

CITY OF WINTERS PLANNING COMMISSION AGENDA

Tuesday, August 25, 2009 @ 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: [jen.michaelis@cityofwinters.org](mailto:jen.michaelis@cityofwinters.org)

Chairman: Pierre Neu  
Vice Chairman: Glenn DeVries  
Commissioners: Wade Cowan, Bruce Guelden, Corinne  
Martinez, Phillip Meisch, Joe Tramontana  
Administrative Assistant: Jen Michaelis  
Community Development Director: Nelia Dyer

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

**II ROLL CALL & PLEDGE OF ALLEGIANCE**

**III CITIZEN INPUT:** Individuals or groups may address the Planning Commission on items which are not on the Agenda and which are within the jurisdiction of the Planning Commission. **NOTICE TO SPEAKERS:** Speaker cards are located on the first table by the main entrance; please complete a speaker's card and give it to the Planning Secretary at the beginning of the meeting. The Commission may impose time limits.

**IV CONSENT ITEM**  
Approval of Minutes from the August 11, 2009 regular meeting of the Planning Commission.

**V. STAFF AND COMMISSION REPORTS**

**VI DISCUSSION ITEMS:**

**A. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT FOR ADMINISTRATIVE OFFICES AT 310 MAIN STREET (2009-05-CUP)**

A Public Hearing to consider a request by the Winters Healthcare Foundation for a Conditional Use Permit to operate administrative offices at 310 Main Street. The zoning classification for the site is R-1 (Low Density Residential) and the General Plan land use designation is LR (Low Density Residential). The proposed use is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities). The Planning Commission will take final action on this item unless appealed to the City Council.

**B. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT FOR THE INSTALLATION OF THREE (3) ADDITIONAL ANTENNAS TO AN EXISTING WIRELESS COMMUNICATIONS TOWER AT ROAD 88 AND ROAD 32A (2009-06-CUP)**

A Public Hearing to consider a request by AT&T Mobility for a Conditional Use Permit to install three (3) additional antennas on an existing wireless communications tower at County Road 88 and County Road 32A. The zoning classification for the site is PQP (Public/Quasi-Public) and the General Plan land use designation is PQP (Public/Quasi-Public). The proposed use is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities). The Planning Commission will take final action on this item unless appealed to the City Council.

**C. INFORMATIONAL ITEM – PROPOSED RENOVATION OF THE CITY'S PARKING LOT AT FIRST AND ABBEY STREETS**

An Informational Item to receive further feedback from the Commission on the propose renovation of the City's Parking Lot at First and Abbey Streets. The proposed renovation consists of the removal of an existing building, 2-3 trees and number shrubs and the installation 39 parking spots. A public hearing for this application is tentatively scheduled for the September 22<sup>nd</sup> Planning Commission Meeting.

**VII COMMISSION/STAFF COMMENTS**

**VIII ADJOURNMENT**

**POSTING OF AGENDA:** PURSUANT TO GOVERNMENT CODE § 54954.2, THE COMMUNITY DEVELOPMENT ADMINISTRATIVE ASSISTANT OF THE COMMUNITY DEVELOPMENT DEPARTMENT POSTED THE AGENDA FOR THIS MEETING ON JULY 22, 2009.



JEN MICHAELIS - ADMINISTRATIVE ASSISTANT

**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 CHAMBER IS WHEELCHAIR ACCESSIBLE**

**MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD ON  
TUESDAY, AUGUST 11, 2009**

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

**PRESENT:** Commissioners Cowan, DeVries, Guelden, Martinez, Meisch, and  
Chairman Neu

**ABSENT:** None

**STAFF:** Community Development Director Nellie Dyer, Housing Manager  
Dan Maguire, Administrative Assistant Jen Michaelis, City Attorney  
John Wallace

Commissioner Meisch led the Pledge of Allegiance.

**COMMUNICATIONS:**

**Staff Reports:** None

**Commission Reports:** None

**CONSENT ITEM**

Approve minutes of the July 27, 2009 regular meeting of the Planning Commission.

**Motion by Commissioner Guelden, Second by Commissioner Cowan to approve the minutes as amended for the July 27, 2009 meeting of the Planning Commission. Motion carried with the following roll call vote:**

**AYES:** Commissioners Cowan, DeVries, Guelden, Martinez, Meisch, and  
Chairman Neu

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**DISCUSSION ITEM**

**A. PLANNING COMMISSION RECOMMENDATION TO THE CITY COUNCIL ON THE GENERAL PLAN HORIZON YEAR EXTENSION AND HOUSING ELEMENT UPDATE.**

Community Development Director Dyer summarized staff report and provided a comment letter from Mr. Mike McCoy. Commissioner Guelden questioned whether Mr. McCoy sent the letter as a concerned citizen or as a planning "consultant". Ms. Dyer responded that Mr. McCoy sent the letter as a concerned citizen. Chairman Neu asked if the greenhouse gas issue would be touched on at the September Planning Commission meeting regarding the workplan for the General Plan horizon year extension. Ms. Dyer responded that it would be discussed at the September Planning Commission meeting. She added that the workplan will include working with SACOG on ways the City can assist in lowering the region's greenhouse gas emissions. Commissioner DeVries stated

**MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD ON  
TUESDAY, AUGUST 11, 2009**

that greenhouse gas reductions could be a burden on the City. Ms. Dyer responded that setting priorities are part of the development of the workplan, but both staff and the Planning Commission need to be mindful of State Law. Commissioner Martinez asked why staff couldn't consider 2013 as a possible horizon year. Ms. Dyer responded that if the Planning Commission were to recommend 2013 as the horizon year at this point in the process, staff would have to re-circulate the Initial Study/Negative Declaration as a result of the change, which would postpone the certification of the Housing Element. Postponing the certification of the Housing Element could result in the City being ineligible or not competitive for grant funding for housing and possible future transportation funding. Ms. Dyer added that the City could be open to law suits for not providing housing to all income categories. In the long term, the workplan would have to be on a condensed timetable. By the time staff has completed the update, the City may be quickly approaching the horizon year (2013) which would trigger the execution of the workplan again. Carrying out the workplan twice could be a costly undertaking.

Commissioner DeVries stated that in the 22 years he has lived in Winters, the city has grown slowly and added about 2,700 people. He commented that the City could extend the horizon year another 20 years without another General Plan update. Chairman Neu opened the public hearing at 7:50PM. Hearing no comments, he closed the public hearing at 7:50PM. Commissioner Martinez stated that the city may outgrow the General Plan. She added that by keeping the time horizon in sight (2013), the city may have better information in 2-3 years to determine if the General Plan needs revision. Commissioner Guelden requested that the amendment to the General Plan include the removal of the word "target" from the reference to the population of 12,500 due to a history of confusion regarding the population noted in the General Plan.

**Motion by Commissioner DeVries, Second by Commissioner Cowan to recommend to the City Council as amended the approval of a Resolution finalizing and adopting the Negative Declaration and a Resolution amending the General Plan to extend the Horizon Year from 2010 to 2018 and adopt the 2008-2013 Housing Element Update.**

**AYES:** Commissioners Cowan, DeVries, Guelden, Martinez, Meisch, and  
Chairman Neu  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

At this time Commissioners DeVries & Martinez recused themselves due to a possible conflict of interest.

**MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD ON  
TUESDAY, AUGUST 11, 2009**

**B. PLANNING COMMISSION RECOMMENDATION TO THE CITY  
COUNCIL ON THE FORM BASED CODE FOR THE DOWNTOWN**

Director Dyer provided an overview of the staff report, public outreach, and staff's recommendations based on the most recent meeting regarding the Form Based Code. Commissioner Cowan asked if the approval of the Form Based Code would rescind the 2006-02 resolution. Ms. Dyer responded yes. Commissioner Cowan asked for clarification on the word "intensification". Ms. Dyer responded that it meant adding square footage. Commissioner Guelden added that he is hesitant to recommend approval because he feels the code is very restrictive. Chairman Neu stated that he thought the new code would provide more options, not less. Ms. Dyer added that some uses under the proposed code are not allowed under the current code. Chairman Neu opened the public hearing at 8:30PM. Glen Negri, 12 E Grant, stated he saw the plan as a hardship, and the rescission of 2006-02 would be a hardship on his family. Chairman Neu closed the public hearing at 8:34PM.

**Motion by Commissioner Guelden, Second by Commissioner Cowan to recommend to the City Council the approval of a Resolution finalizing and adopting the Negative Declaration, a Resolution amending the General Plan and an Ordinance adopting the Form-Based Code for Downtown with further consideration of the maintenance of Ordinance 2006-02.**

**AYES:** Commissioners Cowan, Guelden, Meisch, and Chairman Neu  
**NOES:** None  
**ABSTAIN:** DeVries, Martinez  
**ABSENT:** None

At this time, Commissioners DeVries & Martinez returned to the dais.

**C. INFORMATIONAL ITEM – WINTERS HEALTHCARE FOUNDATION  
ADMINISTRATIVE OFFICE AT 310 MAIN STREET**

Director Dyer provided an overview of the staff report. Commissioner Cowan asked if there had been any complaints regarding the use. Ms. Dyer responded no. Chairman Neu asked if there were any other office space available in town. Ms. Dyer responded that she was unaware of any available office space. Commissioner Meisch asked if 310 Main was a permanent or temporary space for the Winters Healthcare Foundation. Executive Director Chris Kelsch stated that the Foundation would like to use that space for about 5 years, commenting that it is a nice location.

**MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD ON  
TUESDAY, AUGUST 11, 2009**

**D. INFORMATIONAL ITEM – PROPOSED TILE MOSAIC ON THE PUBLIC  
RESTROOM FACILITY IN ROTARY PARK**

Director Dyer provided an overview of the staff report, requesting the Commissioners provide input on a possible public art policy. Mr. Howard Hupe, representing the Winters Chamber of Commerce, presented the design. Commissioner DeVries asked about possible soffit lighting. Mr. Hupe responded that he would look into it. Commissioner Martinez asked why staff was bringing this item forward before setting a policy. Ms. Dyer responded that according to the Chamber of Commerce, funding for this particular project was from a donor and was time sensitive. Commissioner Cowan asked if public art was addressed in the Form Based Code. Ms. Dyer responded yes. Commissioner Cowan stated he is in favor of a policy of bringing public art forward for design review, with no fee. Commissioner Martinez asked staff to investigate restrictions on public art, such as a time frame that the art is to be displayed (i.e. forever?). Commissioner DeVries expressed concern over maintenance of public art and liability issues. Commissioner Martinez stated she would like a process in place before approving any public art.

**E. INFORMATIONAL ITEM – PROPOSED RENOVATION OF THE CITY'S  
PARKING LOT AT FIRST AND ABBEY STREETS**

Director Dyer provided an overview of the staff report. Commissioner DeVries commented that the lot should include additional trees for shading.

**COMMISSION/STAFF COMMENTS:** None

The meeting was adjourned at 9:15 p.m.

**ATTEST:**

---

Jenna Michaelis, CDD Admin

---

Pierre Neu, Chairman

**CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT**  
**Current Projects List as of August 18, 2009**  
**(530) 795-4910, extension 112, [www.cityofwinters.org](http://www.cityofwinters.org)**

\* *New information in italics*

<b>PROJECT</b>	<b>DESCRIPTION &amp; PROCESS</b>	<b>LAST ACTION</b>	<b>NEXT ACTION</b>
(1) Winters Highlands, Granite Bay Holdings, LLC, Larry John (916) 960-1656	Application filed to develop 413 single-family and 30 multi-family residential units in northwestern part of city.	City Council approved the Second Amendment to the Development Agreement on January 6, 2009.	Applicant submittal of Final Map and Improvement Plans.
(2) Winters Village, Bob Thompson (West project) (707) 372-9355	Proposal to develop 10 attached single-family residences on the southwest corner of East Main and East Baker Streets.	Applicant in October 2007 decided to defer construction of the project.	Project not active.
(3) Callahan Estates, Winters Investors LLC, John Peterson (925) 682-4830	Proposal to develop 120 single-family residential lots in northwest part of city.	City Council approved the First Amendment to the Development Agreement on January 20, 2009	Applicant submittal of Final Map and Improvement Plans.
(4) Creekside Estates, Lynda Fletcher (530) 902-4288	Proposal to develop 40 single-family residential lots at southwest part of city.	City Council approved Tentative Subdivision Map on April 19, 2005.	Amend Development Agreement, applicant submittal of Final Map and Improvement Plans
(5) Hudson-Ogando, Winters Investors LLC, John Peterson (925) 682-4830	Proposal to develop 72 single-family residential lots in northwest part of city.	City Council approved the First Amendment to the Development Agreement on January 20, 2009	Applicant submittal of Final Map and Improvement Plans.
(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.	Applicant submittal of Final Map and Improvement Plans.
(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 PD Permit.	City Council at its January 15, 2008 meeting took final action by approving the Rezone Ordinance.	Applicant submittal of Final Map and Improvement Plans.

**CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT**  
**Current Projects List as of August 18, 2009**  
**(530) 795-4910, extension 112, [www.cityofwinters.org](http://www.cityofwinters.org)**

<p>(8) 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, Planned Development Overlay, PD Permit, Rezone, Inclusionary Housing Agreement, and Development Agreement.</p>	<p>Applicant declined option to purchase project property.</p>	<p>Project not active.</p>
<p>(9) Anderson Place, Eva Bizeski (415) 887-9300</p>	<p>Proposal to develop up to 28 mostly attached single-family residences and 9 commercial spaces at 723 Railroad Avenue. Interim use of C2 portion of the site for boat and RV storage, sales and repair.</p>	<p>First Amendment to Development Agreement adopted by City Council on June 3, 2008 CUP for boat &amp; RV storage, sale &amp; repair approved by Planning Commission on May 27, 2008.</p>	<p>Applicant to demo building and establish interim boat &amp; RV storage, sales and repair. Applicant submittal of Final Map and Improvement Plans.</p>
<p>(10) Pearse Parcel Map, Thomas Pearse (530) 795-5901</p>	<p>Proposal for 4-unit parcel map at the south end of Third Street.</p>	<p>Planning Commission on October 9, 2007 approved project.</p>	<p>Applicant submittal of Final Map and Improvement Plans.</p>
<p>(11) Winters Commercial, Granite Bay Holdings, LLC, Tyler Wade (916) 580-1855</p>	<p>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. Application submitted on August 17, 2007 and deemed complete on October 22, 2007.</p>	<p>Per COW Municipal Code, Chapters 17.20 (Use Permits) and 17.36 (Design Review), Community Developed an Director approved an extension for both permits on December 5, 2008.</p>	<p>Applicant submittal of Final Map, Improvement Plans, and building plans.</p>
<p>(12) Winters Estates Annexation, Winters Estates LLC, Helmut Sommer 707-678-9000</p>	<p>Proposal to annex 80 acres (APNs 030-210-05 &amp; 08) adjacent to County Road 88 and within the City's General Plan Area.</p>	<p>City issuance of incomplete application letter on February 1, 2008.</p>	<p>Project Inactive/Closed out</p>
<p>(13) Orchard Village, CVCAH/Pacific West Communities, Shellan Miller (208) 461-0022 Ext. 3033</p>	<p>Proposal to construct 74 multifamily (workforce housing) units on 10.6 acres between Railroad Ave, and Dutton Street extension, north of East Grant Ave. To include 1-, 2-, 3-, and 4-bedroom units + a community center.</p>	<p>Planning Commission approved Site Plan (Design Review) and adopted MND and MMP on January 27, 2009. Appeal of PC's decision was filed on February 4, 2009 by Catherine Jimenez. City Council denied the appeal at the March 3, 2009 City Council Meeting.</p>	<p>Applicant submittal of improvement and building plans.</p>

**CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT**  
**Current Projects List as of August 18, 2009**  
**(530) 795-4910, extension 112, [www.cityofwinters.org](http://www.cityofwinters.org)**

<p>(14) St. Anthony's Catholic Church Parish &amp; Rectory, Roman Catholic Church of Sacramento/McCandless &amp; Associates (530) 662-9146</p>	<p>Proposal to construct a new Catholic Church and associated site work at the corner of Main &amp; Grant Streets.</p>	<p>On April 21, 2009, the City Council approved the ordinance to rezone the property, adding a PD overlay.</p>	<p>Applicant submittal of improvement and building plans.</p>
<p>(15) 115 E. Grant Avenue Fueling Canopy, David Lorenzo (530) 795-3214</p>	<p>Proposal to construct a fueling canopy and install 4 new fueling dispensers at 115 E. Grant Avenue.</p>	<p>Planning Commission approved the Design Review (Site Plan) on February 24, 2009.</p>	<p>Complete</p>
<p>(16) Turkovich Family Wines, 304 Railroad Avenue, (530) 795-2767</p>	<p>Application for a Conditional Use Permit to operate a wine tasting room at 304 Railroad Avenue</p>	<p>Application was filed on January 29, 2009. Planning Commission approved the Conditional Use Permit for the project on March 24, 2009.</p>	<p>Under Construction</p>
<p>(17) The Tree House Children's Center, 418 Haven Street, (530) 304-8248</p>	<p>Application for a Conditional Use Permit to operate a children's center at 418 Haven Street</p>	<p>Application was filed on March 19, 2009. Planning Commission approved the Conditional Use Permit for the project on April 28, 2009.</p>	<p>Complete</p>
<p>(18) Winters Community Church, 113 Main Street, (530) 795-5530</p>	<p>Application for a Conditional Use Permit to operate a religious institution at 113 Main Street</p>	<p>Application was filed on April 6, 2009. Planning Commission approved the Conditional Use Permit on May 26, 2009.</p>	<p>Complete</p>
<p>Abbey Street Partial Abandonment</p>	<p>Partial abandonment of East Abbey St to allow for Monticello development</p>	<p>PC accepted GP consistency report and recommended to Council 4/22/08. CDA at its September 2, 2008 meeting approved the DDA for the project.</p>	<p>Applicant submittal of improvement and building plans for the Monticello Project</p>
<p>Monticello Mixed-Use Project</p>	<p>Application for Site Plan Review and Design Review, and CUP for the construction of a mixed-use project (commercial/retail, office and residential) on 0.42 acre on the east side of Railroad Ave. between Abbey St. and Main St, in downtown Winters CBD.</p>	<p>CDA at its September 2, 2008 meeting approved the DDA for the project</p>	<p>Applicant submittal of improvement and building plans.</p>

**CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT**  
**Current Projects List as of August 18, 2009**  
**(530) 795-4910, extension 112, [www.cityofwinters.org](http://www.cityofwinters.org)**

Public Safety Facility	Application for Site Plan Review and Design Review, CUP and Variance for the construction of the City's public safety facility on 2.78 acres of the Ogando-Hudson Subdivision (Grant Ave @West Main Street)	Planning Commission hearing on 7/22/08 – PC approved project subject to COAs presented in staff report.	Mitigation for Nesting Raptors and Burrowing Owl Complete
------------------------	---	---	---

**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:** 2 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 whether residential units will be constructed
- Project #8:** 2 units for very low-income, 1 unit for low-income, and 1 unit for moderate-income households
- Project #9:** 2 units for very low-income, 1 unit for low-income, and 1 unit for moderate-income households
- Project #10:** Not applicable
- Project #11:** Not applicable
- Project #12:** Not known at this time
- Project #13:** 74 units for very low-income and low income households
- Project #14:** Not applicable
- Project #15:** Not applicable
- Project #16:** Not applicable
- Project #17:** Not applicable
- Project #18:** Not applicable



**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Chairman and Planning Commissioners  
**DATE:** August 25, 2009  
**FROM:** Nelia C. Dyer, Community Development Director  
**SUBJECT:** Public Hearing and Consideration of a Conditional Use Permit for Administrative Offices at 310 Main Street (2009-05-CUP)

**RECOMMENDATION:** Staff recommends that the Planning Commission take the following actions: 1) Receive the staff report; 2) Conduct the Public Hearing to solicit public comment; and 3) Approve the Conditional Use Permit submitted by Winters Healthcare Foundation for an office use at 310 Main Street (APN 003-192-021).

**GENERAL PLAN DESIGNATION, EXISTING ZONING, AND LAND USE:** The subject location of the proposed use is designated LR (Low Density Residential) by the General Plan and is zoned R-1 (Low Density Residential). The General Plan designation, zoning, and land use of the surrounding properties are as follows:

	<u>GENERAL PLAN</u>	<u>ZONING</u>	<u>LAND USE</u>
NORTH	LR	R-1	Residential
EAST	LR	R-1	Residential
SOUTH	LR	R-1	Residential
WEST	PQP	PQP	Public/Quasi Public

**STATEMENT OF ISSUES:** The project applicant, Winters Healthcare Foundation, is seeking approval of a use permit to allow for an office use in an existing building at 310 Main Street. The current land use/zoning matrix in the Winters Municipal Code Section 17.52.020 does not permit office use in a residential zone (R-1); however, according to the Winters Municipal Code, Section

17.20.030 (Use Permits), a determination can be made by the community development director or planning commission that the proposed use would require a use permit where an interpretation is necessary.

Staff introduced the matter as an informational item to the Planning Commission on August 11, 2009 to receive feedback on the use. The Planning Commission did not voice any concerns with the use at the meeting.

**PROJECT DESCRIPTION:** The applicant, Winters Healthcare Foundation (WHF), is requesting a conditional use permit to operate administrative offices within an existing building at 310 Main Street. With the expansion of the Putah Creek Café in 2007, WHF had to move their administrative offices to another location in a short amount of time. The Winters Church of Christ at 310 Main Street offered its space to WHF on the weekdays (e.g., working days and hours). In a letter dated December 17, 2007, the Winters Church of Christ informed the City of Winters that the congregation considers WHF a part of their ministry.

According to a letter dated January 9, 2009 to the City of Winters, there are generally 1 to 6 employees on site at any given time during regular business hours - Monday through Friday, 8 am to 5:30 pm. The employees housed at 310 Main Street include the Executive Director, the Chief Financial Officer, Project Coordinator/Bookkeeper, Insurance Biller/Administrative Assistant, and Outreach Coordinator. WHF holds staff meetings once per week during the lunch hour at the subject location, so the number of staff increases only temporarily. In addition to the weekly staff meetings, WHF holds the monthly board meetings at 310 Main Street. These meetings occur in the evening. Health Promoter meetings and Community meetings are also held in the evenings; however, they do not occur regularly.

The subject space consists of a main room (the church sanctuary) where staff and board meetings are held. There are also several offices, a kitchen, and two bathrooms, one of which is an Americans with Disabilities Act (ADA) compliant bathroom. There are no off-street parking spaces.

The Winters Healthcare Foundation views this space as a temporary location. In 5 to 10 years, WHF would like to move to a larger, permanent location in town.

**ANALYSIS:** According to Chapter 17.20 (Use Permits) of the Winters Municipal Code, when reviewing applications for use permits, the Planning Commission shall find all of the following conditions to be fulfilled. Staff's analysis of each condition is provided under each condition.

1. *The requested use will be in conformity with the general plan.*

The General Plan does not specifically state that office uses are allowed in the Low Density Residential (LR) land use designation. According to the General Plan, the LR designation provides for single-family, detached homes, secondary residential units, public and quasi-public uses, and similar and compatible uses. Since the WHF is considered a part of the ministry of the Winters Church of Christ, staff views the space as a continued religious institution. In the General Plan, religious institutions are considered quasi-public uses. Therefore, the requested use conforms with the general plan.

2. *The requested use is listed as a conditional use in the zone regulations or elsewhere in this section, or, where an interpretation was necessary, a determination was made by the community development director or planning commission that the proposed use would require a use permit.*  
As mentioned previously, the current zoning matrix in the Winters Municipal Code (Chapter 17.52) does not allow office uses in residential zones; however, according to Winters Municipal Code, Section 17.20.030 (Use Permits), a determination can be made by the community development director or planning commission that the proposed use would require a use permit where an interpretation is necessary. Since the WHF is considered a part of the ministry of the Winters Church of Christ, staff views the space as a continued religious institution. Religious Institutions are listed as conditional uses in the Central Business District (C-2) zone. While the Winters Church of Christ has been in operation for a while, staff has determined that the additional use must be considered and conditionally approved by the Planning Commission.
3. *The requested use is consistent with the intent and purposes of the zone in which it is located, and will not detrimentally impact the character of the neighborhood.*  
According to Winters Municipal Code Section 17.44.080, the purpose of the single family, 7000 square foot average minimum (R-1) zone is to stabilize and protect the residential character of the zone and to promote and encourage a suitable environment for family life. Since the administrative offices will operate primarily on the weekdays during business hours and there are very few staff members working at 310 Main Street, staff has determined that the use would not disrupt or negatively impact the current adjacent residences. Therefore, the requested use is consistent with the intent and purposes of the zone in which it is located, and will not detrimentally impact the character of the neighborhood.
4. *The requested use will not be detrimental to the public health, safety or general welfare.*  
Since the requested use is proposing to occupy an existing building and the hours of operation occur mainly on the weekdays during work hours, staff has determined that the proposed use will not adversely impact the nearby residents or businesses.
5. *Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities or services will be provided;*  
As mentioned previously, an accessible, unisex bathroom is provided. However, no off-street parking spaces are provided at the site. Since there are 1 to 6 staff members working there at one time, staff has determined that there is not an immediate need for off-street parking. Overall, adequate facilities and services are available for the use.
6. *The requested use will not create a nuisance or enforcement problem within the neighborhood; and*  
The only potential enforcement problem within the neighborhood that could be created by the requested use is parking. However, with only 1 to 6 employees working at that location, staff does not foresee any enforcement problems in the near future. In addition, WHF has indicated that the subject space is a temporary location for their use until they find another space.
7. *The requested use will not result in a negative fiscal impact upon the city.*  
No fiscal impact is anticipated from the proposed use.

