

CITY OF WINTERS SPECIAL PLANNING COMMISSION AGENDA

Tuesday, November 13, 2018 at 6:30 PM
City of Winters Council Chambers
318 First Street
Winters, CA 95694-1923
Community Development Department
Contact Phone Number (530) 794-6714
Email: dave.dowswell@cityofwinters.org

Chairperson, Paul Myer
Vice Chair: Lisa Baker
Commissioners: Dave Adams, Patrick
Riley, Gregory Contreras, Daniel
Schrupp, Ramon Altamirano
City Manager: John W. Donlevy, Jr.
Contract Planner, Dave Dowswell
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 October 23, 2018 regular meeting of the Planning Commission.

V STAFF/COMMISSION REPORTS

VI DISCUSSION ITEMS:

- A. Consideration of Design Review approval of proposed exterior signage for Steady Eddy's Roasting Company located at 106 Main Street, Suite C.
- B. Public Hearing and Consideration of the re-approval of the Tentative Map, Planned Development Overlay Modification, and Site Plan/Design Review of the Cottages at Carter Ranch Phase II located on Cottage Circle south of Anderson Avenue.
- C. Public Hearing and Consideration of adopting a resolution amending the Health and Safety Element of the General Plan to include a Yolo County Multi-Jurisdictional Hazard Mitigation Plan.

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 NOVEMBER 8, 2018



DAVID DOWSWELL, CONTRACT PLANNER, COMMUNITY DEVELOPMENT DEPARTMENT

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
OCTOBER 23, 2018**

***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.*

Chairman Myer called the meeting to order at 6:30 p.m.

PRESENT: Commissioners, Adams, Altamirano, Contreras, Riley, Chairman Myer

ABSENT: Commissioners Baker, Schrupp

STAFF: City Manager John Donlevy, Contract Planner Dave Dowswell, Contract Engineer Alan Mitchell, Management Analyst Dagoberto Fierros

Commissioner Riley led the pledge of allegiance.

CITIZEN INPUT: None.

CONSENT ITEM: Minutes of the July 24, 2018 and August 14, 2018 regular Planning Commission meeting.

Riley moved to approve minutes, Adams seconded.

AYES: Commissioners Adams, Altamirano, Contreras, Riley, Chairman Myer

NOES: None

ABSTAIN: None

ABSENT: Commissioners Baker, Schrupp

STAFF/COMMISSION REPORTS:

None.

DISCUSSION ITEM:

- A. Public Hearing and Consideration of adopting an ordinance amending Title 17 of the Municipal Code having to do with food trucks and stationary and roaming stands (SB 946).

Planner Dave Dowswell presented the proposed ordinance amendments to Title 17 of the Municipal Code and informed the Commission on new state regulations that affect food carts (SB 946).

PUBLIC COMMENTS:

Maria Heilman and Kimberly Calderone, Winters residents, expressed their support for the Buckhorn food truck.

COMMISSIONER/STAFF COMMENTS:

Commissioner Contreras stated that the law should not give advantages or disadvantages when it comes to where commercially established businesses and food trucks can operate in permitted zones.

**MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION MEETING HELD
OCTOBER 23, 2018**

City Manager John Donlevy stated that the amended regulations will permit food trucks in commercially zoned locations.

Planner Dave Dowswell stated food trucks will be regulated by a Conditional Use Permit (CUP) through the Planning Commission. The scope and limitation of the CUP will be dictated on a case-by-case basis.

City Manager John Donlevy summarized the modifications that were made to the originally proposed recommendations.

Discussion ensued.

Commissioner Adams moved with modifications to original recommendation, Contreras seconded.

AYES: Commissioners Adams, Altamirano, Contreras, Riley, Chairman Myer

NOES: None

ABSTAIN: None

ABSENT: Commissioners Baker, Schrupp

Motion carried unanimously

Recommendations will go before City Council at a later date.

DISCUSSION ITEM:

B. Report and Recommendation of Circulation Master Plan Update.

Alan Mitchell, Contract Engineer shared the history of the plan.

Greg Behrens, of Fehr & Peers, gave a brief update on the various traffic and transportation studies that have been conducted since the creation of the Circulation Master Plan in 1992.

PUBLIC COMMENTS: None.

COMMISSIONER/STAFF COMMENTS:

Commissioner Adams expressed his concern with the addition of stop lights at certain intersections over roundabouts.

City Manager John Donlevy stated that the future traffic signal at East Grant Avenue and East Main Street will serve as a traffic “metering system”.

Commissioner Riley expressed his concerns with the projected traffic congestion on Railroad Avenue.

Commissioner Adams moved to approve recommendation to City Council. Commissioner Riley seconded.

AYES: Commissioners Adams, Altamirano, Contreras, Riley, Chairman Myer

NOES: None

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ABSTAIN: None

ABSENT: Commissioners Baker, Schrupp

Motion carried unanimously.

DISCUSSION ITEM:

- C. Public Hearing and Consideration of adopting a resolution amending the Health and Safety Element of the General Plan to include a Yolo County Multi-Jurisdictional Hazard Mitigation Plan.

City Manager Donlevy requested that Item "C" be continued to a special Planning Commission meeting that will be held on November 13, 2018.

Commissioner Riley moved, Adams seconded.

AYES: Commissioners Adams, Altamirano, Contreras, Riley, Chairman Myer

NOES: None

ABSTAIN: None

ABSENT: Commissioners Baker, Schrupp

Motion carried unanimously.

ADJOURNMENT: Chairman Myer adjourned the meeting at 8:00 pm.

ATTEST: _____

Dagoberto Fierros, Management Analyst

Paul Myer, Chairman



**PLANNING COMMISSION
STAFF REPORT**

TO: Chairman and Planning Commissioners
DATE: November 13, 2018
FROM: David Dowswell, Contract Planner 
SUBJECT: Consideration of a Planning Application submitted by Mel and Carla Wroten, Steady Eddy's Roasting Company, for approval of Design Review (DR 2016-08) exterior signage for 106 Main Street, Suite C (APN 003-202-05)

RECOMMENDATION: Staff recommends the Planning Commission:

- 1) Receive the staff report; and
- 2) Consider comments from the public on the proposed signage; and
- 3) Find the project to be Categorically Exempt from CEQA, Class 1 Exemption – Section 15301 (Existing Facilities); and
- 4) Approve the planning application submitted by Mel and Carla Wroten of Design Review for installation of exterior signage for 106 Main Street, Suite C – Steady Eddy's Roasting Company store

GENERAL PLAN DESIGNATION, EXISTING ZONING, AND LAND USE: The project is located in the Form-Based Code Regulating Plan and the Zoning Classification is Downtown-A (D-A). The operation of a coffee roasting shop with retail is a permitted use in the D-A zone. The General Plan Land Use Designation is also D-A.

PROJECT DESCRIPTION:

The applicants are proposing to install two signs on the exterior of the store front. One sign will be 16 inches by 8 foot wall sign, painted on metal or wood, and will look similar to Attachment A. The sign will be centered above the entrance. The second sign will be either a 2 foot 6 inch square or a 2 foot 9 inch round projecting sign, painted on metal or wood (Attachment B). The projecting sign will be hung from the building using a decorative attachment, location to be determined based on visibility. Both signs are consistent with the Form Based Code signage guidelines.

BACKGROUND: The applicants currently operate Steady Eddy's Coffee House located at 5 East Main Street. The Roasting Company will sell roasted coffee and various other retail items associated with brewing coffee. The proposed location was previously the offices of the Putah Creek Council. Prior to being used as offices it was a dance studio.

ANALYSIS: The applicants will need to submit revised drawings showing the wall sign which does not exceed 16 inches by 8 feet and a projecting sign (round or square shaped) which does not exceed 6 square feet. They will need to work with staff on where the projecting sign will be located. Staff finds that the project with the proposed conditions substantially conforms to the Form-Based Code Regulating Plan for the area and the Winters Municipal Code. Staff is recommending approval of the project subject to the attached conditions (Attachment C).

