

CITY OF WINTERS SPECIAL PLANNING COMMISSION AGENDA

Tuesday, August 22, 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

Chairperson: Kate Frazier
Vice Chairman: Paul Myer
Commissioners: Dave Adams, Lisa Baker,
Patrick Riley, Gregory Contreras, Daniel
Schrupp, Ramon Altamirano
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 July 25, 2017 meeting of the Planning Commission.

V STAFF/COMMISSION REPORTS

VI DISCUSSION ITEMS:

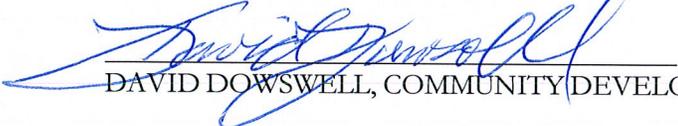
A. Public Hearing and Consideration of an application by Matthew and Laura Mariani to add a Planned Development Overlay (PD) Zone to the existing Single Family Residential (R-1) zoning and approve a Parcel Map subdividing an existing 8,000 square foot lot into two parcels (4,670 square feet and 3,330 square feet). The property (duplex) is located at 301 Main Street APN 003-191-006.

B. Public Hearing and Consideration of an application by Matthew and Laura Mariani to add a Planned Development Overlay (PD) Zone to the existing Single Family Residential (R-1) zoning and approve a Parcel Map subdividing an existing 8,990 square foot lot into two parcels (4,495 square feet and 4,495 square feet). The property (vacant) is located at 302 Abbey Street APN 003-191-005.

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 JUNE 8, 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
JULY 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 Myer called the meeting to order at 6:30 p.m.

New Planning Commissioners Ramon Altamirano and Daniel Schrupp were sworn in by Nanci Mills.

PRESENT: Commissioners Adams, Altamirano, Baker, Contreras, Myer, Schrupp

ABSENT: Riley

STAFF: City Manager John Donlevy, Housing and Economic Development Manager Dan Maguire, Contract Planner Dave Dowswell, Management Analyst Dagoberto Fierros

Commissioner Contreras led the pledge of allegiance.

CITIZEN INPUT: None at this meeting.

CONSENT ITEM: Minutes of the June 13, 2017 meeting of the Planning Commission.

Commissioner Contreras moved to approve minutes.

Commissioner Adams seconded.

AYES: Commissioners Adams, Altamirano, Contreras, Myer, Schrupp

NOES: None

ABSTAIN: Baker

ABSENT: Riley

Motion carried unanimously.

STAFF/COMMISSION REPORTS:

Commissioner Contreras had lunch with Yolo County Clerk/Recorder Jesse Salinas.

Commissioner Myer attended a City Council meeting.

DISCUSSION ITEM:

- A. Site Plan and Design Review – Phase 1 model homes for Winters Highlands

COMMISSIONER/STAFF COMMENTS:

Contract Planner Dave Dowswell gave a brief description of the models being proposed and commented on the recommendations from the Design Review Committee. Dowswell corrected an error in the Conditions of Approval #2. The date should be August 4, 2018.

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

City Manager John Donlevy gave an overview on the new housing developments that are currently in the works and how they'll tie into the rest of the city.

Commissioner Myer asked if there will be two-story homes on corner lots. Dowswell stated that the builders will try to put single-story homes on most corner lots, where possible.

Principal Architect of KTG Group Jill Williams gave a presentation describing the different designs for each model of Phase 1.

Commissioner Baker made a comment on "visitability". Jill Williams discussed how the developers planned on addressing visitability.

Commissioner Contreras asked for more clarification on visitability. Commissioner Baker clarified.

PUBLIC COMMENTS:

Winters Resident Kate Laddish, 400 Morgan Street Apt. #21, brought up the important of enculturation of new families who will buy homes in Winters.

Commissioner Baker expressed her pleasure with the designs of the Phase 1 models.

Commissioner Myer agreed with Baker and discussed the importance of visitability.

Commissioner Baker moved with corrections.

Commissioner Altamirano seconded.

AYES: Commissioners Adams, Altamirano, Baker, Contreras, Myer, Schrupp

NOES: None

ABSTAIN: None

ABSENT: Riley

John Donlevy mentioned that staff will follow up with the applicant to discuss visitability.

