

CITY OF WINTERS PLANNING COMMISSION AGENDA

Tuesday, August 28, 2007 @ 7:30 PM

City of Winters Council Chambers
318 First Street
Winters, CA 95694-1923
Community Development Department
Contact Phone Number (530) 795-4910 #112
Email: dan.sokolow@cityofwinters.org

Chairman: Don Jordan
Vice Chairman: Albert Vallecillo
Commissioners: Jack Graf, Joe Tramontana, Pierre Neu, Bruce Guelden, and Wade Cowan
Administrative Assistant: Jen Michaelis
Community Development Director: Dan Sokolow

I CALL TO ORDER 7:30 PM

II ROLL CALL & PLEDGE OF ALLEGIANCE

III COMMUNICATIONS:

1. Staff Reports
Current Projects list dated August 21, 2007
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. The Commission may impose time limits.

V CONSENT ITEM

Approve minutes of the July 24, 2007 regularly scheduled meeting of the Planning Commission.

VI DISCUSSION ITEM

1. Public Hearing and consideration of Parcel Map application (2006-02-PM) submitted by Thomas Pearse to subdivide the existing 8.85-acre parcel located at 101 Third Street (APN 003-241-01) into four lots and a designated remainder lot. Entitlement includes Parcel Map.

VII COMMISSION/STAFF COMMENTS

VIII 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 TUESDAY, AUGUST 21, 2007.



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
Current Projects List as of August 21, 2007
(530) 795-4910, extension 112, www.cityofwinters.org

PROJECT	DESCRIPTION & PROCESS	LAST ACTION	NEXT ACTION
(1) Winters Highlands, Granite Bay Holdings, LLC, Larry John (916) 960-1656	Proposal to develop 413 single-family and 30 multi-family residential units in northwestern part of city. Application is being processed TSM, focused EIR (specific biological aspects), GPA, Zoning Amendment, PD Overlay, PD Permit, Inclusionary Housing agreement.	City Council approved Tentative Subdivision Map on April 4, 2006.	City Council approval of Final Map.
(2) Winters Village, Bob Thompson (West project) (707) 372-9355 and John Siracusa (East project) (530) 795-0213	Proposal to develop 15 attached single-family residences on the southwest and southeast corners of East Main and East Baker Streets.	Building permit submitted for West project (10 units) in April 2006. East project (5 units) nearing completion.	Issuance of building permit for West project.
(3) Callahan Estates, Winters Investors LLC, John Peterson (925) 682-4830	Proposal to develop 120 single-family residential lots in northwest part of city.	Planning Commission approved Site Plan (landscaping) on December 21, 2005.	City Council approval of Final Map.
(4) Creekside Estates, Tim Ruff (530) 758-7008	Proposal to develop 40 single-family residential lots at southwest part of city.	City Council approved Tentative Subdivision Map on April 19, 2005.	City Council approval of Final Map.
(5) Hudson-Ogando, Winters Investors LLC, John Peterson (925) 682-4830	Proposal to develop 72 single-family residential lots in northwest part of city.	Planning Commission approved Site Plan (landscaping) on December 21, 2005.	City Council approval of Final Map.
(6) Cottages at Carter Ranch Phase 2, Sacramento Pacific Development, Mark Wiese (916) 853-9800	Proposal to develop 6 single-family residential affordable lots (moderate-income households) north of Rancho Arroyo Detention Facility.	Planning Commission approved Tentative Subdivision Map on November 23, 2004.	City Council approval of Final Map.
(7) Casitas at Winters, Napa Canyon LLC, Mark Power (707) 253-1339	Proposal for 5-unit tentative subdivision map at a site on West Grant Avenue east of Tomat's restaurant. Tentative Subdivision Map, Planned Development Overlay, and Development Agreement.	Planning Commission workshop held on July 10, 2007 to discuss development options for project site.	Recirculation of Negative Declaration and scheduling of Planning Commission Public Hearing for consideration of project.

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<p>(8) Dunmore Commercial, Dunmore Communities, Rad Bartlam (916) 676-1115</p>	<p>Proposal to construct hotel, two retail outlets, three fast food restaurants, and gas station on the south side of East Grant Avenue adjacent to the Interstate 505 southbound on-ramp. General Plan Amendment, Rezone, Conditional Use Permit, Amendment/Update to Gateway Master Plan, and Site Plan.</p>	<p>Application submitted on April 12, 2005.</p>	<p>City staff determination of application completeness.</p>
<p>(9) Winters II, Community Housing Opportunities Corporation, Ben Rosen (530) 757-4444</p>	<p>Proposal to develop 34-unit apartment complex for low- and very low-income households at 110 East Baker Street.</p>	<p>Building permit issued and construction began in October 2006.</p>	<p>Completion of construction.</p>
<p>(10) Village on the Park, Village Partners, LLC, Mark Walther (310) 798-5656</p>	<p>Proposal to develop 75 attached single-family residences on Railroad Avenue south of NC Foliage (1029 Railroad). Tentative Subdivision Map, Conditional Use Permit, Planned Development Overlay, and Development Agreement.</p>	<p>City Council on January 16, 2007 discussed policy issues and directed staff to continue to process project based on staff's recommendations on policy issues.</p>	<p>City staff determination of application completeness.</p>
<p>(11) Mary Rose Gardens, DAS Homes, Inc., Dave Snow (530) 666-0506</p>	<p>Proposal to develop 26 single-family homes and one duplex unit on the north side of West Grant Avenue west of Cemetery Lane. Tentative Subdivision Map, Inclusionary Housing Agreement, and Development Agreement.</p>	<p>City Council at its June 19, 2007 meeting continued the public hearing and consideration of the development agreement to the July 3, 2007 meeting.</p>	<p>Scheduling of City Council Public Hearing for consideration of project development agreement.</p>
<p>(12) Anderson Place, Eva Brzeski (415) 887-9300</p>	<p>Proposal to develop up to 30 mostly attached single-family residences and 9 commercial spaces at 723 Railroad Avenue. Tentative Subdivision Map, Planned Development Overlay, PD Permit, Rezone, Conditional Use Permit, Inclusionary Housing Agreement, and Development Agreement.</p>	<p>City Council at its June 19, 2007 meeting took final action on the project by approving the project development agreement.</p>	<p>City Council approval of Final Map.</p>

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(13) Pearse Parcel Map, Thomas Pearse (530) 795-5901	Proposal for 4-unit parcel map at the south end of Third Street.	Staff determination of project completeness on July 18, 2007.	Planning Commission public hearing scheduled for August 28, 2007.
(14) Winters Commercial, Granite Bay Holdings, LLC, Tyler Wade (916) 580-1855	Proposal to develop 4.52 acres on south side of Grant Avenue directly west of Round Table Pizza complex for 49,500 square feet of commercial and office uses. Site Plan.	Conceptual site plan review held at the Planning Commission on February 27, 2007.	City staff determination of application completeness.
(15) Valadez, Frank Valadez, Trustee, 530-674-5102	Proposal to change General Plan and Zoning designations for the 1.421-acre parcel (APN 003-391-05) located east of the Winters Cemetery from public-quasi-public to residential use.	Application submitted on March 29, 2007.	Preparation of Initial Study.

AFFORDABLE HOUSING UNITS

- Project #1:** 26 units for very low-income, 25 units for low-income, and 15 units for moderate-income households.
- Project #2:** 3 units for low-income households.
- Project #3:** 7 units for very low-income, 7 units for low-income, and 4 units for moderate-income households.
- Project #4:** 1 unit for very low-income, 2 units for low-income, and 1 unit for moderate-income households.
- Project #5:** 11 units for very low-income households.
- Project #6:** 6 units for moderate-income households.
- Project #7:** Not known at this time.
- Project #9:** 34 units for very low-income and low-income households.
- Project #10:** 4 units for very low-income and 7 units for low-income and moderate-income households.
- Project #11:** 2 units for very low-income, 1 unit for low-income, and 1 unit for moderate-income households.
- Project #12:** 2 units for very low-income, 1 unit for low-income, and 1 unit for moderate-income households.
- Project #13:** Not known at this time.
- Project #14:** Not applicable.
- Project #15:** Not applicable.