METHODOLOGY: Two actions are required to process the requested project:

- 1) Confirmation of CEQA exemption finding – Section 15301 (Existing Facilities);
- 2) Approval of the Site Plan/Design Review Application and the conditions of approval attached hereto.

PROJECT NOTIFICATION: The Planning Commission agenda was posted on Thursday, November 8, 2018. Copies of the staff report and all attachments for the proposed project have been on file, available for public review at City Hall since 11/08/18.

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

RECOMMENDED FINDINGS FOR 106 MAIN STREET, SUITE C – STEADY EDDY'S ROASTING COMPANY EXTERIOR SIGNAGE

CEQA Findings:

- 1) The proposed project is categorically exempt from review under the California Environmental Quality Act (CEQA) Guidelines, Section 15301 Existing Facilities Projects.

General Plan and Zoning Consistency Findings:

- 1) The project is consistent with the goals and policies of the General Plan.
- 2) The project is consistent with the provisions of the Zoning Ordinance and Form-Based Code.
- 3) The project 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 project will not be detrimental to the public health, safety, or general welfare.

- 5) Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities or services are provided.
- 6) The project will not create a nuisance or enforcement problem within the neighborhood.
- 7) The project will not result in a negative fiscal impact upon the City.

RECOMMENDATION: Staff recommends approval of the Design Review 2016-08 by making an affirmative motion as follows:

I MOVE THAT THE CITY OF WINTERS PLANNING COMMISSION APPROVES THE APPLICATION FOR DESIGN REVIEW OF THE STEADY EDDY'S ROASTING COMPANY EXTERIOR SIGNAGE 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
- Approve the Design Review application subject to the conditions of approval attached hereto.

ALTERNATIVES: The Planning Commission can elect to modify any aspect of the approval or to deny 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. Illustration of proposed wall sign and location
- B. Illustration of proposed projecting sign and possible location
- C. Conditions of Approval



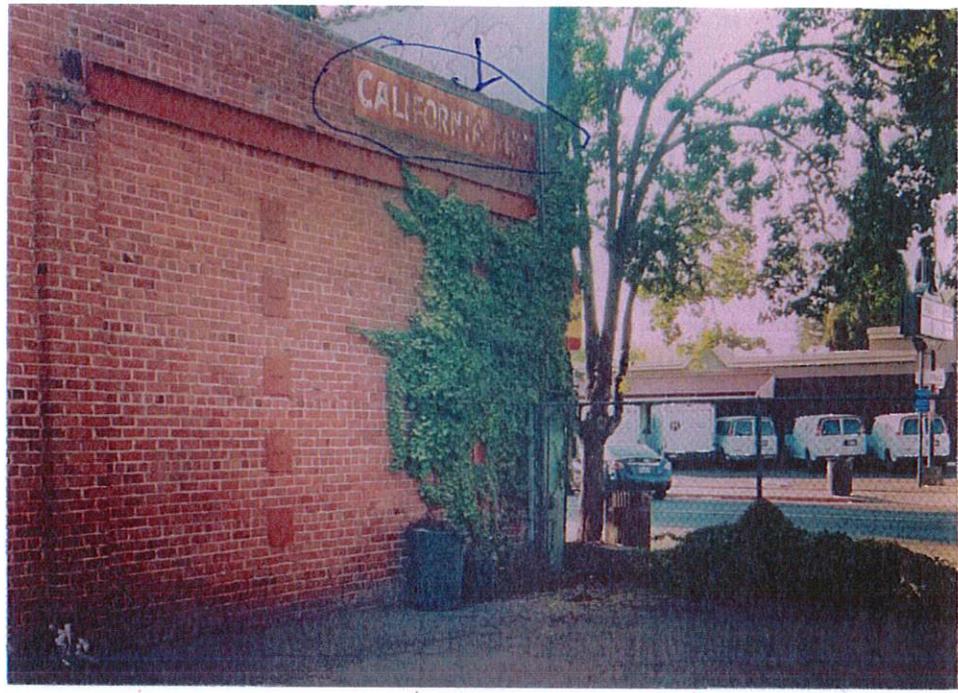
STEADY EDDY'S

ROASTING CO.

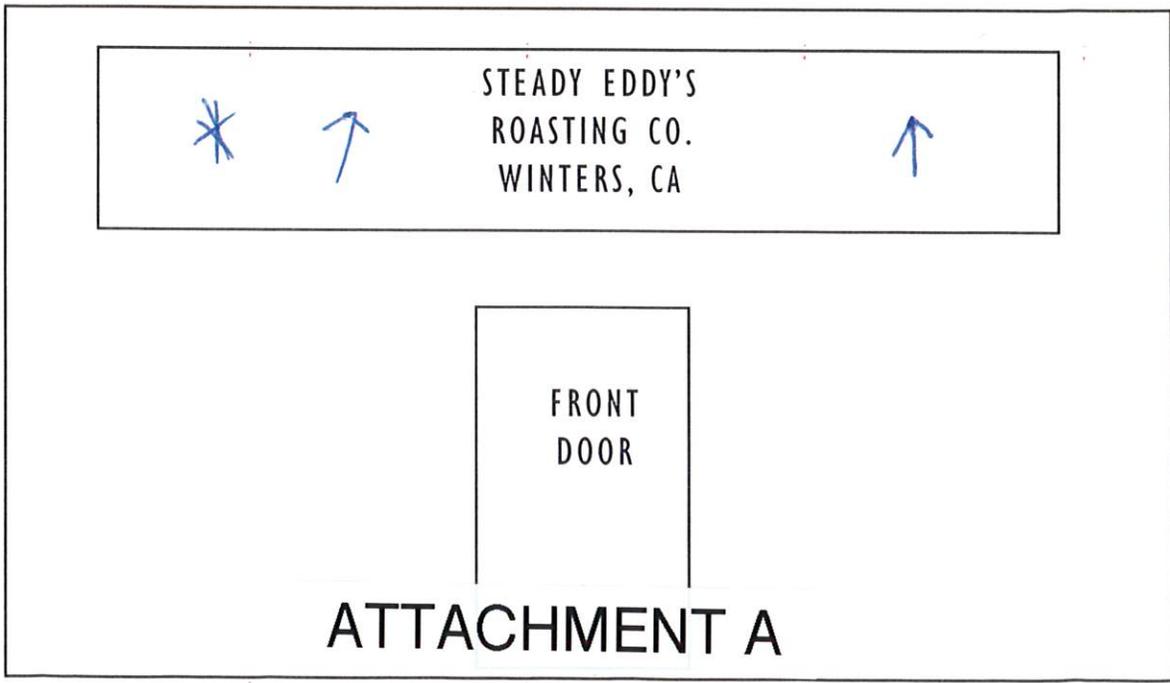
WINTERS, CA

metal sign

MAIN SIGN IN FRONT OF OUR BUILDING:
 SAME LOOK AS THE METAL SIGN ON BRICK BUT LETTERING WILL BE SAY



SIDE SIGN



SIDE SIG

total size of sign including sign holder
3'x6'

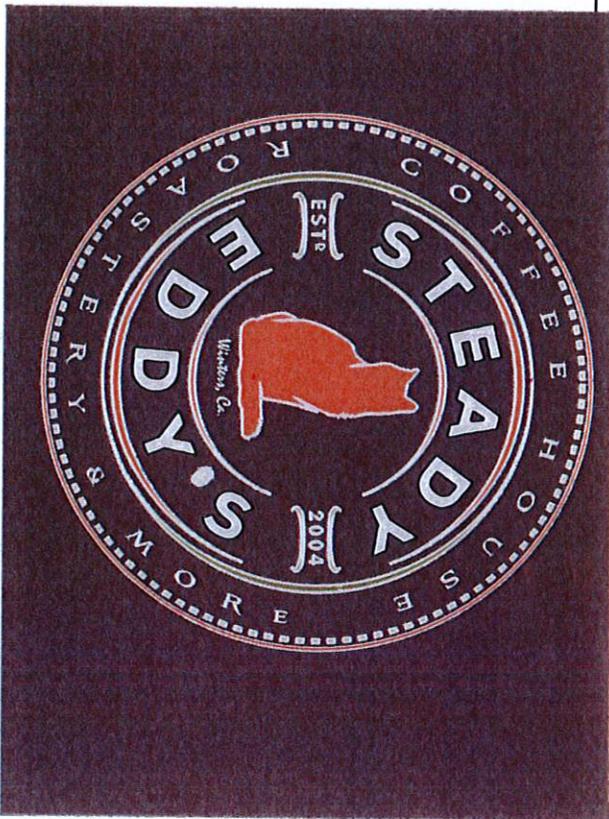
Wood Sign (2) 9'x4'
(side signs)