**METHODOLOGY:** Two actions are required to process the proposed project:

- 1) Confirmation of CEQA exemption finding - Section 15301 (Existing Facilities)
- 2) Approval of the Conditional Use Permit and the attached conditions

**APPLICABLE REGULATIONS:** This project is subject to several regulations:

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

**PROJECT NOTIFICATION:** Public notice advertising for the public hearing on this project was prepared by the Community Development Department's Administrative Assistant in accordance with notification procedures set forth in the City of Winters' Municipal Code and State Planning Law. Two methods of public notice were used: a legal notice was published in the Winters Express on Thursday, August 13, 2009 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 Thursday, August 20, 2009.

**ENVIRONMENTAL ASSESSMENT:** The proposed use is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities).

**RECOMMENDED FINDINGS FOR THE WINTERS HEALTHCARE FOUNDATION  
ADMINISTRATIVE OFFICES AT 310 MAIN STREET (CONDITIONAL USE PERMIT)**

**CEQA Findings:**

1. The proposed project is exempt from CEQA review under §15301 (Existing Facilities)
2. The CEQA Guidelines §15301 (Existing Facilities) exempts projects that involve minor alterations to existing facilities where negligible or no expansion occurs to the current use. The proposed use will not expand the facility.

**General Plan and Zoning Consistency Findings:**

1. The use is consistent with the goals and policies of the General Plan.
2. The use is consistent with the provisions of the Zoning Ordinance.
3. The use will not be detrimental to the public health, safety, or general welfare.
4. Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities or services will be provided;

5. The use will not create a nuisance or enforcement problem within the neighborhood.
6. The requested use will not result in a negative fiscal impact upon the city.

## RECOMMENDATION

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

**I MOVE THAT THE WINTERS PLANNING COMMISSION APPROVE THE WINTERS HEALTHCARE FOUNDATION ADMINISTRATIVE OFFICES AT 310 MAIN STREET CONDITIONAL USE PERMIT 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.
- Approval of the Conditional Use Permit 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.

**CONDITIONS OF APPROVAL FOR THE WINTERS HEALTHCARE FOUNDATION ADMINISTRATIVE OFFICES AT 310 MAIN STREET (CONDITIONAL USE PERMIT) LOCATED ON ASSESSOR PARCEL NUMBER 003-192-021, WINTERS, CA 95694.**

1. This Conditional Use Permit is based upon and limited to compliance with the project description, Attachments 1-3, and conditions of approval set forth below. Any deviations from the project descriptions, attachments or conditions must be reviewed and approved by the Community Development Director for conformity with this approval. Deviations may require modification to the permit and/or environmental review. Deviations without the above described approval will constitute a violation of permit approval.
2. In the event any claim, action or proceeding is commenced naming the City or its agents, officers, and employees as defendant, respondent or cross defendant arising or alleged to arise from the City's approval of this project, the project applicant shall defend, indemnify, and hold harmless the City or its agents, officers, and employees, from liability, damages, penalties, costs, or expenses in any such claim, action, or proceeding to attach, set aside, void, or annul an approval of the City of Winters, the Winters Planning Commission, any advisory agency to the City and local district, or the Winters City Council. Project applicant shall defend such action at applicant's sole cost and expense, which include court costs and attorney fees. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense. Nothing in this condition shall be construed to prohibit the City of Winters from participating in the defense of any claim, action, or proceeding, if City bears its own attorney fees and cost, and defends the action in good faith. Applicant shall not be required to pay or perform any settlement unless the applicant in good faith approves the settlement, and the settlement imposes no 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.

3. Any use authorized by this CUP shall immediately cease upon expiration or revocation of this CUP. CUP renewals must be applied for prior to expiration of the CUP.
4. The applicant's acceptance of this permit and/or commencement of construction and/or operations under this permit shall be deemed to be acceptance by the permittee of all conditions of this permit.
5. Within 12 months after the effective date of this permit, the use shall commence.
6. The Zoning Administrator may approve minor modifications to the conditional use permit.
7. Upon six (6) months after ceasing the use granted by the permit, the permit shall be void and a new conditional use permit shall be required.
8. Failure to comply with the above conditions may result in the immediate revocation of the conditional use permit.
9. The Winters Healthcare Foundation shall only be permitted to house 1 to 6 employees, Monday through Friday, 8 am to 5:30 pm, with the exception of weekly staff meetings, monthly Board meetings, Health Promoter Meetings, and Community Meetings. Any expansion of the church operating hours or increase in the number of staff housed at 310 Main Street shall be subject to review by the Community Development Director for possible amendment of the conditional use permit.

ATTACHMENTS:

1. Project Narrative
2. Winters Municipal Code Chapter 17.20 (Use Permits)
3. Public Hearing Notice (mailed copy)

# ATTACHMENT 1

*The Winters Healthcare Foundation, Inc. seeks to develop and sustain a comprehensive, community based, personalized system of health care that will respond to local and regional needs.*



Nelia "Nellie" Dyer, AICP  
Community Development Director  
City of Winters  
318 First Street  
Winters, CA 95694

January 9, 2009

Dear Nelia,

Thank-you for taking the time to meet with me and Joyce to discuss questions related to the administrative office space we are using at 310 Main Street. We look forward to working with you and Gene to facilitate any processes necessary to bring us into compliance with local codes and regulations with regard to building use and planning/zoning.

Here is a current rundown of our hours, staff, and operations at this site:

**OFFICES:**

- ❖ There are generally 1-6 employees on site at any given time during regular business hours M-F 8am to 5:30pm, including:

Executive Director  
CFO  
Project Coordinator/Bookkeeper  
Insurance biller/ Administrative Assistant (2)  
Outreach Coordinator

**MEETINGS:**

- ❖ Board Meeting (monthly in the evening)
- ❖ Staff Meetings (weekly over the lunch hour)
- ❖ Health promoter meetings (Usually our "Promotora Group" lead by the Outreach Coordinator-similar to staff meeting but much smaller held in the evening)
- ❖ Community Meetings as required (possibly twice a year for 30-50 people?)

Please feel free to contact me or Joyce should you need any further information prior to your visit Monday. Thanks again for your willingness to work with us through this process.

Sincerely,

Chris Kelsch,  
Executive Director, WHF

*Winters Healthcare Foundation, Inc.  
310 Main Street, P.O. Box 674 Winters, Ca 95694  
Telephone: 530-795-5200 Fax: 530-795-5300 [www.wintershealth.org](http://www.wintershealth.org)*

# ATTACHMENT 2

Title 17 ZONING

---

**Chapter 17.20 USE PERMITS**17.20.010 Purpose.17.20.020 Environmental review.17.20.030 Action on application.17.20.040 Issuance.17.20.050 Revocation—Expiration.17.20.060 Extension of time for use permits.17.20.070 Minor modifications to use permits.**17.20.010 Purpose.**

The purpose of a use permit is to allow the proper integration into the community of uses which may be suitable only in specific locations in a zone or only if the uses are designed or arranged out on the site in a particular manner. (Ord. 97-03 § 2 (part); prior code § 8-1.4205(A))

**17.20.020 Environmental review.**

Action on applications involving projects for which a negative declaration or environmental impact report is required shall occur only upon completion of environmental assessment procedures required by the California Environmental Quality Act, as amended. Incomplete applications awaiting the submission of additional environmental information required by the city shall be deemed denied if the required information is not submitted within one year after the date the information was requested. (Ord. 97-03 § 2 (part); prior code § 8-1.4205(B))

**17.20.030 Action on application.****A. Planning Commission Action.**

After noticing and conducting a public hearing in accord with Section 17.16.040, the planning commission may approve, conditionally approve or disapprove an application for a use permit, subject to making the required findings set forth in subsection C.

**B. Zoning Administrator Action.**

In some instances, as specified in this title, the zoning administrator shall consider use permit applications. The zoning administrator shall conduct a public hearing and make findings in accord with the provisions of this title. The planning commission shall be advised of the application in advance of zoning administrator action.

**C. Findings.**

In granting a use permit, the planning commission or zoning administrator, with due regard to the nature and condition of all adjacent structures and uses, the zone within which the structures and uses are located, and the general plan, shall find all of the following general conditions to be

fulfilled:

1. The requested use will be in conformity with the general plan;
2. The requested use is listed as a conditional use in the zone regulations or elsewhere in this section, or, where an interpretation was necessary, a determination was made by the community development director or planning commission that the proposed use would require a use permit;
3. The requested use is consistent with the intent and purposes of the zone in which it is located, and will not detrimentally impact the character of the neighborhood;
4. The requested use will not be detrimental to the public health, safety or general welfare;
5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities or services will be provided;
- 6 The requested use will not create a nuisance or enforcement problem within the neighborhood; and
7. The requested use will not result in a negative fiscal impact upon the city.

Where one or more of these findings cannot be made, the use permit application shall be denied.

D. The planning commission or zoning administrator may impose such conditions as are necessary to allow the findings set forth in this subsection to be made and may require the applicant to execute and record documents which ensure that such conditions run with the land. However, conditions may not be imposed which by their nature would effectively preclude the development of the project. (Ord. 97-03 § 2 (part); prior code § 8-1.4205(C))

#### **17.20.040 Issuance.**

No use permit which has been approved by the planning commission or zoning administrator shall be issued prior to the expiration of the ten (10) day appeal period, as set forth in the Municipal Code, or the final action on an appeal to the city council. (Ord. 97-03 § 2 (part); prior code § 8-1.4205(D))

#### **17.20.050 Revocation—Expiration.**

##### **A. Revocation.**

In the event the conditions of a use permit have not been or are not being complied with, the community development director shall give the permittee written indication of intention to revoke the use permit as least ten (10) days prior to planning commission or (depending upon who issued the use permit) zoning administrator review thereon. Notice of a public hearing to consider use permit revocation shall be provided in the same manner as the public hearing for the original use permit application. After the conclusion of the review, the planning commission or zoning administrator may revoke the use permit if it finds that one or more conditions of approval have not been complied with.

##### **B. Expiration.**

1. In the event the project or use for which the use permit was granted has not commenced within the time limit set by the planning commission or zoning administrator, or within one year after the date of the hearing if no specific time has been set, the use permit shall be deemed to be null and void without further action.

2. Exercise of a use permit shall be deemed to have occurred when a building or grading permit has been issued in conjunction with the use or, if no such permits are necessary, when clear and visible evidence as to its beginning and reasonable progress toward completion is demonstrated,

as determined by the community development director. (Ord. 97-03 § 2 (part); prior code § 8-1.4205(E))

#### **17.20.060 Extension of time for use permits.**

A. The community development director may approve a one-time extension of time for use permits. Such extension shall be approved for not more than one year.

B. Finding. Such extension shall be approved only when it is found that the circumstances under which the permit were granted have not substantially changed. (Ord. 97-03 § 2 (part); prior code § 8-1.4205(F))

#### **17.20.070 Minor modifications to use permits.**

A. The community development director may approve minor modifications to existing use permits.

B. Findings. Such minor modifications shall be approved only if it is found that the modifications substantially conform with the approved use permit plans or standards; that the intensity of the use is not increased beyond that originally approved under the use permit; and that the appearance and function of the development and the surrounding neighborhood will not be adversely affected as a result of such modification. (Ord. 97-03 § 2 (part); prior code § 8-1.4205 (G))

[<< previous](#) | [next >>](#)

# ATTACHMENT 3



WHA

## PROOF OF SERVICE BY MAIL

I am Jenna Michaelis, Administrative Assistant for the Community Development Department of the City of Winters. I am over the age of 18 years. My business address is 318 First Street, Winters, CA 95694.

On August 11th, 2009 I served the foregoing Notice of Action by depositing a true copy thereof in The United States Mail in Winters, CA, enclosed in a sealed envelope with postage thereon fully prepaid, addressed as follows: See attached mailing labels.

I certify under penalty of perjury under the laws of California that the foregoing is true and correct, and that this document is executed on August 11th, 2009 at Winters, California.