**MINUTES OF A REGULAR WINTERS PLANNING COMMISSION MEETING HELD
TUESDAY, JULY 24, 2007**

Chairman Jordan called the meeting to order at 7:30 p.m.

PRESENT: Tramontana, Graf, Chairman Jordan, Guelden, Cowan

ABSENT: Vallecillo and Neu

STAFF: Community Development Director Dan Sokolow

Commissioner Tramontana led in the Pledge of Allegiance.

Commissioner Neu entered the Council Chambers and took his position at the dais at 7:31 p.m.

COMMUNICATIONS

Community Development Director Sokolow noted that the City of Woodland will host a seminar on historic preservation on August 9 and Planning Commissioners are welcome to attend.

CITIZEN INPUT

Joe Bristow of 405 Pear Place presented the Planning Commission with a petition signed by approximately 99 residents in opposition to a property owner's request to rezone an 1.421-acre parcel (Assessor Parcel Number 003-391-05) located adjacent to the Winters Cemetery from Public Quasi-Public (PQP Zone) to Single Family, 6000 Square Foot Minimum Average. Bristow said he and his neighbors didn't want to take anything away from the Valadez Family which owns the property and noted that they are great neighbors. The neighbors want the Valadez Family to get as much money as possible for the land but prefer that the property be used for a park or as an addition to the cemetery.

CONSENT ITEM

Approve minutes of June 26, 2007 regularly scheduled meeting of the Planning Commission.

Commissioner Neu moved to approve the minutes of the June 26, 2007 regularly scheduled meeting of the Planning Commission. Seconded by Commissioner Graf.

AYES: Tramontana, Graf, Chairman Jordan, Neu, Guelden, Cowan

NOES: None

ABSTAIN: None

ABSENT: Vallecillo

Motion passed 6-0-0-1

DISCUSSION ITEMS:

- 1. Public Hearing and consideration of Parcel Map application (2007-01-PM)**

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submitted by John and Lois Herrington to subdivide the existing parcel located at 28 East Edwards Street (APN003-160-61) into two parcels approximately 7,680 and 6,090 square feet in size.

Community Development Director Sokolow provided a summary of the project. He said that staff had checked the existing structures against the City's 1983 Historic Resources Inventory and none of the structures which include a single-family residence with a garage attached through a breezeway and a barn are listed on the inventory. The recommended conditions of approval are mostly focused on basic infrastructure items and wouldn't be triggered until a building permit is issued for the development of the proposed westerly parcel. The applicant has discussed with staff developing the westerly parcel for a multi-family residential use. A conditional use permit would be required for a multi-family use. Commissioner Neu asked about preserving the trees on the project site. Sokolow said none of the trees are listed on the City's Historic Tree List.

Project applicant John Herrington addressed the Planning Commission. In response to a question from Commissioner Tramontana about development plans for the proposed westerly parcel, Harrington said his son-in-law who is a builder probably would construct one to two residential units on the parcel. Sokolow said that a minimum of two units would have to be constructed in order to be consistent with the Central Business District (C-2 Zone) density range. Up to four units is allowed under the density range; however, only two to three units could be accommodated when off-street parking and are other requirements are taken into consideration.

Chairman Jordan opened the public hearing at 7:52 p.m.

Laura Bouwens of 29 East Abbey Street said she purchased her home because of its historic character and the pool/spa in the backyard. She enjoys the privacy of her backyard that the adjacent homes provide. Bouwens asked whether development of the project site would be limited to one-story. She noted that there are already apartments on East Abbey and East Street. Bouwens is concerned that plans aren't available for development of the project site. She reviewed the Yolo County Historical Archives and the barn was originally part of her property.

Kimberly Hicks of 23 East Abbey Street lives behind the project site's barn. She said she was concerned about the historical nature of the barn; she doesn't want to see it taken down. Hicks is also concerned about the residence at the project site because it was one of the original school houses in Winters. She also cited concerns about increased traffic resulting from the project and how the off-street parking would be handled.

Steve Hicks of 23 East Abbey Street said he was concerned about parking and there isn't enough on-street parking for residents on East Edwards. He cited his interest in maintaining the trees on the project site and said it seemed that the trees are "City" trees. Hicks commented that the garage would need to be moved and didn't think that it could be

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modified in order to accommodate the parcel map.

Chairman Jordan closed the public hearing at 8:05 p.m.

Tramontana asked whether the barn and house were historical. Sokolow said that neither structure was listed on the City's Historic Resources Inventory.

Commission Guelden asked whether the garage would have to be moved in order to accommodate a five foot setback from the newly created property line. Sokolow said the garage would have to be moved or modified and this would need to occur prior to recording of the parcel map.

Commissioner Graf recommended that the applicant work with the neighbors on the issues that have been discussed regarding development of the project site.

Commissioner Guelden moved to approve the 28 East Edwards Street project (Parcel Map) subject to the conditions of approval contained in the staff report. Seconded by Commissioner Graf.

AYES: Tramontana, Graf, Chairman Jordan, Neu, Guelden, Cowan
NOES: None
ABSTAIN: None
ABSENT: Vallecillo

Motion passed 6-0-0-1.

2. Update from Granite Bay Holdings, LLC on Winters Highlands Subdivision project.

Community Development Director Sokolow said an update will not be provided since Granite Bay's Tyler Wade did not have anything to report.

CITIZEN INPUT

Chairman Jordan reopened the Citizen Input.

David Parkhurst of 781 Apricot Avenue discussed the rezone application submitted for the parcel adjacent to the Winters Cemetery, Assessor Parcel Number 003-391-05. The parcel is adjacent to a future section of Apricot Avenue that would connect the existing southerly and northerly sections of Apricot. He said extending Apricot to connect the existing sections would increase traffic. Parkhurst expressed concern that there is no place for children to play other than the dirt area behind the LDS Church on Anderson Avenue. He supports the property, APN 003-391-05, being used for a park or an addition to the cemetery. His house backs up to the property which has a walnut orchard and he brags to people that he lives adjacent to an orchard.

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3. Update on Public Safety Facility Project.

Commissioner Graf, the Planning Commission's representative to the Public Safety Facility Advisory Committee, provided an update on the project. He said the Advisory Committee had met the previous week and some of the key issues include the narrowness of the project site, the lack of vehicle access to Grant and vehicle access needing to occur from Main Street, building a long-term facility with the amount of funding available, and providing sufficient space for storage.

COMMISSION/STAFF COMMENTS

None.

The meeting was adjourned at 8:23 p.m.

Don Jordan, Chairman

ATTEST:

Dan Sokolow, Community Development Director



PLANNING COMMISSION STAFF REPORT

August 28, 2007

TO: Chairman and Planning Commissioners

FROM: Dan Sokolow – Community Development Director *DS*

SUBJECT: **Public Hearing and consideration of Pearse Parcel Map. The project is a proposed subdivision of 8.85 acres to create four residential lots and one designated remainder lot at 101 Third Street (Assessor Parcel Number 003-241-01). Applicant: Thomas Pearse. Entitlement includes Parcel Map.**

SUMMARY OF PROJECT: The project is a proposed subdivision of 8.85 acres to create four residential lots and one designated remainder lot.

In order to proceed with the project the following City approval is needed:

- Parcel Map to create four residential lots and one designated remainder lot.

PROJECT LOCATION: The project is located in the south central area of the City of Winters at 101 Third Street (Assessor Parcel Number 003-241-01). The 101 Third Street property is approximately 8.85 acres in size and approximately 1.267 acres of the property is planned for a residential development. The remainder of the property, approximately 7.583 acres will serve as the designated remainder parcel. The project is north of Putah Creek, south of Russell Street, east of Third Street, and west of Second Street.

HISTORY OF SITE: The development site has been used for a walnut orchard since the mid-1970s. The property had been planted in almonds from the 1930s until the mid-1970s. The existing orchard contains a mix of approximately 100 Hartley and Chandler walnut trees with trunk diameters ranging from two to fifteen inches. The site also includes a small residential garden at the far westerly corner. Because residences border the orchard on all sides except for the south, the ability to use agricultural products to stimulate production and prevent infestation has been limited. This has resulted in low production yields for the orchard.