3 feet wide

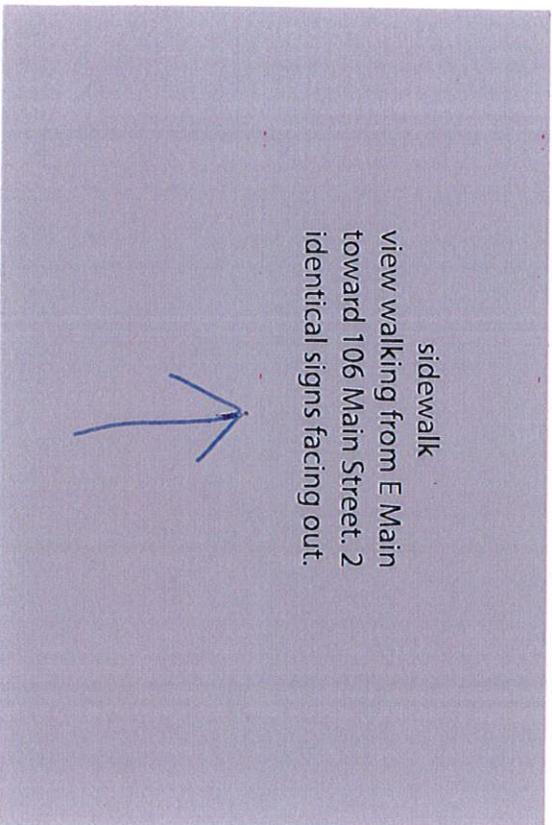
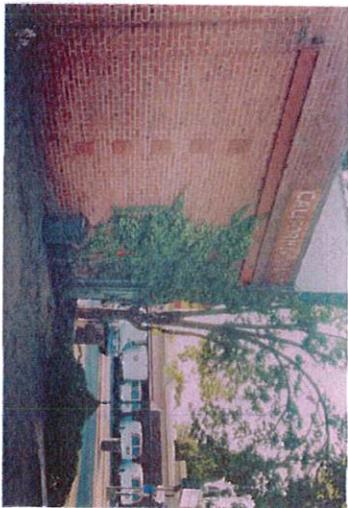
sign holder

building

Front door
Steady Eddy's



6 feet tall



ATTACHMENT B

**CONDITIONS OF APPROVAL
STEADY EDDY'S ROASTING COMPANY SIGNAGE
106 MAIN STREET, SUITE C, WINTERS CA 95694
November 13, 2018**

1. In the event any claim, action or proceeding is commenced naming the City of Winters 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 from the City of Winters, the Winters Planning Commission, or any advisory agency to the City and local district, or the Winters City Council. Project applicant shall defend such action at applicant's sole cost and expense which includes court costs and attorney fees. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense. Nothing in this condition shall be construed to prohibit the City of Winters from participating in the defense of any claim, action, or proceeding, if City bears its own attorney fees and cost, and defends the action in good faith. Applicant shall not be required to pay or perform any settlement unless the 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.
2. All conditions identified herein shall be fully satisfied prior to approval of final building inspection.
3. The project is described in the November 13, 2018 Planning Commission staff report. The project shall be constructed as depicted on the exhibits included in the November 13, 2018 Planning Commission Staff report, except as modified by these conditions of approval. Substantive modifications require Planning Commission action.
4. Approval of the applicant's project shall be null and void if the applicant fails to submit a building permit for the project within one year of the Planning Commission's approval of the Design Review application.
5. The applicant shall obtain a building permit and pay the applicable building permit fees for the façade improvement.
6. The applicants shall revise the signage to reflect the discussion in the "Analysis" section of the staff report. The applicants shall work with staff on where to locate the projecting sign.

ATTACHMENT C



TO: Chairman and Planning Commissioners
DATE: November 13, 2018
FROM: David Dowswell, Contract Planner 
SUBJECT: Public Hearing and Consideration of Cottages at Carter Ranch Re-approval of Phase II Tentative Subdivision Map, Planned Development Overlay Modification, and Site Plan/Design Review to create six single-family, income-restricted lots at the southwest corner of Cottage Circle (APN 030-392-006).

RECOMMENDATION: Staff recommends the Planning Commission:

- 1) Receive a Staff Report on a proposed Cottages at Carter Ranch Phase II Tentative Subdivision Map, Planned Development Overlay Modification, and Site Plan/Design Review; and
- 2) Conduct a Public Hearing to consider comments on proposed Tentative Subdivision Map, Planned Development Overlay Modification, and Site Plan/Design Review Map; and
- 3) Find per Section 15332(Class 32) of the CEQA Guidelines that the proposed tentative map, planned development overlay modification, and site plan/design review are not subject to CEQA as the project is an in-fill development on less than five (5) acres, with no habitat for endangered, rare or threatened species, and has adequate utilities; and
- 4) Recommend the Winters City Council adopt a resolution approving the amended tentative map for the property commonly known as the Cottages at Carter Ranch Phase II; and

- 5) Recommend the City Council adopt an ordinance approving the planned development overlay modification.

GENERAL PLAN DESIGNATION, EXISTING ZONING, AND LAND USE: The project is located immediately adjacent to the Cottages Phase I. The General Plan Land Use Designation is Medium Density Residential (MR) and is zoned Single Family Residential (R-2). The land is currently is vacant and was used as a detention basin for Cottages Phase I runoff. The detention basin is no longer need as a result of the construction of the storm drain improvements as part of Callahan Estates.

PROJECT DESCRIPTION: The applicant, Jim Sutter of Waller, Kaufman & Sutter, is requesting re-approval of the tentative map (Attachment A) for the Cottages at Carter Ranch Phase II to subdivide the existing parcel located at the southwest corner of Cottage Circle south of Anderson Avenue into six (6) single-family, income-restricted lots; the lots are required to be sold to moderate-income households. The project site is located south of Anderson Avenue and the existing Cottages at Carter Ranch Subdivision, west of the Winters Cemetery, east of the Callahan Estates/Heartland residential project, and north of the Rancho Arroyo Regional Storm Drain Detention Facility. The application includes a planned development overlay modification and site plan/design review). The project parcel is approximately 20,604 square feet in size (0.473 acres), has a General Plan designation of Medium Density Residential and is zoned Single-Family (R-2), 6,000 Square Foot Average Minimum.

BACKGROUND: On November 23, 2004 the Planning Commission recommended approval of the Sacramento Pacific Housing (previous owner) tentative subdivision map, planned development overlay modification. At the same hearing the Planning Commission approved the site plan/design review for the six homes. The tentative map and final map appear to have never been considered by the City Council. On December 3, 2005 the action of the Planning Commission for the tentative map, planned development overlay modification and site plan/design review lapsed.

The Cottages at Carter Ranch Phase II project is being constructed to address the affordable housing needs required under the City's 15-percent inclusionary (affordable housing) ordinance for the 140-unit, market rate Carter Ranch (Dry Creek Meadows) project, which was completed in 2003.

The Cottages Phase I Tentative Map was approved by the Planning Commission in 2003 and received a density bonus and planned development (PD) overlay. The PD overlay was used to address reduced lot sizes, increased lot coverage, reduced setbacks, and other development aspects. The existing PD will be expanded to include the Cottages at Carter Ranch Phase II Subdivision; however, the original PD standards will not be changed. The homes in Cottages Phase II will be front-loaded and will be subject to the following PD standards. A complete list of the Planned Development Overlay standards for the project is attached.