DISCUSSION ITEM:

B. Selection of Chairperson

COMMISSIONER/STAFF COMMENTS:

Commissioner Baker moved that Commissioner Myer be the new Chairman.

Commissioner Contreras seconded.

Commissioner Myer moved that Commissioner Baker be the new Vice Chair.

Commissioner Adams seconded.

AYES: Commissioners Adams, Altamirano, Baker, Contreras, Myer, Schrupp

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

NOES: None

ABSTAIN: None

ABSENT: Riley

DISCUSSION ITEM:

- C. Selection of new member to represent the Planning Commission on the Affordable Housing Steering Committee

COMMISSIONER/STAFF COMMENTS:

Housing and Economic Development Manager gave brief background on the role of the Affordable Housing Steering Committee.

Commissioner Myer nominated Commissioner Contreras be appointed to the Affordable Housing Steering Committee. Contreras agreed.

DISCUSSION ITEM:

- D. Study Session – Discussion involving current policy and zoning setback requirements for Dry Creek and Putah Creek and expansion of nonconforming structures.

COMMISSIONER/STAFF COMMENTS:

Vice Chair Baker recused herself due to her home being located along Dry Creek.

Contract Planner Dave Dowswell described the dilemma homeowners along Dry Creek are facing.

Discussion with Planning Commission ensued.

PUBLIC COMMENTS:

Nick Girimonte, 508 Abbey St., thanked City Staff and Planning Commissioners for their time spent on this issue.

Valerie Whitworth, 108 Liwai Village Court discussed a study that will be made on Dry Creek and Putah Creek known as Prop. 1. Whitworth discussed the possibility of teaming up with the Solano Water Agency to create a thorough study.

Kate Laddish described her concerns about building so close to Dry Creek.

Dave Dowswell recommended that City Staff continue with the study.

ADJOURNMENT: Chairperson Myer adjourned the meeting at 8:03pm.

ATTEST: _____

Dagoberto Fierros, Management Analyst

Paul Myer, Chairperson



**PLANNING COMMISSION
STAFF REPORT**

TO: Chair and Planning Commissioners
DATE: August 22, 2017
FROM: David Dowswell, Contract Planner 
SUBJECT: Public Hearing and Consideration of a request to add Planned Development (PD) Overlay Zone and a Parcel Map to subdivide one lot into two parcels for the property located at 301 Main Street APN 003-191-006. Project applicants: Mathew and Laura Mariani

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) Conditionally Approve Resolution 17-03, Parcel Map (2 lots) for parcel 003-191-006, 301 Main Street; and
- 4) Recommend City Council approve adding a PD Overlay Zone.

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

North: Vacant lot – Zoned R-1
East: Existing single-story Single - Family Housing – Zoned R-1
South: Existing two-story Single-Family Housing – Zoned R-1
West: Existing two-story Single-Family Housing – Zoned R-1

The site is developed with two units (duplex), formerly a Catholic church.

GENERAL PLAN & ZONING DESIGNATION: The General Plan land use designation for the property is Low Density Residential (LR). The project parcel is zoned Single Family Residential (R-1).

BACKGROUND: On August 26, 2014 the applicants, Matt and Laura Mariani, obtained approval from the Planning Commission to convert the former St. Anthony's Catholic Church into a duplex. In converting the duplex the applicants did so with the possibility of subdividing the property into two half-plexes.

PROJECT DESCRIPTION: The applicants are requesting approval to overlay the property at 301 Main Street with a Planned Development Overlay Zone and obtain a Planned Development Permit. They are also requesting approval to subdivide the property into two parcels, Parcel (1) 3,330 square feet and Parcel (2) 4,670 square feet, in order to sell each of the half-plex units as separate lots (Attachment A).

ANALYSIS:

Planned Development Zoning

Section 17.48.010 of the Municipal Code (Zoning Ordinance) states, "In order to achieve the general plan goal 'to promote the development of a cohesive and aesthetically pleasing urban structure for Winters,' the P-D overlay zone has been included within the scope of the zoning ordinance to allow for the maximum flexibility consistent with the minimum development standards within each underlying zone category." Table 3B of the Zoning Ordinance allows in an R-1 and R-2 Zone lots sizes for corner lots of 3,500 square feet for attached or detached affordable housing units.