EXISTING CONDITIONS: The project site consists of a long, rectangular-shaped parcel that extends into Putah Creek. The portion of the existing parcel (APN 003-241-01)

planned for residential development, approximately 1.267 acres, is generally flat with ground surface elevations that range from 130 to 136 feet and the southern portion of this area includes elevations than range from 120 to 130 feet. The current use of the development site is a walnut orchard and it lies in a FEMA Flood Zone X (unshaded) based on the FEMA Flood Insurance Rate Map (map revised November 20, 1998, Community-Panel Number 060425 0001 C). Zone X (unshaded) is a flood insurance rate zone assigned to property that is determined to be outside the 500-year floodplain. Surrounding land uses include:

North – Gravel alleyway between Third and Second Streets and single-family residences.

West – Third Street and single-family residences.

East – Single-family residences.

South – Walnut Orchard.

BACKGROUND: The 1992 General Plan was the subject of a certified Environmental Impact Report that examined the environmental impacts associated with adoption of the General Plan, including the development of the site as currently designated. The General Plan EIR assumed a residential yield of 3.08 units per acre (LR) for the site.

Project History:

November 17, 2006 – Application received.

December 15, 2006 – Application found incomplete.

May 15, 2007 – Tentative subdivision map withdrawn and parcel map submitted.

July 18, 2007 – Application found complete.

DETAILED PROJECT DESCRIPTION: Based on the parcel map dated “May 15, 2007,” the project proposes four residential lots ranging in approximate size from 13,426 to 14,529 square feet and a designated remainder lot approximately 7.583 acres in size. The remainder parcel includes a single-family residence, an agriculture building, a water well/well storage tank, and a walnut orchard. The average proposed residential lot size within the Low Density Residential (LR)/Single Family, 7000 Square Foot Average Minimum (R-1 Zone) designations is 13,795 square feet. It is anticipated that single-family homes will be constructed on the four residential lots; the remainder lot already includes a single-family residence. The R-1 Zone with a structure height limitation of 30-feet does not restrict residential development to single-story residences. As a result, two-story homes potentially could be constructed potentially on the four newly created lots. The applicant has not submitted a Site Plan (Design Review) application for the design of the single-family residences and plans to have local contractor Wade Cowan construct the future residences.

LAND USE AND ZONING CONSISTENCY: The project site has been designated in the General Plan as Low Density Residential (LR), which allows residential densities of 1.1 to

7.3 units per acre. The maximum number of units allowed for the project under the LR designation is 9. The proposed number of units for the project is 3.16 per acre which is consistent with the LR density range. The applicant is not proposing any changes to the LR designation.

The site is currently zoned Single Family, 7000 Square Foot Average Minimum (R-1 Zone) which requires a minimum average lot size of 7,000 square feet with a minimum lot size of 6,000 square feet, except for affordable half-plex lots which are allowed at a minimum of 3,500 square feet. The proposed average lot size is 13,795 which is consistent with the minimum average lot size of the R-1 Zone.

INFRASTRUCTURE

Roadways: The project would result in the construction of a private street (cul-de-sac) with a length of approximately 240 feet that would begin at Third Street and end in a cul-de-sac bulb with a radius of 50-feet that consists of an asphalt concrete pavement section with a radius of 40-feet and a 10-foot wide drainage swale. The parcel map shows a proposed public utility easement in the private street. The City's Public Works Standards do not include standards for private streets. A portion of the private street, approximately 140 feet in length, would cross the designated remainder parcel. This portion of the private roadway will have a width of 40-feet consisting of a 20-foot wide paved section (asphalt concrete) with a 2-foot wide gravel shoulders and 8-foot wide drainage swale on each side of the roadway. The property owner of the designated remainder parcel would need to grant a roadway easement to the property owners of the four newly created parcels. The easement would have to also address maintenance of the private roadway. The remainder of the private street which is located in the cul-de-sac bulb would have to be the subject of a reciprocal access and maintenance agreement to ensure that the property owners of the four newly created parcels have access to and jointly share in the maintenance of the roadway. The proposed street would not include sidewalks, curbs, and gutters. Condition of Approval #22 addresses the design of the private street.

Sewer Conveyance: Sanitary sewer service is proposed to be provided by the construction of a sewer main of an undetermined size in the proposed private street. The sewer main would connect to the existing 6-inch sewer main located in Third Street.

Sewer Treatment: The City's Wastewater Treatment Plant (WWTP) has a capacity of 0.92 million gallons per day (mgd). Space remains for approximately 600 additional residential hook-ups. The City's recent project approvals dating back to Spring 2005 exceed this amount and efforts are underway to expand the plant. The Phase 2 expansion will bring the capacity to between 1.2 and 1.6 mgd.

Water Conveyance: Water service is proposed to be provided by the construction of a water main of an undetermined size in the proposed private street. The water main would connect to the existing 4-inch water main located in Third Street. Under Condition of Approval #67, the existing 4-inch main in Third Street will be replaced with an 8-inch main unless it can be shown that the existing 4-inch main will provide minimum fire flow for the project site.

Storm Drainage: Storm drainage is proposed to be provided through a series of drainage swales that channel flows off-site to the designated remainder parcel. A 10-foot wide drainage easement (with a north-south orientation) is proposed on the east side of Parcels 2 and 3 while a 10-foot wide drainage easement (north-south orientation) is proposed on the designated remainder parcel directly west of Parcel 1. Storm drainage flows from the two 10-foot drainage easements to a 15-foot wide drainage easement (east-west orientation) located on the designated remainder parcel. A portion of the 15-foot drainage easement is directly south of Parcels 3 and 4. Eventually, storm drainage flows to the southern portion of the designated remainder parcel. Conditions of Approval #28 and 29 require the applicant to install a storm drain line in the proposed street, connect the storm drain to the City's Storm Drain System, detain 10-year storm runoff to pre-development conditions, and potentially resize the downstream storm drainage main.

Off-Site Infrastructure: The project would be required to fund and construct off-site improvements necessary to support the development. Such improvements would include, but not be limited to water lines, sewer lines and storm drainage lines. To the extent that acquisition or subsequent CEQA clearance is necessary for such work, that would be the responsibility of the developer.

Flooding: The project does not fall within the City's General Plan Flood Overlay Area. The project site lies in FEMA Flood Zone X (unshaded) based on the FEMA Flood Insurance Rate Map (map revised November 20, 1998, Community-Panel Number 060425 0001 C). Zone X (unshaded) is a flood insurance rate zone assigned to property that is determined to be outside the 500-year floodplain.

PARK REQUIREMENT: The City requires the development of public parkland in conjunction with a subdivision development at a ratio of 5 acres per 1,000 persons, and has a goal of 7 acres per 1,000 persons. Using the applicable Department of Finance factor (January 1, 2006 estimate) for household size of 3.156 persons per household, and assuming 4 total units, the project triggers the need for between 0.063 and 0.088 acres of developed parkland ($3.156 \times 4 \text{ dus} \div 1,000 \times 5 = 0.063 \text{ acres}$; $3.156 \times 4 \text{ dus} \div 1,000 \times 7 = 0.088 \text{ acres}$). The project includes no on-site public parkland. If the applicant is not required to construct an on-site park, the applicant would be required to fund acquisition and development of parkland at an off-site location.

AFFORDABLE HOUSING: The total number of proposed units would be 4. The City requires a 15 percent affordable component comprised of 6 percent very low-income, and 9 percent low- to moderate-income. The project would result in up to 4 residential units. As a result, the applicant is required to provide 1 affordable unit ($0.15 \times 4 = 0.6$, the result is rounded up to 1). The applicant has requested that he be allowed to pay affordable housing in-lieu fees. The City's current affordable housing in-lieu fee resolution exempts subdivisions of four or fewer dwelling units from the payment of housing in-lieu fees.