LOT DIMENSIONS	Width – 35-foot minimum	Length – 70-foot minimum
PARCEL SIZE – 2450 square foot minimum		
SETBACKS	Front Yard – 10-foot minimum back of sidewalk	Garage – 20-foot minimum back of sidewalk
	Side Yard 1 – 3-feet from property line	Side Yard 2 – 5-feet from property line
	Side Street – 10-feet from back of sidewalk	
	Rear Yard – 20-feet from property line	
	Front Porches – 6.5-feet from back of sidewalk	
HEIGHT – 25-foot maximum		
FLOOR AREA RATIO – 0.80 maximum		
LOT COVERAGE – 50-percent		

The project will require tentative and final map approval from the City Council. The applicant will be required to enter into a Subdivision Improvement and Maintenance Agreement to address the public improvements required for the project.

ANALYSIS:

Affordable Housing: The project proposes to provide affordable housing for moderate-income households. Income levels are derived as a percentage of the median income for a family of four in Yolo County. Currently, the estimate for the median income for a family of four in Yolo County is \$66,560. Moderate-income households have incomes which range from 81- to 120-percent of the area median.

An inclusionary housing agreement and deed restriction will be required for each of the six lots to ensure that these units maintain their affordability for the maximum period of 10 years. Once deed restrictions and inclusionary housing agreements are recorded for each of the lots, the City can count these units to satisfy the both the inclusionary housing requirements for the Carter Ranch project and towards the City’s share of the regional housing needs plan (RHNP) allocation. As affordable (moderate-income) units, the households that inhabit the residences will be restricted to qualifying income requirements. The criteria for these requirements are set by the U.S. Department of Housing and Urban Development and the State Department of Housing and Community Development. Habitation of these units will be limited to a number of persons equivalent to 1.5 times the number of bedrooms. For the three-bedroom units, the maximum number of persons allowed is 5 while the maximum number of persons allowed for the four-bedroom units is 6.

Environmental: The site contained a 0.24 acre seasonal wetland. The wetland was identified in a wetland delineation prepared by Davis², a consulting earth scientists firm,

in 2003 and determined to be isolated. The wetland delineation also covered the Callahan Estates and Winters Highlands projects. The wetland was considered isolated as it is bordered by the first phase of the Cottages at Carter Ranch project on the north and the east, the Rancho Arroyo Regional Storm Drain Facility on the south, and the Callahan Estates/Heartland project on the west. Foothill Associates, an environmental consulting firm, was hired by the prior applicant, Sacramento Pacific Housing, to assess the wetlands for its potential to contain special-status invertebrate species (fairy shrimp). Foothill concluded that vernal pool invertebrates had a low potential to occur within the wetland. The prior owners mitigated the loss of the wetland.

Public Improvements/Infrastructure: Most of the public improvements required for the project were constructed during the first phase of Cottages at Carter Ranch. A temporary, off-site 36-inch storm drain line was constructed as well as modifications to the existing inlet for the Rancho Arroyo Regional Storm Drain Detention Facility. The storm drain detention facility is located south of the project. A retaining wall was constructed behind the proposed six lots, similar to what was installed behind the southerly lots for the existing Cottages at Carter Ranch Subdivision. The lots are at a higher elevation than the storm drain detention facility. With the construction of the Callahan Estates and Winters Highlands Storm drainage improvements the need for the temporary off-site 36-storm drain line and detention basin that comprises the area for the proposed six lots became unnecessary, allowing it to be filled in and developed.

Site Plan/Design Review: The applicant proposes to use the same architecture design used in the first phase of Cottages at Carter Ranch. All of the units will be single-family, detached residences in a bungalow-like style. Some of the key design features include horizontal siding on all elevations, the use of outriggers, and the use of brick veneer on half of the units (Attachment B).

PROJECT NOTIFICATION: Public notice advertising for the public hearing on this project was prepared by the Community Development Director in accordance with notification procedures set forth in the City of Winter's Municipal Code and State Planning Law. A legal notice were published in the Winters Express on Thursday, November 1, 2018, and notices were mailed to all property owners within three hundred feet of the project boundaries at least ten days prior to 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, November 8, 2018.

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

Class 32 projects are characterized as in-fill development meeting the following conditions:

- (a) The project is consistent with the applicable general plan designation and all

applicable general plan as well as with applicable zoning designation and regulation.

- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

CEQA Findings:

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

General Plan and Zoning Consistency Findings:

- 1. The project is consistent with the goals and policies of the General Plan. The General Plan designates the project site as Medium Density Residential; single-family detached residential units are allowed under this designation.
- 2. The project as amended is consistent with the provisions of the Zoning Ordinance. The project site is zoned Single-Family, 6,000 Square Foot Minimum Average (R-2 Zone); single-family detached residential units are allowed in this zone. The proposed Planned Development Overlay Modification would incorporate the project site into an adjacent, existing R-2 PD Zone to allow reduced standards for the lot sizes, lot dimensions, and other development standards.

Design Guidelines Consistency Findings:

- 1. The project is consistent with the Winters Design Guidelines. The design (bungalow-style) of the residential units embodies the Winters “small town” look.

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

1. Confirmation of exemption from the provisions of CEQA.
2. Confirmation of consistency findings with the General Plan and Zoning Ordinance as amended.
3. Confirmation of consistency findings with Winters Design Guidelines.
4. Recommend the Winters City Council they adopt the attached resolution (Attachment C) approving the Tentative Map for the Cottages at Carter Ranch Phase II project.
5. Approve the planned development overlay modification as described in this report and subject to the Conditions of Approval (Attachment D).
6. Approve the site plan and design subject to the 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.

ATTACHMENTS:

- A. Tentative Map
- B. Site Plan/Elevations of models
- C. City Council Resolution
- D. Conditions of Approval

CONDITIONS OF APPROVAL FOR THE COTTAGES AT CARTER RANCH PHASE II SUBDIVISION PROJECT (TENTATIVE SUBDIVISION MAP, PLANNED DEVELOPMENT OVERLAY MODIFICATION, AND SITE PLAN/DESIGN REVIEW) LOCATED ON ASSESSOR PARCEL NUMBER 030-392-006, WINTERS, CA 95694.

DESIGN REVIEW CONDITIONS:

1. Brick or stone veneer shall be installed on the front elevations of at least three of the six homes constructed for the project. The veneer shall be installed at a height that is at least three feet above grade with a four-inch opening at the base. The veneer shall wrap on all sides of the structure so that it terminates at a point where the wood fencing begins or is wrapped around the entire visible side of any corner lots.
2. A six-foot wide landscape easement shall be recorded from the back of sidewalk throughout the subdivision. The purpose of this easement will be to provide a space for street trees to be planted and maintained in perpetuity. The contiguous property owner will be responsible for maintenance of the vegetation and trees in the 6 foot wide landscape easement.
3. Prior to recordation of the Final Map, landscaping plans shall be submitted to the Community Development Department for approval. The landscaping plans should include names, types and locations of vegetation as well as details that would explicate how the vegetation would be irrigated. Street trees and vegetation shall be planted at intervals of 20 foot on-center in staggered formation relating to the street trees planted on the opposite side of the street. All trees shall be of a type on the approved street tree list and shall be a minimum of fifteen (15) gallons in size with a mature tree canopy of at least a thirty-foot diameter within five years.
4. All address numbering shall be clearly visible from the street fronting the property. All buildings shall be identified by either four (4) inch high illuminated numbers or six (6) inch high non-illuminated numbers on contrasting colors.

GENERAL COMMUNITY DEVELOPMENT CONDITIONS:

5. The project shall be subject to the land regulation Planned Development Standards provided hereto as an attachment.
6. Prior to recordation of the Final Map, all submittals shall be reviewed by the Community Development Department to ensure substantial compliance.
7. All construction shall follow the requirements outlined by City Ordinances and the Building Codes.

