CITY OF WINTERS PLANNING COMMISSION AGENDA

Tuesday, October 9, 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 October 2, 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 August 28, 2007 regularly scheduled meeting of the Planning Commission.

VI COMMISSION ITEMS:

1. Swear in new Planning Commission members.

2. Selection of Planning Commissioner Chair and Vice Chair.

VII DISCUSSION ITEMS:

1. Request to hold regularly scheduled Planning Commission meeting for October on Tuesday, October 30, 2007.

2. Appointment of Planning Commissioner to Economic Development Subcommittee.

3. Continued 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.

VIII COMMISSION/STAFF COMMENTS

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 TUESDAY, OCTOBER 2, 2007.

Dan Sokolow

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 October 2, 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.	Planning Commission approved Design Review for Phase I residences on June 26, 2007.	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) complete.	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.	Project not active.

CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT
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(8) Winters II, Community Housing Opportunities Corporation, Ben Rosen (530) 757-4444	Proposal to develop 34-unit apartment complex for low- and very low-income households at 110 East Baker Street.	Building permit issued and construction began in October 2006.	Completion of construction.
(9) Village on the Park, Village Partners, LLC, Mark Walther (310) 798-5656	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.	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.	Project not active.
(10) Mary Rose Gardens, DAS Homes, Inc., Dave Snow (530) 666-0506	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.	City Council at its June 19, 2007 meeting continued the public hearing and consideration of the development agreement to the July 3, 2007 meeting.	Scheduling of City Council Public Hearing for consideration of project development agreement.
(11) Anderson Place, Eva Brzeski (415) 887-9300	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.	City Council at its June 19, 2007 meeting took final action on the project by approving the project development agreement.	City Council approval of Final Map.
(12) Pearse Parcel Map, Thomas Pearse (530) 795-5901	Proposal for 4-unit parcel map at the south end of Third Street.	Planning Commission public hearing held on August 28, 2007 and Commission continued the hearing to September 25.	Continued Planning Commission public hearing scheduled for October 2, 2007.
(13) 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.	Completion of initial study and recommended conditions of approval.

(14) 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.	Completion 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 #8: 34 units for very low-income and low-income households.
Project #9: 4 units for very low-income and 7 units for low-income and moderate-income households.
Project #10: 2 units for very low-income, 1 unit for low-income, and 1 unit for 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: Not known at this time.
Project #13: Not applicable.
Project #14: Not applicable.

MINUTES OF A REGULAR WINTERS PLANNING COMMISSION MEETING HELD TUESDAY, AUGUST 28, 2007

Chairman Jordan called the meeting to order at 7:31 p.m.

PRESENT: Tramontana, Graf, Chairman Jordan, Vallecillo, Neu, Cowan
ABSENT: Guelden
STAFF: Community Development Director Dan Sokolow, City Engineer Nick Ponticello

Commissioner Neu led in the Pledge of Allegiance.

Commissioner Guelden entered the Council Chambers and took his position at the dais at 7:34 p.m.

COMMUNICATIONS
None.

CITIZEN INPUT
None.

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

Commissioner Neu moved to approve the minutes of the July 24, 2007 regularly scheduled meeting of the Planning Commission. Seconded by Commissioner Graf.

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

Motion passed 7-0

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.

Commissioner Cowan recused himself due to a conflict of interest since he is participating in the project.

Community Development Director Sokolow provided a summary of the project. He noted that the applicant originally filed for a tentative subdivision map and later withdrew the

tentative subdivision map and submitted a parcel map. Sokolow said the roadway for the project would be privately owned. He discussed the affordable housing requirement for the project and noted that the applicant has requested to pay in-lieu fees. The City's existing affordable housing in-lieu fee resolution exempts residential projects with four or fewer units from paying in-lieu fees. Sokolow indicated that the parcel map would have to go through a map check process and the infrastructure plans would have to be approved by the City Engineer before the parcel map could be recorded. He detailed the technical studies that were submitted for the project. Recommendations from the studies have been incorporated into conditions of approval.

