

CITY OF WINTERS SPECIAL PLANNING COMMISSION AGENDA

Tuesday, May 23, 2017 @ 6:30 PM  
City of Winters Council Chambers  
318 First Street  
Winters, CA 95694-1923  
Community Development Department  
Contact Phone Number (530) 794-6713  
Email: [dave.dowswell@cityofwinters.org](mailto:dave.dowswell@cityofwinters.org)

Chairperson: Kate Frazier  
Vice Chairman: Paul Myer  
Commissioners: Dave Adams, Lisa Baker,  
Patrick Riley, Gregory Contreras  
City Manager: John W. Donlevy, Jr.  
Management Analyst, Dago Fierros

I CALL TO ORDER

II ROLL CALL & PLEDGE OF ALLEGIANCE

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

IV CONSENT ITEM

A. Minutes of the April 25, 2017 meeting of the Planning Commission.

V STAFF/COMMISSION REPORTS

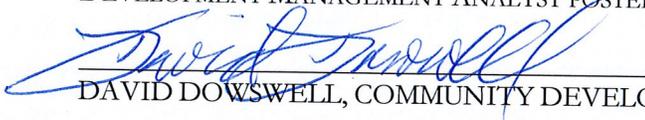
VI DISCUSSION ITEMS:

- A. Public Hearing and Consideration of the following entitlements for 417 Haven Street:
- 1) Finding the project Categorical Exempt from CEQA, Section 15303(c) (New Construction or Conversion of Small Structures).
  - 2) Conditional Use Permit for a new 28 children pre-school.
- B. Public Hearing and Consideration of the following entitlements for 1 PG&E Way:
- 1) Finding the project to be consistent with the EIR certified by the City Council on September 22, 2015.
  - 2) Design/Site Plan Review for a new 8,240 square foot welding (fabrication) building to be located on the existing Gas Operations Technical Training Center (GOTTC) site currently under construction.
- A. Public Hearing and Consideration of the following entitlements for two parcels (003-391-005 & 003-392-001) near Apricot Avenue and Hemenway Street:
- 1) Finding the project to be consistent with Mitigated Negative Declaration approved by the City Council on September 2, 2008.
  - 2) An application for a revised Tentative Subdivision Map to subdivide 4.21 acres into 21 lots.

VII COMMISSION/STAFF COMMENTS )

VIII ADJOURNMENT )

POSTING OF AGENDA: PURSUANT TO GOVERNMENT CODE § 54954.2, THE COMMUNITY DEVELOPMENT MANAGEMENT ANALYST POSTED THE AGENDA FOR THIS MEETING ON MAY 18, 2017



DAVID DOWSWELL, COMMUNITY DEVELOPMENT DEPARTMENT PLANNER

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

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

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

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

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

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

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

THE COUNCIL CHAMBER IS WHEELCHAIR ACCESSIBLE

**MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION MEETING HELD  
APRIL 25, 2017**

***DISCLAIMER:** These minutes represent the interpretation of statements made and questions raised by participants in the meeting. They are not presented as verbatim transcriptions of the statements and questions, but as summaries of the point of the statement or question as understood by the note taker.*

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

**PRESENT:** Commissioners Adams, Baker, Contreras, Riley, Vice Chairperson Myer, Chairperson Frazier

**ABSENT:** None

**STAFF:** City Manager John Donlevy, Building Official Gene Ashdown, Contract Planner Dave Dowswell, Management Analyst Dagoberto Fierros

Commissioner Baker led the pledge of allegiance.

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

**CONSENT ITEM:** Minutes of the March 28, 2017 meeting of the Planning Commission.

Commissioner Contreras suggested changes for more clarification.

Commissioner Contreras moved with changes.

Commissioner Myer seconded.

**AYES:** Commissioners Adams, Baker, Contreras, Myer, Riley, Vice Chairperson Myer, Chairperson Frazier

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

Motion carried unanimously.

**STAFF/COMMISSION REPORTS:**

No staff/Commission comments.

**DISCUSSION ITEM:**

- A. A. Public Hearing and Consideration of the following entitlements for 306 Edwards Street:
- 1) Finding the project Categorical Exempt from CEQA, Section 15303(c) (New Construction or Conversion of Small Structures).
  - 2) Design/Site Plan Review for a new 825 square foot addition.

**COMMISSIONER/STAFF COMMENTS:**

Contract Planner Dave Dowswell gave a brief description on the proposed addition at 306 Edwards Street.

Commissioner Baker asked for some clarification in regards to the proposed plans.

**MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION MEETING HELD  
APRIL 25, 2017**

Building Official Gene Ashdown suggested that the permit for the basement remain open, and once the entire project is finalized, the basement will be finalized at that time as well.

Contract Planner Dave Dowswell suggested a change to Condition #7. The new wording would be as follows: Prior to finaling the proposed project the applicant will need to final the outstanding permits, subject to the Building Official.

Commissioner Baker moved with changes to Condition #7.

Commissioner Riley Seconded.

**PUBLIC COMMENTS:**

None.

**AYES:** Commissioners Adams, Baker, Contreras, Riley, Vice Chairperson Myer

**NOES:** None

**ABSTAIN:** Chairperson Frazier

**ABSENT:** None

**DISCUSSION ITEM:**

- B. Study Session – Discussion involving current policy and zoning setbacks requirements for Dry Creek and Putah Creek.

**COMMISSIONER/STAFF COMMENTS:**

Contract Planner Dave Dowswell shared background history on Dry Creek and the issues the City and homeowners who live along Dry Creek face due to the 50 foot creek setback requirement.

City Manager John Donlevy addressed the issues faced by homeowners who live along Dry Creek. Donlevy also stated how the 50 foot setback policy affects most of the homes along Dry Creek.

Commissioner Riley pointed out how properties in town are faced with similar limitations in regards to expansion.

**PUBLIC COMMENTS:**

Valerie Whitworth mentioned how she was part of the organization that was instrumental for the implementation of the 50 foot set back policy. Whitworth also shared background information on the actions taken to protect residents who live along Dry Creek.

Vice Chairperson Myer and Valerie Whitworth discussed possible solutions for the residents along Dry Creek and future developers.

Nick Girimonte on 508 Abbey Street thanked Dave Dowswell and Dagoberto Fierros for working with him and his father-in-law in regards to adding to his home that sits along Dry Creek. Girimonte continued by saying he has no interest in adding to the rear of his home if it poses a threat to the safety of his family.

**MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION MEETING HELD  
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Commissioner Baker believed it is important to look at Dry Creek's natural meander in a long-term scale.

Commissioner Riley commented that he has been in Winters for about 60 years and has not noticed much change to the meandering of Dry Creek.

City Manager John Donlevy noted the affects Putah Creek and the Monticello Dam have on Dry Creek.

Commissioner Baker added that she lives along Dry Creek and her area regularly meanders. Baker suggested possible solutions.

Commissioner Contreras was concerned about the restrictions set on homeowners along Dry Creek.

Rich Marovich, Putah Creek Streamkeeper, shared insightful information with the Planning Commission about the history of Putah and Dry Creeks. Marovich discussed possible solutions for protecting Dry Creek.

The Planning Commission and Dave Dowswell discussed the possible outcomes for Nick Girimonte and the addition proposed in the rear of his home on 508 Abbey Street.

**ADJOURNMENT:** Chairperson Frazier adjourned the meeting at 7:41pm.

**ATTEST:** \_\_\_\_\_

Dagoberto Fierros, Management Analyst

\_\_\_\_\_

Kate Frazier, Chairperson



**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Chairman and Planning Commissioners  
**DATE:** May 23, 2017  
**FROM:** David Dowswell – Contract Planner   
**SUBJECT:** Public Hearing and Consideration of a Conditional Use Permit (CUP 2017-02) for a preschool (Club House) for up to 28 children ages 2 to 6 at 417 Haven Street.

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

- 1) Receive the staff report; and
- 2) Conduct the Public Hearing to solicit public comment; and
- 3) Approve the Conditional Use Permit submitted by Janet Andersen and Cheryl Moore for the operation of a preschool at 417 Haven Street (APN 003-173-25).

**GENERAL PLAN DESIGNATION AND ZONING:** The General Plan designation is LR (Low Density Residential). The project site is zoned R-1 (Single Family Residential).

**SURROUNDING LAND USES, ZONING AND SETTING:** The surrounding land uses and zoning are as follows:

North: Waggoner Elementary School – Zoned PQP (Public Quasi Public)  
East: Single Family House – Zoned R-1 (Single Family Residential)  
South: Single Family House – Zoned R-1 (Single Family Residential)  
West: Single Family Residential - Zoned R-1 (Single Family Residential)

The site is developed with a single family home.

**PROJECT DESCRIPTION:** The applicants, Janet Andersen and Cheryl Moore, are requesting a conditional use permit to convert an existing single family home located at

417 Haven Street into a preschool. The preschool will be directly across the street from Tree House Children's Center, which the applicants' also own, and Waggoner Elementary School.

The Club House Preschool (CHP) will be open from 7:00 a.m. to 5:30 p.m. Monday through Friday. The CHP plans to offer a variety of pre-kindergarten programs for children ages 2 through 6. The CHP will be staffed at a ratio of one adult for every seven children, with a maximum enrollment of 28 children and 4 staff persons. Initially, the number of children and staff are expected to be smaller.

The preschool will consist of one large open room connected to the front room. There are three bathrooms, one of which will be made Americans with Disabilities Act (ADA) accessible. One of the existing bedrooms will be used for storage and by staff, a second bedroom will be used by the children and the third bedroom will be an office. The existing garage will be converted into an outdoor classroom that can be used when the weather is bad. There will be an enclosed back yard and an enclosed small concrete patio in front of the house off Haven Street. The concrete patio will be fenced in with a 3.5 foot high white picket fence. Where the existing concrete driveway off is located off Edwards Street there will be four parking spaces off, one will be ADA (Attachment A).

**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.*

Preschools 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 compatible uses. Preschools are considered public/quasi-public uses in 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.*

Day care centers, which include preschools, are listed as conditional uses in the Single-Family Residential (R-1) 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 17.44.030, 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. Staff has determined that the proposed use promotes and encourages a suitable environment for family life. The applicants have identified a need for preschool to complement their day care center (The Tree House) in the Winters Community. Since the proposed use will be directly across the street from Waggoner School, both working and non-working parents of students at the school can take advantage of activities offered by the Club House Preschool. 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 requested use is proposing to occupy an existing building and the hours of operation occur during working hours on the weekdays, staff has determined that the proposed use will not adversely impact the nearby residents.

5. *Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities or services will be provided; and*
6. *The requested use will not create a nuisance or enforcement problem within the neighborhood; and (THE FOLLOWING ANSWER ADDRESSES BOTH FINDINGS 5 AND 6)*

As mentioned above, an accessible bathroom and off-street parking will also be provided at the subject site. According to Title 22 of the California Code of Regulations, there shall be at least 75 square feet per child of outdoor activity space. In addition, Title 22 specifies that the outdoor space shall provide a shaded rest area and permit children to reach the activity space safely. The subject location has approximately 2,500 square feet of fenced outdoor space, which will accommodate 33 children, which is more than request for 28 children.

There are two potential problems that could be created by the proposed use: (1) when parents drop off their children and (2) parking for volunteers/employees. The applicants have indicated, per their State license, there usually will not be four staff people working at the same time. The three off street parking spaces shown off Edwards Street will be available for staff to use. Parents picking up their children will do so on Haven Street, where there is adequate space to accommodate four cars.