ATTACHMENT D

8. The applicant shall be required to pay applicable park-in-lieu fees for each unit constructed, development impact fees as set by the City Council, and building permit fees as prescribed by the Community Development Department.
9. The applicant shall be responsible for any additional costs resulting from city staff time or contract staff time dedicated to this project, which includes, but is not limited to; engineering plan check and inspections and building division plan check.
10. In the event any claim, action or proceeding is commenced naming the City or its agents, officers, and employees as defendant, respondent or cross defendant arising or alleged to arise from the City's approval of this project, the project Applicant shall defend, indemnify, and hold harmless the City or its agents, officers and employees, from liability, damages, penalties, costs or expense in any such claim, action, or proceeding to attach, set aside, void, or annul an approval of the City of Winters, the Winters Planning Commission, any advisory agency to the City and local district, or the Winters City Council. Project applicant shall defend such action at applicant's sole cost and expense which includes court costs and attorney fees. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense. Nothing in this condition shall be construed to prohibit the City of Winters from participating in the defense of any claim, action, or proceeding, if City bears its own attorney fees and cost, and defends the action in good faith. Applicant shall not be required to pay or perform any settlement unless the subdivider in good faith approves the settlement, and the settlement imposes not direct or indirect cost on the City of Winters, or its agents, officers, and employees, the Winters Planning commission, any advisory agency to the City, local district and the City Council.

AFFORDABLE HOUSING CONDITIONS:

11. Prior to recordation of the Final Map, an inclusionary housing agreement shall be prepared and executed for the subject parcels.
12. Prior to recordation of the Final Map, deed restriction language shall be recorded against each property to ensure affordability of these units for the maximum allowable time period.

FIRE SUPPRESSION CONDITIONS:

13. FIRE HYDRANTS:

- a. **INSTALLATION:** Fire hydrants shall be installed pursuant to City of Winters Standard Drawings. Hydrant setbacks shall be a minimum of 6" to a maximum of 18" from the back of the sidewalk. Prior to hydrant approval, the water system shall be flushed to remove foreign matter in the system. All unfinished installation water mains or their appendages or openings shall be covered in such a manner that foreign matter does not enter the water system.

b. WATER PRESSURE: All water lines and fire hydrant systems must be approved by the Fire Chief and operating prior to any construction taking place on the site. Prior to issuance of building permits, water flow must be measured and certified for adequacy by the Winters Fire Department. The following minimum water flows, with 20 PSI residual pressure, shall be acceptable unless otherwise determined due to the type of construction material used.

<u>Development Category</u>	<u>Gallons Per Min (gpm)</u>
Single-Family Residential	1,500
Multi-Family Residential	1,500
Central Business District	2,000
Industrial and Other Business Districts	3,000

d. Other habitable buildings can require up to 3,500 gpm maximum, and will be reviewed on a case-by-case basis.

e. In other areas where there are existing water system deficiencies, new development will be required to install all on-site water system improvements necessary to achieve the above fire-flow rate; however, the Winters Fire Department may waive full compliance with these standards until existing water system deficiencies are corrected.

14. PLANS FOR HYDRANTS AND WATER MAINS: The Winters Fire Department shall be supplied with two sets of plans for any installation of any fire hydrant system in the City of Winters. Plans are to reflect all aspects of the installation, including but not limited to the size of the City of Winters water main and the type and elevation of the fire hydrant.

15. FINAL PLANS, PERIODIC TESTS FOR FIRE HYDRANTS: All final plan for fire hydrant systems and private water mains supplying a fire hydrant system shall be submitted to the Winters Fire Department for approval prior to construction of the system. All fire protection systems and appurtenances thereto shall be subject to such periodic tests as required by the Fire Chief or his agent.

16. REFLECTORS FOR FIRE HYDRANTS: Any fire hydrant installed will require, in addition to the blue reflector noted in Standard Drawings, an additional blue reflector and glue kit that is to be supplied to the Winters Fire Department for replacement purposes.

17. All construction, new or remodeling, shall conform to the most current Uniform Fire Codes, the Winters Fire Prevention Code, and any section of the National Fire Codes that the Winters Fire Chief or his/her agent may find necessary to apply.

19. Forty-eight hours notice shall be given to the Winters Fire Department prior to any site inspections.
20. Submit three sets of plans for each fire suppression sprinkler system to the Winters Fire Department for review and approval prior to the issuance of each building permit.
21. All residences shall have fire suppression sprinkler systems meeting or exceeding NFPA 13-D. Water laterals shall be appropriately sized to accommodate sufficient water flows for fire suppression sprinkler systems. In no instance shall a water lateral be less than 1.5-inches in size.

FIRE PREVENTION:

22. Fire hydrants shall be installed pursuant to City of Winters Public Works Improvement Standards. Prior to hydrant approval, the water system shall be flushed to remove foreign matter in the system. All unfinished installation water mains or their appendages or openings shall be covered in such a manner that foreign matter does not enter the water system.

UTILITIES AND PUBLIC WORKS:

23. The developer shall comply with all aspects of the latest City of Winters Public Works Improvement Standards.
24. A signage and striping plan is required and shall be approved by the City Engineer. All striping shall be thermoplastic.
25. The applicant agrees to adhere to the terms of the ordinance (Ordinance 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.
26. The subdivision is within the Rancho Arroyo Drainage basin and a preliminary combination detention basin/underground drainage system has been approved by the City Council as an amendment to the City's Master Plan. Developer shall be responsible for paying a per acreage fee as developer's share toward these improvements. Payment shall be made prior to recordation of the final map.
27. All perimeter parcels and lots shall be protected against surface runoff from adjacent properties in a manner acceptable to the City Engineer.
28. Water system shall be designed and installed to the satisfaction of the City Engineer.
29. A hydrant use permit shall be obtained from the Public Works Department for the use of hydrant water during the construction.

30. Existing water meters shall be replaced or upgraded to the satisfaction of the Public Works Department.
31. 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 acreages 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.
32. Grading shall be done in accordance with a grading plan prepared by the applicant's civil engineer and approved by the City Engineer. The amount of earth removed shall not exceed that specified in the approved grading plan. All grading work shall be performed in one continuous operation. The grading plans shall be included in the subdivision improvement plans. 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.
33. All storm drain improvements shall be designed and installed to the satisfaction of the City Engineer.
34. The applicant shall remove and discard remaining drainage facilities used previously for the inlet to the Rancho Arroyo Regional Storm Drain Detention Facility.
35. All electric, phone/data and cable facilities within 100 feet of the project boundary, and within the project shall be installed underground and shall meet the policies, ordinances, and programs of the City of Winters and the utility providers.

EASEMENTS:

36. Appropriate easements shall be required for City maintained facilities located outside of City owned property or the public right-of-way.
37. Developer shall agree to grant all public easements as determined by the City for public purposes.

LANDSCAPING AND LIGHTING:

38. Project proponents shall annex into the City-Wide Assessment District in order to maintain and provide for the future needs of parks, open space, street lighting, 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 the sale of any buildable lots or parcels within the project area.

39. Prior to approval of the Final Map the applicant shall submit lighting plan for approval to the City Engineer. Street lights, if required, shall match the existing street lights adjacent to the property.

REIMBURSEMENTS FOR DEVELOPER INSTALLED IMPROVEMENTS:

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

STORM DRAINAGE:

41. Prior to submittal of a Final Map the applicant shall submit a storm water drainage plan shall be prepared by a registered civil engineer for project watershed(s). The plan shall identify specific storm drainage design features to control increased runoff from the project site. The drainage plan shall demonstrate the effectiveness of the proposed storm drainage system to prevent negative impacts to existing upstream and downstream facilities and to prevent additional flooding at off-site locations. All necessary calculations and assumptions and design details shall be submitted to the City Engineer for review and approval. The design features proposed by the applicant shall be consistent with the most recent version of the City's Storm Drainage Master Plan criteria and Public Improvement Standards. The plan shall incorporate final sizing and location of on-site and off-site storm conduit channels, and structures.

EROSION AND SEDIMENTATION:

42. Storm Water Prevention Plan (SWPP) shall be included as part of the improvement plan package. The SWPP 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 Community Development Department.
43. Cut and fill slopes shall be in conformance with the recommendations of the soils engineer, but shall in no case be steeper than 3:1 in public rights-of-way and easements, and 2:1 in other areas.
44. Landscaped slopes along streets shall not exceed 3:1. Level areas having a minimum width of one (1) foot shall be required at the toe and top of said slopes.
45. Applicants for projects draining into water bodies shall obtain a National Pollutant Discharge Elimination System (NPDES) Permit from the Regional Water Quality

Control Board prior to commencement of grading.

