm Drain Master Plan Update and Financing Plan. The City's Zoning Ordinance requires approval of a CUP for multi-family projects in the R-3 (Multi-Family Residential) and R-4 (High Density Multi-Family Residential) Zones. Staff purposes that the CUP requirement be dropped for multi-family projects constructed in the two zones. Multi-family projects in the R-3 and R-4 Zones would still be subject to site plan review at the Planning Commission. The site plan requirement allows the Commission to establish development conditions and also triggers public noticing for a project.

On a related note, the Storm Drain Master Plan Update (Moody Slough Subbasin report) and Financing Plan (Flood Overlay Impact Fee) are tentatively scheduled for a public hearing and consideration by the City Council at its February 7, 2006 meeting.

**DISCUSSION:** HCD was concerned that the CUP requirement for multi-family projects in the R-3 and R-4 created unnecessary processing and financial burdens on applicants

– particularly for affordable housing projects. Dropping the CUP requirement will not preclude the Planning Commission from imposing conditions on a multi-family project in either the R-3 or R-4 Zone. Even without the conditional use permit requirement, multi-family projects in the R-3 and R-4 Zones will be subject still to site plan review by the Planning Commission and conditions of approval for the site plan entitlement. In addition, a site plan application triggers a public hearing/noticing requirement so adjacent property owners would be notified of the project and have a chance to review the project and submit their comments for consideration.

**PROJECT NOTIFICATION:** Public notice advertising for the public hearing on this project was prepared by the Community Development Department's Community Development Director in accordance with notification procedures set forth in the City of Winters's Municipal Code and State Planning Law. A legal notice was published in the Winters Express on Thursday, January 12, 2006. Copies of the staff report and all attachments for the proposed project have been on file, available for public review at City Hall since Wednesday, January 18, 2006.

**ENVIRONMENTAL REVIEW:** The amendment to the Zoning Ordinance has been reviewed in accordance with the California Environmental Quality Act (CEQA) and is not considered a project. As a result, no further environmental review is required under CEQA.

**ATTACHMENTS:**

Letter dated March 23, 2005 from the California Department of Housing and Community Development  
Public Hearing Notice

Planning Commission/Zoning Ordinance Multi-Fam CUP PC Stf Rpt 24Jan06

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**  
**Division of Housing Policy Development**

1800 Third Street, Suite 430  
P. O. Box 952053  
Winters, CA 94252-2053  
(916) 323-3177  
FAX (916) 327-2643



March 23, 2005

Mr. John W. Donlevy, Jr.  
City Manager  
City of Winters  
318 First Street  
Winters, CA 95694

Dear Mr. Donlevy:

**RE: Review of the City of Winters' Adopted Housing Element**

Thank you for submitting Winters' amended housing element adopted by the City Council on December 14, 2004, and received for review on December 23, 2004. Pursuant to Government Code Section 65585(h), the Department is required to review adopted housing elements and report findings to the locality. Telephone conversations with Mr. Dan Sokolow, Community Development Director, facilitated the review.

The City of Winters' adopted element has been found to adequately address the statutory requirements described in the Department's August 20, 2002 review and therefore is in compliance with State housing element law (Article 10.6 of the Government Code). However, the Department's finding of compliance is conditioned on Winters' successful completion of the following two actions by March 31, 2006: (1) removal of the conditional use permit requirement on development of multifamily projects in multifamily zones and, (2) approval of the *draft* flood control project and financing plan (page A-46). The element states the City Council, in October 2004, reviewed the *draft* flood control and financing plan and found that it may expedite development on some properties. The land inventory indicates the lack of a flood control and financing plan is a constraint to development of some critical sites to accommodate the City's remaining share of regional housing need. Winters must demonstrate development can proceed on sites 16, 18, and 20 or identify alternate sites which can accommodate development at densities projected in Table 40 to meet the City's remaining need for housing for lower-income households.

Pursuant to Government Code Section 65400, Winters must monitor and report on the implementation of the element annually in October. If reports do not indicate the City has adequately addressed the two noted actions by March 31, 2006, the element would require immediate amendment to comply with the law. Failure to submit forthcoming annual reports by the required due date will trigger a review by the Department of the compliance status of the element.

Mr. John W. Donlevy, Jr.  
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Winters is commended for taking action to encourage and facilitate the development of affordable housing by partnering with non-profits to meet the housing needs of lower-income households. Also noteworthy is the City's approval of infill site development that has existing infrastructure and is within walking distance to public transportation and services.

For your information, recently enacted legislation (Chapter 706, Statutes of 2002 and Chapter 10, Statutes of 2004; Government Code Section 65863) requires Winters to ensure its inventory of adequate sites can accommodate its share of the regional housing need throughout the planning period. Government Code Section 65863(b) also prohibits local governments from lowering a residential density used in determining adequate sites under its housing element unless the locality makes certain findings.

Further, Government Code Section 65589.4 was added by Chapter 793 of 2003 (SB 619) to provide more certainty and simplify procedural requirements for approving multifamily projects in multifamily zones. SB 619 requires that multifamily uses not be subject to a conditional use permit in multifamily zones if specific requirements are met.

The Department wishes the City of Winters success in implementing its housing, land-use, and development assistance programs to achieve all of the goals and objectives of the adopted housing element. If the Department can provide any additional assistance in implementing the City's housing element, please contact Don Thomas, of our staff, at (916) 445-5854.

Sincerely,



Cathy E. Creswell  
Deputy Director

Enclosure

cc: Dan Sokolow, Community Development Director, City of Winters

Winters  
Express

P. B5

1/12/06

**City of Winters  
Notice of Public Hearing**

The Winters Planning Commission will conduct a public hearing on the project application as described below, beginning at 7:30 P.M. on Tuesday, January 24, 2006, or as soon as possible thereafter, in the Council Chambers, City Offices, 318 First Street, Winters, CA 95694.

PROJECT LOCATION: CITYWIDE.

APPLICATION TYPE: The Planning Commission is conducting a public hearing to solicit comments regarding a proposed amendment to the Zoning Ordinance to drop the conditional use permit requirement for multi-family projects in the R-3 and R-4 Zones.

PROJECT DESCRIPTION: As part of the process of maintaining compliance with State Housing Law for the City's Housing Element, the State Department of Housing and Community Development requires the City to amend its Zoning Ordinance to drop the conditional use permit requirement for multi-family projects in the Multi-Family Residential (R-3) and High Density Multi-Family Residential (R-4) Zones. This project will require approval of a Zoning Ordinance amendment (recommendation for amendment) by the Planning Commission and subsequent approval of the amendment by the City Council at a noticed public hearing. Notice of the City Council hearing will be provided at a later date.

The purpose of the public hearing will be to give citizens an opportunity to make their comments known. If you are unable to attend the public hearing, you may direct written comments to the City of Winters, Community Development Department, 318 First Street, Winters, CA 95694 or you may telephone (530) 795-4910, extension 112. In addition, a public information file is available for review at the above address between the hours of 8:00 a.m. and 5:00 p.m. on weekdays.

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Dan Sokolow - Community Development Director  
Published January 12, 2006