In response to a question from Chairman Jordan, Sokolow discussed the applicant's request to pay affordable housing in-lieu fees and how the City's existing in-lieu fee resolution exempts the payment of these fees for residential project with four or fewer units. Other Commissioners asked questions about the affordable housing in-lieu fee resolution. Sokolow noted that the City's Housing Programs Manager is drafting a revised resolution that likely would not exempt projects with four or fewer units from the payment of in-lieu fees and would increase the current in-lieu fee. He said it is not economically feasible to have the smaller projects construct units on-site and the City needs to provide a flexible approach for these projects. For larger projects, the cost of constructing affordable units can be absorbed across the market rate units.

City Engineer Ponticello discussed the preliminary infrastructure for the project. He noted that the existing City has a water supply deficit and the project has a condition that building permits cannot be issued until the City has established that the water supply is available to serve the units. The condition is similar to what has been used for other projects. Ponticello said a storm drain easement for a 27-inch line goes under the existing garage at the end of Third Street and he was unsure of how this occurred. This could be avoided potentially by connecting the 27-inch line to a parallel 24-inch line upstream of the garage.

Commissioner Tramontana commented that the City's Wastewater Treatment Facility can handle an additional 600 residential units and asked whether the small projects would present a capacity problem. Ponticello said this would only become a problem when the City was getting close to exhausting its capacity. The City monitors the capacity of the Wastewater Treatment Facility and the larger projects will trigger the expansion of the facility. Phase 3 or 4 of the Winters Highlands project would trigger the expansion. Ponticello said that one of the advantages in having 300 or so units built is that the City will be collecting sewer impact fees for use towards expansion of the Treatment Facility.

Jordan asked staff why the parcel map approved last month by the Planning Commission was not conditioned on the water supply being available before building permits can be issued. Sokolow responded that the City would have to apply the water supply requirement to both projects.

Project applicant Tom Pearse of 102 Third Street discussed the garage over the storm

drain easement. He said that in the early 1970s the City needed a storm drain easement and his father wanted to build a garage so an agreement was reached between the City and his father.

Wade Cowan, 106 Third Street and the Managing Partner of Lands of Pearse, LLC, addressed the Planning Commission and provided a handout to the Commission that provided a review of the conditions of approval. He reviewed the history of the project and meetings held with staff. Cowan said that staff would not allow the applicant to pay an affordable housing in-lieu fee for the project and promised that the applicant would be allowed to review the conditions of approval at least ten calendar days before the public hearing date. Cowan objected to the conditions that dealt with design review and stated that these conditions should not be part of the parcel map conditions. He stated that 50 of the conditions should be dropped.

Referring to Condition #9 which requires the applicant to provide the City with an initial deposit for parcel map check and improvements plans check, Cowan said the City's expecting the applicant to provide a financial blank check. He objected to the storm drain detention ponds requirement of Condition #29. Cowan indicated that the applicant would not install these and the ponds potentially could attract mosquitoes.

Cowan said that Community Development Director Sokolow has failed to act in good faith on the project. He requested that consideration of the project be continued to the September Planning Commission meeting and that the applicant is given the opportunity to meet with staff with hopes of finally moving the project in a positive direction so as to avoid legal action against Sokolow and the City of Winters.

Chairman Jordan opened the public hearing at 8:34 p.m.

Joe Castro, 104 Third Street, addressed the Planning Commission. Castro said that the property has been zoned for residential use for about 40 years and encouraged the Planning Commission to move forward with the project and not stop it. The project will increase City revenues and property values as a result of the four custom homes constructed at the project site. He said the cul-de-sac provides a place for vehicles to turn around and noted that Waste Management, the refuse/recycling provider for Winters, uses his driveway to turn around and this has resulted in damage to his driveway.

Sandy Willard who resides in Dixon spoke for her father Floyd Fletcher who owns property adjacent to the project. Willard said her father's concerns are noise, traffic, and parking. She noted that the street for the project would be next to his property.

Celia Racine, 107 Third Street, addressed the Planning Commission and said that she does not want to see a skyline of two-story homes at the project. She preferred a mix of one- and two-story homes and asked for the inclusion of a condition that would require a mix. She said some of the infrastructure issues could have been avoided if the applicant

had used a civil engineer. Racine noted that the project would not include sidewalk, curb, and gutter improvements while developed areas adjacent to the project have these improvements. She questioned why a private development was being considered.

Chairman Jordan closed the public hearing at 8:48 p.m.