46. A retaining wall shall be installed to the satisfaction of the City Engineer behind the lots that backup to the Rancho Arroyo Regional Storm Drain Detention Facility.
47. The developer shall increase the height of the chain link fence on the north side of the Rancho Arroyo Regional Storm Drain Detention Facility to prevent access into the detention facility from the backyards of the current and future residences located on the south side of Cottage Circle. The height and extent of the improvements shall be approved by the City Engineer.

GEOLOGICAL HAZARDS:

48. New development shall be constructed in accordance to the requirements of the Uniform Building Code in order to ensure that new structures are able to withstand the effects of seismic activity, including liquefaction, and underground utilities shall be designed to withstand seismic forces in accordance with State requirements.
49. Developer shall submit a soils and geotechnical report upon submittal of the initial improvement plans package. The improvement plans shall be approved and signed by the soils engineer prior to approval by the City.
50. Tarpaulins or other effective covers should be used for haul trucks.
51. All inactive portions of the construction site, which have been graded will be seeded and watered until vegetation is grown.
52. Grading shall not occur when wind speeds exceeds 20 MPH over a one hour period, construction vehicle speed on unpaved roads shall not exceed 15 MPH, and construction equipment and engines shall be properly maintained.
53. 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.
54. Construction practices will minimize vehicle idling.
55. Potentially windblown materials will be watered or covered.
56. Construction areas and streets will be wet swept.
- 57.
58. Post construction Best Management Practices (BMPs) shall be identified on improvement plans.

ENERGY CONSERVATION:

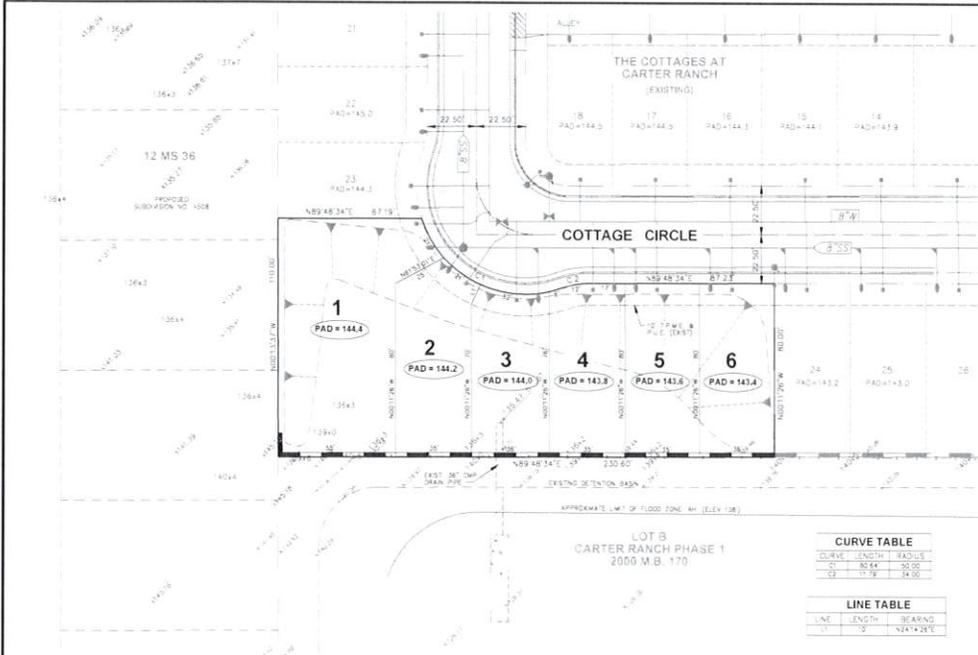
59. Per the State Subdivision Map Act, all residences shall meet Title 24 energy efficiency requirements.

MISCELLANEOUS:

60. At the time of making the survey for the final map, the engineer or surveyor shall set sufficient durable monuments to conform with 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.
61. 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.
62. Prior to recordation of the Final Map the subdivider shall enter into a subdivision improvement agreement with the City prior to recordation of final map.
63. Project applicant shall pay all development impact fees adopted by the City Council and shall pay fees required by other entities.
64. Street lighting locations shall be submitted and approved by the Community Development Department, the City Engineer, and Pacific Gas and Electric, prior to final recordation of Map. If relocation of existing facilities is deemed necessary, it shall be performed by the developer who will also be responsible to bear all expenses associated with this condition. All public utility standards for public easements shall apply.
65. Existing public and private facilities damaged during the course of construction shall be repaired by the subdivider, at his sole expense, to the satisfaction of the City Engineer.
66. Proposed improvements, including but not limited to, grading, streets, utilities, and landscape have not been reviewed in detail and are not approved at this time. The City Engineer shall review the design of all improvements, during the plan check process and shall be revised, as needed, at the discretion of the City Engineer.
67. A 10-foot Public Utility Easement (PUE) behind right-of-way shall be dedicated along all frontages.
68. A current title report shall be submitted with the subdivision map. The title report shall include the entire legal boundary of property being divided.
69. The area of each lot, in square feet, shall be calculated and shown on the Final

Map.

70. U.S. Post Office mailbox locations shall be coordinated with the Postmaster, and shown on the improvement plans prior to approval by the City Engineer.
71. Final Joint Trench utility plans shall be included with the Improvement Plans, prior to approval by the City Engineer.
72. The main electrical panel for each residence shall be located at the exterior of the building and capable of total electrical disconnect by a single switch throw.



LEGEND:

- SUBDIVISION BOUNDARY
- LOT LINE
- EASEMENT LINE
- EXISTING WATER LINE
- EXISTING SEWER LINE
- EXISTING STORM DRAIN LINE
- PROPOSED STORM DRAIN LINE (4" DIA)
- PROPOSED RETAINING WALL
- EXISTING CURB, GUTTER & SIDEWALK
- TULOW LINE
- EXISTING FIRE HOSEWAY
- EXISTING WATER VALVE
- EXISTING WATER SERVICE
- EXISTING SEWER MANHOLE
- EXISTING SEWER SERVICE
- EXISTING STREET LIGHT

CURVE TABLE

CURVE	LENGTH	RAD. US
C1	36.00	50.00
C2	17.50	24.00

LINE TABLE

LINE	LENGTH	BEARING
L1	0	N44°4'30"E

LEGAL DESCRIPTION:

ALL THAT CERTAIN REAL PROPERTY SITUATED, LINGING AND BEING IN THE CITY OF WINTERS, COUNTY OF YOLO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

LOT B, AS SHOWN ON THE "THE COTTAGES AT CARTER RANCH" MAP NO. 1881, FILED IN BOOK 2004 OF MAPS AT PAGE 42 IN THE OFFICE OF YOLO COUNTY RECORDER, YOLO COUNTY, CALIFORNIA.

ABBREVIATIONS:

- BM BENCH MARK
- EX EXISTING
- EA EASEMENT
- EL ELEVATION
- FL FLOOR LINE
- GB GRADE BREAK
- HP HIGH POINT
- HW HIGH WATER
- IN INCH
- INT INTERSECTION
- MC METEORIC CRATER
- NO NORTH
- PL PUBLIC UTILITY EASEMENT
- PT POINT
- RD ROAD
- RT RIGHT OF WAY
- SE SEWER
- SD STORM DRAIN LINE
- ST STREET
- SW SW
- STD STANDARD
- W WATER LINE WEST

APPLICANT/OWNER:

WALLER, KAUFMAN & GUTTER
 220 JAMES W. SUTTER
 2481 SURFACI BLVD, SUITE 200
 2002 WYOMING, CA 95692
 (916) 920-4900

CIVIL ENGINEER:

CUNNINGHAM ENGINEERING
 2840 SHARFORD STREET, SUITE 200
 DAVIS, CALIFORNIA 95618
 (530) 758-1006

ASSESSOR'S PARCEL NUMBER:

APN: 030-392-006

FLOOD ZONE:

ZONE: "0"

ZONING:

EXISTING: R-2
 PROPOSED: NO CHANGE REQUESTED

LAND USE:

EXISTING: VACANT
 PROPOSED: RESIDENTIAL

TOTAL ACREAGE:

0.4733 ACRES GROSS

SERVICE PROVIDERS:

- GAS: PACIFIC GAS AND ELECTRIC (PG&E)
PHONE: (916) 386-5009
- ELECTRICITY: PACIFIC GAS AND ELECTRIC (PG&E)
PHONE: (916) 386-5009
- CABLE TELEVISION: QUARTER COMMUNICATIONS
(888) 997-5542
- WATER: CITY OF WINTERS
(530) 795-4910
- SEWER: CITY OF WINTERS
(530) 795-4910
- STORM DRAINAGE: CITY OF WINTERS
(530) 795-4910
- TELEPHONE: SBC
(916) 493-1112
- FIRE DEPARTMENT: WINTERS FIRE DISTRICT
(530) 795-4431
- U.S.P. (800) 227-2600

NOTES:

1. EXISTING TOPOGRAPHY IS BASED ON A TOPOGRAPHIC AND BOUNDARY SURVEY PREPARED BY WORMS SURVEYING, FEBRUARY 2003.
2. ALL INFORMATION ON THIS MAP IS DEEMED TO BE OF A PRELIMINARY NATURE AND IS NOT TO BE RELIED ON FOR SURVEY OR PROPERTY LINE INFORMATION.
3. THIS TENTATIVE PARCEL MAP WAS PREPARED UNDER THE DIRECTION OF CHARLES W. CUNNINGHAM, P.E., NUMBER C20319.
4. LOT SIZES: MIN = 27042 SQ. FT.
MAX = 64842 SQ. FT.

APPROVED BY: _____ DATE: _____
 CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT



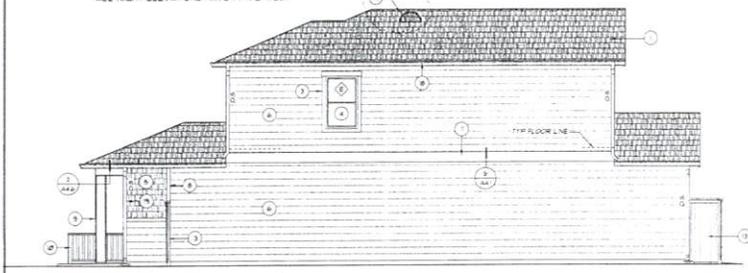
PROJECT NO. 1881
 SHEET NO. 1 OF 1
 PROJECT NO. 1881.001

**THE COTTAGES AT CARTER RANCH - PHASE 2
 TENTATIVE SUBDIVISION MAP NO. 4723**

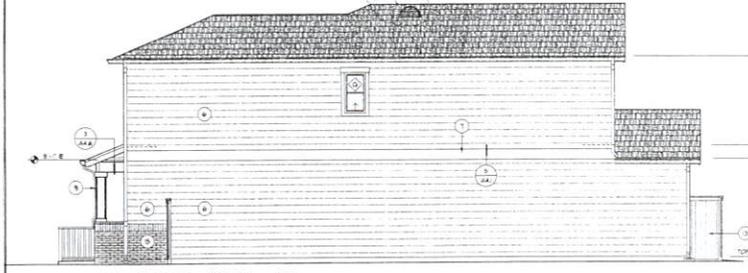
DATE: 07/12/2018
 SHEET: 1
 OF: 1
 PROJECT NO.: 1881.001



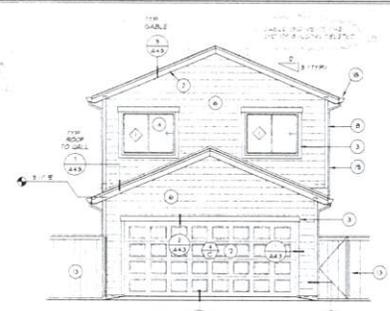
RIGHT ELEVATION - 1A
 1/4" = 1'-0" (SEE 1B FOR TYP NOTES UDN)
 ALL RIGHT ELEVATIONS HAVE 1/4" RISE BAYES



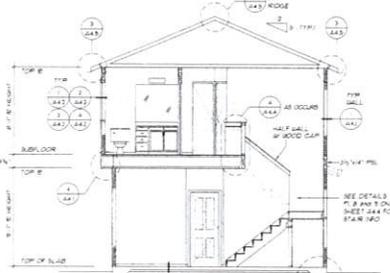
RIGHT ELEVATION - 1B
 1/4" = 1'-0" (SEE 1A FOR TYP DETAILS UDN)



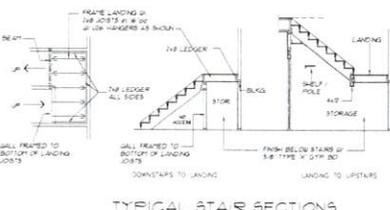
RIGHT ELEVATION - 1C
 1/4" = 1'-0" (SEE 1A FOR TYP DETAILS & 1B FOR TYP NOTES UDN)



REAR ELEVATION - PLAN 1
 1/4" = 1'-0"



SECTION - PLAN 1
 1/4" = 1'-0"



TYPICAL STAR SECTIONS
 1/4" = 1'-0"

ELEVATION NOTES

- 1 ROOFING: EX. 1/2" MIN. 20' GORPWOOD. COLOR: WEATHERED WOOD OR EQUAL.
- 2 1/2" BARGE (ACCENT COLOR).
- 3 UNPAINTED UNDOOR DOOR TRIM / TRIM COLOR.
- 4 UNDOOR DOOR GLAZED BY WHITE VINYL TRIMMED TRIM.
- 5 HAND-MADE 1" SIDING (ACCENT COLOR).
- 6 HAND-MADE 1/2" SIDING (BODY COLOR).
- 7 DECORATIVE TRIM BANDS (TRIM COLOR).
- 8 PAINTED CEDAR CORNER TRIM (BODY COLOR).
- 9 PORCH COLUMN TRIM COLOR. SEE SHEET 1A FOR ADDITIONAL INFORMATION.
- 10 1/2" HIGH PORCH RAIL AND TRIM COLOR. SEE DETAIL 10A1.
- 11 FRONT DOOR: NEED GREEN OR BLUE FOR SCHEDULE BELOW.
- 12 GARAGE DOOR (ACCENT COLOR). SEE DETAILS 1 & 3 ON 1A1.
- 13 TYPICAL 6" TALL REDWOOD FENCE (NATURAL FINISH). SEE DETAIL 15 ON 1A3.
- 14 TRINGLE GABLE END VENT. SEE ROOF PLAN. TRIM COLOR.
- 15 BRICK VENER HANDCUT 2" AT HEIGHT. SEE DETAILS 10 AND 11 ON SHEET 1A4.
- 16 ACCESS 1/2" 4" WASH NUMBERS (ACCENT COLOR) 1/2" JAMB.
- 17 METAL CORNER 1/2" JAMB. SEE ROOF PLAN FOR INFORMATION. FINISH TO MATCH ROOFING.
- 18 WHITE OUTDOOR TRIM OVER WHITE TRIM. SEE DETAIL 15 ON SHEET 1A3.
- 19 WHITE DOOR SHOUT TRIM. SEE ROOF PLAN. SEE 15 ON 1A3.
- 20 UTILITY PAN DOOR (BODY COLOR). DECORATIVE OUTRIGGER (ACCENT COLOR). SEE DETAIL 15 ON 1A3 AND 1 & 2 ON SHEET 1A1.