The applicants recognize there is a traffic/parking problem at the intersection of Edwards and Haven Streets at the beginning and end of the school day at Waggoner Elementary. Based on staff observations the primary time there is a problem on Edwards is at the end of the school day (2:20 to 3:00 p.m.). Most children attending the CHP will not be picked up until after 4:00 p.m. when there is much less traffic.

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:

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

**PROJECT NOTIFICATION:** Two methods of public notice were used in compliance with State law and the Winters Municipal Code: a legal notice (Attachment B) was published in the Winters Express on Thursday, May 11, 2017 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, May 18, 2017.

**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 418 HAVEN 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. The General Plan designates the project site as Low Density Residential and uses for this designation include public and quasi-public uses such as day care centers/preschools.

2. The use is consistent with the provisions of the Zoning Ordinance. Conditionally permitted uses of the R-1 Zone include day care centers/preschools.
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 417 HAVEN STREET PROJECT (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 subject to the attached conditions of approval.

**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 417 HAVEN STREET (CONDITIONAL USE PERMIT) LOCATED ON ASSESSOR PARCEL NUMBER 003-173-025, WINTERS, CA 95694.**

1. This Conditional Use Permit is based upon and limited to compliance with the project description, Attachment 1, and conditions of approval set forth below. Any deviations from the project description, attachment or conditions of approval 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. The permittee shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Winters, its agents, officers, and employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul an approval of the City, its advisory

agencies, appeals boards, or legislative body concerning this approval Conditional Use Permit (CUP 2017-02). This City will promptly notify the permittee of any such claim, action or proceeding against the City and will cooperate fully in the defense.

3. The applicants' 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.
4. Submit building permit application and supporting documentation to the building division for conversion from an R-3 occupancy to the proposed occupancy(s) classification. Please see 2016 California Building Code Chapter 3 for occupancy classifications.
5. Within 12 months after the effective date of this permit, the use shall commence. If the use has not commenced the community development director may approve a one-time extension of time for no more than one year.
6. 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.
7. Failure to comply with the above conditions may result in the immediate revocation of the conditional use permit.
8. Approval is for a maximum of 28 children ages 2 to 6.
9. The operating hours of the Club House Preschool shall be limited to 7:00 a.m. to 5:30 p.m. during the days of Monday through Friday.
10. Applicants shall require that the parents of students to drop off their children along Haven Street in front of the Club House Preschool. If no spaces are available, the applicants shall require the parents of children to park on Abbey Street and walk their children to the preschool. Off-street parking spaces shall be used by employees. The applicant shall require that parent volunteers/employees park their vehicles on Abbey and Haven Street next to the Little League Park away from the designated drop off area. Applicants shall also instruct parents transporting their children to school not to travel through the alleyway with their vehicles.
11. At no time will children be allowed on the site without adult supervision.
12. Children shall not be allowed to play or participate in physical education activities on the sidewalk, in the street, or in the alleyway adjacent to Club House Preschool. The designated play/physical education areas are limited to the large, fenced patio area in front of the building on Haven Street and the rear yard.

13. Applicants shall obtain a City of Winters business license prior to the use of the building for the preschool. The business license shall not be issued until the Fire, Planning and Building Departments have completed their inspections of the building.

**ATTACHMENTS:**

1. Project description and site plan
2. Public Hearing Notice (mailed copy)

Project Description  
**The Club House Preschool**  
417 Haven Street, Winters CA

The Club House Preschool will be located at 417 Haven Street, on the corner of Haven Street and Edwards Street, (across the street and to the east of The Tree House Children's Center and across the street South of Waggoner Elementary School). The Club House will be owned and operated by Janet Andersen and Cheryl Moore.

The Club House Preschool will offer full time, year round preschool which is currently in high demand in our town. Our hours of operation will be Monday - Friday from 7:00 AM until 5:30 PM. We will be closed for major government holidays and the week between Christmas and New Years and the week of the Fourth of July. We will enroll children aged 2 through entry into kindergarten.

The Club House will be staffed at a ratio of one staff for every 7 children present. At most, we will have 28 children in the program with 4 staff. Initially, we expect the numbers to be smaller as we build our business.

The building consists of one large open room at the entry, and one large room connected to the front room. These rooms and the back yard will be used for the main part of the preschool day. There are 3 other rooms and a kitchen in the house. The back bedroom will be used for storage and a staff room, one of the smaller bedrooms will be used for kids cubbies and coat hooks, and the last small bedroom will be the office. There are 3 bathrooms in the house, one will be turned into an ADA bathroom, one into a staff bathroom and one left as is. In addition we will turn the garage into an outdoor classroom that can be used no matter what the weather is outside.

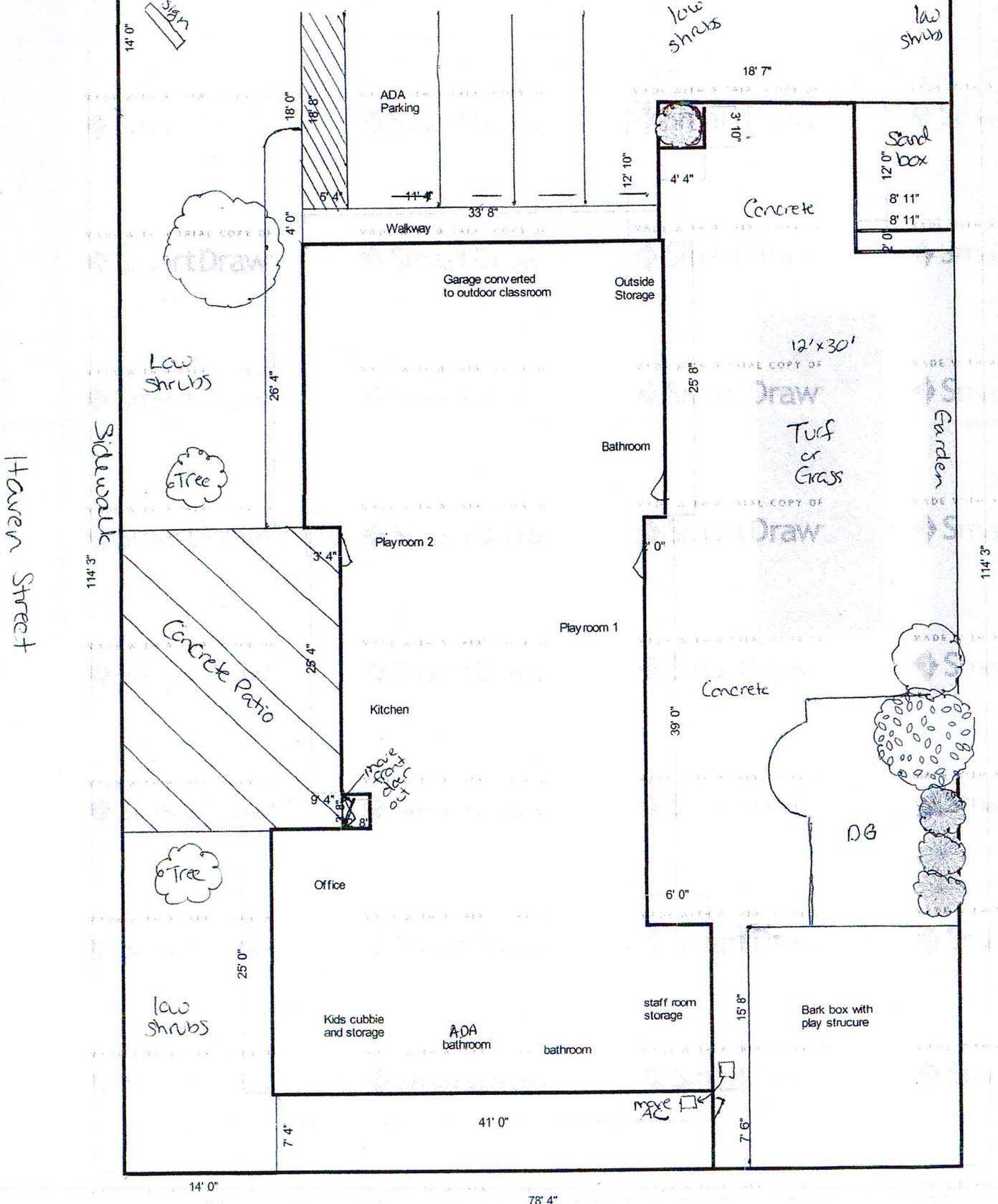
The back yard will have a play structure with barkbox around it for safety, a trike track, a grass area and a sandbox. The fence on the Edwards side of the yard will be 4 feet to open up the yard a bit. The front yard will be cleaned up and low growing plants will be planted. We will add a sign on the corner of Haven St and Edwards St similar to the one for the Tree House but not lighted.

The building is wood frame with vinyl siding and will remain its current beige color. The blue gutters will be changed to white and all trim will be white. The floor is a wood sub floor. The roof is made of composition material.

We will supply one ADA accessible parking spot in front of the garage. Our staff will park either in the driveway or a block away towards the little league field. Parents will access the building from Haven St. We estimate there will be on average two or three cars there at a time for drop off in the morning and pick up in the late afternoon hours.

417 Haven Street  
Edwards Street  
Sidewalk

Scale 1/16" = 1' N↑



Alley

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City of Winters will conduct a Public Hearing by the Planning Commission on Tuesday, May 23, 2017 at 6:30 p.m. at the City Council Chambers located on the first floor of City Hall at 318 First Street, Winters, California to consider an application from Janet Anderson and Cheryl Moore for Conditional Use Permit for the operation of a preschool (Club House Preschool) at 417 Haven Street. Operation hours are from 7:00 am to 5:30 pm Monday through Friday to serve up to 28 children. The Planning Commission will take final action on the project unless appealed to the City Council.

The purpose of the public hearing will be to provide citizens an opportunity to make their comments on the project known. If you are unable to attend the public hearing, you may direct written comments to the City of Winters, Community Development Department, 318 First Street, Winters, CA 95694 or to [dave.dowswell@cityofwinters.org](mailto:dave.dowswell@cityofwinters.org). In addition, the staff report will be available on the City's website on 5/18/17.

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: Copies of the Staff Report will be available on the City's website [www.cityofwinters.org](http://www.cityofwinters.org)

For more information regarding this project, please contact David Dowswell, Contract Planner, at (530) 794-6714.



**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Chairman and Planning Commissioners  
**DATE:** May 23, 2017  
**FROM:** David Dowswell, Contract Planner   
**SUBJECT:** Public Hearing and consideration for Site Plan/Design Review (DR 2017-02) for a new 8,240 square foot weld (fabrication) building to be located on the existing Gas Operations Technical Training Center (GOTTC) site currently under construction at 1 PG&E Way.

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

- 1) Receive staff report; and
- 2) Conduct the Public Hearing to solicit public comment; and
- 3) Approve the Site Plan/Design Review for the PG&E Weld (Fabrication) Building

**BACKGROUND:** On June 11, 2015 the Planning Commission reviewed the PG&E Gas Operations Technical Training Center (GOTTC) Facility application and Draft Environmental Impact Report (EIR) and recommended the City Council approve the application and certify the Final EIR. On September 22, 2015 the City Council approved the PG&E GOTTC and certified the Final EIR.

On May 24, 2016 the Planning Commission approved adding a new 19,410 square foot welding lab just to the south of the Transmission and Distribution (T&D) Technical Training Center.

**PROJECT DESCRIPTION:** The applicant, PG&E, is proposing to add a new weld (fabrication) building to their project that is currently under construction. The weld (fabrication) building will be located due south of the welding lab building that was approved by the Commission last May. The building will be used for welding, non-destructive material examinations, sandblasting and coating all as part of the overall training program.