Commissioner Tramontana made a motion to continue the public hearing and consideration of the project to the September 25, 2007 Planning Commission meeting. Jordan asked the applicant if the continuance was ok and the applicant agreed with the continuance. Commissioner Vallecillo asked staff whether they would be ready for the September meeting. Sokolow indicated that staff would try its "best" to be ready for the meeting.

Commissioner Neu seconded the motion.

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

Motion passed 6-0-0-1.

COMMISSION/STAFF COMMENTS
None.

The meeting was adjourned at 8:51 p.m.

_____
Don Jordan, Chairman

ATTEST:

_____
Dan Sokolow, Community Development Director

CITY OF WINTERS CALIFORNIA

PLANNING COMMISSION STAFF REPORT
October 2, 2007

TO: Chairman and Planning Commissioners

FROM: Dan Sokolow – Community Development Director DS

SUBJECT: Request to hold regularly scheduled Planning Commission meeting for October on Tuesday, October 30, 2007.

RECOMMENDATION: Staff recommends that the Planning Commission hold the regularly rescheduled Planning Commission meeting for October on Tuesday, October 30, 2007.

BACKGROUND: City staff assisted by outside legal counsel has drafted a commercial condominium ordinance. Staff has been reviewing the draft ordinance with stakeholders from the business community and anticipates that the review will be completed in time to have the Planning Commission consider the ordinance on October 30. The regularly scheduled Planning Commission meeting would be scheduled on October 23; however, staff is requesting a one week delay in holding the meeting.

CITY OF WINTERS CALIFORNIA

PLANNING COMMISSION STAFF REPORT
October 2, 2007

TO: Chairman and Planning Commissioners

FROM: Dan Sokolow – Community Development Director DS

SUBJECT: Selection of Economic Development Subcommittee Member.

RECOMMENDATION: Staff recommends that the Planning Commission select a member of the Commission to serve on the City's Economic Development Subcommittee.

BACKGROUND: The City of Winters prepared a Downtown Market Evaluation in November 2004 and a completed a Downtown Master Plan in March 2006. In March 2007, the City Council and staff held a two-day strategic planning workshop to set goals, communicate priorities, and to develop a list of key projects. In August 2007, staff participated in a day-long workshop to analyze the list and to develop a comprehensive strategic plan based on City Council priorities and direction.

On September 18, 2007, staff presented to the City Council a comprehensive strategic plan which utilizes the data provided in the Market Evaluation and implements various projects identified in the Downtown Master Plan. The comprehensive strategic plan focuses on economic development as the linchpin that brings the Council's priorities together.

DISCUSSION: It is anticipated that many projects will be brought before the City Council and Planning Commission in the next few years for consideration as it works toward the implementation of its goals, priorities, and strategic plan. As economic development will be the focus, it would be beneficial to have a Planning Commissioner participate on an Economic Development Subcommittee. The Subcommittee would be made up of one City Councilmember, one Planning Commissioner, and staff. The Planning Commissioner would attend monthly project meetings and Development Review Committee meetings as well as be available to provide feedback to staff as needed.

PLANNING COMMISSION STAFF REPORT
October 9, 2007

TO: Chairman and Planning Commissioners

FROM: Dan Sokolow – Community Development Director

SUBJECT: **Continued 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.

BACKGROUND: The Planning Commission voted unanimously (with Commissioner Cowan absent) at the August 28, 2007 Planning Commission meeting to continue the public hearing and consideration of the project to the September 25, 2007 Planning Commission meeting. Because of a lack of a quorum at the September Planning Commission meeting, the meeting was continued to October 9, 2007. Staff has met with the project representatives since the August meeting. As a result of the meeting and other communications, a number of the conditions of approval for the project have been deleted or modified.