The project site falls within the redevelopment area of the City of Winters known as the Community Development Agency Project Area. The California Community

Redevelopment Law requires that 15% of the residential units developed or rehabilitated in a project area by public or private entities other than a redevelopment agency must be affordable to low and moderate income households. For the 15% requirement, 40% of the units must be affordable to very low-income households while the remaining 60% must be affordable to low- to moderate-income households. The project would result in up to 4 residential units. As a result, the applicant is required to provide 1 affordable unit ($0.15 \times 4 = 0.6$, the result is rounded up to 1). The applicant has requested that he be allowed to pay affordable housing in-lieu fees. The City's current affordable housing in-lieu fee resolution exempts subdivisions of four or fewer dwelling units from the payment of housing in-lieu fees.

UNIT PHASING: No phasing is proposed for construction of the single-family homes on Parcels 1 – 4.

Technical Studies: The following technical and other site-specific studies and reports have been prepared for the project.

Phase 1 Environmental Site Assessment and Screening Soil Sampling/Analysis, Raney Geotechnical, Inc., February 2, 2007. The report evaluates the project site to identify recognized environmental conditions in connection with the subject property to determine if the potential exists for significant site contamination from either on- or off-site sources. The reports also detailed the results of the screening sampling and laboratory analysis of five near surface soil samples taken from the project site to determine whether persistent organochlorinated pesticides and lead-arsenate, if any, associated with historical farming activities, remain within surface soils.

The conclusions of Raney Geotechnical's report were negative; however, one of the soil samples tested for organochlorinated pesticides above laboratory reporting limits. However, this sample and as well as the others did not exceed the U.S. Environmental Protection Agency Preliminary Remedial Goals (PRG) for sites subject to residential use. Although the detected arsenic concentrations from the soil sampling ranged from 5.4 mg/kg to 7.6 mg/kg and are considered elevated with respect to PRGs for arsenic in residential site soils, the PRGs for arsenic in residential site soils can be impractical to utilize since naturally-occurring arsenic concentrations often exceed the residential PRG (California-modified) of 0.062 mg/kg. A more common method for assessing arsenic concentrations is to compare the concentrations in soil with background/naturally-occurring arsenic concentrations for screening purposes. Raney Geotechnical compared the detected arsenic concentrations to data obtained during the previous environmental investigations prepared by the company within the Winters area (approximately during the last two years) that included soil sampling and analysis for lead and arsenic and found that the low lead and arsenic concentrations detected at the project site are within the range of background (naturally-occurring) concentrations for these metals in the Winters area.

Geotechnical Investigation, KC Geotechnical Engineering Consultants, May 5, 2006. This report explores the existing project site, examines soil and ground water conditions across the site, and provides geotechnical engineering conclusions and recommendations regarding the soils-related aspects of site development of the proposed

project. The report concludes that the site is geotechnically suitable for the proposed project provided that the recommendations of the report are incorporated into the project plans and specifications. Because the presence of near-surface soft to firm soils at the project site, the report recommends that the upper five feet of the native soils be processed and compacted. This recommendation is incorporated into Condition of Approval #34.

Cultural Resources Inventory Report, Trish Fernandez Cultural Resources, February 20, 2007. This report presents the findings of a records search, consultation with interested and responsible parties, and a pedestrian survey of the project area. While no cultural resources were identified within the project area and the probability of unearthing buried or otherwise obscured remains is low, the report provides two recommendations which are incorporated into Condition of Approvals #15 and 16 in the event that these resources are encountered at the project site.

Biological Resources Study Report (Biological Resources Report), Valley Environmental Consulting, LLC, August 29, 2006. The report presents the results of a biological survey, provides an initial evaluation of the effects of the project on biological resources, and offers recommendations to avoid or minimize potential effects of the project on those resources. While the report did not identify special-status species at the project site, the report did make recommendations to address Valley Elderberry Longhorn Beetle (VELB) Habitat which occurs off-site near the project and nesting special-status raptors and other non-special-status migratory birds and raptors. These recommendations have been incorporated into Conditions of Approval #17 and 18.

Biological Resources Report – Peer Review, Estep Environmental Consulting, July 16, 2007. This report found that the *Biological Resources Study Report* provided a sufficiently thorough accounting of the biological resources on the project site. However, the *Peer Review* questioned the conclusion that the loss of nests of non-special-status nesting birds and raptors would be considered a significant impact and found a discrepancy in the project acreage. The *Biological Resources Study Report* used a figure of 0.62 acres for the project site, but the *Peer Review* noted the project site is more than one-acre in size.

Preliminary Title Report, Old Republic Title Company, October 9, 2006. This report identifies the tax status and various easements affecting the project site. The report identifies two storm drain-related easements granted to the City. The first one was granted in 1936 and provides an easement and right-of-way and the right to set back and impound water and overflow within Putah Creek and its banks. The second one was granted in 1975 and provides the City with ingress and egress to the property (APN 003-241-01) for the purposes of storm drain maintenance, repair, and replacement. Two City storm drain mains, 24- and 27-inches in size, are located in the property. The 24-inch main is located west of the existing garage while the 27-inch main goes under the garage. The 27-inch main is connected into the 24-inch main at a location south of the garage.

METHODOLOGY:

Two actions are required to process the proposed project:

1. Confirmation of CEQA exemption finding – Class 32, In-Fill Development Projects.
2. Approval of Parcel Map and the attached conditions.

APPLICABLE REGULATIONS:

This project is subject to several regulations:

- The California Environmental Quality Act (CEQA)
- State Planning and Zoning Law
- City of Winters General Plan
- City of Winters Zoning Ordinance

PROJECT NOTIFICATION: Public notice advertising for the public hearing on this project was prepared by the Community Development Director in accordance with notification procedures set forth in the City of Winter’s Municipal Code and State Planning Law. Two methods of public notice were used: a legal notice were published in the Winters Express on Thursday, August 9, 2007, and notices were mailed to all property owners who own real property within three hundred feet of the project boundaries at least ten days prior to tonight’s hearing. Copies of the staff report and all attachments for the proposed project have been on file, available for public review at City Hall since Wednesday, August 22, 2007. Please find attached copies of the published and mailed public hearing notices.

ENVIRONMENTAL ASSESSMENT: The Site Plan application has been reviewed in accordance with the California Environmental Quality Act (CEQA) is considered categorically exempt under Section 15332 (Class 32).

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

- (a) The project is consistent with the applicable general plan designation and all applicable general plan as well as with applicable zoning designation and regulation. ***(No changes are proposed to the existing General Plan designation of Low Density Residential or existing zoning of Single Family, 7000 Square Foot Minimum Average. The project does not involve any General Plan amendments.)***
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. ***(The proposed project site is less than five acres in size and is bordered by single family residences on the west, north, and east sides.)***
- (c) The project has no value as habitat for endangered, rare or threatened species. ***(The Biological Resources Study Report and the Biological Resources Report – Peer Review did not identify the presence of special-status species on the project site.)***
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. ***(The project site has been***

designated and zoned for single-family residential purposes since at least 1950. The project would result in approximately 40 additional vehicles trips per day at buildout, but these trips would be dispersed throughout the day. Development of the project site, installation of infrastructure and construction of residences, will be subjected to the City's Noise Ordinance which limits construction/demolition activities between the hours of 7:00 a.m. and 7:00 p.m. on weekdays. Conditions of Approval, #41 – 48, include provisions to minimize air quality impacts during the construction of the infrastructure improvements. Conditions of Approval, #24, 29, and 36 – 39, include provisions to minimize the impacts to water quality.

- (e) The site can be adequately served by all required utilities and public services. ***(The project site will be connected to public utilities – water, sewer, and storm drain – and private utilities – electric, gas, telephone, cable television, etc. The project site will be served by the Winters Fire and Police Departments.)***

RECOMMENDED FINDINGS FOR PEARSE PROJECT (PARCEL MAP)

CEQA Findings:

1. The project qualifies for an exemption from the provisions of CEQA, Class 32 – In-Fill Development Projects.
2. The Planning Commission has considered comments received on the project during the public review process.
3. The exemption finding reflects the independent judgment and analysis of the City of Winters.
4. The Planning Commission hereby confirms a Class 32 In-Fill Development Projects exemption for the Pearse Parcel Map Project.