The applicants recently completed remodeling into a duplex the old Catholic church. When they remodeled the church they did so in a manner which allows them to split the duplex into two lots with a parcel map. They are requesting a P-D Overlay Zone be added to the existing zoning to allow them to create substandard size lots. If approved, the property would be subdivided into two lots and each unit or half-plex would be available for sale.

Currently, the Zoning Ordinance (Table 3B) allows corner lots as small as 3,500 square feet if they are developed with affordable attached or detached duplexes. In the Winters Ranch subdivision, as part of the P-D overlay, the city approved allowing lots less than 7,000 square feet (range in size from 3,473 to 5,244 square feet) for 25 alley loaded lots, 11 of which are for affordable homes. In the Callahan Estates subdivision the city approved, as part of a P-D overlay, lots which are less than 7,000 square feet for the entire subdivision. For the Winters Highlands (Stones Throw) subdivision the city approved, as part of a P-D overlay, lots which are substandard in lot area, width and depth for the R-3 zoned properties. The lots that are substandard in area include 18 duplex lots for affordable housing and 152 substandard lots, as small as 3,231 square feet, for market rate housing.

The decision by the city to approve as part of the Winters Ranch, Callahan and Stones Throw subdivisions lots of varying sizes with non-affordable housing units was done to allow for housing diversity and indirectly, based on the smaller lot size, more affordable housing units. The applicants request to allow corner lots less than 7,000 square feet for

two half-plexes indirectly will create somewhat more affordable housing units while providing a diverse style of housing. Staff believes what the applicants are requesting is consistent with city Policy II.A.5 to provide housing for all economic segments of the community. It is also consistent with Program II.6, "The City shall continue to allow for the development of duplexes on corner lots as permitted use within the single-family zoning designation (R-1 and R-2) zones). The City will promote the construction of duplexes, including duplexes affordable to the very-low- or low-income households, through the following actions: The City will encourage homebuilders to construct duplexes on corner lots as part of pre-application conferences."

Parcel Map

The applicants submitted a "Site Plan", which serves as a tentative parcel map. Should the Planning Commission recommend approval to the City Council to add a P-D Overlay Zone to the existing R-1 Zoning the applicants will need to submit a parcel map for City the Engineer's approval prior to the City Council considering the P-D Overlay Zoning request. Based on the Site Plan the proposed parcels are consistent with the City's General Plan allowable density and standards of the subdivision and zoning ordinances, with the acknowledgment that minimum lot size may be reduced with a P-D Overlay Zone.

Since the lots are already developed none of the typical conditions related to public improvements would apply. Staff is aware that the irrigation system is shared and would need to be separated before approval of the Final Map.

PROJECT NOTIFICATION: Public notice advertising for the public hearing on this planning application was published in the Winters Express on 08/10/17 and notices were mailed to all property owners who own real property within three hundred (300) 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 08/17/17.

ENVIRONMENTAL ASSESSMENT: Staff has concluded that the Categorical Exemption provided in Section 15315 of the CEQA Guidelines (Minor Land Divisions) is most applicable to the subject project.

RECOMMENDED FINDINGS FOR THE PARCEL MAP (2 LOTS) FOR PARCEL 003-191-006, 301 MAIN STREET

CEQA Findings:

1. The Parcel Map qualifies for categorical exemption provided in Section 15315 of the CEQA Guidelines (Minor Land Divisions).
2. The Planning Commission has considered comments received on the project during the public review process.

3. The exemption finding reflects the independent judgment and analysis of the City of Winters.
4. The Planning Commission hereby confirms that a Categorical Exemption for the Parcel Map (2 lots) for parcel 003-191-006, 301 Main Street.

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-1) 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 CONDITIONALLY APPROVE RESOLUTION 17-03, PARCEL MAP (2 LOTS) FOR PARCEL 003-191-006, 301 MAIN STREET.

Staff further recommends that the Planning Commission recommend the City Council adopt ordinance adding a Planned Development Overlay Zone to the property at 301 Main Street to allow for the creation of lots sizes less than 7,000 square feet.