The building will be 150 feet by 70 feet, or 10,500 square feet, approximately 8,240 square feet will be enclosed. The building will be 26 feet high at its tallest point. It will contain 8 individual welding booths. There will also be 2,400 square feet of office and storage. The exterior of the building will be entirely metal; it will have a pitched roof with large open area on the south end. The exterior colors ("Moody Blue" and "Bee"/PG&E yellow) will match those on the welding lab and T&D buildings. The Bee color will be used on the ends of the building and the interior walls adjacent to the open area (Attachment A).

## **ANALYSIS:**

**Site Plan/Design Review:** Pursuant to Section 17.36.020 of the Zoning Ordinance, design review is required of this project. The purpose of design review to ensure that the location and configuration of structures and corollary site improvements are visually harmonious with their site and that of surrounding sites and structures.

The design of the proposed weld (fabrication) building is very similar to the welding lab building. Both buildings are entirely metal with a peaked metal roof. The main difference between the two buildings is size. Staff finds the design and proposed color scheme for the welding building is consistent with the overall design for the PG&E facility as approved by the Planning Commission in June of 2015.

**Parking, Landscaping and Lighting:** The proposed building will not require additional parking as there will be no additional students, above what has been approved, coming to the site.

The weld (fabrication) building site plan shows a row of parking with a landscape planter at each end. The plans indicate the landscape design will "match what has been approved for the welding lab and T&D buildings". No landscaping details have been submitted.

The proposed lighting includes security lighting similar to what will be installed on the welding lab and T&D buildings. The Design Guidelines recommend that night lighting along both I-505 be consistent with the small town character, but should be of adequate level to ensure public safety and create a sense of security. General Plan Policy VIII.D.7 requires that lighting in new development be designed, installed, and maintained to minimize excess spillage, unnecessary brightness and glare, and degradation of night sky clarity. All of the lighting will comply with the City's regulations.

**ENVIRONMENTAL ASSESSMENT:** The City Council certified the Final EIR for the PG&E Training Facility on September 22, 2015. The proposed weld (fabrication) building is consistent with the analysis studied in the EIR. No additional environmental review is necessary.

**PROJECT NOTIFICATION: PROJECT NOTIFICATION:** Public notice (Attachment B) for the public hearing on this planning application was prepared in accordance with the procedures in the City of Winters' Municipal Code and State Planning Law. The notice was published in the Winters Express on 5/11/17, ten days prior to public 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 5/18/17.

**CONDITIONS OF APPROVAL FOR PG&E WELD (FABRICATION) BUILDING LOCATED ON PROPERTY AT 1 PG&E WAY, WINTERS, CA 95694.**

1. This Design/Site Plan Review Permit (DR 2017-02) is based upon and limited to compliance with the project description, site plans, elevations and conditions of approval set forth below. Any deviations from the project description or conditions of approval 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. The permittee shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Winters, its agents, officers, and employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul an approval of the City, its advisory agencies, appeals boards, or legislative body concerning this approval Design Review Permit (DR 2017-02). This City will promptly notify the permittee of any such claim, action or proceeding against the City and will cooperate fully in the defense.
3. The applicants' 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.
4. Within 12 months after the effective date of this permit, the use shall commence. If the use has not commenced the community development director may approve a one-time extension of time for no more than one year.
5. All exterior HVAC equipment including any ducting that is visible will be painted to match the adjacent wall surface.
6. The applicant shall submit details of the proposed landscaping for the planters located at the end of the row of parking to be approved by the community development department.
7. All of the applicable conditions placed on the overall approval for the GOTTC shall be complied with.
8. Failure to comply with the above conditions may result in the immediate revocation of the conditional use permit.

**ATTACHMENTS:**

- A. Description, Site Plan and Elevations
- B. Public Hearing Notice



## **Gas Operations Technical Training Center - Proposed Weld Building**

**City of Winters Planning Department  
318 1st St, Winters, CA 95694**

The proposed Weld Building is to be located on the Gas Operations Technical Training Center (GOTTC) site currently under construction in Winters, CA. The Weld Building will be located adjacent to the Weld Lab, and it will serve as an extension of welding activities in the Weld Lab. Users of the Weld Building will expand their expertise in welding by welding on spools that will be used in the field. Additionally users will gain experience in the use of non-destructive examination (NDE) equipment, and sandblasting and coating processes.

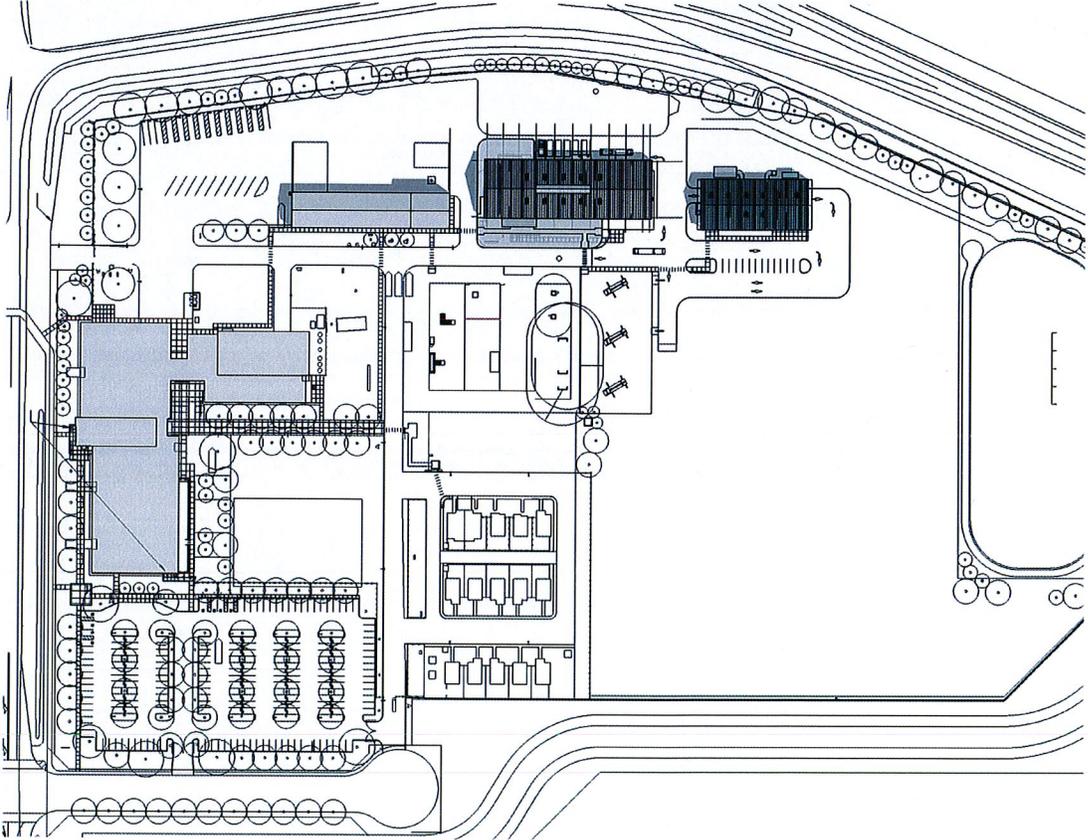
As with the Weld Lab, the Weld Building will operate per the final EIR for the PG&E Gas Operations Technical Training Center, 7 am – 7 pm seven days per week with normal operations occurring Monday – Friday 7am – 5pm.

The Weld Building consists of enclosed spaces totaling approximately 8,240 square feet. Approximately 6,000 SF of the Weld Building will be used for welding, non-destructive material examinations, and sandblasting and coating. There will also be an office/storage area of approximately 2,400 SF. There will be 8 individual welding booths along with the tools and equipment necessary for material preparation and execution of the welding, a booth for sandblasting and coating, and a x-ray booth for non-destructive examinations within the welding area. Within the office area will be workplace desks/seating for assigned staff, small break area, and small conference area. There will also be restrooms, lockers, and showers.

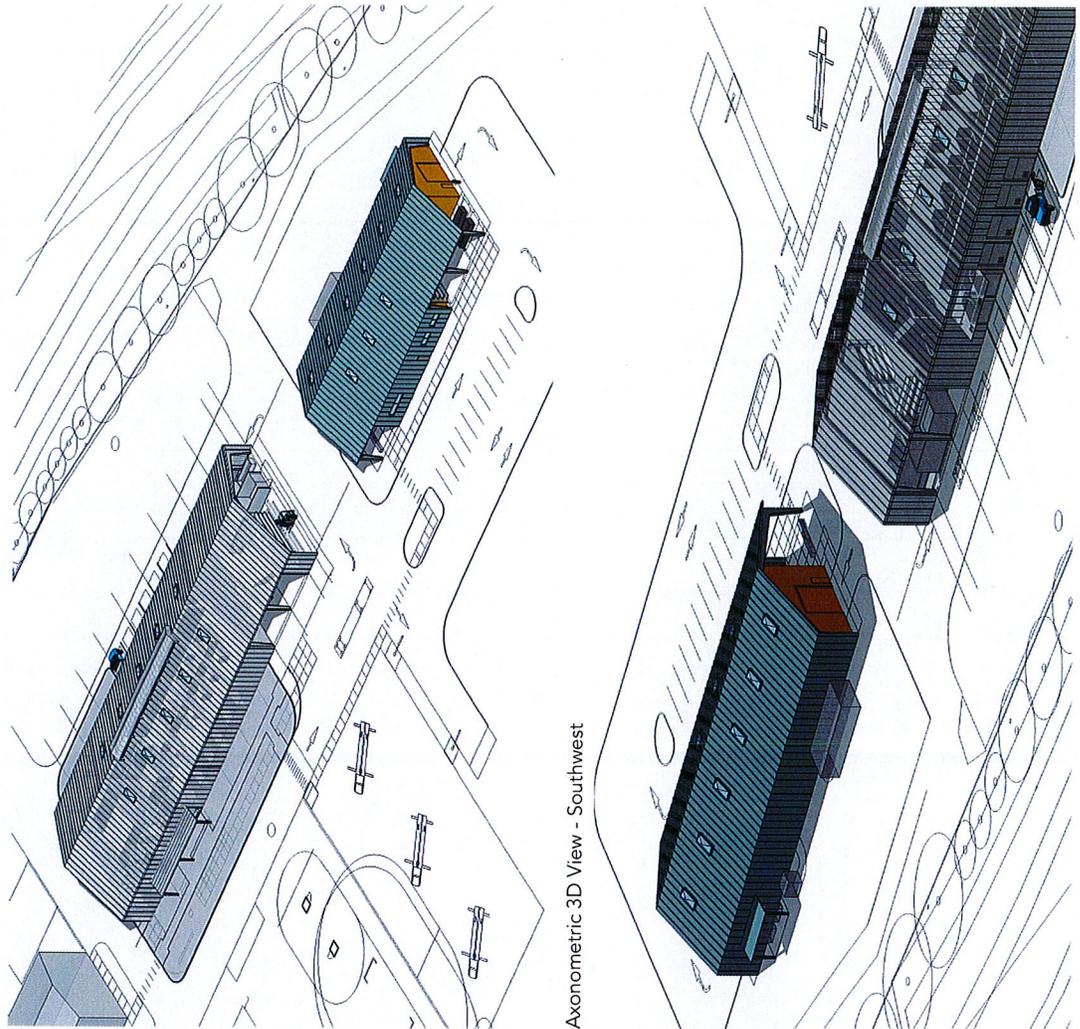
The current proposed location of the Weld Building will be located along the eastern side of the site immediately south of the Weld Lab. The building will be oriented north/south and the internal circulation road will be extended to loop around the building and towards the T&D building. This circulation is ideal for general access, material deliveries, emergency response, and pedestrian access from other structures.