**Jenna Michaelis, Community Development Administrative Assistant**

318 First Street  
Winters CA, 95694  
phone. 530.795.4910  
fax. 530.795.4935

COUNCIL MEMBERS  
Cecilia Aguiar-Curry  
Harold Anderson  
Tom Stone

MAYOR  
Michael Martin  
MAYOR PRO TEM  
Woody Fridae

CITY CLERK  
Nanci Mills  
TREASURER  
Michael Sebastlan

CITY MANAGER  
John W. Donlevy, Jr.



## NOTICE OF PUBLIC HEARING

TO: Interested Parties

FROM: Winters Community Development Department

DATE: August 25, 2009

SUBJECT: ***Notice of Public Hearing to Consider a Conditional Use Permit Application for the Office Use located at 310 Main Street***

---

**Applicant:** Winters Healthcare Foundation

**Description of the Project:** The WHF is using the Winters Church of Christ building at 310 Main Street to house administrative offices, as a meeting space of clinic staff and the board of directors, and to provide overflow workstations for clinic staff to work on various quality improvement projects. The current land use/zoning matrix is does not permit office use in a residential zone (R-1); however, according to Winters Municipal Code Section 17.20.030 (Use Permits), a determination can be made by the community development director or planning commission that the proposed use would require a use permit where an interpretation is necessary.

**Project Location:** 310 Main Street

**Environmental Determination:** Class I Categorical Exemption (Existing Facilities)

**Public Hearing:** A public hearing will be held to consider action on the project on **Tuesday, August 25, 2009** **before the Planning Commission**. This meeting will start at 7:30 p.m. at the City Council Chambers located on the first floor of City Hall at 318 First Street, Winters, California.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in these hearings, please contact City Clerk Nanci Mills at (530) 795-4910, ext. 101. Please make your request as early as possible and at least one-full business day before the start of the hearing.

The City does not transcribe its hearings. If you wish to obtain a verbatim record of the proceedings, you must arrange for attendance by a court reporter or for some other means of recordation. Such arrangements will be at your sole expense.

If you wish to challenge the action taken on this matter in court, the challenge may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission prior to the public hearing.

**Availability of Documents:** The project file is available for public review at the Community Development Department, Winters City Hall, 318 First Street, Winters, CA 95694. Copies of the Staff Report will be available on the City's website at [http://www.cityofwinters.org/administrative/admin\\_boards.htm](http://www.cityofwinters.org/administrative/admin_boards.htm)

For more information regarding this project, please contact Nella Dyer, Community Development Director, at (530) 795-4910 x114.

003 191 06  
ROMAN CATHOLIC BISHOP OF SAC  
511 MAIN ST  
WINTERS, CA 95694

003 193 01  
COMAN NANCY ELIZABETH COMAN NANCY  
ELIZABETH  
213 MAIN ST  
WINTERS, CA 95694

003 191 08  
VICKREY SANDRA T  
27632 CARMELO WAY  
WINTERS, CA 95694

003 191 05  
ROMAN CATHOLIC BISHOP OF SAC  
511 MAIN ST  
WINTERS, CA 95694

003 175 06  
RITCHIE PHILIP ANTONETTE  
5419 HOLIDAY DR  
STOCKTON, CA 95207

003 230 09  
RODRIGUEZ MAXIMILIANO JR  
312 RUSSELL ST  
WINTERS, CA 95694

003 192 05  
GRAF BRADLEY J CARRIE L TR  
304 MAIN ST  
WINTERS, CA 95694

003 192 03  
GAONA ARTURO  
308 MAIN ST  
WINTERS, CA 95694

003 192 02  
CHURCH OF CHRIST OF WINTERS  
P O BOX 766  
WINTERS, CA 95694

003 380 15  
GRAF JOHN R MARJORIE J TR  
316 RUSSELL ST  
WINTERS, CA 95694

003 191 16  
VACA SALVADOR R TERESA R  
314 ABBEY ST  
WINTERS, CA 95694

003 191 13  
BRIGGS MICHAEL A SHAUNIE D  
308 ABBEY ST  
WINTERS, CA 95694

003 174 01  
WINTERS CITY OF  
318 FIRST ST  
WINTERS, CA 95694

003 230 19  
MCCALE STEWART WILLIS TERESA  
118 3RD ST  
WINTERS, CA 95694

003 380 01  
JOHANNESSEN TOM LEZLIE  
127 WESTWOOD CT  
WINTERS, CA 95694

003 230 20  
HEMENWAY MARY C HEMENWAY MARY C SURV SP  
TRU  
116 3RD ST  
WINTERS, CA 95694

003 194 01  
BURDICK RAYMOND P MARIJEAN  
226 TERN ST  
DAVIS, CA 95616

003 192 08  
MALONE SHAUN L  
301 RUSSELL ST  
WINTERS, CA 95694

003 192 13  
MCLAUGHLIN JERRY A NANCY L  
311 RUSSELL ST  
WINTERS, CA 95694

003 191 12  
CORREIA JAMES JUDY CORREIA 2005 REV LIV TRUS  
P O BOX 458  
DUNNIGAN, CA 95937

003 191 11  
LOPEZ MICHAEL E ANGELINA  
310 ABBEY ST  
WINTERS, CA 95694

003 191 14  
ROMAN CATHOLIC BISHOP OF SAC ST ANTHONY'S  
CATHOL  
511 MAIN ST  
WINTERS, CA 95694

003 191 09  
SCHUBERT RICK JAN  
307 MAIN ST  
WINTERS, CA 95694

003 175 05  
BAXTER DAVID ARTHUR SUCC BAXTER DAVID  
ARTHUR  
128 CHENEY WAY  
BOULDER CREEK, CA 95006

003 192 06  
PETERSEN CHARLES E  
516 DAWKINS DR  
LAFAYETTE, CA 94549

003 192 07  
QUINTANA VICTOR M QUINTANA FAM REV TRUST  
300 MAIN ST  
WINTERS, CA 95694

003 192 04  
HEINES RICHARD L  
306 MAIN ST  
WINTERS, CA 95694

003 192 09  
PITTMAN MICHAEL W MARLA J  
303 RUSSELL ST  
WINTERS, CA 956941940

003 192 01  
CHULICK JULIE RAY CLARK RAY C  
201 4TH ST  
WINTERS, CA 95694

003 191 15  
VACA RIVERA SALVADOR TERESA  
314 ABBEY ST  
WINTERS, CA 95694

003 191 07

ROMAN CATHOLIC BISHOP OF SAC  
511 MAIN ST  
WINTERS, CA 95694

003 380 02

RHODES STEVE A SANDRA J SLD TRUST  
P O BOX 1082  
WINTERS, CA 95694

003 380 14

DOYLE RICHARD KARRYN  
124 WESTWOOD CT  
WINTERS, CA 95694

003 192 10

DAVIDS GRANT G NANCY J DAVIDS 2003 FAM TRUST  
28209 ENCINA DR  
WINTERS, CA 95694

003 191 10

SAN MARTIN NASH MARILYN A SAN MARTIN FAM  
TRU  
2907 HILLEGASS AVE  
BERKELEY, CA 94703

003 194 03

VALLECILLO ALBERT F COTTRELL DENISE A TR  
210 MAIN ST  
WINTERS, CA 95694

003 191 01

ROMINGER CAIRN E  
11 MAST CT  
SACRAMENTO, CA 95831

003 194 02

MARIANI JUSTIN A  
212 MAIN ST  
WINTERS, CA 95694

003 175 04

WINTERS CITY OF  
318 FIRST ST  
WINTERS, CA 95694

003 192 12

DOUGLAS GARRY J ETAL  
307 RUSSELL ST  
WINTERS, CA 95694





PLANNING COMMISSION  
STAFF REPORT

**TO:** Chairman and Planning Commissioners  
**DATE:** August 25, 2009  
**FROM:** Nelia C. Dyer, Community Development Director  
**SUBJECT:** Public Hearing and Consideration of a Conditional Use Permit for the Installation of Three (3) Additional Antennas to an Existing Wireless Communications Tower at Road 88 and Road 32A (2009-06-CUP)

---

**RECOMMENDATION:** Staff recommends that the Planning Commission take the following actions: 1) Receive the staff report; 2) Conduct the Public Hearing to solicit public comment; and 3) Approve the Conditional Use Permit submitted by AT&T Mobility to install three (3) additional antennas on an existing wireless communications tower at County Road 88 and County Road 32A (APN 030-210-14).

**BACKGROUND:** AT&T Mobility has submitted a Conditional Use Permit application to modify an existing, unmanned wireless communications facility located at County Road 88 and County Road 32A. The modification will consist of the following:

- The installation of three (3) additional antennas mounted on an existing 134'-tall lattice tower. Three (3) AT&T panel antennas already exist on the tower.
- Adding small Remote Control Units (RCUs) at the base of each antenna
- Adding six (6) lines of co-ax from the ground equipment to the antennas
- Adding radio cabinets within AT&T's existing equipment shelter

The site of the existing tower is less than an acre in size. This project will not increase the 134-foot height of the existing cell tower nor will it add satellite dishes to the tower.

APN 030-210-14 is approximately 129 acres in size and has a General Plan land use designation of Public/Quasi-Public and is zone Public/Quasi-Public (PQP). The existing cell tower is considered a "communication equipment facility" according to Winters Municipal Code Section 17.08.060(C). Therefore, according to Winters Municipal Code Section 17.52.020, this proposed project requires a

Conditional Use Permit.

**ANALYSIS:** According to Chapter 17.20 (Use Permits) of the Winters Municipal Code, when reviewing applications for use permits, the Planning Commission shall find all of the following conditions to be fulfilled. Staff's analysis of each condition is provided under each condition.

1. *The requested use will be in conformity with the general plan.*  
The General Plan land use designation for the subject location is Public/Quasi-Public (PQP). Communication Equipment Facilities are an allowed use in the PQP land use designation. Therefore, the requested use conforms to the general plan.
2. *The requested use is listed as a conditional use in the zone regulations or elsewhere in this section, or, where an interpretation was necessary, a determination was made by the community development director or planning commission that the proposed use would require a use permit.*  
The zoning matrix in the Winters Municipal Code (Chapter 17.52) conditionally permits communication equipment facilities in the Public/Quasi-Public zone.
3. *The requested use is consistent with the intent and purposes of the zone in which it is located, and will not detrimentally impact the character of the neighborhood.*  
According to Winters Municipal Code Section 17.44.140, the purpose of the public/quasi-public (PQP) zone is to provide for a broad range of public, quasi-public, and nonprofit institutional uses. The cell tower has been at that location since 1992, and it is on the land designated for the City's wastewater treatment plant. Therefore, the requested use is consistent with the intent and purposes of the zone in which it is located, and will not detrimentally impact the character of the neighborhood.
4. *The requested use will not be detrimental to the public health, safety or general welfare.*  
The existing tower and the proposed additions will not interfere with any TV, radio, telephone, satellite, or any other signals. According to the project description provided by the applicant, any interference would be against Federal Law, and would be a violation of AT&T's FCC License. As the elevations show, a 6-foot high chain link fence with barbed wire encloses the base of the tower and its associated equipment, which deters possible intruders. Staff has determined that the proposed additions will not adversely impact any nearby residents or businesses.
5. *Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities or services will be provided;*  
As the site plan depicts, a gravel road from the County Road 88 provides access to the site. Adequate electricity serves the tower and the associated equipment as well. Overall, adequate facilities and services are available for the use.
6. *The requested use will not create a nuisance or enforcement problem within the neighborhood; and*  
The wireless telecommunications facility will be operational 24 hours a day, 7 days a week, receiving and transmitting phone calls, text messages, e-mail messages, and data. It is an unoccupied communications facility requiring only occasional site visits by AT&T technicians to fine tune or replace equipment on an as needed basis. As mentioned previously, a barbed

wire fence encloses the base of the tower. While the facility will be unmanned, the fence deters possible intruders. In addition, the land surrounding the cell site is mostly undeveloped. Staff has determined that the proposed additions will not create nuisance or enforcement problem within the area.

7. *The requested use will not result in a negative fiscal impact upon the city.*  
No fiscal impact is anticipated from the proposed additions.

**METHODOLOGY:** Two actions are required to process the proposed project:

- 1) Confirmation of CEQA exemption finding - Section 15301 (Existing Facilities)
- 2) Approval of the Conditional Use Permit and the attached conditions

**APPLICABLE REGULATIONS:** This project is subject to several regulations:

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

**PROJECT NOTIFICATION:** Public notice advertising for the public hearing on this project was prepared by the Community Development Department's Administrative Assistant in accordance with notification procedures set forth in the City of Winters' Municipal Code and State Planning Law. Two methods of public notice were used: a legal notice was published in the Winters Express on Thursday, August 13, 2009 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 Thursday, August 20, 2009.