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. Parcel Map
- B. Resolution 17-03, & Conditions of Approval

LEGEND

- Boundary Line
- - - Adjoiner Line
- - - Proposed Boundary Line
- - - Easement Line
- Fence Line
- emO Electric Meter
- gmO Gas Meter
- ssco Sanitary Sewer Cleanout
- ⊙ Sanitary Sewer Manhole
- ⊕ Utility Pole
- wmO Water Meter



OWNER: Matthew and Laura Mariani
30112 The Horseshoe
Winters CA 95694

Site Address: 301 Main St.
Winters CA 95694
APN 003-191-006

Existing Utilities: Water - City of Winters
Sewer - City of Winters
Electric - PG&E

Site Plan

OF THE LANDS OF THE
Matthew L. Mariani and Laura J. Mariani

Document Number 2013-0038866

APN 003-181-008

City of Winters

Yolo County

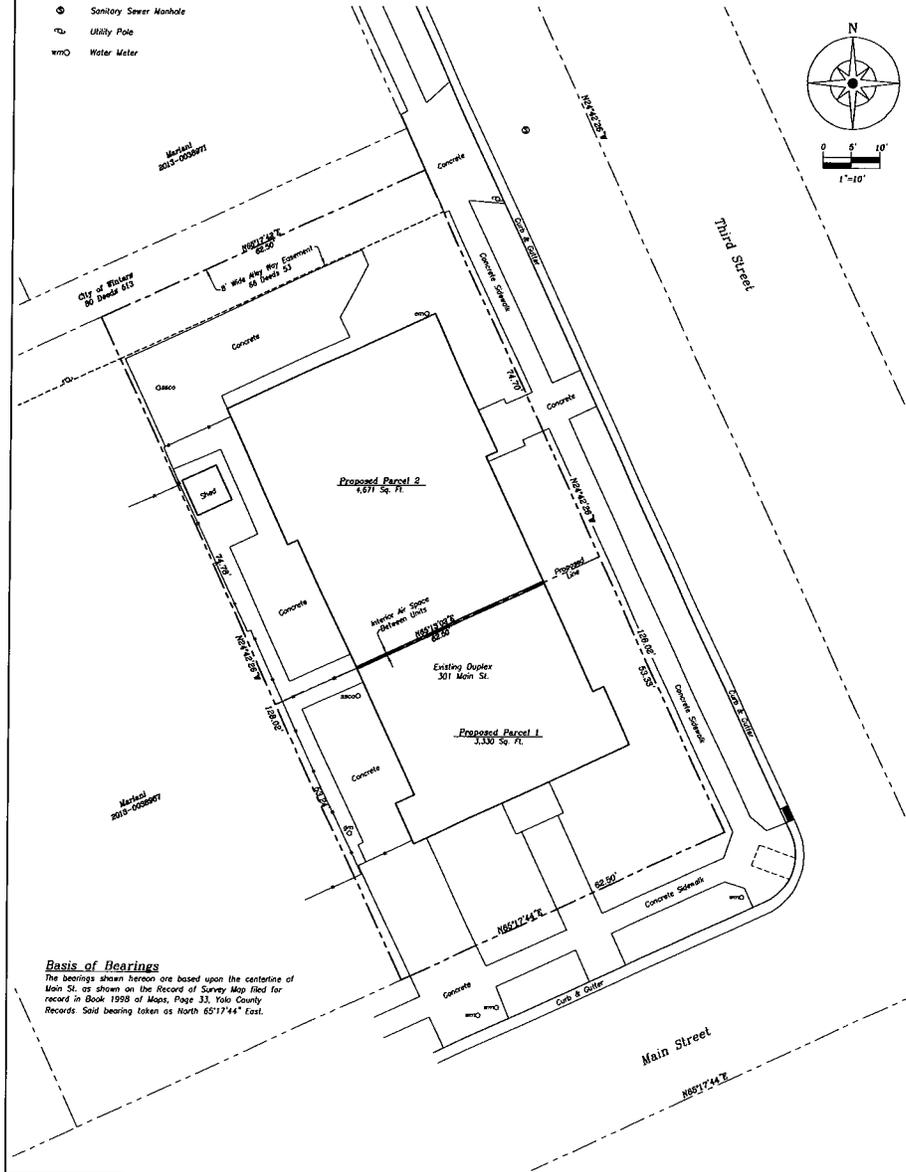
July 2017



Ty Hawkins LS 7873
3608 Oak Canyon Ln.
Yacerville Ca. 95689
(707) 974-8880



0 5' 10'
1"=10'



Basis of Bearings

The bearings shown hereon are based upon the centerline of Main St. as shown on the Record of Survey Map filed for record in Book 1998 of Maps, Page 33, Yolo County Records. Said bearing taken as North 65°17'44" East.