The building is utilitarian in function and appearance. The building will be a pre-engineered metal building with a sloped pitched roof with roofing and siding factory-coated profiled-metal panels to match the T&D and Weld Lab structures on the campus. The overall color, texture and architecture of the Weld Building will match the aesthetics of the campus. The interior spaces of the Weld Building will be designed to withstand the welding environment utilizing materials such as polished concrete floors and impact-resistant surfaces.

**ATTACHMENT A**



Site Plan



Axonometric 3D View - Southwest

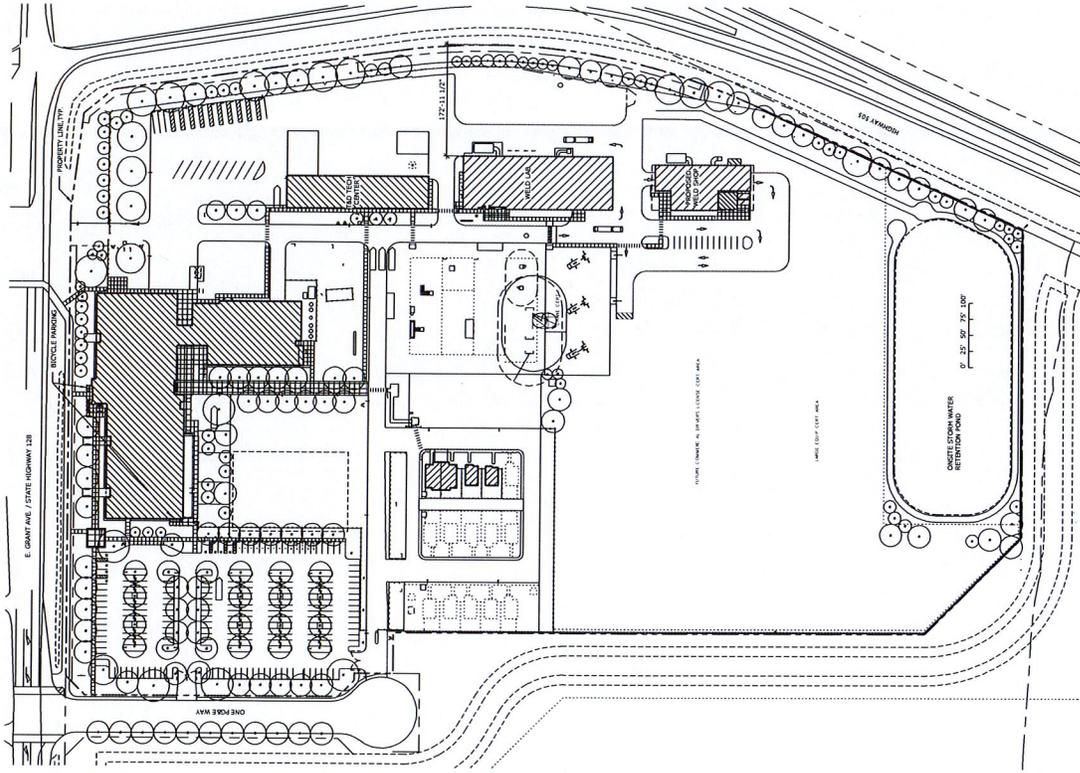
Axonometric 3D View - Northeast

**Dreyfuss+**  
**Blackford**  
architecture

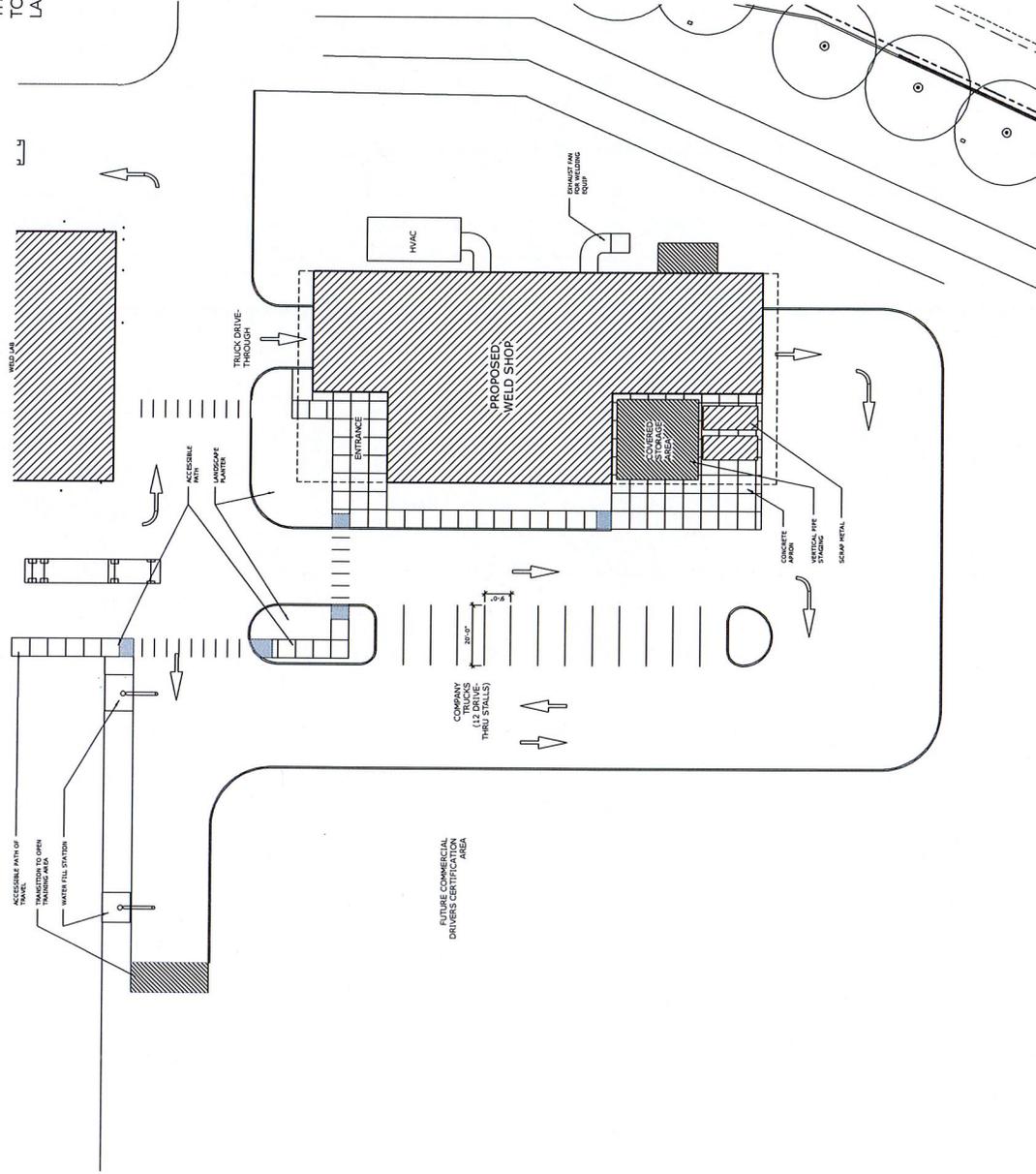


PG&E Winters - Weld Fabrication Shop  
**Site Plan and Axonometric Views**

21 April 2017

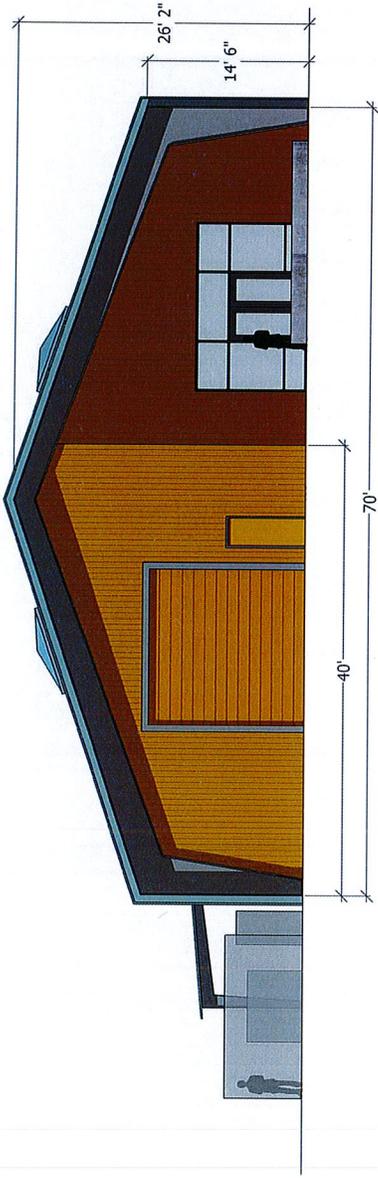


NOTE:  
 THE LANDSCAPE DESIGN AND PLANTING SELECTIONS  
 TO MATCH WHAT HAS BEEN APPROVED FOR THE WELD  
 LAB AND T&D IN DESIGN AND CHARACTER



PG&E Winters - Weld Fabrication Shop  
**Site Plan - Enlarged**

NOTE:  
ALL COLOR AND PANEL PROFILES TO MATCH THE PREVIOUSLY APPROVED WELD LAB AND T&D METAL BUILDINGS ON THE SAME SITE



North Elevation

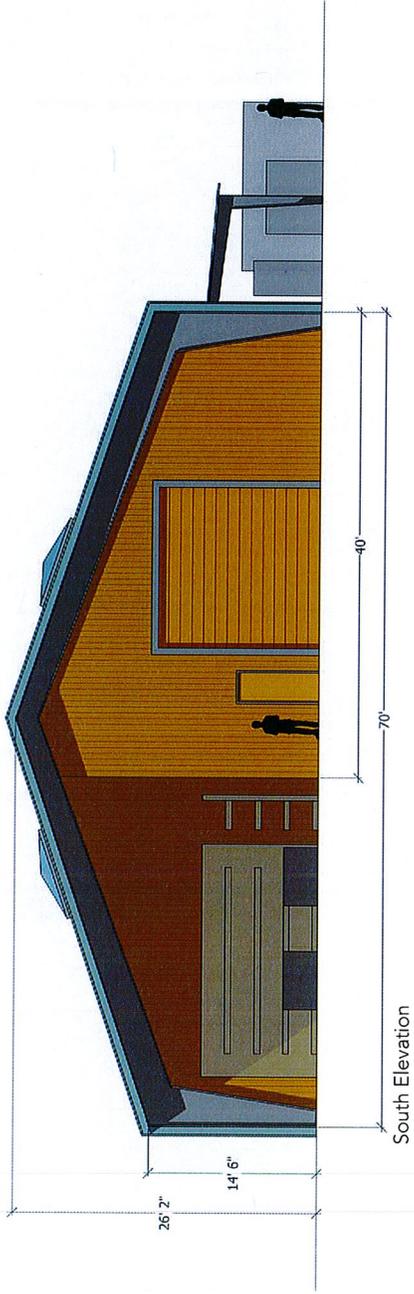


West Elevation

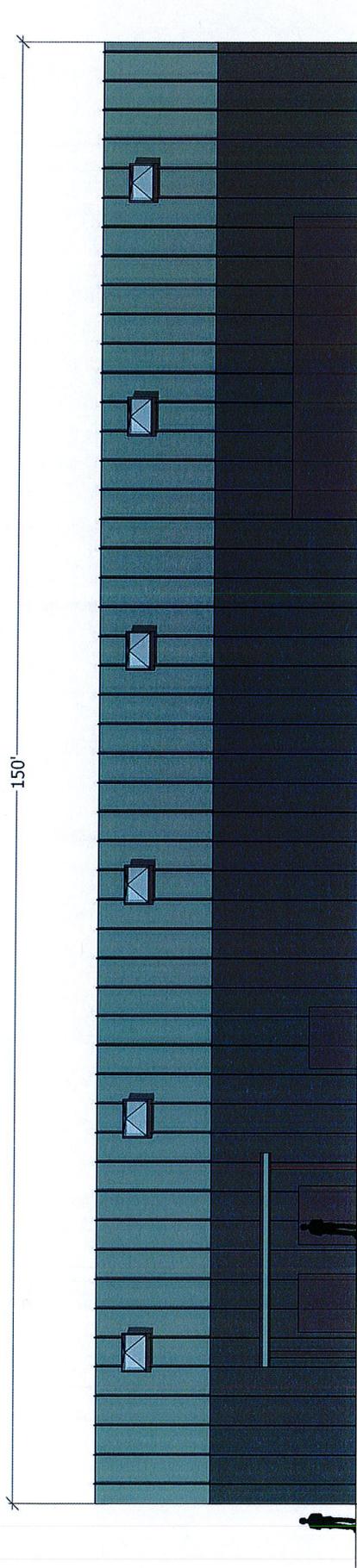
**Dreyfuss+**  
**Blackford**  
architecture