**ENVIRONMENTAL ASSESSMENT:** The proposed use is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities).

#### **RECOMMENDED FINDINGS FOR ADDITIONS TO WIRELESS COMMUNICATIONS FACILITY AT ROAD 88 AND ROAD 32A (CONDITIONAL USE PERMIT)**

##### **CEQA Findings:**

1. The proposed project is exempt from CEQA review under §15301 (Existing Facilities)
2. The CEQA Guidelines §15301 (Existing Facilities) exempts projects that involve minor alterations to existing facilities where negligible or no expansion occurs to the current use. The proposed use will not expand the facility.

##### **General Plan and Zoning Consistency Findings:**

1. The use is consistent with the goals and policies of the General Plan.

2. The use is consistent with the provisions of the Zoning Ordinance.
3. The use will not be detrimental to the public health, safety, or general welfare.
4. Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities or services will be provided;
5. The use will not create a nuisance or enforcement problem within the neighborhood.
6. The requested use will not result in a negative fiscal impact upon the city.

#### **RECOMMENDATION**

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

**I MOVE THAT THE WINTERS PLANNING COMMISSION APPROVE THE AT&T CONDITIONAL USE PERMIT 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.
- Approval of the Conditional Use Permit 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.

#### **CONDITIONS OF APPROVAL FOR THE AT&T (CONDITIONAL USE PERMIT) LOCATED ON ASSESSOR PARCEL NUMBER 030-210-14, WINTERS, CA 95694.**

1. This Conditional Use Permit is based upon and limited to compliance with the project description, Attachments 1-4, and conditions of approval set forth below. Any deviations from the project descriptions, attachments or conditions must be reviewed and approved by the Community Development Director for conformity with this approval. Deviations may require modification to the permit and/or environmental review. Deviations without the above-described approval will constitute a violation of permit approval.
2. In the event any claim, action or proceeding is commenced naming the City or its agents, officers, and employees as defendant, respondent or cross defendant arising or alleged to arise from the City's approval of this project, the project applicant shall defend, indemnify, and hold harmless the City or its agents, officers, and employees, from liability, damages, penalties, costs, or expenses in any such claim, action, or proceeding to attach, set aside, void, or annul an approval of the City of winters, the Winters Planning Commission, any advisory agency to the City and local district, or the Winters City Council. Project applicant shall defend such action at applicant's sole cost and expense, which include court costs and attorney fees. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense. Nothing in this condition shall be construed to prohibit the

City of Winters from participating in the defense of any claim, action, or proceeding, if City bears its own attorney fees and cost, and defends the action in good faith. Applicant shall not be required to pay or perform any settlement unless the applicant in good faith approves the settlement, and the settlement imposes not direct or indirect cost on the City of Winters, or its agents, officers, and employees, the Winters Planning Commission, any advisory agency to the City, local district, and the City Council.

3. Any use authorized by this CUP shall immediately cease upon expiration or revocation of this CUP. CUP renewals must be applied for prior to expiration of the CUP.
4. The applicant's acceptance of this permit and/or commencement of construction and/or operations under this permit shall be deemed to be acceptance by the permittee of all conditions of this permit.
5. Within 12 months after the effective date of this permit, the use shall commence.
6. The Zoning Administrator may approve minor modifications to the conditional use permit.
7. Upon six (6) months after ceasing the use granted by the permit, the permit shall be void and a new conditional use permit shall be required.
8. Failure to comply with the above conditions may result in the immediate revocation of the conditional use permit.
9. The applicant shall obtain all required City permits (building, encroachment, etc.) and pay all applicable fees (building, encroachment, etc.)

#### ATTACHMENTS:

1. Project Narrative
2. Winters Municipal Code Chapter 17.20 (Use Permits)
3. Public Hearing Notice (mailed copy)
4. Site Plan and Elevations

# ATTACHMENT 1

City of Winters  
Project Justification Statement  
AT&T Mobility "Winters"  
Road 88 & Road 32A, Winters, CA 95694  
APN: 030-210-14-1

**Project Description**

AT&T proposes to modify an existing unmanned wireless communications facility. The modification will consist of the following:

- The installation of three (3) additional panel antennas mounted on an existing 134'-tall lattice tower. (3) AT&T panel antennas already exist on the tower.
- Adding small Remote Control Units (RCUs) at the base of each antenna (see attached spec sheet)
- Adding (6) lines of coax from the ground equipment to the antennas
- Adding radio cabinets within AT&T's existing equipment shelter

**Hours of Operation & Description of Service**

This wireless telecommunications facility will be operational 24 hours a day, 7 day a week receiving and transmitting phone calls, text messages, email messages and data. A facility of this nature is an unoccupied communications facility requiring only occasional site visits by AT&T technicians to fine tune or replace equipment on an as needed basis.

**Safety Benefits of Improved Wireless Service**

Mobile phone use has become an extremely important system for public safety. Motorists with disabled vehicles (or worse) can use their phone to call in and request appropriate assistance. With good cellular coverage along important roadways, emergency response is just a phone call away. Furthermore, as a back up system to traditional landline phone service, mobile phones have proven to be extremely important during natural disasters and other catastrophes.

**Convenience Benefits of Improved Wireless Service**

Modern day life has become increasingly dependent on instant communications. Whether it is a parent calling their child, spouse calling a spouse, or general contractor ordering materials to the jobsite, wireless phone service is no longer just a convenience. It has become a way of life and a way of business.

**Interference & Frequency Information**

The project will not interfere with any TV, Radio, Telephone, Satellite, or any other signals. Any interference would be against the Federal Law and would be a violation of AT&T's FCC License.

# ATTACHMENT 2

Title 17 ZONING

---

**Chapter 17.20 USE PERMITS**17.20.010 Purpose.17.20.020 Environmental review.17.20.030 Action on application.17.20.040 Issuance.17.20.050 Revocation—Expiration.17.20.060 Extension of time for use permits.17.20.070 Minor modifications to use permits.**17.20.010 Purpose.**

The purpose of a use permit is to allow the proper integration into the community of uses which may be suitable only in specific locations in a zone or only if the uses are designed or arranged out on the site in a particular manner. (Ord. 97-03 § 2 (part); prior code § 8-1.4205(A))

**17.20.020 Environmental review.**

Action on applications involving projects for which a negative declaration or environmental impact report is required shall occur only upon completion of environmental assessment procedures required by the California Environmental Quality Act, as amended. Incomplete applications awaiting the submission of additional environmental information required by the city shall be deemed denied if the required information is not submitted within one year after the date the information was requested. (Ord. 97-03 § 2 (part); prior code § 8-1.4205(B))

**17.20.030 Action on application.****A. Planning Commission Action.**

After noticing and conducting a public hearing in accord with Section 17.16.040, the planning commission may approve, conditionally approve or disapprove an application for a use permit, subject to making the required findings set forth in subsection C.

**B. Zoning Administrator Action.**

In some instances, as specified in this title, the zoning administrator shall consider use permit applications. The zoning administrator shall conduct a public hearing and make findings in accord with the provisions of this title. The planning commission shall be advised of the application in advance of zoning administrator action.

**C. Findings.**

In granting a use permit, the planning commission or zoning administrator, with due regard to the nature and condition of all adjacent structures and uses, the zone within which the structures and uses are located, and the general plan, shall find all of the following general conditions to be

fulfilled:

1. The requested use will be in conformity with the general plan;
2. The requested use is listed as a conditional use in the zone regulations or elsewhere in this section, or, where an interpretation was necessary, a determination was made by the community development director or planning commission that the proposed use would require a use permit;
3. The requested use is consistent with the intent and purposes of the zone in which it is located, and will not detrimentally impact the character of the neighborhood;
4. The requested use will not be detrimental to the public health, safety or general welfare;
5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities or services will be provided;
- 6 The requested use will not create a nuisance or enforcement problem within the neighborhood; and
7. The requested use will not result in a negative fiscal impact upon the city.

Where one or more of these findings cannot be made, the use permit application shall be denied.

D. The planning commission or zoning administrator may impose such conditions as are necessary to allow the findings set forth in this subsection to be made and may require the applicant to execute and record documents which ensure that such conditions run with the land. However, conditions may not be imposed which by their nature would effectively preclude the development of the project. (Ord. 97-03 § 2 (part); prior code § 8-1.4205(C))

#### **17.20.040 Issuance.**

No use permit which has been approved by the planning commission or zoning administrator shall be issued prior to the expiration of the ten (10) day appeal period, as set forth in the Municipal Code, or the final action on an appeal to the city council. (Ord. 97-03 § 2 (part); prior code § 8-1.4205(D))

#### **17.20.050 Revocation—Expiration.**

##### **A. Revocation.**

In the event the conditions of a use permit have not been or are not being complied with, the community development director shall give the permittee written indication of intention to revoke the use permit as least ten (10) days prior to planning commission or (depending upon who issued the use permit) zoning administrator review thereon. Notice of a public hearing to consider use permit revocation shall be provided in the same manner as the public hearing for the original use permit application. After the conclusion of the review, the planning commission or zoning administrator may revoke the use permit if it finds that one or more conditions of approval have not been complied with.

##### **B. Expiration.**

1. In the event the project or use for which the use permit was granted has not commenced within the time limit set by the planning commission or zoning administrator, or within one year after the date of the hearing if no specific time has been set, the use permit shall be deemed to be null and void without further action.

2. Exercise of a use permit shall be deemed to have occurred when a building or grading permit has been issued in conjunction with the use or, if no such permits are necessary, when clear and visible evidence as to its beginning and reasonable progress toward completion is demonstrated,

as determined by the community development director. (Ord. 97-03 § 2 (part): prior code § 8-1.4205(E))

#### **17.20.060 Extension of time for use permits.**

A. The community development director may approve a one-time extension of time for use permits. Such extension shall be approved for not more than one year.

B. Finding. Such extension shall be approved only when it is found that the circumstances under which the permit were granted have not substantially changed. (Ord. 97-03 § 2 (part): prior code § 8-1.4205(F))

#### **17.20.070 Minor modifications to use permits.**

A. The community development director may approve minor modifications to existing use permits.

B. Findings. Such minor modifications shall be approved only if it is found that the modifications substantially conform with the approved use permit plans or standards; that the intensity of the use is not increased beyond that originally approved under the use permit; and that the appearance and function of the development and the surrounding neighborhood will not be adversely affected as a result of such modification. (Ord. 97-03 § 2 (part): prior code § 8-1.4205 (G))

[<< previous](#) | [next >>](#)

# ATTACHMENT 3



TOWER

**PROOF OF SERVICE BY MAIL**

I am Jenna Michaelis, Administrative Assistant for the Community Development Department of the City of Winters. I am over the age of 18 years. My business address is 318 First Street, Winters, CA 95694.

On August 11th, 2009 I served the foregoing Notice of Action by depositing a true copy thereof in The United States Mail in Winters, CA, enclosed in a sealed envelope with postage thereon fully prepaid, addressed as follows: See attached mailing labels.

I certify under penalty of perjury under the laws of California that the foregoing is true and correct, and that this document is executed on August 11th, 2009 at Winters, California.

**Jenna Michaelis, Community Development Administrative Assistant**

318 First Street  
Winters CA, 95694  
phone. 530.795.4910  
fax. 530.795.4935

**COUNCIL MEMBERS**  
Cecilia Aguiar-Curry  
Harold Anderson  
Tom Stone

**MAYOR**  
Michael Martin  
**MAYOR PRO TEM**  
Woody Fridae

**CITY CLERK**  
Nanci Mills  
**TREASURER**  
Michael Sebastian

**CITY MANAGER**  
John W. Donlevy, Jr.



## NOTICE OF PUBLIC HEARING

TO: Interested Parties

FROM: Winters Community Development Department

DATE: August 25, 2009

SUBJECT: ***Notice of Public Hearing to Consider a Conditional Use Permit Application for the Installation of Additional Antenna on an Existing Tower at Road 88 and Road 32A***

---

**Applicant:** AT&T Mobility c/o Black Dot Wireless

**Description of the Project:** AT&T Mobility has an existing 134'-tall lattice tower with three (3) existing antennas. AT&T proposes to install an additional three (3) antennas at the same height.

**Project Location:** Road 88 and Road 32A

**Environmental Determination:** Class I Categorical Exemption (Existing Facilities)

**Public Hearing:** A public hearing will be held to consider action on the project on **Tuesday, August 25, 2009** **before the Planning Commission**. This meeting will start at 7:30 p.m. at the City Council Chambers located on the first floor of City Hall at 318 First Street, Winters, California.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in these hearings, please contact City Clerk Nanci Mills at (530) 795-4910, ext. 101. Please make your request as early as possible and at least one-full business day before the start of the hearing.