RESOLUTION NO. 2017-03

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WINTERS
APPROVING A PARCEL MAP TO SUDIVIDE 301 MAIN STREET, APN 003-191-006
INTO TWO LOTS**

WHEREAS, on August 22, 2017 the Planning Commission, pursuant to Government Code Section 65090, held a noticed public hearing for the purpose of receiving public testimony concerning the proposed project; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") it was determined that the Parcel Map is Categorically Exempt from CEQA Section 15315 (Minor Land Divisions); and

WHEREAS, the Mariani Parcel Map, Exhibit "A", to subdivide 301 Main Street, APN 003-191-006 into two parcels is consistent with the Winters General Plan and Municipal Code; and

WHEREAS, the site is physically suitable for the proposed type and density of development; and

WHEREAS, the Mariani Parcel Map will not conflict with the public easements for access through, or use of, property for the proposed subdivision.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Winters hereby approves the Mariani Parcel Map ("Project"), subject to the following conditions of approval:

Planning

1. The project is described in the August 22, 2017 Planning Commission staff report and as shown on the exhibits included in the August 22, 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 applicants' project with reduced minimum lot sizes is conditional upon the City Council approving adding a Planned Development Overlay Zone to the existing zoning.
3. Approval of the applicants' project shall be null and void if the applicant fails to submit a final parcel map for the project within 36 months of the Planning Commission's approval of the Parcel Map application.

4. Prior to consideration by the City Council of the Planned Development Overlay zoning request the applicants shall submit a parcel map for review by the City Engineer.

Public Works

5. 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.
6. The applicants shall provide the City with one mylar and four paper copies of the recorded map.
7. The applicants shall pay all applicable taxes, fees, and charges at the rate amount in effect at the time of such taxes, fees, and charges become due and payable.
8. The property shall be connected to the City of Winters water and sewer system, at the applicants' expense, with a separate water service and sewer lateral required for each parcel, in accordance with City of Winters Public Improvement standards and Construction Standards.
9. All domestic water services will be metered. Water meters shall be installed on all water services to the satisfaction of the Public Works Department.
10. 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 map and comply with all regulations, mitigations and conditions set forth.
11. As part of the public improvements, the engineer or surveyor shall set sufficient durable monuments to conform to the standards described in Section 8771 of the Business and Professions Code.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of the City of Winters at a regular meeting held on the 22nd day of August, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Paul Myers, Chairperson
Winters Planning Commission