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

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 vehicle 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, #34 – #41, include provisions to minimize air quality impacts during the construction of the infrastructure improvements. The Conditions of Approval, #19, #23, and #29 – #32,***

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.)***

RECCOMENDED 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:

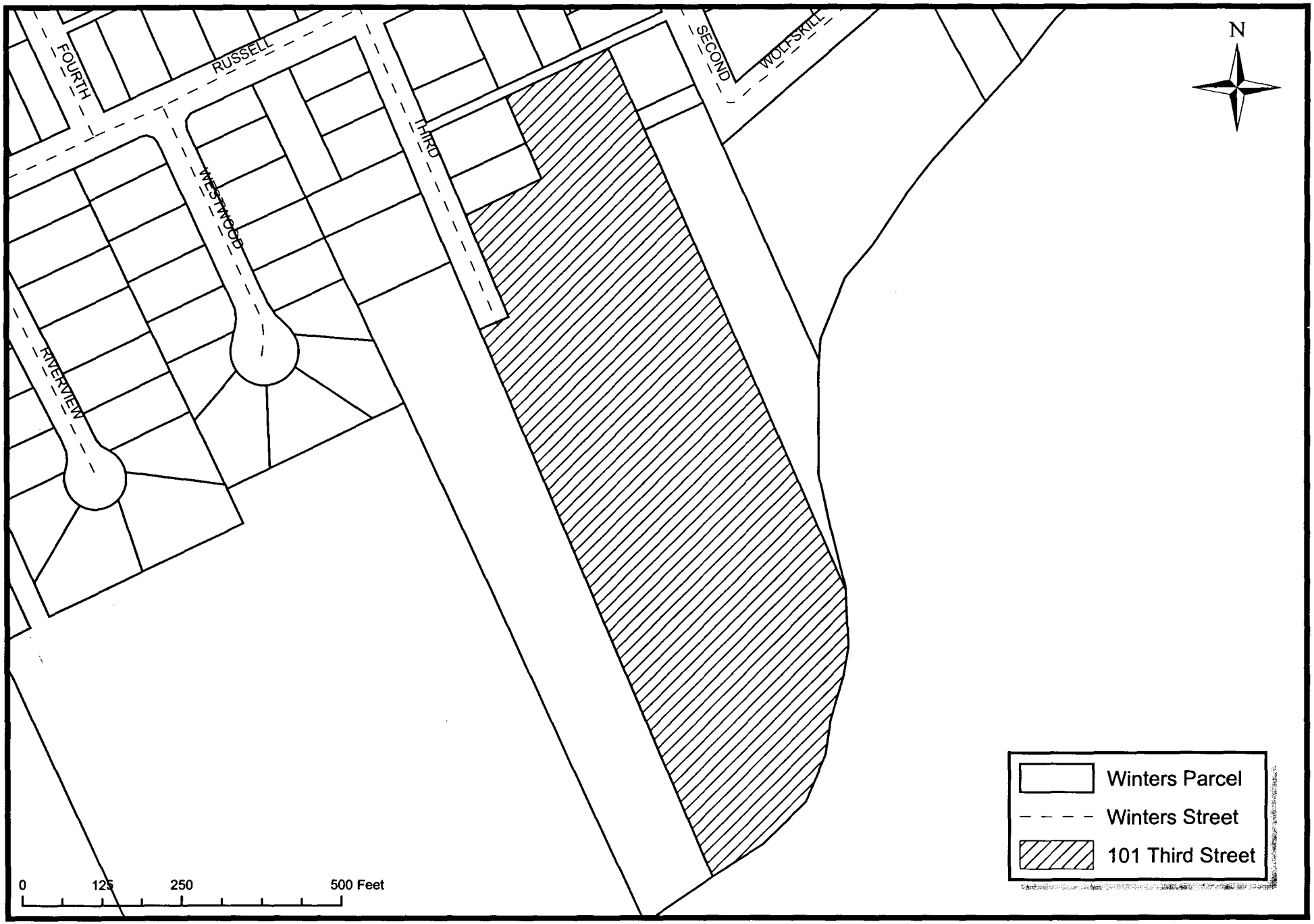
The Commission can elect to modify any aspect of the approval or to deny the application. If the Commission chooses to deny the application, the Commission would need to submit findings for the official record that would illustrate the reasoning behind the decision to deny the project.