The City does not transcribe its hearings. If you wish to obtain a verbatim record of the proceedings, you must arrange for attendance by a court reporter or for some other means of recordation. Such arrangements will be at your sole expense.

If you wish to challenge the action taken on this matter in court, the challenge may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission prior to the public hearing.

**Availability of Documents:** The project file is available for public review at the Community Development Department, Winters City Hall, 318 First Street, Winters, CA 95694. Copies of the Staff Report will be available on the City's website at [http://www.cityofwinters.org/administrative/admin\\_boards.htm](http://www.cityofwinters.org/administrative/admin_boards.htm)

For more information regarding this project, please contact Nella Dyer, Community Development Director, at (530) 795-4910 x114.

030 210 14 1  
City of Winters  
318 1st St  
Winters CA 95694

030 010 09 1  
Robert & Barbara Bulkley  
815 Marvin Way  
Dixon CA 95620

030 010 11 1  
Robert & Barbara Bulkley  
815 Marvin Way  
Dixon CA 95620

030 180 17 1  
City of Winters  
318 1st St  
Winters CA 95694

030 180 24 1  
City of Winters  
318 1st St  
Winters CA 95694

030 210 05 1  
Winters Estates LLC  
1425 Market Ln #G  
Dixon CA 95620

030 210 08 1  
Winters Estates LLC  
1425 Market Ln #G  
Dixon CA 95620

030 210 12 1  
Jack & Barbara J Thomas  
Po Box 522  
Winters CA 95694

# ATTACHMENT 4



**ENLARGED SITE PLAN LEGEND**

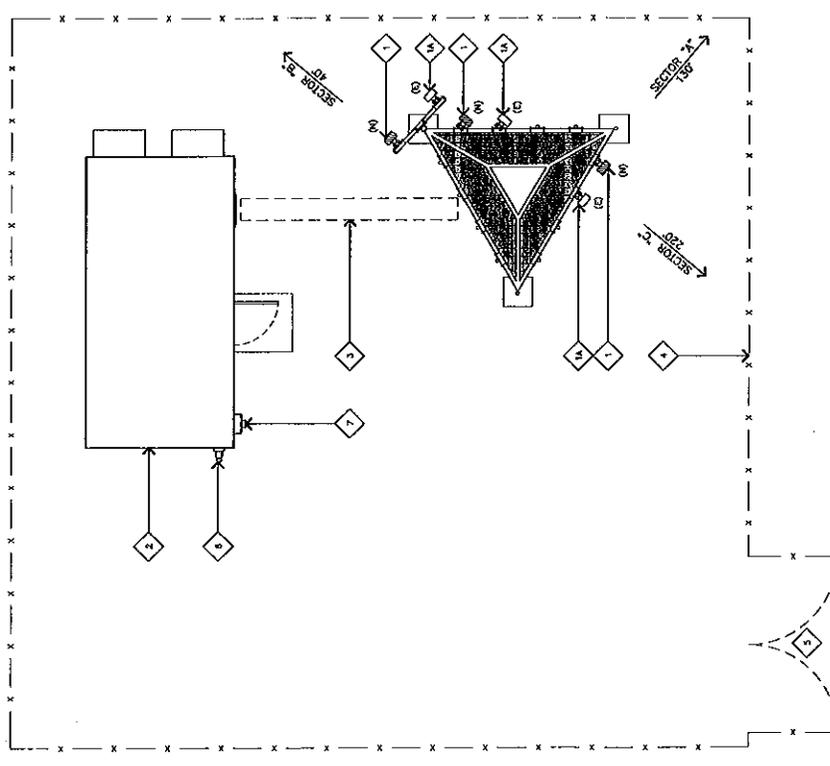
- 1 (N) AERIAL ANTENNA MOUNTED ON (E) LATTICE TOWER. SEE DETAIL 2/A-4.
- 2 (E) EXISTING
- 3 (N) NEW
- 4 (E) BASE ANTENNA MOUNTED ON (E) LATTICE TOWER.
- 5 (E) NEW EQUIPMENT SHELTER. SEE DETAIL 1/A-1.
- 6 (E) AND (N) AT&T COAX CABLES WITHIN (E) CABLE BRIDGE.
- 7 (E) 6'-0" HIGH CHAIN LINK FENCE ENCLOSURE WITH BARBED WIRE.
- 8 (E) PAIR OF CHAIN LINK ACCESS GATES.
- 9 (E) SCHEDULE RECEPTACLE.
- 10 (E) ELECTRICAL METERS.

**ENLARGED SITE PLAN GENERAL NOTES**

- A. GROUND ALL (N) EQUIPMENT AND COAX PER DETAIL 4/A-4.

**EXISTING INTERIOR SHELTER LAYOUT REVISIONS**

- 1 (E) AERIAL EQUIPMENT SHELTER.
- 2 (E) AERIAL FEEDS TO ANTENNA. SEE DETAIL 2/A-4.
- 3 (E) ELECTRICAL PANEL.
- 4 (E) AERIAL WAREHOUSE ENTRY PORT.
- 5 (E) BATTERY CABINET WITH DISCONNECT.
- 6 (E) AERIAL MANUAL TRANSFER SWITCH.
- 7 (E) AERIAL TRUNK CABINETS TO BE REMOVED.
- 8 (E) AERIAL UNIBUS DATA RACK.
- 9 (E) AERIAL DATA RACK.
- 10 (E) AERIAL MICROPHONE CABINET.
- 11 (E) AERIAL RECEIVER CABINET.
- 12 (E) AERIAL BBS 200 EQUIPMENT CABINET.



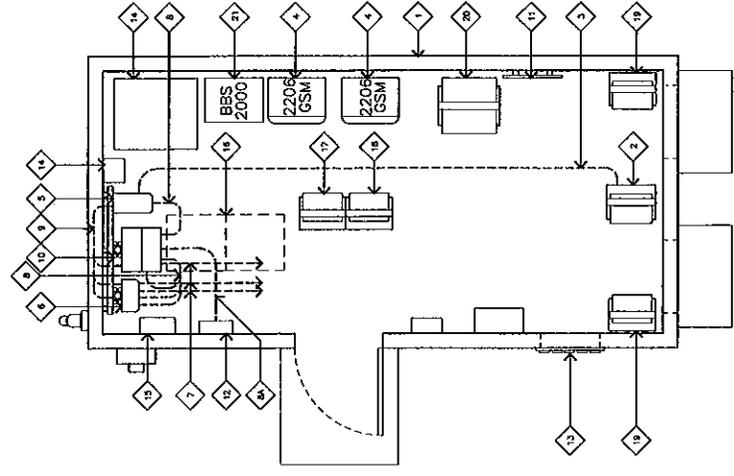
**ENLARGED SITE PLAN**

SCALE: 1/4"=1'-0"

2

**EXISTING INTERIOR SHELTER LAYOUT REVISIONS**

- 1 (E) AERIAL EQUIPMENT SHELTER.
- 2 (E) AERIAL FEEDS TO ANTENNA. SEE DETAIL 2/A-4.
- 3 (E) ELECTRICAL PANEL.
- 4 (E) AERIAL WAREHOUSE ENTRY PORT.
- 5 (E) BATTERY CABINET WITH DISCONNECT.
- 6 (E) AERIAL MANUAL TRANSFER SWITCH.
- 7 (E) AERIAL TRUNK CABINETS TO BE REMOVED.
- 8 (E) AERIAL UNIBUS DATA RACK.
- 9 (E) AERIAL DATA RACK.
- 10 (E) AERIAL MICROPHONE CABINET.
- 11 (E) AERIAL RECEIVER CABINET.
- 12 (E) AERIAL BBS 200 EQUIPMENT CABINET.



**EXISTING INTERIOR SHELTER LAYOUT**

SCALE: 1/2"=1'-0"

1

**JRA**  
Jeffrey Rome & Associates, Inc.  
Arizona - California - Nevada  
Alhambra - California - Nevada

**JEFFREY L. ROME**  
C-020876  
EXP. 2.28.11

4430 Rosemead Drive  
Pasadena, California 91069

APPROVALS	DATE

PROJECT NAME  
**UNITS 1ST CARRIER 2009 OVERLAY**

SITE NAME  
**WINTERS**

SITE NUMBER  
**CNU0310**

ROAD #1 AND ROAD 32A  
WINTERS, CALIFORNIA 95694

DRAWING DATES  
06/02/09  
06/02/09  
100% CD REVIEW (P1-P2)

REVISION LEVEL: S.3

SHEET TITLE  
**ENLARGED SITE PLAN & EQUIPMENT SHELTER LAYOUT**

**A-1**

**JRA**  
 Jeffrey Rome & Associates, Inc.  
 Arizona - California - Nevada  
 4430 Riverwood Drive  
 Pleasanton, California 94588  
 (925) 794-3339  
 (925) 794-3338  
 (925) 794-3339  
 Fax: (925) 794-3339

**ARCHITECT**  
**JEFFREY L. ROME**  
**C-020876**  
**EXP. 2/28/11**

**PROFESSIONAL INFORMATION**  
 REGISTERED ARCHITECT  
 STATE OF CALIFORNIA  
 ARCHITECT NO. 10000  
 EXPIRES 12/31/2011

**APPROVALS**

DATE	DATE

**PROJECT NAME**  
 UNITS 1ST CARBON 2009 OVERLAY

**SITE NAME**  
 WINTERS

**SITE NUMBER**  
 CN100310

**ROAD AND ROAD 32A**  
 WINTERS, CALIFORNIA 95694

**DRAWING DATES**  
 04/23/09  
 05/04/09  
 06/02/09 (P-01)  
 10/01/09 (P-02)

**FIGS.**  
 SECTION 4.00, 4.5

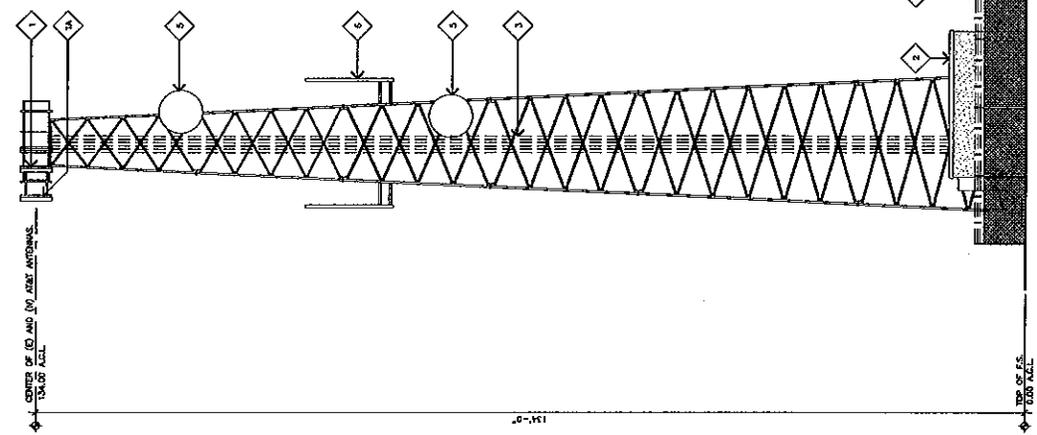
**SHEET TITLE**  
 NORTH AND SOUTH ELEVATIONS

**A-2**

JEA PROJECT NUMBER: 090240

**ELEVATION KEYNOTES**

- 1 (N) (S) AT&T ANTENNAS MOUNTED ON (E) LATTICE TOWER.
- 2 (E) (S) AT&T ANTENNAS MOUNTED ON (E) LATTICE TOWER.
- 3 (E) AT&T EQUIPMENT SHELTER.
- 4 (E) AND (N) AT&T COAX CABLES MOUNTED ON OUTSIDE OF (E) LATTICE TOWER.
- 5 (E) 6'-0" HIGH CHAIN LINK FENCE ENCLOSURE WITH BARBED WIRE.
- 6 (E) WINDING ANTENNA MOUNTED ON (E) LATTICE TOWER.
- 7 (E) CHAIN ANTENNA.