Nanci G. Mills, City Clerk
City of Winters

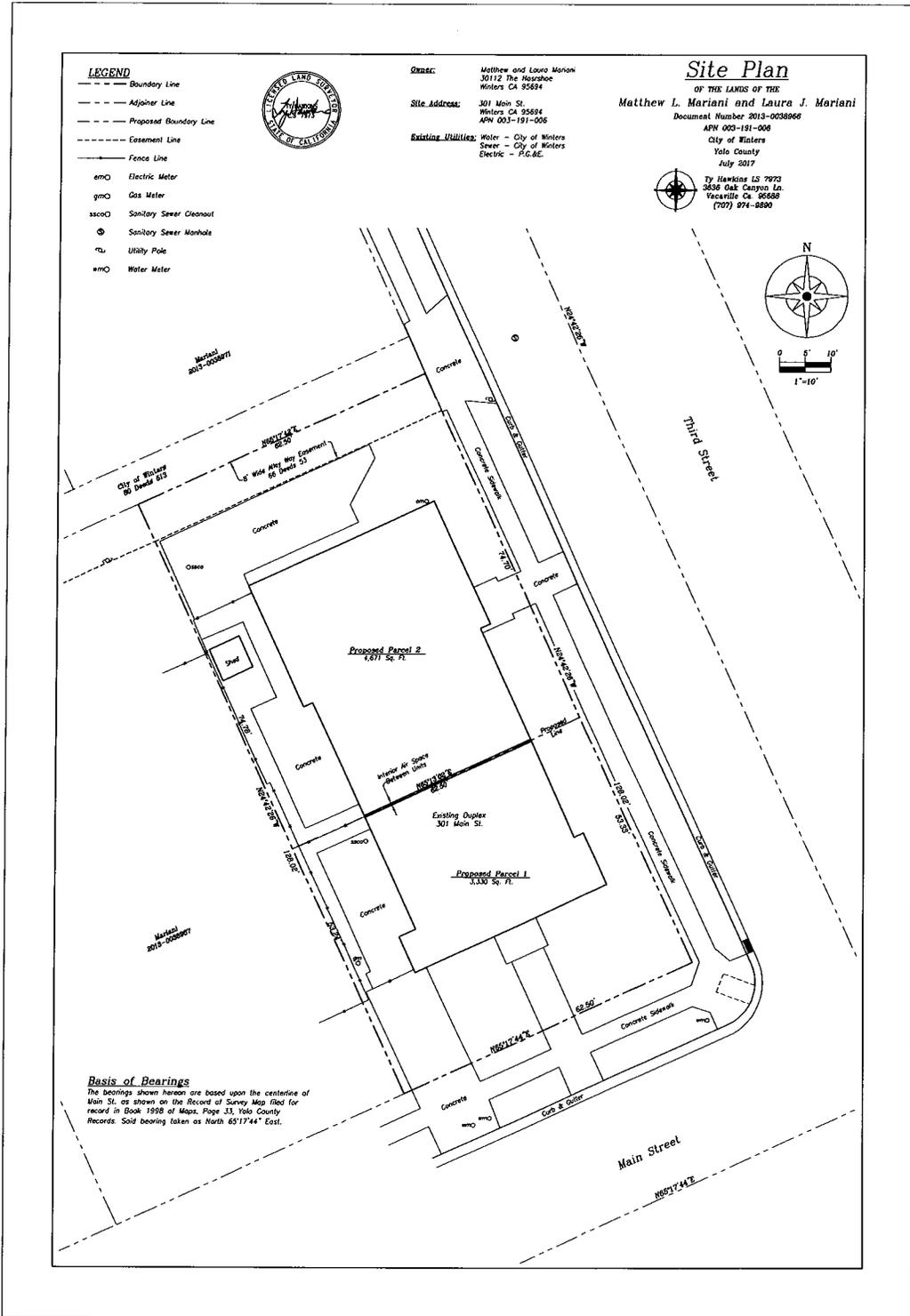


EXHIBIT A



**PLANNING COMMISSION
STAFF REPORT**

TO: Chair and Planning Commissioners
DATE: August 22, 2017
FROM: David Dowswell, Contract Planner 
SUBJECT: Public Hearing and Consideration of a request to add Planned Development (PD) Overlay Zone and a Parcel Map to subdivide one lot into two parcels for the property located at 302 Abbey Street APN 003-191-005. Project applicants: Mathew and Laura Mariani

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) Conditionally Approve Resolution 17-04, Parcel Map (2 lots) for parcel 003-191-005, 302 Abbey Street; and
- 4) Recommend City Council approve adding a PD Overlay Zone.

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

North: Existing single-story Single-Family Home – Zoned R-1
East: Existing single-story Single-Family Housing – Zoned R-1
South: Existing two-story Multi-Family Housing – Zoned R-1
West: Existing single-story Single-Family Housing – Zoned R-2, Mermod Road

The site is currently vacant. It was previously developed with the Abbey House, which was moved to 101 Abbey Street.

GENERAL PLAN & ZONING DESIGNATION: The General Plan land use designation for the property is Low Density Residential (LR). The project parcel is zoned Single Family Residential (R-1).

BACKGROUND: In 2001 the Abbey House was moved from this lot to its present location at 101 Abbey Street. The lot has remained vacant ever since.

PROJECT DESCRIPTION: The applicants, Matt and Laura Mariani, are requesting approval to overlay the property at 302 Abbey Street with a Planned Development Overlay Zone and obtain a Planned Development Permit. They are also requesting approval to subdivide the property into two parcels, Parcel (1) 4,496 square feet and Parcel (2) 4,495 square feet in order to allow them in the future to build a half-plex or duplex on each lot similar to what exists at 301 Main Street (Attachment A).

ANALYSIS:

Planned Development Zoning

Section 17.48.010 of the Municipal Code (Zoning Ordinance) states, "In order to achieve the general plan goal 'to promote the development of a cohesive and aesthetically pleasing urban structure for Winters,' the P-D overlay zone has been included within the scope of the zoning ordinance to allow for the maximum flexibility consistent with the minimum development standards within each underlying zone category." Table 3B of the Zoning Ordinance allows in an R-1 and R-2 Zone lots sizes for corner of 3,500 square feet for attached or detached affordable housing units.