PG&E Winters - Weld Fabrication Shop  
**Elevations**

NOTE:  
ALL COLOR AND PANEL PROFILES TO MATCH THE PREVIOUSLY APPROVED WELD LAB AND T&D METAL BUILDINGS ON THE SAME SITE



South Elevation



East Elevation

**Dreyfuss+**  
**Blackford**  
architecture

PG&E Winters - Weld Fabrication Shop  
**Elevations**

21 April 2017

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City of Winters will conduct a Public Hearing by the Planning Commission on Tuesday, May 23, 2017 at 6:30 p.m. at the City Council Chambers located on the first floor of City Hall at 318 First Street, Winters, California to consider an application from Pacific Gas & Electric (PG&E) for Site Plan/Design Review for a proposed 8,240 square foot, pre-engineered metal welding building to be located on the existing Gas Operations Technical Training Center (GOTTC) site currently under construction. The weld building will be used for welding, non-destructive material examinations, sandblasting and coating. The weld building will operate from 7am-7pm seven days per week with normal operations occurring Monday-Friday 7am-5pm. The Planning Commission will take final action on the project unless appealed to the City Council.

The purpose of the public hearing will be to provide citizens an opportunity to make their comments on the project known. If you are unable to attend the public hearing, you may direct written comments to the City of Winters, Community Development Department, 318 First Street, Winters, CA 95694 or to [dave.dowswell@cityofwinters.org](mailto:dave.dowswell@cityofwinters.org). In addition, the staff report will be available on the City's website on 05/18/17.

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: Copies of the Staff Report will be available on the City's website [www.cityofwinters.org](http://www.cityofwinters.org)

For more information regarding this project, please contact David Dowswell, Contract Planner, at (530) 794-6714.



**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Chairman and Planning Commissioners  
**DATE:** May 23, 2017  
**FROM:** David Dowswell – Contract Planner   
**SUBJECT:** Public Hearing and Consideration of a Revised Tentative Subdivision Map (Olive Grove) for 21 lots for two parcels (APN 003-391-005 & 003-392-001), totaling 4.21 acres, located off Apricot Avenue and Hemenway Street. The lots range in size from 4,186 to 15,533 square feet.

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**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) Recommend to the Winters City Council Approval of the Olive Grove Revised Tentative Subdivision Map for 21 for parcels/lots 003-391-005 & 003-392-001 located off Apricot Avenue and Hemenway Street.

**GENERAL PLAN DESIGNATION AND ZONING:** The General Plan land use designation for the property is Medium Density Residential (MR). The project parcels are zoned R-2 (Single Family Residential), minimum parcel size 6,000 square feet, with an absolute minimum of 5,000 square feet.

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

North: Single-Family Housing – Zoned R-2 (Single Family Residential)  
East: Cemetery – Zoned PQP (Public Quasi Public)  
South: Single-Family Housing – Zoned R-2 (Single Family Residential)  
West: Winters High School Campus – Zoned PQP (Public Quasi Public)

Historically, the site was farmed (walnut orchard). There are a few large olive trees and single-family residence with outbuildings (all vacant). The property is flat.

**BACKGROUND:** In July 2008 the Planning Commission recommended to the City Council approval of a general plan amendment and zoning change for the western portion (1.42 acres) of the subject property amending the land use designation from Recreation and Parks (PR) to Medium Density Residential (MR) and rezoning it from Parks and Recreation (P-R) to Single-Family Residential with the conditions that:

1. A development plan for the entire 4.14 acres (currently indicated as 4.21 acres), which includes the 1.42 acres portion, must be presented to the City for consideration at one time; and
2. At the time of development of the 4.21 acres the property owner will be required to dedicate land and/or pay fees for park or recreational purposes, in accordance with then-existing City ordinances.

In October 2008 the Winters City Council adopted a Mitigated Negative Declaration and Mitigation Monitoring Program, Resolution 2008-37 (Attachment A) approving a General Plan Amendment amending the land use designation for 1.42 acres from Recreation & Parks (RP) to Medium Density Residential (MR) and Ordinance 2008-10 (Attachment B) approving a rezoning from Parks and Recreation (P-R) to Single-Family Residential (R-2).

On January 27, 2015 the Planning Commission recommended the City Council approve a Tentative Subdivision Map application by Joe and Karen Ogando to subdivide two parcels near Apricot Avenue and Hemenway Street (APN 003-391-005 & 003-392-001), totaling 4.21 acres, into eighteen (18) lots ranging in size from 6,000 to 10,000 square feet. On March 17, 2015 the City Council approved the Tentative Subdivision Map. After approving the map the applicant chose not to proceed with preparing a Final Map.

After the Council's action on March 17 staff discovered that the density of the approved Tentative Map was based on the original density for the Medium Density (4.1 to 6 units per acre) land use category included in the 1992 General Plan. In 2003 the City Council amended the Medium Density land use category by increasing the allowable density to 5.4 to 8.8 units per acre. The effect of this change increased the minimum allowable density for the two parcels to twenty-one (21) lots.

**PROJECT DESCRIPTION:** Project applicant, Chris Williams, is seeking approval of a revised tentative subdivision map dividing the existing two parcels (003-391-005 & 003-392-001 near Apricot Avenue and Hemenway Street, totaling 4.21 acres, into twenty-one (21) residential lots with ranging in size from 4,186 to 15,533 square feet (Attachment C).

**ANALYSIS:** The configuration of the proposed lots as shown on Attachment C is consistent with the City's General Plan and standards of the subdivision and zoning ordinances; meeting minimum lot size requirements. Per the Table 3B in 17.56.010 of the Zoning Ordinance, the minimum lot size for an affordable unit is 3,500 square feet. The applicant is proposing to place an affordable unit on Lot 11. The Affordable Housing Steering Committee has not yet reviewed the applicant's proposal. If the Affordable

Housing Steering Committee disapproves the applicant's proposal to put an affordable unit on Lot 11 the size of Lot 11 will need to be increased to 5,000 square feet. The proposed density of development is consistent with the Medium Density Residential (MR) land use and Single Family Residential (R-2) zoning.

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

Access to proposed lots (6 through 21) is from the existing Apricot Avenue, which will be completed, and the newly created street "Olive Court". Five lots (1 through 5) will be accessed from Hemenway Street. Review by Public Safety was performed during map-check and the configuration of the roadway was determined to be acceptable with the comment that the driveway for the flag lot (10) proximate to the Cemetery be built to accommodate fire apparatus. Dedication of road right-of-ways and the public utility easements (PUE) will be handled by grant deed that must be approved by the City Council before the Final Map is recorded.

Sidewalks are to be constructed within the PUE along existing Apricot Avenue, and the newly created "Olive Court". Staff and the applicant concurred that continuation of the existing monolithic sidewalk configuration is acceptable and will continue the same layout and aesthetic along this stretch of Apricot Avenue.

The existing very large olive trees located on the site will be relocated to specific visual points in the subdivision and any existing usable orchard trees that can be saved will be preserved on site.

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

**AFFORDABLE HOUSING:** The applicant has the responsibility to satisfy the requirements of the Affordable Housing Program for the City of Winters. The affordable housing requirements seek to promote a balance between encouraging the development of market-rate housing and mixed-use development in the City, while at the same time, providing for the creation of affordable housing necessary to meet the needs of individuals of very low, low, and moderate income within the City.

Section 17.200.030 of the City's Municipal Code regarding Inclusionary Housing Requirements states:

- (A) Number and Affordability of Units, except as otherwise provided for in this Chapter, all development projects consisting of five (5) or more residential units within the City of Winters shall include inclusionary housing units equal to fifteen percent (15%) of the total number of residential units in the development project excluding density bonus units. The fifteen percent (15%) inclusionary housing requirement shall consist of six percent (6%) very low

income units and nine percent (9%) low income or moderate income units in proportion to the unmet needs for each identified in the current housing element.

The obligation for Olive Grove Subdivision is one (1) very-low income unit, one (1) low-income unit, and one (1) moderate income unit.

The City strongly prefers and shall encourage on-site construction of inclusionary units, however alternatives to the on-site construction are available and provided for in Section 17.200.050.

- Land Dedication
- Acquisition, Rehabilitation, and Conversion of Market Rate Units
- Accessory Units
- Inclusionary Housing Credits
- In-Lieu Fees
- Cooperative Ventures
- Sweat Equity
- Combination
- Other Alternatives

The initial step of developing a plan to satisfy Affordable Housing requirements was a meeting with the City to discuss options and alternatives to satisfy the obligation. Based on that discussion, the developer prepared a Draft Affordable Housing Plan (AHP) and will need to meet with the Affordable Housing Steering Committee to solicit support of the AHP and consider any modifications. With Steering Committee support, the AHP would then go to the Planning Commission for review. Should the Commission recommend approval, the City Council would take final action on the AHP. An AHP for the project shall be approved prior to approval of the Final Map.

**PARK IN-LIEU FEE:** Discussion occurred between City staff and the applicant on ways to address the park requirement. There is no park or recreational facility designated in the City's General Plan to be located in whole or in part within the proposed project. Also in part due to the small size of the subject property, and the small amount of land to be dedicated to park use, staff and the applicant concurred that the use of park in-lieu fees is appropriate and could be put to the best use.

The formula used to calculate the park in-lieu fee is based on the value of raw residential land in Winters. Fees will be based on actual appraised land values. The fee is calculated by multiplying the land value per acre by 0.015 (per Resolution 93-47, If raw residential land is valued at \$250,000.00 (example only) per acre, multiplied by 0.015, the result is a fee of \$3,750 per residential unit.

**PROJECT NOTIFICATION:** Two methods of public notice were used in compliance with State law and the Winters Municipal Code: a legal notice was published in the Winters Express on 05/11/17 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 the hearing (Attachment D). Copies of the staff report and all attachments for the proposed project have been on file, available for public review at City Hall since 05/18/17.