ATTACHMENTS:

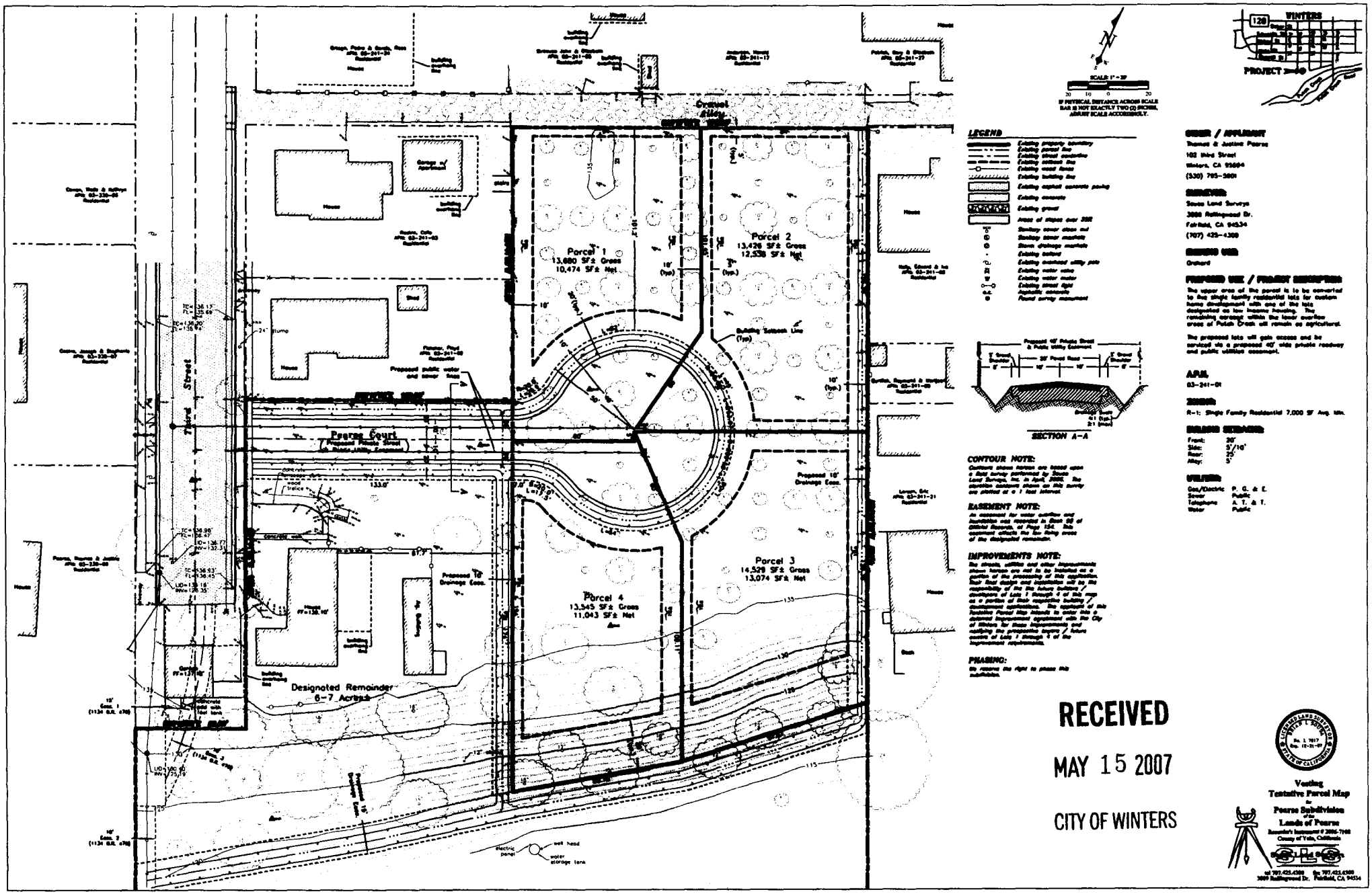
A. Assessor's Parcel Map for Project Site
B. Parcel Map
C. Recommended Conditions of Approval

Pearse PM/PC Stf Rpt 9Oct07

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



Prepared by Jen Michaelis, Winters Community Development Department



RECEIVED

MAY 15 2007

CITY OF WINTERS

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 September 25, 2007 and August 28, 2007 Planning Commission staff reports. The project shall be constructed as depicted on the maps and exhibits included in the September 25, 2007 and August 28, 2007 Planning Commission staff reports, except as modified by these conditions of approval. Substantive modifications require a public hearing and Planning Commission action.

Community Development

4. The Applicant shall pay all development impact fees, fees required by other entities, and permit fees.

5. 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.

6. 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.