General Plan and Zoning Consistency Findings:

1. The project is consistent with the goals and policies of the General Plan. The General Plan designates the project site as Low Density Residential; single-family detached residential units are allowed under this designation.
2. The project as amended is consistent with the provisions of the Zoning Ordinance. The project site is zoned Single-Family, 7,000 Square Foot Minimum Average (R-1 Zone); single-family detached residential units are allowed in this zone.

RECOMMENDATION

Staff recommends approval of the project by making an affirmative motion as follows:

I MOVE THAT THE WINTERS PLANNING COMMISSION APPROVE THE PEARSE PROJECT (PARCEL MAP) BASED ON THE IDENTIFIED FINDINGS OF FACT AND BY TAKING THE FOLLOWING ACTIONS:

- Confirmation of exemption from the provisions of CEQA.
- Confirmation of consistency findings with the General Plan and Zoning Ordinance as amended.
- Approval of the Parcel Map and subject to the conditions of approval attached hereto.

ALTERNATIVES:

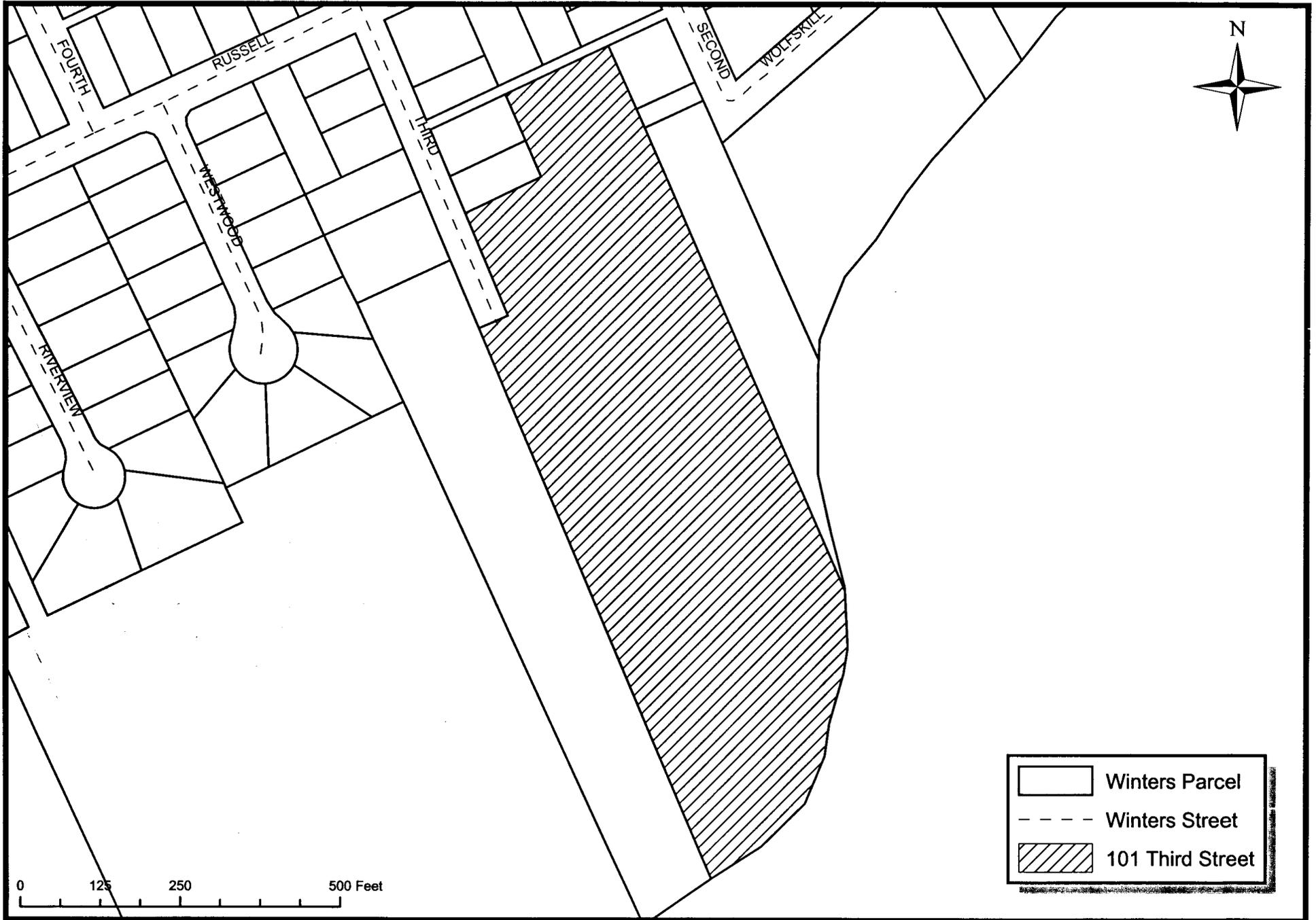
The Commission can elect to modify any aspect of the approval or to deny the application. If the Commission chooses to deny the application, the Commission would need to submit findings for the official record that would illustrate the reasoning behind the decision to deny the project.

ATTACHMENTS:

- A. Assessor's Parcel Map for Project Site
- B. Parcel Map
- C. Recommended Conditions of Approval
- D. Public Hearing Notice (published and mailed)

Pearse PM/PC Stf Rpt 28Aug07

Pearse Parcel Map Project Site, 101 Third Street APN 003-241-01



CONDITIONS OF APPROVAL FOR THE PEARSE PROJECT

General

1. In the event any claim, action or proceeding is commenced naming the City or its agents, officers, and employees as defendant, respondent or cross defendant arising or alleged to arise from the City's approval of this project, the project Applicant shall defend, indemnify, and hold harmless the City or its agents, officers and employees, from liability, damages, penalties, costs or expense in any such claim, action, or proceeding to attach, set aside, void, or annul an approval of the City of Winters, the Winters Planning Commission, any advisory agency to the City and local district, or the Winters City Council. Project Applicant shall defend such action at Applicant's sole cost and expense which includes court costs and attorney fees. The City shall promptly notify the Applicant of any such claim, action, or proceeding and shall cooperate fully in the defense. Nothing in this condition shall be construed to prohibit the City of Winters from participating in the defense of any claim, action, or proceeding, if City bears its own attorney fees and cost, and defends the action in good faith. Applicant shall not be required to pay or perform any settlement unless the subdivider in good faith approves the settlement, and the settlement imposes not direct or indirect cost on the City of Winters, or its agents, officers, and employees, the Winters Planning commission, any advisory agency to the City, local district and the City Council.
2. All conditions identified herein shall be fully satisfied prior to recording of the Parcel Map unless otherwise stated.
3. The project is as described in the August 28, 2007 Planning Commission staff report. The project shall be constructed as depicted on the maps and exhibits included in the August 28, 2007 Planning Commission staff report, except as modified by these conditions of approval. Substantive modifications require a public hearing and Planning Commission action.

Community Development

4. Construction activities shall be limited to 7:00 am to 7:00 pm, Monday through Friday only (holidays excluded) in compliance with the City's Noise Ordinance and Standard Specifications.
5. Foundations shall be poured in place, onsite. No pre-cast foundations will be permitted. This shall be stipulated in all construction contracts.
6. All address numbering shall be clearly visible from the street fronting the property. All buildings shall be identified by either four (4) inch illuminated numbers or six (6) inch non-illuminated numbers on contrasting background. Naming of the private street shall be completed by the Street Naming Committee and the addressing shall be approved by a committee comprised of the Community Development Department, the Fire Department, the Police Department, and the Postal Service.