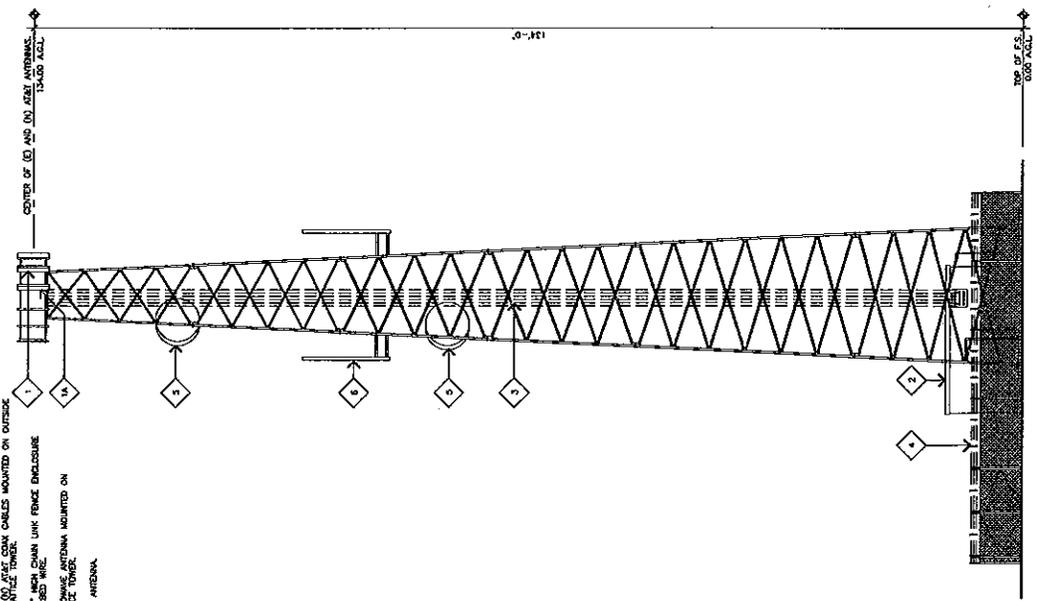
**SCALE**  
 1/8"=1'-0"  
 0' 4' 8"

**1**

**NORTH ELEVATION**

**ELEVATION KEYNOTES**

- 1 (N) (S) AT&T ANTENNAS MOUNTED ON (E) LATTICE TOWER.
- 2 (E) (S) AT&T ANTENNAS MOUNTED ON (E) LATTICE TOWER.
- 3 (E) AT&T EQUIPMENT SHELTER.
- 4 (E) AND (N) AT&T COAX CABLES MOUNTED ON OUTSIDE OF (E) LATTICE TOWER.
- 5 (E) 6'-0" HIGH CHAIN LINK FENCE ENCLOSURE WITH BARBED WIRE.
- 6 (E) WINDING ANTENNA MOUNTED ON (E) LATTICE TOWER.
- 7 (E) CHAIN ANTENNA.

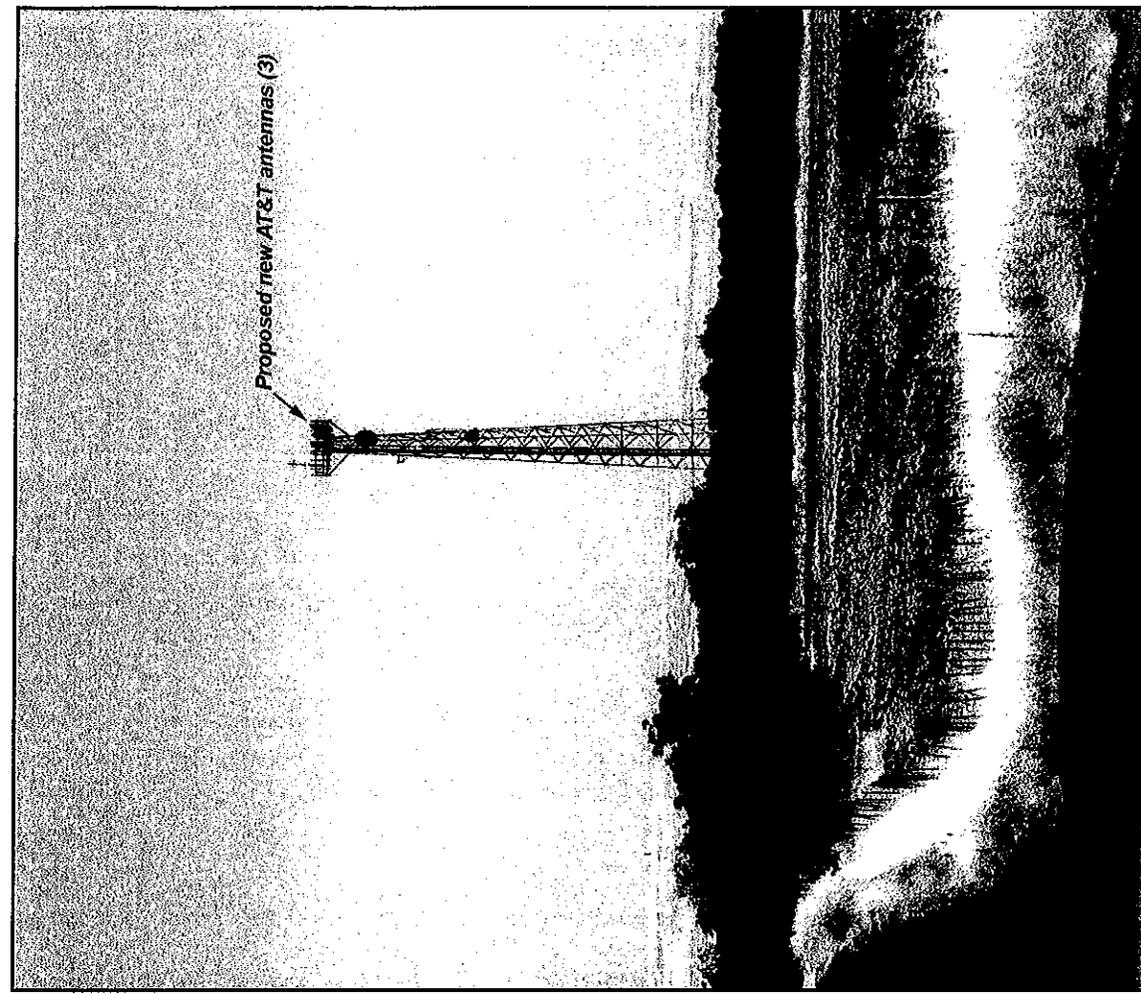
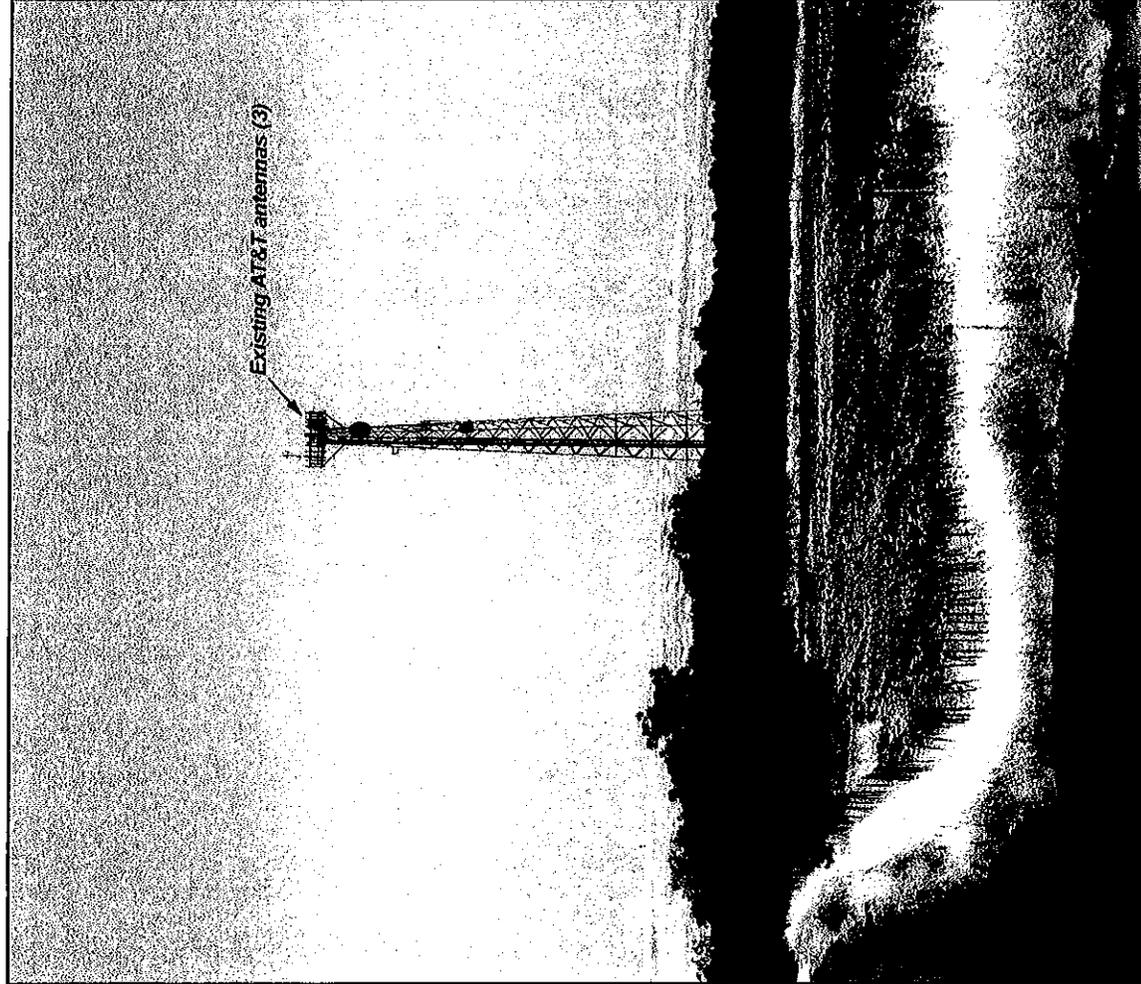


**SCALE**  
 1/8"=1'-0"  
 0' 4' 8"

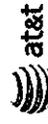
**2**

**SOUTH ELEVATION**

# Photosimulation of view looking north along County Road 88.



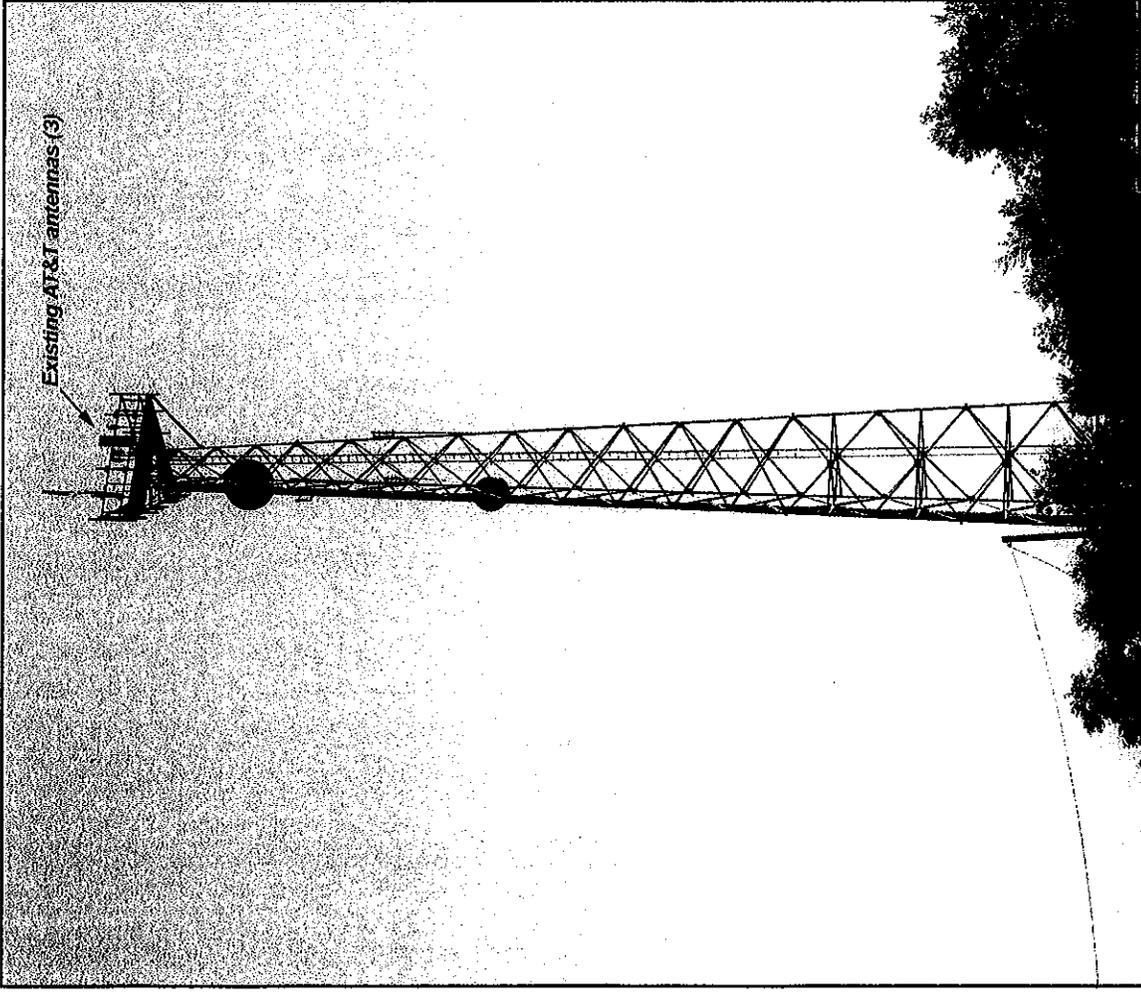
**Winters**  
 Road 88 and Road 32A  
 Winters, CA 95694  
 GNU0310