The applicants recently completed remodeling into a duplex the old Catholic church located at 301 Main Street. They are requesting approval to subdivide this lot into two parcels in order to develop it with two half-plexes. They are requesting a P-D Overlay Zone be added to the existing zoning to allow them to create substandard size lots. If approved, the property would be subdivided into two lots and in the future plans to develop the half-plexes will be submitted for approval of the Planning Commission.

Currently, the Zoning Ordinance (Table 3B) allows corner lots as small as 3,500 square feet if they are developed with affordable attached or detached duplexes. In the Winters Ranch subdivision, as part of the P-D overlay, the city approved allowing lots less than 7,000 square feet (range in size from 3,473 to 5,244 square feet) for 25 alley loaded lots, 11 of which are for affordable homes. In the Callahan Estates subdivision the city approved, as part of a P-D overlay, lots which are less than 7,000 square feet for the entire subdivision. For the Winters Highlands (Stones Throw) subdivision the city approved, as part of a P-D overlay, lots which are substandard in lot area, width and depth for the R-3 zoned properties. The lots that are substandard in area include 18 duplex lots for affordable housing and 152 substandard lots, as small as 3,231 square feet, for market rate housing.

The decision by the city to approve as part of the Winters Ranch, Callahan and Stones Throw subdivisions lots of varying sizes with non-affordable housing units was done to create housing diversity and indirectly, based on the smaller lot size, more affordable housing units. The applicants request to allow corner lots less than 7,000 square feet for two half-plexes indirectly will create more affordable housing units while providing a

diverse style of housing. Staff believes what the applicants are requesting is consistent with city Policy II.A.5 to provide housing for all economic segments of the community. It is also consistent with Program II.6, "The City shall continue to allow for the development of duplexes on corner lots as permitted use within the single-family zoning designation (R-1 and R-2) zones). The City will promote the construction of duplexes, including duplexes affordable to the very-low- or low-income households, through the following actions: The City will encourage homebuilders to construct duplexes on corner lots as part of pre-application conferences."

Parcel Map

The applicants submitted a "Site Plan", which serves as a tentative parcel map. Should the Planning Commission recommend approval to the City Council to add a P-D Overlay Zone to this lot the applicants will need to submit a parcel map for City the Engineer's approval. Based on the Site Plan the proposed parcels are consistent with the City's General Plan allowable density and standards of the subdivision and zoning ordinances, with the acknowledgment that minimum lot size may be reduced with a P-D Overlay Zone.

The applicants will have to submit improvement plans to the City Engineer for review when they go ahead with developing the lots. The plans for the future half-plexes or duplexes will require review and approval of the Planning Commission.

The Site Plan also shows the tow mature pine trees being removed from the Parcel 2. The decision to remove these trees is not a part of this application.

PROJECT NOTIFICATION: Public notice advertising for the public hearing on this planning application was published in the Winters Express on 08/10/17 and notices were mailed to all property owners who own real property within three hundred (300) 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 08/17/17.

ENVIRONMENTAL ASSESSMENT: Staff has concluded that the Categorical Exemption provided in Section 15315 of the CEQA Guidelines (Minor Land Divisions) is most applicable to the subject project.

RECOMMENDED FINDINGS FOR THE PARCEL MAP (2 LOTS) FOR PARCEL 003-191-005, 302 ABBEY STREET

CEQA Findings:

1. The Parcel Map qualifies for categorical exemption provided in Section 15315 of the CEQA Guidelines (Minor Land Divisions).

2. The Planning Commission has considered comments received on the project during the public review process.
3. The exemption finding reflects the independent judgment and analysis of the City of Winters.
4. The Planning Commission hereby confirms that a Categorical Exemption for the Parcel Map (2 lots) for parcel 003-191-006, 301 Main Street.

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-1) 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 CONDITIONALLY APPROVE RESOLUTION 17-04, PARCEL MAP (2 LOTS) FOR PARCEL 003-191-005, 302 ABBEY STREET.

Staff further recommends that the Planning Commission recommend the City Council adopt ordinance adding a Planned Development Overlay Zone to the property at 302 Abbey Street to allow for the creation of lots sizes less than 7,000 square feet.