7. The Applicant shall pay all development impact fees, fees required by other entities, and permit fees.
8. The Applicant shall be responsible for any additional costs associated with the processing of this project including but not limited to: plan check, inspections, materials testing, construction monitoring, and other staff review and/or oversight including staff time necessary to ensure completion/satisfaction of all conditions of approval and mitigation measures. The Applicant shall, on a monthly basis, reimburse the City for all such costs. Project Applicant shall pay all development impact fees adopted by the City Council and shall pay fees required by other entities.
9. The applicant shall provide the City with an initial deposit determined by the City to cover City engineering, Yolo County Surveyor, and internal City administrative costs incurred by the City for the parcel map check and improvement plans check. The review of the parcel map and improvements plans shall not begin until the deposit is received. The applicant shall deposit additional funds should the expenses incurred by the City exceed the initial deposit. The City shall refund the applicant any deposit funds in excess of the City's expenses for the parcel map check and the improvement plans check.
10. The Developer shall obtain the following approvals from the Central Valley Regional Water Quality Control Board, as appropriate: 1) Coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction Activities; 2) Compliance with post construction storm water Best Management Practices pursuant to the NPDES General Permit for Small Municipal Separate Storm Sewers Systems; 3) 401 Water Quality Certification for wetlands impacts; and 4) Dewatering Permit under Waste Discharge Requirements General Order for Dewatering and Other Low Threat Discharges to Surface Waters Permit.
11. The main electrical panel for each residence and shall be located at the exterior of the residence and capable of total electrical disconnect by a single throw.
12. The applicant shall form a homeowners association for the project. A draft of the conditions, covenants, and restrictions (CC&Rs) necessary for the association shall be provided to City staff for review and approval. The CC&Rs shall be recorded concurrently with the recording of the Parcel Map. In order to facilitate refuse/recycling/green waste service from the private street (cul-de-sac bulb area), the CC&Rs shall release from liability the local refuse/recycling/green waste service provider for any damaged caused to the private street in the course of the provider's operations to serve the residences located at the project site.
13. A gate or block wall shall not be permitted at the Third Street entrance to the project or at the entrance to the cul-de-sac bulb.

14. No vehicle access shall be allowed from the proposed private street to the alleyway located north of the project site; however, this shall not preclude alleyway access from alleyway-loaded garages constructed on Parcels 1 and 2.
15. In the event that archaeological artifacts or cultural soil deposits are encountered during any project-related ground disturbance, all work shall stop in the immediate vicinity of the find until the discovery area can be evaluated by a professional archaeologist. Depending on the extent and cultural composition of the discovered materials, a professional archaeologist may be required to monitor subsequent activity and record, recover, and/or protect significant cultural materials from further damage.
16. If human remains are discovered anywhere on the project site, work shall immediately stop in the vicinity of the discovery and the Yolo County Coroner must be contacted. If the remains are found to be prehistoric Native American (not modern), the Coroner shall call the Native American Heritage Commission in Sacramento within 24 hours. The NAHC will identify the person(s) it believes to be the "Most Likely Descendant" of the deceased Native American. The Most Likely Descendant would be responsible for recommending the disposition and treatment of the remains. The Most Likely Descendant may make recommendations to the City of Winters for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.
17. Before any ground-disturbing activity, the project proponent shall ensure that a minimum 4-foot-tall temporary, plastic mesh-type construction fence (Tensor Polygrid equivalent) is installed at least 20 feet around the elderberry shrub clusters that occur adjacent to the work area. This fencing is intended to prevent encroachment by construction vehicles and personnel. The fencing should be strung tightly on posts set at a maximum of 10 feet on center. The fencing should be installed in a way that prevents equipment from enlarging the work area beyond the area necessary to complete the work. The fencing should be checked and maintained weekly until all construction is completed, at which time it will be removed off-site.

Additionally, if construction activities (defined here as tree felling, tree debris removal, and site grading) occur at a time of the year such that dust may be generated, all elderberry shrubs within 100 feet of the work area shall be covered with burlap or other similar material during ground disturbance to prevent dust accumulation on the shrub. Alternatively, if misting or watering is conducted to control dust, there will be no need to cover the shrubs.

18. If construction activities (defined here as tree felling, tree debris removal, site grading, home construction, and utility installations) are scheduled to occur during the breeding season for special-status nesting raptors and non-special-status migratory birds and raptors (generally between March 1 and August 31), a qualified wildlife biologist will conduct focused nesting surveys for Swainson's hawk, white-

tailed kite, Cooper's hawk, and non-special-status migratory birds and raptors. The surveys will be conducted in suitable habitat within a 0.25 mile radius from the study area and no more than 1 week prior to initiation of construction activities. However, no surveys will need to be conducted on private property. The project shall conform to the following.

- a. If no active nest are detected during surveys, then no additional mitigation is required and construction can proceed;
- b. If active nests of special-status or non-special-status migratory birds or raptors are found in any area that would be directly affected by construction activities, a no-disturbance buffer would be established around the nest site. The buffer will remain in place to avoid disturbance or destruction of the nest site until after the breeding season or after a qualified wildlife biologist determines that the young have fledged (usually late-June to mid-July). The extent of the buffers will be determined by the biologist and will depend on the level of noise or construction disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors will be analyzed in order to make an appropriate decision on buffer distances.

If construction activities begin prior to the breeding season (i.e., between September 1 and February 28), then construction can proceed until the wildlife biologist determines that an active special-status or non-special-status migratory bird or raptor nest is subject to abandonment as a result of construction activities. Construction activities (including at a minimum, grading of the site) would be considered "pre-existing construction". However, a minor activity that initiates construction but does not involve the full force and disturbance of major construction activities will not qualify as "pre-existing construction".

If special-status or other migratory birds nest in the vicinity of the study area under pre-existing construction conditions, then it is assumed that they are or will habituate to the construction activities. Optimally, all the trees and tree debris in the study area will be removed entirely so that there is no potential for nesting birds at the beginning of the breeding season (generally between March 1 and August 31). Under this scenario, nesting surveys shall still be conducted on or after March 1 to identify any active nests in the nearby in the riparian habitat, and active sites shall be monitored by a qualified wildlife biologist periodically until after the breeding season or after the young have fledged (usually late-June to mid-July). If active nests are identified on or immediately adjacent to the study area, then all non-essential activities (e.g., equipment storage) should be avoided in the immediate vicinity of the nest site; however, construction activities can proceed.

Street Improvements

19. The improvement plans shall be signed by the soils engineer prior to submittal.
20. The proposed street located within the parcel map area shall comply with the City's Public Works Improvement Standards and Construction Specifications, dated

September 2003 and as amended, unless otherwise approved by the City. The street shall be privately owned.

21. The structure (garage) existing over the storm drain easement referenced by Official Record 1134 Page 470 at the end of Third Street shall be removed prior to recordation of the parcel map. If the existing 27-inch (27") storm drain main is connected to the existing 24-inch (24") storm drain main upstream of the structure, the structure may remain provided that the City Engineer approves this option and the applicant assesses the existing flow of the 24-inch main down to Putah Creek to ensure that connecting the 27-inch main upstream of the garage will not worsen the existing storm drain situation.
22. The proposed private street shall be constructed as proposed on the Parcel Map. The street shall be constructed with 3.0 inches of AC over 6 inches of AB. No on-street parking shall be allowed on the private street and the street shall be signed for no parking. The entrance to Third Street shall be constructed as a commercial driveway. A stop sign shall be installed and stop bar striped where the street intersects with Third Street in order to stop the traffic exiting the parcel map area. The cul-de-sac bulb radius shall have a 40-foot minimum of pavement for the private street plus the 2-foot gravel shoulder.
23. A private street sign shall be installed at the Third Street entrance to the private street. The sign shall meet City standards. Two extra copies of the sign shall be provided to the City for future maintenance/replacement.

Storm Drainage and Site Grading

24. A storm drainage plan shall be prepared by a registered civil engineer for project watershed(s), including the plan area. The plan shall identify specific storm drainage design features to control increased runoff from the project site. The drainage plan shall demonstrate the effectiveness of the proposed storm drainage system to prevent negative impacts to existing upstream and downstream properties and to prevent additional flooding at off-site downstream locations. All necessary calculations and assumptions and design details shall be submitted to the City Engineer for review and approval. The design features proposed by the applicant shall be consistent with the most recent version of the City's Storm Drainage Master Plan criteria and City Public Works Improvement Standards. The plan shall include final sizing and location of on-site and off-site storm conduit channels, structures. The Storm Drainage Plan shall be submitted for approval prior to submittal of the parcel map and/or construction drawings for checking. The applicant shall pay the cost associated with all improvements required by the plan.
25. A topographic survey of the entire site and a comprehensive grading and drainage plan prepared by a registered civil engineer, shall be required for the development. The plan shall include topographic information on adjacent parcels. In addition to grading information, the grading plan shall indicate all existing trees, and trees to be removed as a result of the proposed development, if any. A statement shall appear on the site grading and drainage plan, which shall be signed by a registered civil engineer or land surveyor and shall read, "I hereby state that all improvements have been substantially

constructed as presented on these plans". Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.