**ENVIRONMENTAL ASSESSMENT:** A Mitigated Negative Declaration and Mitigation Monitoring Plan were adopted by the Winters City Council on 09/02/08 as part of f the General Plan Amendment and Rezone and the following findings were made:

1. The City Council has considered the proposed Mitigated Negative Declaration before making a decision on the project.
2. The City Council has considered comments received on the Mitigated Negative Declaration during the public review process.
3. The City Council finds that the environmental checklist/initial study identified potentially significant effects, but: a) mitigation measures agreed to by the applicant before the mitigated negative declaration and initial study were released for public review would avoid the effects or mitigate the effects to a point where clearly no significant impact would occur; and b) there is no substantial evidence, in light of the whole record before the City, that the project as revised to include the mitigation measures may have a significant effect on the environment.
4. The Mitigated Negative Declaration reflects the independent judgment and analysis of the City of Winters.
5. The Mitigated Negative Declaration has been prepared in compliance with CEQA and the State CEQA Guidelines, and is determined to be complete and final.
6. The custodian of the documents, and other materials, which constitute the record of proceedings is the Community Development Director. The location of these items is the office of the Community Development Department at City Hall, 318 First Street, Winters, California 95694.
7. The Mitigation Monitoring and Reporting Plan is hereby adopted to ensure implementation of mitigation measures identified in the Mitigated Negative Declaration. The City Council finds that these mitigation measures are fully enforceable as conditions of approval of the project, and shall be binding on the applicant, future property owners, and affected parties.
8. The City Council hereby adopts the Valadez General Plan Amendment and Rezone Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

**RECOMMENDED FINDINGS FOR THE REVISED TENTATIVE SUBDIVISION MAP (21 LOTS) FOR PARCELS 003-391-005 & 003-392-001 NEAR APRICOT AVENUE AND HEMENWAY STREET**

CEQA Findings:

1. A Mitigated Negative Declaration and Mitigation Monitoring Plan were adopted by the Winters City Council on 09/02/08

General Plan and Zoning Consistency Findings:

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

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

**MOVE THAT THE CITY OF WINTERS PLANNING COMMISSION RECOMMEND TO THE CITY COUNCIL APPROVAL OF THE "OLIVE GROVE" REVISED TENTATIVE SUBDIVISION MAP (21 LOTS) FOR PARCELS 003-391-005 & 003-392-001 NEAR APRICOT AVENUE AND HEMENWAY STREET.**

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

**ATTACHMENTS:**

- A. City Council Resolution 2008-37
- B. City Council Ordinance 2008-10
- C. Vicinity Map -Tentative Subdivision Map Exhibits
- D. Public Hearing Notice
- E. Conditions of Approval

**RESOLUTION 2008-37**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
WINTERS AMENDING THE GENERAL PLAN TO CHANGE THE  
GENERAL PLAN DESIGNATION FROM RECREATION AND  
PARKS (RP) TO MEDIUM DENSITY RESIDENTIAL (MR) FOR THE  
PROPERTY LOCATED AT  
ASSESSOR'S PARCEL NUMBER 003-39105**

**WHEREAS**, Section Government Code 65358 authorizes the City Council of City of Winters, upon receipt of a recommendation from the Planning Commission, upon holding a public hearing and hearing all testimony, upon examination and review of the investigative and staff reports and upon ascertaining all other pertinent facts relative thereto, and upon conclusion of public hearing to make determinations and findings of fact as deemed necessary and to approve proposed General Plan amendment and adoption of a Resolution changing General Plan designation; and

**WHEREAS**, California Government Code section 65350 *et seq.* authorizes the City Council of City of Winters, upon hearing all testimony, upon examination and review of the investigative and staff reports and upon ascertaining all other pertinent facts relative thereto, and upon conclusion of public hearing to make determinations and findings of fact as deemed necessary and to approve proposed General Plan amendment and adoption of a Resolution changing General Plan designation; and

**WHEREAS**, the Planning Commission of the City of Winters held a duly noticed public hearing and recommended that the City Council approve a General Plan Amendment to change the General Plan designation from Parks and Recreation to Medium Density Residential for the real property abutting Hemenway Street, APN 003-391-05 shown in Attachment "A"; and

**WHEREAS**, the City Council of the City of Winters held a public hearing on September 2, 2008, for this General Plan Amendment following notice duly and regularly given as required by law and interested parties were heard; and

**WHEREAS**, the City Council has carefully considered all pertinent testimony, staff report and Planning Commission recommendations in the case as presented at the public hearing of September 2, 2008; and

**WHEREAS**, the proposed General Plan Amendment is necessary to carry out general purpose and provisions of General Plan; and

**WHEREAS**, the proposed General Plan Amendment is required by public necessity and convenience, and will promote general welfare.

**NOW THEREFORE**, the City Council of the City of Winters does hereby resolve as follows:

**SECTION 1.** Pursuant to the State California Environmental Quality Act (CEQA) Guidelines, the City Council finds that:

9. The City Council has considered the proposed Mitigated Negative Declaration before making a decision on the project.
10. The City Council has considered comments received on the Mitigated Negative Declaration during the public review process.
11. The City Council finds that the environmental checklist/initial study identified potentially significant effects, but: a) mitigation measures agreed to by the applicant before the mitigated negative declaration and initial study were released for public review would avoid the effects or mitigate the effects to a point where clearly no significant impact would occur; and b) there is no substantial evidence, in light of the whole record before the City, that the project as revised to include the mitigation measures may have a significant effect on the environment.
12. The Mitigated Negative Declaration reflects the independent judgment and analysis of the City of Winters.
13. The Mitigated Negative Declaration has been prepared in compliance with CEQA and the State CEQA Guidelines, and is determined to be complete and final.
14. The custodian of the documents, and other materials, which constitute the record of proceedings is the Community Development Director. The location of these items is the office of the Community Development Department at City Hall, 318 First Street, Winters, California 95694.
15. The Mitigation Monitoring and Reporting Plan is hereby adopted to ensure implementation of mitigation measures identified in the Mitigated Negative Declaration. The City Council finds that these mitigation measures are fully enforceable as conditions of approval of the project, and shall be binding on the applicant, future property owners, and affected parties.
16. The City Council hereby adopts the Valadez General Plan Amendment and Rezone Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

**SECTION 2.** Pursuant to Section 65358 of the California Government Code, the City Council of the City of Winters does hereby approves the adoption of a General Plan Amendment to change the General Plan designation from Parks and Recreation to Medium Density Residential for the property, APN 003-391-05, designated herein as Attachment "A", attached hereto and made part of this Resolution.

**SECTION 3.** The City Council of the City of Winters finds that this General Plan Amendment should adopted for the following reasons and findings:

a) The adoption of the General Plan Amendment will be consistent with the adopted City General Plan goals, policies and programs in that the change in zones will facilitate in-fill development and is consistent with the character of the neighborhood which predominantly includes Single-Family homes.

b) The adoption of the General Plan Amendment will be compatible with other designations within the vicinity and with surrounding land uses which includes single-family residences on the north and south; the Winters Cemetery on the west and; walnut orchard with a single-family residence on the east.

**SECTION 4.** Based upon the foregoing findings and summaries, the City of Winters City Council approves the adoption of a General Plan Amendment changing the General Plan designation from Parks and Recreation to Medium Density Residential for the property, APN 003-391-05 following a public hearing as required by law.

**APPROVED AND ADOPTED** this 2<sup>nd</sup> day of September, 2008 by members of the City Council of the City of Winters, voting as follows:

**AYES:** Council Members Aguiar-Curry, Anderson, Fridae, Stone and Mayor Martin  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

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Michael Martin, MAYOR

ATTEST:

Nanci Mills,  
CITY CLERK

**CITY OF WINTERS  
ORDINANCE NO. 2008-10**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINTERS AMENDING  
THE ZONING MAP TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN  
PROPERTY KNOWN AS ASSESOR'S PARCEL NO. 003-391-05**

The City Council of the City of Winters hereby ordains as follows:

**SECTION 1:** The Zoning Map of the City of Winters is amended to change the zoning classification of the property described in Exhibit "A" and depicted in Exhibit "B", which are attached hereto and incorporated herein as though set forth in full ("Subject Property"), and which is also commonly referred to and known as Assessor Parcel No. 003-391-05 and is approximately 1.42 acres, from the P-R Zone to the R-2 Zone, as depicted on Exhibit "B".

**SECTION 2:** The change in the zoning classification for the Subject Property provided for in Section 1 hereof shall be subject to, and conditioned upon, compliance with all of the conditions set forth in Exhibit "C", which is attached hereto and incorporated herein as though set forth in full.

**SECTION 3:** The conditions set forth in Exhibit "C" and incorporated herein shall run with the land and shall be directly enforceable by the City of Winters against the owner(s), successors and assigns of the Subject Property.

**SECTION 4:** The City Council finds in connection with its adoption of this Ordinance, and the imposition of the conditions enumerated in Exhibit "C" hereof and incorporated herein, that the owners of the Subject Property, or authorized representative of the owners, have consented to the imposition of the conditions enumerated in Exhibit "C" hereof. This consent is memorialized in Exhibit "D" which is attached hereto and incorporated herein as though set forth in full.

**SECTION 5:** This Ordinance shall be in full force and effect 30 days after its adoption and shall be published and posted as required by law. The City Clerk of the City of Winters shall cause this Ordinance to be posted in accordance with 36933 of the Government Code of the State of California.

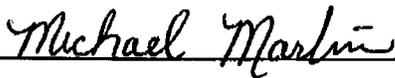
The foregoing Ordinance was **INTRODUCED** at a regular meeting of the City Council of the City of Winters, California, held on September 16, 2008, and was **PASSED AND ADOPTED** at a regular meeting of the City Council held on October 7, 2008, by the following vote:

**AYES:** Council Members Anderson, Stone, and Mayor Martin

**NOES:** None

**ABSENT:** Council Members Aguiar-Curry and Fridae

**ABSTAIN:** None

  
\_\_\_\_\_

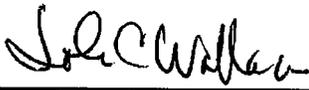
Michael Martin, MAYOR

**ATTEST:**

  
\_\_\_\_\_

Nanci G. Mills, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_

John Wallace, City Attorney

## EXHIBIT A

All that real property situated in the City of Winters, County of Yolo, State of California, described as follows:

A portion of Block 13 of Hills Subdivision of the Northeast Quarter of Section 21, Township 8 North, Range 1 West, M. D. B. & M., according to the official plat thereof, filed for record in the office of the Recorder of Yolo County, California, on August 31, 1885, in Book 39 of Deeds, at page 63, described as follows:

That portion of said block which lies south of a line which commences on the East boundary of said block, distant thereon 322.85 feet South of the Northeast corner thereof, and extends thence West, at right angles, 690.36 feet to the West line of said block.

Excepting therefrom the following described real property situated in the City of Winters, County of Yolo, State of California:

A portion of Block 13 of Hills Subdivision of the N.E. one-quarter of Section 21, Township 8 North, Range 1 West, M.D.B. & M., as said subdivision is shown on that map filed in Book 39 of Deeds, at page 63 of Official Records of Yolo County, California, and being more particularly described as follows: BEGINNING at the northerly terminus of the center-line of Apricot Avenue that is distant South 89 Deg. 42' 24" West 140.91 feet from the Northeast Corner of Subdivision No. 2110, also known as Kaiser-Aetna, Winters, as said subdivision is shown on that map filed in Book 8 of Maps at pages 32 and 33 of Official Records of Yolo County; thence, from said point of beginning along the northerly boundary of said Subdivision No. 2110, South 89 Deg. 42' 24" West 26.54 feet; thence, leaving said northerly boundary, North 19 deg. 55' 12" West approximately 324.48 feet plus or minus to the southerly boundary of that parcel of land conveyed to the Dearborn Development Co. by Stanley M. Davis and Ruth Wood Davis by deed November 19, 1965, in Book 830 of Official Records of Yolo County, at pages 84 and 85; thence, along said southerly boundary, North 89 deg. 47' 37" East 53.11 feet; thence, leaving said southerly boundary, South 19 deg. 55' 12" East approximately 324.39 feet plus or minus to the northerly boundary of said Subdivision No. 2110; thence, along said northerly boundary, South 89 deg. 42' 24" West 26.55 feet to the point of beginning.