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. Parcel Map
- B. Resolution 17-04, & Conditions of Approval

RESOLUTION NO. 2017-04

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WINTERS
APPROVING A PARCEL MAP TO SUDIVIDE 302 ABBEY STREET, APN 003-191-
005 INTO TWO LOTS**

WHEREAS, on August 22, 2017 the Planning Commission, pursuant to Government Code Section 65090, held a noticed public hearing for the purpose of receiving public testimony concerning the proposed project; and

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA") it was determined that the Parcel Map is Categorically Exempt from CEQA Section 15315 (Minor Land Divisions); and

WHEREAS, the Mariani Parcel Map, Exhibit "A", to subdivide 302 Abbey Street, APN 003-191-006 into two parcels is consistent with the Winters General Plan and Municipal Code; and

WHEREAS, the site is physically suitable for the proposed type and density of development; and

WHEREAS, the Mariani Parcel Map will not conflict with the public easements for access through, or use of, property for the proposed subdivision.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Winters hereby approves the Mariani Parcel Map ("Project"), subject to the following conditions of approval:

Planning

1. The project is described in the August 22, 2017 Planning Commission staff report and as shown on the exhibits included in the August 22, 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 applicants' project with reduced minimum lot sizes is conditional upon the City Council adding a Planned Development Overlay Zone to the existing zoning.
3. Approval of the applicants' project shall be null and void if the applicant fails to submit a final parcel map for the project within 36 months of the Planning Commission's approval of the Parcel Map application.

Public Works

4. 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.

5. The applicant shall provide the City with one mylar and four paper copies of the recorded map.
6. The applicant shall pay all applicable taxes, fees, and charges at the rate amount in effect at the time of such taxes, fees, and charges become due and payable.
7. Prepare improvement plans for work within the public right-of-way, including an on-site grading plan, and submit them to the Public Works department for review and approval. The improvement plan sheets shall conform to the City of Winters Public Improvements Standards and Construction Standards. This submittal is separate from the building permit submittal. The applicants shall provide two sets of each improvement plan submittal for review. Upon City Engineer approval, the applicants shall provide 2 wet-stamped sets of approved improvement plans, two wet-stamped sets of approved grading plans, and two print sets of the grading plans. The applicants shall submit and one electronic media file (PDF) of the entire set of plans.
8. Submit a soils report along with the improvement plans.
9. All perimeter parcels and lots shall be protected against surface runoff from adjacent properties in a manner acceptable to the City Engineer.
10. All projects shall include implementation of post-construction best management practices (BMP). Post construction BMP's 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.
11. 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.

12. All inactive portions of the construction site, which have been graded will be seeded and watered until vegetation is grown.
13. Grading shall not occur when wind speeds exceeds 20 MPH over a one hour period.
14. Potentially windblown materials shall be watered or covered.
15. Construction areas and streets shall be wet swept.
16. The property shall be connected to the City of Winters water and sewer system, at the Applicant's expense, with a separate water service and sewer lateral required for each parcel, in accordance with City of Winters Public Improvement standards and Construction Standards.
17. 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.
18. The City of Winters Inspection Fee applies and is due before approval of the public improvement plans.
19. The conditions as set forth in this document are not all inclusive. Applicants shall thoroughly review all city, state, and federal planning documents associated with this map and comply with all regulations, mitigations and conditions set forth.
20. Joint trench/utility/composite plans shall be submitted to the City Engineer for review, prior to approval of the final map and improvement plans.
21. The public improvements on the improvement plans shall be constructed and accepted prior to issuance of any building permit.
22. Occupancy shall not occur until on-site grading and off-site public improvements have been accepted by the City Engineer and as-built drawings have been submitted. Applicants, and/or owners shall be responsible to so inform prospective buyers, lessees, or renters of this condition.
23. As part of the public improvements, the engineer or surveyor shall set sufficient durable monuments to conform to the standards described in Section 8771 of the Business and Professions Code.
24. Conform to County Health regulations and requirements for the abandonment of a septic tanks and water wells.
25. Existing public and private facilities damaged during the course of construction shall be repaired by the applicant, at his sole expense, to the satisfaction of Public Works.
26. The damaged sidewalk along Third and Abbey streets and the ramp at the intersection of Abbey and Third Street shall be replaced.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of the City of Winters at a regular meeting held on the 22nd day of August, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Paul Myers, Chairperson
Winters Planning Commission

Nanci G. Mills, City Clerk
City of Winters