26. The Parcel Map Grading and Drainage plan showing grading and drainage information including topographic information, drainage routing, pipe slopes and sizing and locations and excluding topographic information, and overland drainage routing are preliminary only and do not constitute approval in any way. Final approval for the grading and Drainage Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval.
27. On-site Drainage utilities within the private street shall be privately owned.
28. A private storm drain line shall be installed within the proposed 20' wide private street and all developed lot drainage shall be directed to the street and into the storm drainage system. Any exception to this condition shall be approved by the City Engineer. The storm drain system shall be connected to the existing twelve-inch (12") storm drain main running north south on the west edge of Third Street. The applicant shall resize the downstream storm drainage main as necessary to convey the additional peak development water in accordance with the City of Winters Design and Construction Standards. Improvement plans shall be submitted and approved prior to issuance a grading permit
29. The developer shall be required to detain the 10-year storm water runoff to pre-development conditions on-site through the construction of detention features/facilities. The 100-year design storm that exceeds the capacity of the drainage system shall be designed with an overland release path which prevents flooding to existing and proposed structures in the event of malfunction or overloading of the drainage system. The overland release system shall be designed per the 2003 City of Winters Public Works Department Improvement Standards and as amended.
30. Construction materials for storm drainpipes within the water table shall be pre-cast rubber-gasket reinforced concrete pipe (RGRCP).
31. The differential in elevation between rear and side abutting lot lines shall not exceed twelve inches (12") without construction of concrete or masonry block retaining walls. Deviation from this condition may be allowed subject to approval by the City Engineer.
32. Drainage fees shall be paid prior to issuance of a building permit.
33. All perimeter parcels and lots shall be protected against surface runoff from adjacent properties in a manner acceptable to the City Engineer.
34. All roadway sections and future building pad areas shall be processed and compacted based on the recommendations contained in the May 5, 2006 Geotechnical Investigation performed by KC Geotechnical Engineering Consultants. These recommendations include that the upper five (5) feet of soil be processed and compacted.

35. If disposal and sharing of the excavated soil from the construction of the Development occurs, prior to approval of the improvement plans, Applicant shall prepare a written agreement with the other participating property owners and submit to the City.
36. All projects shall include implementation of post-construction best management practices (BMP). Post construction BMPs shall be identified on improvement plans and approved by the City Engineer.
37. Construction of projects disturbing more than one acre of soil shall require a National Pollution Discharge Elimination System (NPDES) construction permit.
38. Applications/projects disturbing less than one acre of soil shall implement BMP's to prevent and minimize erosion. The improvement plans for construction of less than one acre shall include a BMP to be approved by the City Engineer.
39. An erosion and sedimentation control plan shall be included as part of the improvement plan package. The plan shall be prepared by the applicant's civil engineer and approved by the City Engineer. The plan shall include but not be limited to interim protection measures such as benching, sedimentation basins, storm water retention basins, energy dissipation structures, and check dams. The erosion control plan shall also include all necessary permanent erosion control measures, and shall include scheduling of work to coordinate closely with grading operations. Replanting of graded areas and cut and fill slopes is required and shall be indicated accordingly on plans, for approval by City Engineer.
40. Where possible landscaped slopes along streets shall not exceed 5:1; exceptions shall require approval of the City Engineer. All other slopes shall comply with the City of Winters Public Works Improvements Standards. Level areas having a minimum width of two (2) feet shall be required at the toe and top of said slopes.
41. All inactive portions of the construction site, which have been graded will be seeded and watered until vegetation is grown.
42. Grading shall not occur when wind speeds exceeds 20 MPH over a one hour period.
43. Construction vehicle speed on unpaved roads shall not exceed 15 MPH.
44. Construction equipment and engines shall be properly maintained.
45. If air quality standards are exceeded in May through October, the construction schedule will be arranged to minimize the number of vehicles and equipment operating at the same time.
46. Construction practices will minimize vehicle idling.
47. Potentially windblown materials will be watered or covered.

48. Construction areas and streets will be wet swept.

Wastewater and Sewer Collection System

49. The Applicant shall obtain a no-cost Wastewater Discharge Permit from the Public Works Department prior to the issuance of a Building Permit.

50. The property shall be connected to the City of Winters sewer system, with a separate sewer lateral and cleanout required for each parcel, in accordance with City of Winters Public Improvement Standards and Construction Standards.

51. On site sewer utilities within the private street shall be privately owned.

52. A Sewer Collection System Plan shall be submitted for approval by the City Engineer prior to submittal of the parcel map and with construction drawings for plan checking. The applicant shall pay the cost associated with all improvements required by the plan the issuance of a building permit and/or construction drawings for checking. A registered civil engineer for the project shall prepare the sewer collection system plan. The plan shall include final sizing and location of on-site conveyance facilities, structures, and engineering calculations.

53. If a sewer lift station is required, it shall be located on private property and be owned and maintained by the served residences. This item to be addressed on a yearly assessment in the Maintenance Agreement to include all budgeted items. All collection piping shall meet California Building Code requirements. A building permit is required for this work.

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

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

56. An eight-inch (8") private sewer main shall be installed within the proposed 20' wide private street. Upon review and approval from the City Engineer, a six-inch (6") sewer main may be permitted. The sewer main shall be connected to the existing six-inch (6") sewer main running north south along Third Street. A manhole shall be installed at the connection point to the public sewer main. Improvement plans shall be submitted and approved prior to the issuance of the first building permit.

Water Infrastructure

57. Based on City water modeling a new well is needed to serve the existing City and new development. Building permits shall be issued for individual units only after the City has established that water supply will be available to serve the units.

58. The Parcel Map Water Plan showing water routing, sizing and locations, are preliminary only and do not constitute approval in any way. Final approval for the Water Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval. Applicant shall comply with making changes to water system distribution pipe sizes and alignments based on the results of the specific water modeling performed for the development. If required, Applicant shall pay for all required water modeling for identifying water infrastructure needs to serve its development and shall construct offsite water improvements to connect to the City water distribution system.
59. The property shall be connected to the City of Winters water system, with a separate water lateral and meter required for each parcel, in accordance with City of Winters Public Improvement Standards and Construction Standards.
60. On site water utilities within the private street shall be privately owned.
61. All water services will be metered. Water meters shall be installed on all water services to the satisfaction of the City Engineer.
62. Per City of Winters Cross Connection Control Program, all types of commercial buildings and landscape irrigation services are required to maintain an approved backflow prevention assembly, at the applicant's expense. Service size and flow-rate for the backflow prevention assembly must be submitted. Location of the backflow prevention assembly shall be per the City of Winters Public Improvements Standards and Construction Standards. Prior to the installation of any backflow prevention assembly between the public water system and the owner's facility, the owner or contractor shall make application and receive approval from the City Engineer or his/her designated agent.
63. Per the City of Winters Cross Connection Control Program, fire protection systems are required to maintain approved backflow prevention, at the applicant's expense. Required location, service size and flow-rate for the fire protection system must be submitted. Actual location is subject to the review and approval of the Public Works Department, Fire Department, and Community Development Department.
64. The City of Winters Plan Review Fee applies and is due upon submittal of the maps and plans for review.
65. Any well, septic tank and leach field for the existing home shall be abandoned. Provide a letter from Yolo County Environmental Health Department giving location and filling specifications for all water wells or septic tanks within the subdivision boundary. If there are no wells or septic tanks, a letter so stating from Yolo County Environmental Health Department must be provided
66. FINAL PLANS, PERIODIC TESTS FOR FIRE HYDRANTS: All final plans for fire hydrant systems and private water mains supplying a fire hydrant system shall be submitted to the City of Winters Fire Department for approval prior to construction of the

system. The number and location of the fire hydrants shall be determined by the Fire Chief. All fire protection systems and appurtenances thereto shall be subject to such periodic tests as required by the City of Winters Fire Department.