7. The applicant shall prepare a reciprocal access and maintenance agreement for the project and record it prior to or concurrently with the recordation of the Parcel Map. A draft of the agreement shall be provided to City staff for review and approval. In order to facilitate refuse/recycling/green waste service from the private street (cul-de-sac bulb area), the reciprocal access and maintenance agreement 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.

8. Any future gate or block wall proposed for the Third Street entrance to the project or at the entrance to the cul-de-sac bulb shall be submitted to the City under a Site Plan application for review and consideration by the Winters Planning Commission.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. 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

15. The improvement plans shall be signed by the soils engineer prior to submittal.

16. 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, except as amended on the Parcel Map. The street shall be privately owned.

17. 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.

18. 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

19. 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 approval of the parcel map and/or construction drawings for checking. The applicant shall pay the cost associated with all improvements required by the plan.

20. 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.

21. 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.

22. On-site Drainage utilities within the private street shall be privately owned.

23. The developer shall be required to detain the 10-year and 100-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.

24. Construction materials for storm drainpipes within the water table shall be pre-cast rubber-gasket reinforced concrete pipe (RGRCP).

25. 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.

26. All perimeter parcels and lots shall be protected against surface runoff from adjacent properties in a manner acceptable to the City Engineer.

27. 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.

28. 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.

29. 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.

30. Construction of projects disturbing more than one acre of soil shall require a National Pollution Discharge Elimination System (NPDES) construction permit.

31. 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 that one acre shall include a BMP to be approved by the City Engineer.

32. 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.

33. 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.

34. All inactive portions of the construction site, which have been graded will be seeded and watered until vegetation is grown.

35. Grading shall not occur when wind speeds exceeds 20 MPH over a one hour period.

36. Construction vehicle speed on unpaved roads shall not exceed 15 MPH.

37. Construction equipment and engines shall be properly maintained.

38. 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.

39. Construction practices will minimize vehicle idling.

40. Potentially windblown materials will be watered or covered.

41. Construction areas and streets will be wet swept.

Wastewater and Sewer Collection System

42. 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.

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

44. A Sewer Collection System Plan shall be submitted for approval by the City Engineer prior to approval of the parcel map and with construction drawings. 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.

45. 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.

46. 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.

47. 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.

48. 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

49. 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.

50. 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.

51. 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.

52. On site water utilities within the private street shall be privately owned.

53. 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.

54. 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.

55. 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. The well removal requirement shall not apply to the existing well on the designated remainder lot. This well shall be used only for irrigation purposes.

56. 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.

57. That an eight-inch (8") water main shall be installed to serve the project and a fire hydrant shall be installed at a location approved by the Fire Chief and City Engineer. The new water main shall be looped with connections to the existing eight-inch (8") water main in Second Street and the existing four-inch (4") water main in Third Street. Between the two connection points, the new water main shall be routed through the alleyway running between Second and Third Streets and into the project to serve the future residences. The portion of the water main installed within the alleyway shall be publicly owned. The remainder of the water main which is located within the project site and a private roadway easement area shall be privately owned. At the connection points to the public water mains backflow prevention devices and gate valves 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.

58. 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.

59. 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.

60. Forty-eight hours notice shall be given to the Winters Fire District prior to any site inspections.

61. 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.

62. 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.

63. 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

64. 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.

65. 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.

66. 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.

67. U.S. Post Office mailbox locations shall be shown on the improvement plans subject to approval by the City Engineer and Postmaster.

68. 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.

69. 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.

70. Street lighting location plan shall be submitted and approved by the City Engineer, prior to approval of improvement plans.

71. 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.

72. 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.

73. 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.

74. 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.

75. 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.

76. 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

77. Appropriate easements shall be required for City maintained facilities located outside of City owned property or the public right-of-way.

78. 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.

79. 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.

80. Reciprocal street access and utility easements shall be shown on the improvement plans and recorded with the final map.

Reimbursements for Applicant Installed Improvements

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

82. Prepare, and submit for approval, a utility site plan prior to preparation of full improvement plans.

83. 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.

84. Conform to County Health regulations and requirements for the abandonment of any septic tanks and water wells.

85. 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.

86. Encroachment permits if necessary shall be acquired from Yolo County and PG&E.

87. 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.

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