Yolo County A.P.N. 3-392-01

Yolo County A.P.N. 3-391-05

## EXHIBIT A

Felix Valadez Family Trust

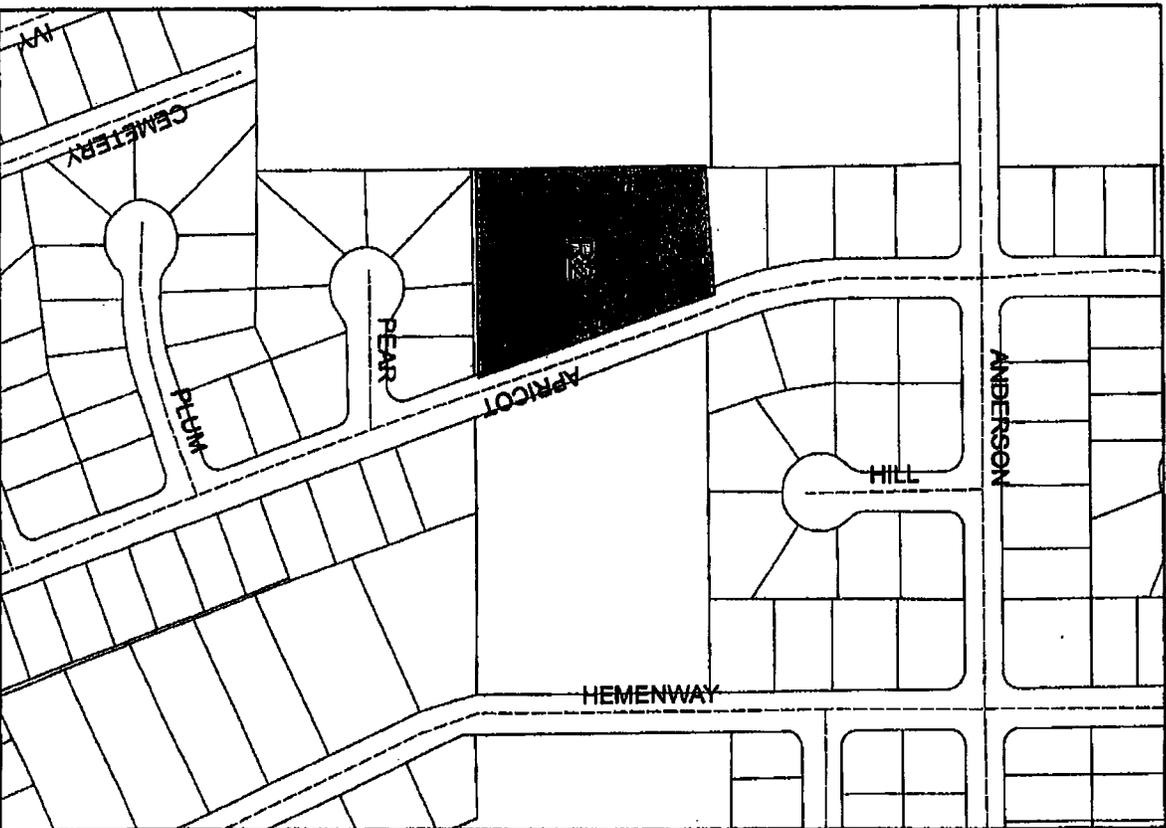
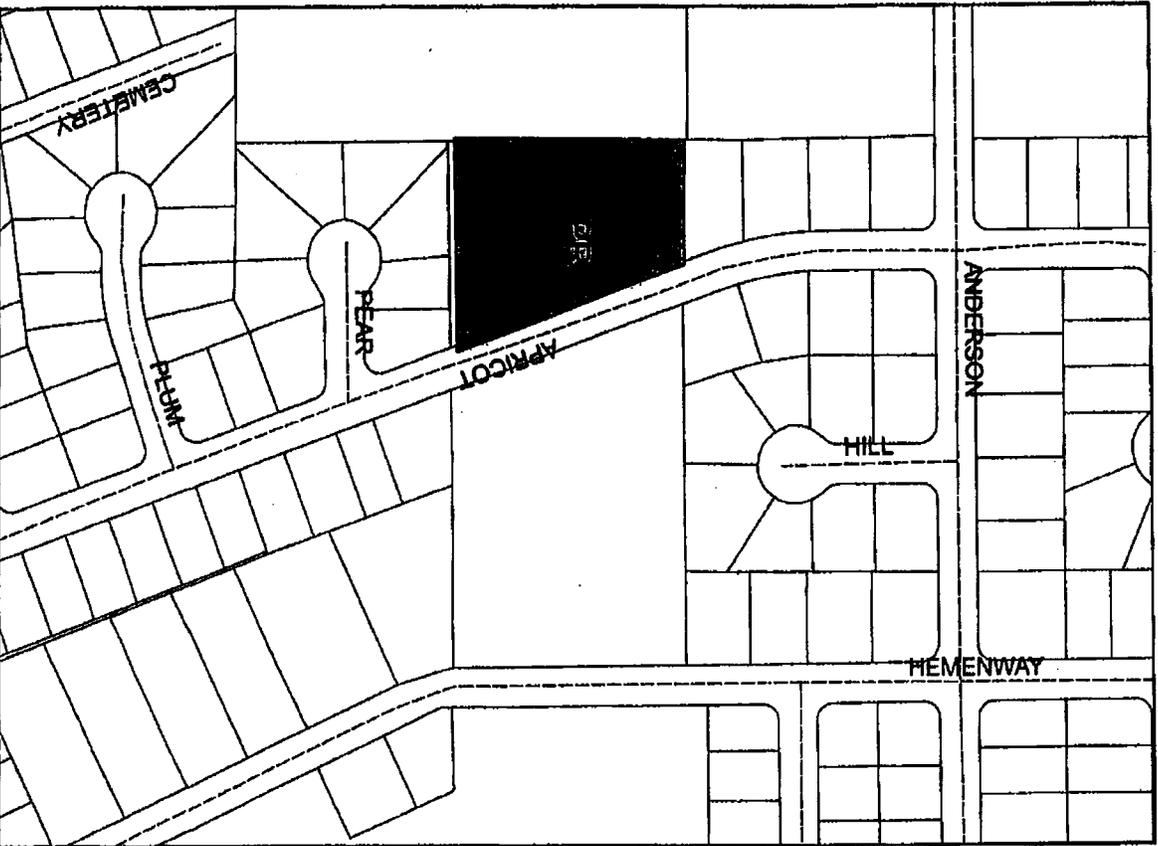
Petition for Reissuance of Order Nunc Pro Tunc

Existing

# Rezone Exhibit

Proposed

EXHIBIT B



## **EXHIBIT "C"**

### **REZONE CONDITIONS**

1. In order to promote the compatibility of the development with the surrounding neighborhood, a development plan for the entire 4.14 acre parcel, which includes APN # 003-391-05 (1.421 acres) and APN #003-0392-01 (2.719 acres) shall be presented to the City of Winters for consideration at one time, as opposed to submitting separate and independent plans for either the eastern or western portion of the site.
2. The property owner understands and acknowledges that at the time of development of the 4.14 acre parcel, which includes the Subject Property, there will be a requirement to dedicate land and/or pay fees for park or recreational purposes, in accordance with then-existing City ordinances, and the property owner agrees to comply with such ordinances.
3. The property owner agrees to provide any successor-in-interest to the 4.14 acre parcel, which includes the Subject Property, or any portion thereof, with a complete copy of this Ordinance.

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City of Winters will conduct a Public Hearing by the Planning Commission on Tuesday, May 23, 2017 at 6:30 p.m. at the City Council Chambers located on the first floor of City Hall at 318 First Street, Winters, California to consider an application from Chris Williams for a revised Tentative Map (21 lots) for parcels APN 003-391-005 and 003-392-001 near Apricot Avenue and Hemenway Street. Lots will vary in size from 4,186 square feet to 15,533 square feet. The Planning Commission will make a recommendation to the City Council which will take final action on the project at a future noticed public hearing.

The purpose of the public hearing will be to provide citizens an opportunity to make their comments on the project known. If you are unable to attend the public hearing, you may direct written comments to the City of Winters, Community Development Department, 318 First Street, Winters, CA 95694 or to [dave.dowswell@cityofwinters.org](mailto:dave.dowswell@cityofwinters.org). In addition, the staff report will be available on the City's website on 5/18/17.

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.

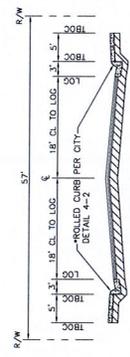
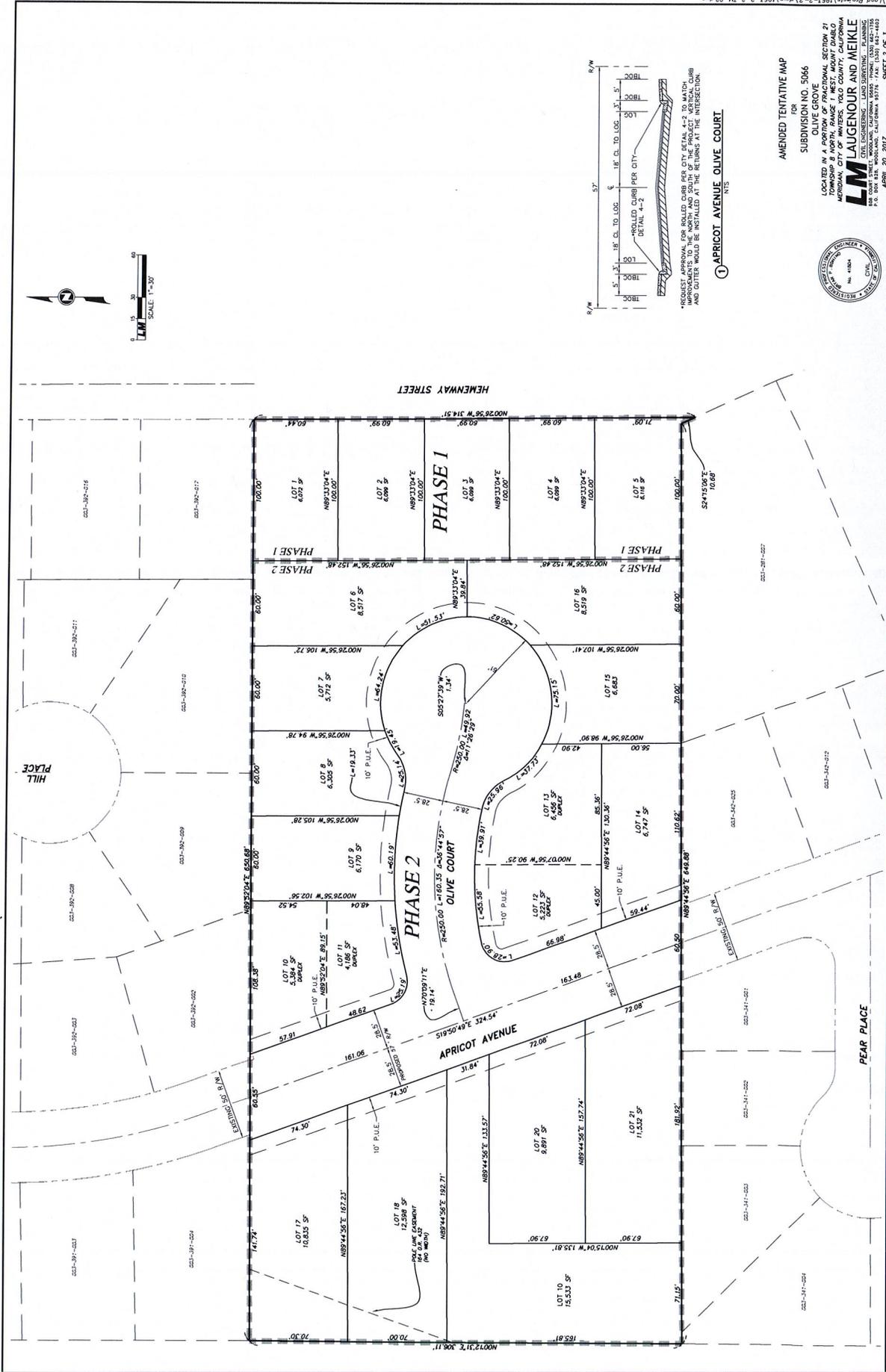
The City does not transcribe its hearings. If you wish to obtain a verbatim record of the proceedings, you must arrange for attendance by a court reporter or for some other means of recordation. Such arrangements will be at your sole expense.