67. That an eight inch (8") private water main shall be installed within the proposed 20' wide private street shown and shall include a fire hydrant at a location approved by the Fire Chief and City Engineer. The existing four-inch (4") water main in Third Street shall be replaced with an eight-inch (8") water main and connected to the existing six-inch (6") water main running east west Russell Street. Provided that the City Engineer approves this option and it can be shown that the minimum fire flow will be provided for the project, the four-inch main can be maintained in Third Street. At the connection point to the public water main a backflow prevention device and gate valve shall be installed in accordance with the City of Winters Design and Construction Standards. Improvement plans shall be submitted and approved prior to the issuance of the first building permit.
68. WATER PRESSURE: All water lines and fire hydrant systems must be approved by the Fire Chief and operating prior to any construction taking place on the site. Prior to issuance of building permits, water flow must be measured and certified for adequacy by the Winters Fire District. The minimum residual pressure shall be 20 PSI.
69. REFLECTORS FOR FIRE HYDRANTS: Any fire hydrant installed will require, in addition to the blue reflector noted in Standard Drawings, an additional blue reflector and glue kit that is to be supplied to the City of Winters Fire Department for replacement purposes.
70. All construction, new or remodeling, shall conform to the most current Uniform Fire Codes, the Winters Fire Prevention Code, and section of the National Fire Codes that the Winters Fire Chief or his/her agent may find necessary to apply.
71. Forty-eight hours notice shall be given to the Winters Fire District prior to any site inspections.
72. A hydrant use permit shall be obtained from the Public Works Department, for water used in the course of construction.
73. When the fire protection facilities are in the City of Winters, the developer shall contact the Winters Fire District Chief or his/or agent prior to construction for a pre-construction meeting.
74. All required fire accesses that are to be locked shall be locked with a system that is approved by the Fire Chief or his/her agent.
75. Submit four sets of plans for each fire suppression sprinkler system to the Fire Department for review and approval prior to the issuance of each building permit.
76. All residences shall have fire suppression sprinkler systems meeting or exceeding NFPA 13-D and local Fire Department standards. Water laterals shall be appropriately sized to accommodate sufficient water flows for fire suppression sprinkler systems.

General Public Works and Engineering Conditions

77. The conditions as set forth in this document are not all inclusive. Applicant shall thoroughly review all City, state, and federal planning documents associated with this parcel map and comply with all regulations, mitigations and conditions set forth.
78. Closure calculations shall be provided at the time of initial map check submittal. All calculated points within the map shall be based upon one common set of coordinates. All information shown on the map shall be directly verifiable by information shown on the closure calculation print out. The point(s) of beginning shall be clearly defined and all lot acreage shall be shown and verifiable from information shown on the closure calculation print out. Additionally, the square footage of each lot shall be shown on the parcel map. Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
79. The parcel map shall be recorded prior to issuance of a building permit. The Developer shall provide, to the City Engineer, one recorded Mylar copy and four print copies of the parcel map from the County, prior to approval of improvement plans.
80. U.S. Post Office mailbox locations shall be shown on the improvement plans subject to approval by the City Engineer and Postmaster.
81. Applicant shall make every attempt to submit joint trench/utility/composite plans for review, prior to approval of the parcel map and improvement plans. Construction will not be allowed to proceed prior to submittal of the joint trench/utility/composite plans for City review.
82. All existing and proposed utilities (electric, phone/data, and cable) shall be installed underground per the subdivision ordinance and shall meet the policies, ordinances, and programs of the City of Winters and the utility providers.
83. Street lighting location plan shall be submitted and approved by the City Engineer, prior to approval of improvement plans.
84. Roads must be constructed and paved prior to issuance of any building permit. Under specific circumstances, temporary roads may be allowed, but must be approved by the City Engineer and Fire Department.
85. Occupancy of residential units shall not occur until on-site and off-site improvements have been inspected, approved by the City Engineer, and the City has approved as-built drawings, unless otherwise approved by the City Engineer and Community Development Director. Applicants, and/or owners shall be responsible to so inform prospective buyers, lessees, or renters of this condition.

86. If relocation of existing facilities is deemed necessary, the applicant shall perform the relocation, at the Applicant's expense unless otherwise provided for through a reimbursement agreement. All public utility standards for public easements shall apply.
87. An Encroachment Permit shall be issued for the required parcel map improvements and shall be entered into between the City and Developer prior to the construction of improvements and issuance of building permits. A security in a form acceptable to the City shall be provided for the improvements.
88. At the time of making the survey for the Parcel Map, the engineer or surveyor shall set sufficient durable monuments to conform to the standards described in Section 8771 of the Business and Professions Code. All monuments necessary to establish the exterior boundaries of the parcel map shall be set or referenced prior to recordation of the map.
89. The project proponent shall enter into the City wide Landscape and Lighting Maintenance District, in order to maintain and provide for the future needs of parks, open space, street lighting, landscaping, sound walls, and other related aspects of development. The project proponent is responsible for all costs associated with this condition. The project proponent shall fulfill this condition prior to the sale of any buildable lots or parcels within the project area.

Easements and Right of Way

90. Appropriate easements shall be required for City maintained facilities located outside of City owned property or the public right-of-way.
91. The Applicant shall facilitate, with City cooperation, the abandonment of all City easements and dedications currently held but no longer necessary as determined by the City.
92. A ten (10) foot public utility easement back of sidewalk, adjacent to all public streets shall be dedicated to the City. Additional easements shall be dedicated as requested by the utility companies and approved by the City.
93. Reciprocal street access and utility easements shall be shown on the improvement plans and recorded with the final map

Reimbursements for Applicant Installed Improvements

94. Applicant shall pay appropriate reimbursements for benefiting improvements installed by others, in the amount and at the time specified by existing reimbursement agreements.
95. Prepare, and submit for approval, a utility site plan prior to preparation of full improvement plans.
96. Prepare improvement plans for any work within the public right-of-way and submit them to the Public Works Department for review and approval. The improvement plan sheets

shall include the title block as outlined in the City of Winters Public Improvements Standards and Construction Standards. This submittal is separate from the building permit submittal. The Developer shall provide, to the City Engineer, one Mylar original and four sets of the improvement plans and electronic media (AutoCAD .DWG or DXF on Zip Disk or Compact Disk), for approval of plans by the City Engineer.

97. Conform to County Health regulations and requirements for the abandonment of any septic tanks and water wells.
98. Existing public and private facilities damaged during the course of construction shall be repaired by the subdivider, at his sole expense, to the satisfaction of the City Engineer.
99. Encroachment permits if necessary shall be acquired from Yolo County and PG&E.
100. All utility poles that are to be relocated in conjunction with this project shall be identified on the improvement plans, with existing and proposed locations indicated.

PEARSE PM/COAs PC 28Aug07

Winters Express P. B 5

8/9/07

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, August 28, 2007, or as soon as possible thereafter, in the Council Chambers, City Offices, 318 First Street, Winters, California 95694.

PROJECT LOCATION: 101 THIRD STREET, ASSESSOR PARCEL NUMBER 003-241-01.

APPLICATION TYPE: The Planning Commission is conducting a public hearing to solicit comments regarding the proposed Parcel Map application.

PROJECT DESCRIPTION: The project applicant, Thomas Pearse, proposes to subdivide the existing 8.85 acre parcel (approximate size) located at 101 Third Street into four parcels ranging in size from 13,426 to 14,529 square feet and a designated remainder parcel approximately 7.583 acres in size. Access to the project site would be provided through the construction of a private street (cul-de-sac) with a length of approximately 240 feet that would begin at Third Street and end in a cul-de-sac bulb with a radius of 50-feet that consists of an asphalt concrete pavement section with a radius of 40-feet and a 10-foot wide drainage swale. The current uses of the property include a single-family residence, orchards, an agriculture building, and a water well/well storage tank. It is anticipated that single-family residences will be constructed on the four non-designated remainder lots. The property (APN 003-241-01) has a General Plan land use designation of Low Density Residential (LR) and is zoned Single Family, 7000 Square Foot Average Minimum (R-1 Zone).

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".

Published on August 9, 2007



08/09/07

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Dan Sokolow – Community Development Director