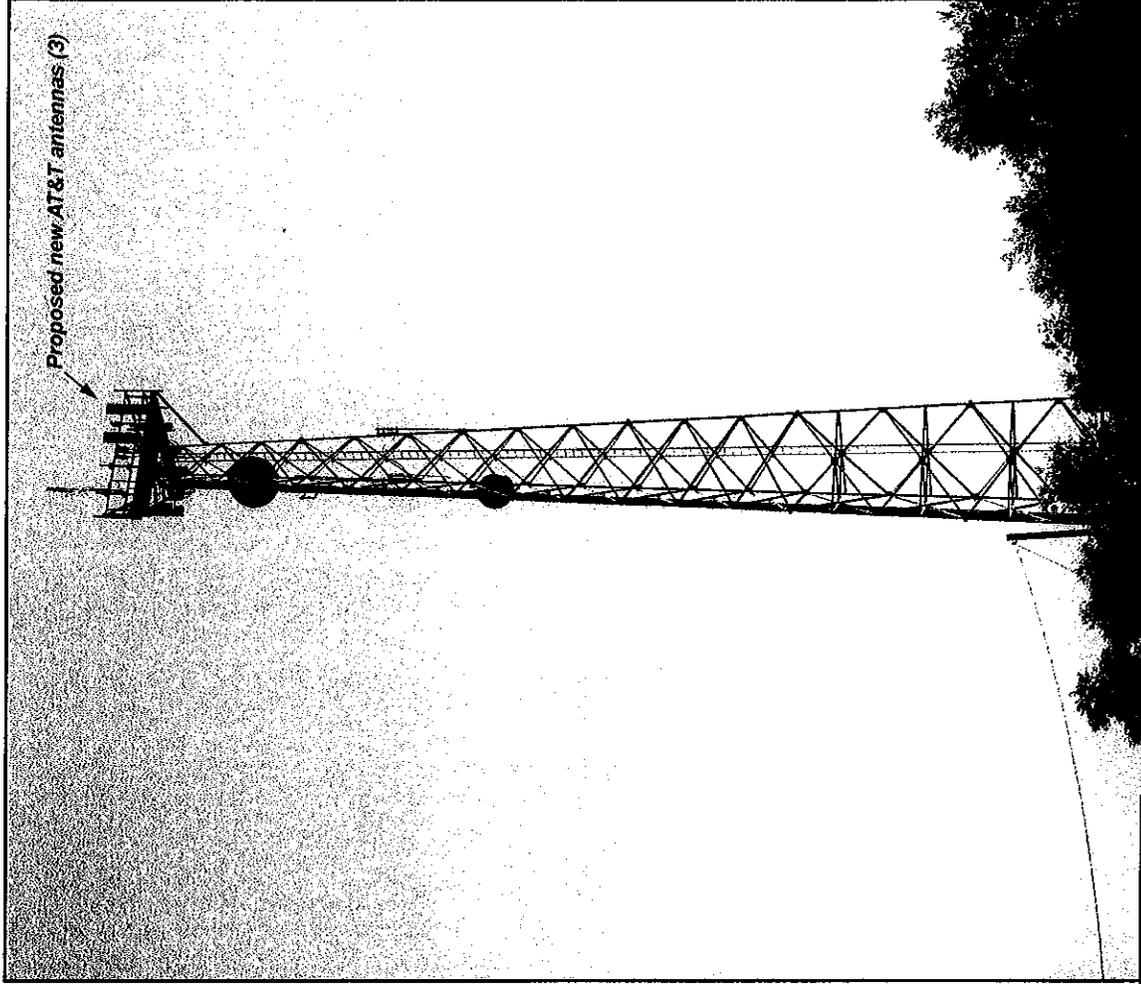
## Existing

## Proposed

# Photosimulation of view looking northeast from the corner of County Road 32A and County Road 88.



**Winters**  
 Road 88 and Road 32A  
 Winters, CA 95694  
 GNU0310

**Existing**

**Proposed**





PLANNING COMMISSION  
STAFF REPORT

TO: Chairman and Planning Commissioners  
DATE: August 25, 2009  
FROM: Nelia C. Dyer, Community Development Director  
SUBJECT: Informational Item – Renovation of City Parking Lot at First and Abbey Streets

---

Staff recommends that the Planning Commission provide *additional* feedback to staff on the proposed renovation of the City's parking lot at First and Abbey Streets (See Attachment A). The City is proposing to remove the existing building, 2-3 trees and numerous shrubs to install 39 parking spaces (including accessible spaces and spaces for the City's electrical vehicles). This parking lot is intended to serve both City Hall employees and patrons of the downtown businesses and events.

A parking lot in the general vicinity of First and Abbey Streets is identified as a Capital Improvement in the *Downtown Master Plan*, which was adopted by the City Council in March 2006. However, as shown in Attachment B, the sketch of "Core Block A" depicts new buildings along First and Abbey Streets as well as a new parking area to be accessed off of the one-way alley. According to staff, the proposed renovation to the parking lot will be temporary with the intent of constructing the recommended project identified in the *Downtown Master Plan* in the future.

The Winters Municipal Code (WMC), Chapter 2.16 (Planning Commission) states that the Planning Commission shall:

"review landscape plans and condition new development as appropriate regarding such items as street trees, public parkways and median, trees in residential front yards, border treatments and parking lots intended for public use, and public streets."

While this proposed project does not involve landscaping, staff (in the past and present) has determined that new or renovation of existing parking lots require Design Review (Site Plan) approval. Therefore, this project is scheduled for a public hearing and consideration of design review (site plan) at the September 22nd Planning Commission meeting.

When reviewing the project, please consider the criteria for review in WMC Section 17.36.040:

#### 17.36.040 Criteria for review.

The planning commission shall consider the following aspects for design review of a site plan, as applicable:

- A. The overall visible mass of the structure(s). This analysis may include review of visible building mass as it relates to property line setbacks, building height, roofline profiles, lot coverage and the overall size and scale of a building, and the orientation of the proposed building(s) to the street and adjoining properties;
- B. The proposed use and quality of exterior construction materials striving for long-term compatibility with the general setting of the subject property and visual character of the general neighborhood. Exterior building colors, on new construction only, may also be considered, but only to the extent that they may detract from the desired design theme for a neighborhood;
- C. Avoidance of buildings which are characterized by large, blank or unbroken wall planes, as well as buildings which exhibit a general lack of architectural detailing, shadow lines, etc., which collectively lack general visual interest. Uniform treatment of all building elevations shall be required unless such treatment is found unnecessary, on a case-by-case basis;
- D. Effective screening of ground- and roof-mounted mechanical equipment;
- E. The use of landscaping, decorative site paving, etc. which provides effective visual screening or softening of the development, as necessary. The planning commission shall consider the appropriate mix of plant materials, plant sizes, etc. pursuant to landscaping criteria contained in Chapter 17.76.
- F. Achieve conformity with the Winters design guidelines, as applicable.
- G. With respect to single-family residential production housing, the above design criteria shall be considered, but with the design review focus on avoiding use of repetitive designs and site plans. Design review should encourage elements of individuality in residence design through inclusion of features such as modified front and side yard setbacks, varying architectural styles, building siding and roofing materials, creative use of fencing and landscaping, and/or other design features. To the extent possible, designs should also encourage pedestrian activity while reducing emphasis on vehicular access as the focal point of a residential lot. (Ord. 2001-04 (part): prior code § 8-1.4211 (D))

#### 17.36.050 Action on design review applications.

The planning commission shall make findings relative to compliance with the provisions of Section 17.36.040 prior to approving a site plan for design review. The planning commission may impose conditions of approval to ensure conformance with the above design provisions. (Ord. 2001-04 (part): prior code § 8-1.4211 (E))

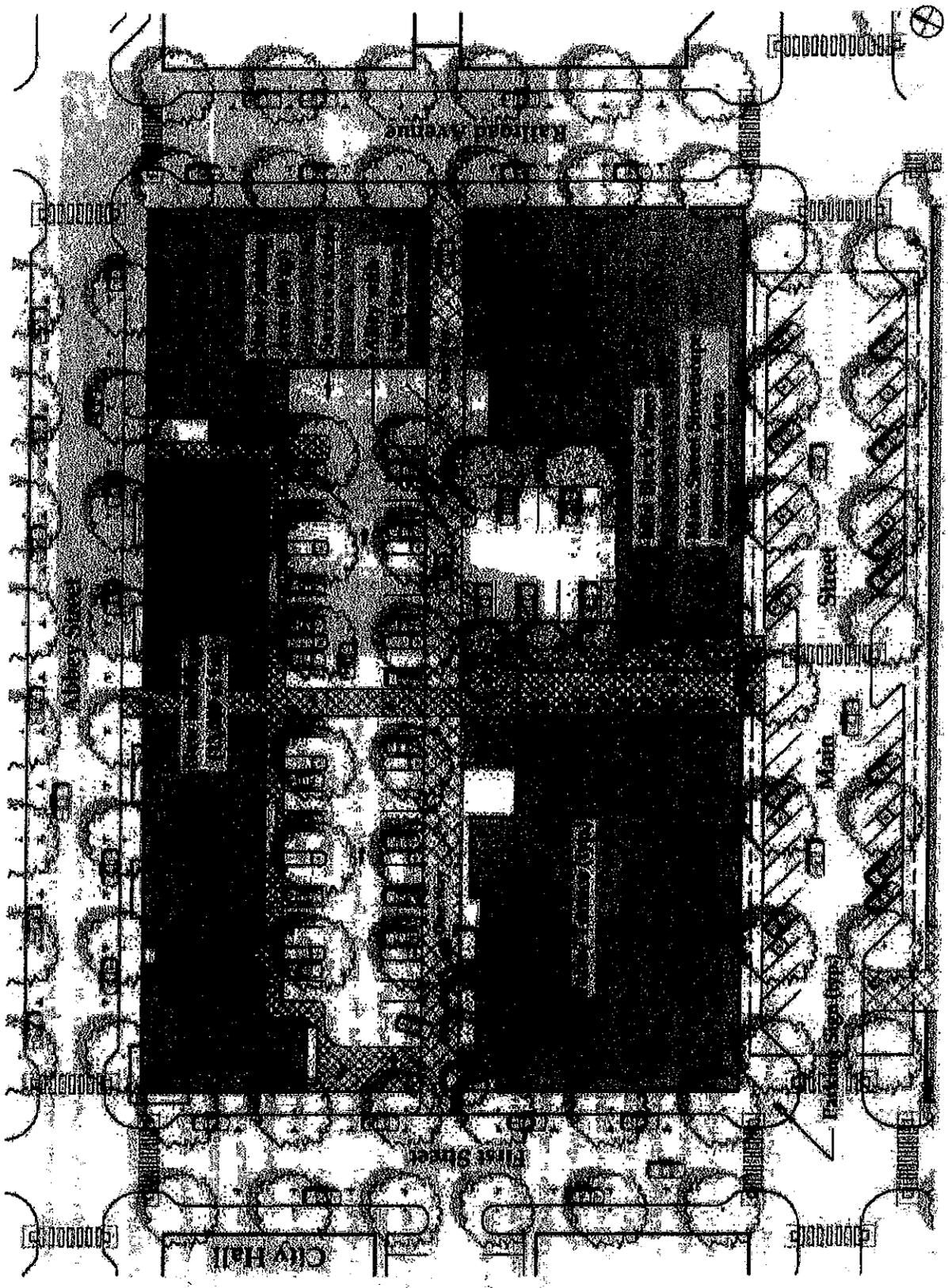
#### ATTACHMENTS:

- A. Preliminary Improvement Concept of the First Street Parking Lot
- B. Core Block A (From the Downtown Master Plan, Approved in March 2006)

# ATTACHMENT 1



# ATTACHMENT 2



Core Block A