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: Copies of the Staff Report will be available on the City's website [www.cityofwinters.org](http://www.cityofwinters.org)

For more information regarding this project, please contact David Dowswell, Contract Planner, at (530) 794-6714.





\*REQUEST APPROVAL FOR ROLLED CURB PER CITY DETAIL 4-2 TO MATCH THE CURB TO THE NORTH AND SOUTH OF THE PROJECT. VERTICAL CURB AND CURB RISES TO BE FINISHED AT THE INTERSECTION.

① APRICOT AVENUE OLIVE COURT

AMENDED TENTATIVE MAP  
SUBMISSION NO. 5066  
OLIVE GROVE

LOCATED IN A PORTION OF FRACTIONAL SECTION 21  
TOWNSHIP 8 NORTH, RANGE 1 WEST, MOUNT Diablo  
COUNTY OF SANTA CLARA, CALIFORNIA  
**LM LAUGENOUR AND MEIKLE**  
REGISTERED PROFESSIONAL LAND ENGINEERS  
1700 COUNTY STREET, SUITE 200, SAN JOSE, CALIFORNIA 95128  
PHONE: (415) 435-1700  
FAX: (415) 435-1702  
APRIL 20, 2017





**Olive Grove Subdivision  
DRAFT CONDITIONS OF APPROVAL**

**PLANNING COMMISSION 05/23/17**

1. The project is described in the May 23, 2017 Planning Commission staff report. The project shall be constructed as depicted on the exhibits included in the May 23, 2017 Planning Commission Staff report, except as modified by these conditions of approval. Substantive modifications require public hearing(s) and Planning Commission action.
2. Approval of the applicant's project shall be null and void if the applicant fails to submit a final map for the project within 36 months of the Planning Commission's approval of the Parcel Map application.
3. The applicant shall report to the City building materials diverted from landfilling during the course of their project, pursuant to the provisions of the City of Winters Ordinance 2002-03.
4. The project shall install as part of public improvement conduit for broadband as approved by the City Engineer.
5. The Affordable Housing Program Plan shall be reviewed by the Planning Commission and approved by the City Council prior to approval of the Final Map.

**PUBLIC WORKS CONDITIONS OF APPROVAL**

6. 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 tentative map and comply with all regulations, mitigations and conditions set forth.
7. The applicant agrees to adhere to the terms of the of the ordinance (Ordinance No. 96-02) adopted by the City Council to address impact fees to be paid for development of property within the Rancho Arroyo Drainage District, to offset costs associated with drainage improvements.
8. 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 subdivision map. Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.

**ATTACHMENT E**

9. A subdivision map (Final or Parcel) shall be processed and 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 final map from the County, prior to issuance of the first building permit.
10. U.S. Post Office mailbox locations shall be shown on the improvement plans subject to approval by the City Engineer and Postmaster.
11. 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.
12. The applicant shall submit a current title report to the City prior to approval of public improvement plans.
13. The City of Winters plan review fee applies and is due upon submittal of plans for review.
14. All street and other required public improvements shall be constructed concurrently, in a single phase operation.
15. A soils/geotechnical report shall be prepared by a qualified engineer to confirm onsite soil capabilities and geological conditions and make recommendations to be followed for development. Grading of the site, design of foundations for proposed structures and construction of other related facilities on the property shall follow the criteria identified in the report. The applicant shall submit the report with the initial improvement plans package. The improvement plans shall be approved and signed by the soils engineer prior to approval by the City.
16. Applicant shall construct public roadway improvements, to include curb, gutter, and sidewalk per the City of Winters Public Improvements Standards and Construction Standards. The City approves Apricot Avenue as a 50-foot right of way with monolithic sidewalks, consistent with the existing Apricot Avenue to the south.

17. A 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 address water-quality, and demonstrate the effectiveness of the proposed storm drainage system to prevent negative impacts to the existing SD System. The applicant shall pay the cost associated with all improvements required by the plan.
18. 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.
19. A topographic survey of the entire site and a comprehensive grading 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 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.
20. Construction materials for storm drain pipes within the water table shall be pre-cast rubber-gasket reinforced concrete pipe (RGRCP).
21. 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.
22. All projects shall include implementation of post-construction best management practices (BMPs). Post construction BMPs shall be identified on improvement plans and approved by the City Engineer. Construction of projects disturbing more than one acre of soil shall require a National Pollution Discharge Elimination System (NPDES) construction permit, or a WPCP.
23. Landscaped slopes along streets shall not exceed 5:1; exceptions shall require approval of the City Engineer. Level areas having a minimum width of two (2) feet shall be required at the toe and top of said slopes.

24. A Tentative Map Sewer comprehensive Collection System Master Plan shall be submitted by a registered civil engineer, for approval by the City Engineer prior to submittal of the final map and/or construction drawings for checking. The plan shall include final sizing and location of conveyance facilities, structures, and engineering calculations. The applicant shall pay the cost associated with all improvements required by the plan. Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
25. The Tentative 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.
26. A Tentative Map Water comprehensive Distribution System Master Plan shall be submitted by a registered civil engineer, for approval by the City Engineer prior to submittal of the final map and/or construction drawings for checking. The plan shall include final sizing and location of conveyance facilities, structures, and engineering calculations. The applicant shall pay the costs associated with all improvements required by the plan. Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
27. At the time the Building Permit is issued, the applicant will be required to pay the appropriate City connection fees. All domestic water services will be metered. Water meters shall be installed on all water services to the satisfaction of the Public Works Department.
28. If required, per the Subdivision Map Act, project applicant shall obtain a Water Verification (WV) prior to approval of final map that addresses the following:
29. Actual water service to the subdivision will be predicated upon satisfaction of terms and conditions set by the water supplier
30. The WV is non-transferable, and can only be used for the specific tentative map for which it was issued.
31. The WV shall expire along with the tentative map subdivision map if a final map is not recorded within time allowed under law
32. Until such time as actual service connections are approved for the subdivision, the water agency may withhold water service due to a water shortage declared by the water agency.
33. The Tentative 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. 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.

34. Applicant shall construct water service lateral for irrigation of any landscaping to parcel A and install a meter for the service.
35. 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 Public Works Department.
36. A hydrant use permit shall be obtained from the Public Works Department, for water used in the course of construction.
37. Landscaping and irrigation plans shall be prepared by a registered landscape architect, and included as part of the improvement plans and/or site plans. These plans shall be per City Standards and the Water Conservation in Landscaping Act of 2006 (AB 1881) and shall be subject to review and approval by the City. The improvement plans shall include landscaping and automatic irrigation for the public right-of-way. Drip irrigation systems shall be used. No substantial change to an approved landscaping or irrigation plan may be made without written approval by the original approving person or body.
38. All public landscape areas shall include water laterals with meters and PG&E power service points for automatic controllers. The landscape water meter shall be installed to the satisfaction of the Public Works Department.
39. Occupancy shall not occur until on-site and off-site improvements have been accepted by the City Council and the City has approved as-built drawings. Applicants, and/or owners shall be responsible to so inform prospective buyers, lessees, or renters of this condition.
40. If relocation of existing infrastructure 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.
41. A Subdivision Improvement and Maintenance Agreement shall be entered into and recorded prior to construction of improvements and/or issuance of any building permits.

42. Appropriate easements shall be required for City maintained facilities located outside of City owned property or the public right-of-way.
43. 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 Public Works Department.
44. Applicant shall make every attempt to submit joint trench/utility/composite plans for review, prior to approval of the final map and improvement plans. Construction will not be allowed to proceed prior to submittal of the joint trench/utility/composite plans for City review.
45. All existing and proposed utilities (electric, phone/data, and cable) within 100 feet of the project boundary 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. A common-trench for installation of broadband conduit shall be installed to City Standard and approved by the City Engineer.
46. A ten (10) foot public utility easement back of sidewalk, adjacent to all public streets within the development shall be dedicated to the City and may be required elsewhere as requested by the utility companies and approved by the City.
47. Project proponents shall enter into the Citywide Landscape and Lighting Maintenance District, in order to maintain and provide for the future needs of street lighting and landscaping, 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 issuance of a building permit.
48. Prepare improvement plans for any work within the public right-of-way and submit them to the City Engineer 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 Applicant shall provide, to the City Engineer, two 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. Final Record Drawings shall be provided on Mylar and electronic media.
49. Street lighting location plan shall be submitted and approved by the Department of Engineering, prior to approval of improvement plans and final recordation of Map.
50. 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 of Winters City Engineer and Fire Department
51. Conform to County Health regulations and requirements for the abandonment of any septic tanks and water wells.

52. Existing public and private facilities damaged during the course of construction shall be repaired by the Applicant at his/her sole expense, to the satisfaction of the City Engineer.
53. All conditions identified herein shall be fully satisfied prior to occupancy, unless otherwise stated.
54. The project shall operate within all applicable requirements of the City Code at all times
55. Landscape material may not be located such that, at maturity it interferes with safe distances for vehicular, bicycle or pedestrian traffic; conflicts with overhead utility lines, overhead lights, or walkway light; or blocks pedestrian or bicycle ways.
56. Street lighting location plan shall be submitted and approved by the City Engineer prior to approval of improvement plans.
57. For the proposed flag-lot: on-site drainage system shall be private and water quality requirements addressed for discharge into the public system. The driveway access to the flag-lot home shall be built to accommodate fire apparatus.
58. An 8-foot concrete path shall be constructed in Parcel A, to connect Hemenway sidewalk to cul-de-sac sidewalk.
59. A licensed Arborist shall be consulted for the proposed planting of a tree within the cul-de-sac. Also, the civil engineer shall provide a plan to address long-term degradation of the pavement section due to irrigation of the tree.
60. The Fire Department shall review and approve the proposed cul-de-sac design with the tree.
61. A site plan for Parcel A (open space) with landscape/hardscape plans shall be submitted for design review and approval by the City prior to acceptance of the final map. These improvements shall be developed at the same time as adjoining lots, and shall be completed to the City's satisfaction prior to occupancy of adjoining lots.
62. All inactive portions of the construction site, which have been graded will be seeded and watered until vegetation is grown.
63. Grading shall not occur when wind speeds exceeds 20 MPH over a one hour period.
64. Construction vehicle speed on unpaved roads shall not exceed 15 MPH.
65. Construction equipment and engines shall be properly maintained.
66. 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.

67. Construction practices will minimize vehicle idling.
68. Potentially windblown materials will be watered or covered.
69. Construction areas and streets will be wet swept.
70. At the time of making the survey for the final 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 subdivision shall be set or referenced prior to recordation of the final map.
71. The area of each lot, in square feet, shall be calculated and shown on the Final Map.
72. Prior to recording of the final map, if required, provide evidence of payment for the Habitat Mitigation Fee. This fee is paid to the Yolo County Planning Department.