MATERIALS / COLORS

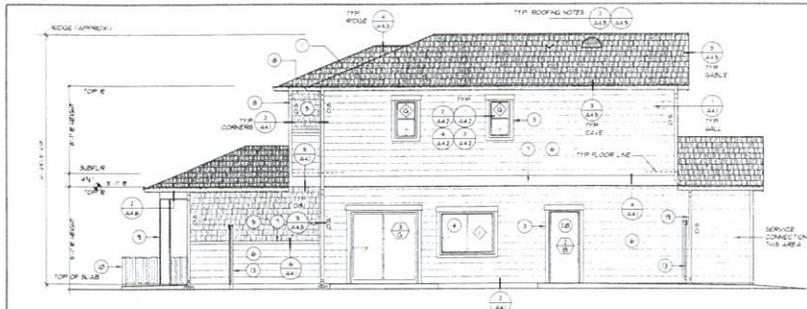
- ROOFING:
 EX. WEATHERWOOD COMPOSITION
 COLOR: KELLEY DOOR
- SCHEME A:
 BODY: KH 101-14 DUXLEY
 ACCENT: KH 101-15 RUSSE
 TRIM: KH 101-16 ACUSTIC WHITE
- SCHEME B:
 BODY: KH 101-14 NORTHERN WOOD
 ACCENT: KH 101-15 RUSSE
 TRIM: KH 101-16 ACUSTIC WHITE
- SCHEME C:
 BODY: KH 101-15 RUSSE
 ACCENT: KH 101-16 ACUSTIC WHITE
 TRIM: KH 101-17 PLANT GREEN
 DOOR: KH 101-18 PLANT GREEN
 KH 101-19 BLUE

REVISIONS

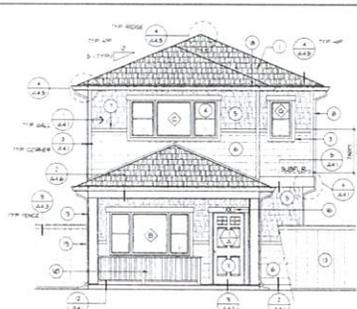
PROJECT:
 THE COTTAGES
 AT CARTER RANCH
 WINTERS, CALIFORNIA

Sheet Title:
 PLAN TYPE 1
 ELEVATIONS & SECTION

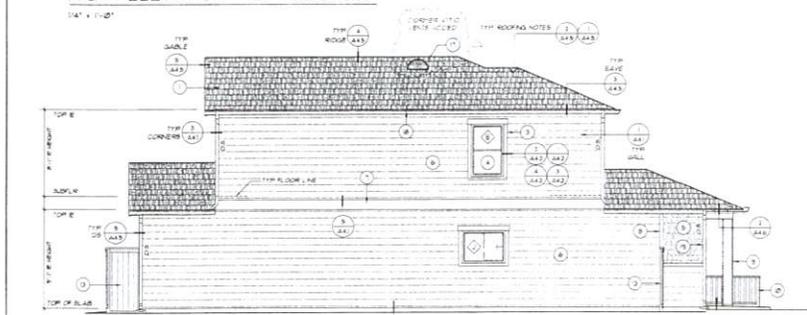
Sheet No.:
 A1.4



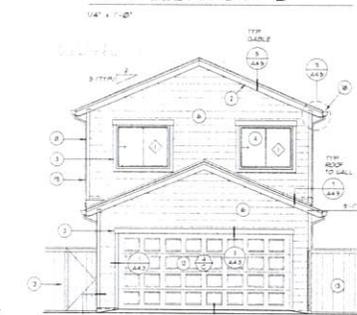
RIGHT ELEVATION - IB MIRRORED
1/4" = 1'-0"



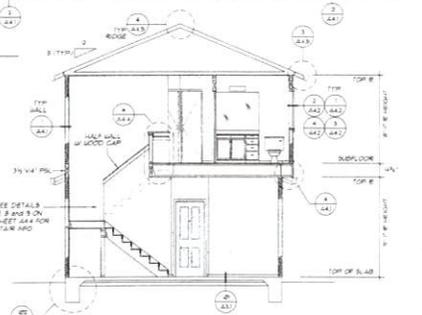
FRONT ELEVATION - IB
1/4" = 1'-0"



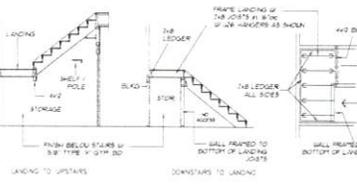
LEFT ELEVATION - IB MIRRORED
1/4" = 1'-0"



REAR ELEVATION - PLAN IB MIRRORED
1/4" = 1'-0"



SECTION - PLAN IB MIRRORED
1/4" = 1'-0"



TYPICAL STAIR SECTIONS - IB MIRRORED
1/4" = 1'-0"

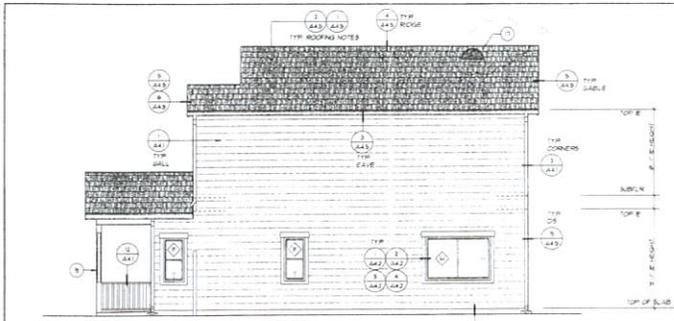
ELEVATION NOTES

1. ROOFING: EX. TRUSS/GUE 2X COMPOSITION COLOR: SEALED WOOD ON EQUAL
2. AIR BARGE: ACCENT COLOR
3. PAINTED SHADOWBOX TRIM: TRIM COLOR
4. WINDOWS: DUAL GLAZED W/ 3/4\"/>
- 5. HANDRAILS: LVP 8\"/>
- 6. DECORATIVE TRIM BANDS: TRIM COLOR
- 7. PAINTED CORNER TRIM: TRIM COLOR
- 8. PORCH COLUMN TRIM COLOR: SEE DETAIL 12 AND 13 ON S41
- 9. 3\"/>
- 10. FRONT DOOR: RED GREEN OR BLUE PER SCHEDULE BELOW
- 11. GARAGE DOOR: ACCENT COLOR. SEE DETAIL 12 AND 13 ON S41
- 12. TYPICAL 4\"/>
- 13. TRINGLE GABLE END VENT: SEE ROOF PLAN TRIM COLOR
- 14. BRICK: EITHER UNGLAZED TO 3\"/>
- 15. ADDRESS: 6\"/>
- 16. WHITE SALTER TRIM OVER WATER FALLS: SEE DETAIL 19 ON SHEET S43
- 17. WHITE SOFA BRUSH TRIM: SEE ROOF PLAN. SEE PLAN S43
- 18. UTILITY MAIN DOOR: BODY COLOR
- 19. DECORATIVE OUTRIGGER: ACCENT COLOR. SEE DETAILS 16 ON S43 AND 7, 8 AND 9 ON SHEET S41

MATERIALS / COLORS

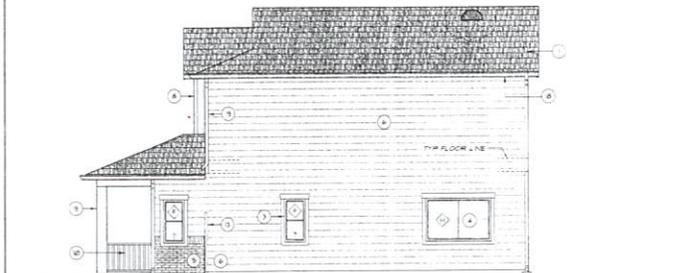
- ROOFING**
EX. TRUSS/GUE 2X COMPOSITION
COLORS: KELLEY DOOR
- SCHEM 4**
BODY: CH 08H - DUCKY
ACCENT: CH 11 WOOD ROSE
TRIM: CH 48 - ACCENT TO WHITE
- SCHEM 5**
BODY: CH 08H - NORTHERN LAZE
ACCENT: CH 12B - PINEBUSH COUNTRY
TRIM: CH 48 - ACCENT TO WHITE
- SCHEM 6**
BODY: CH 11 - SAND PEBBLE
ACCENT: CH 04B - D. MADISON AVENUE
TRIM: CH 48 - ACCENT TO WHITE
- DOORS**
CH 08H - HARBOR RED
CH 02A8 - VILD PLANET (GREEN)
CH 007 - TONIC BLUE

REVISIONS	<table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	DESCRIPTION			
NO.	DATE	DESCRIPTION					
<p>THE COTTAGES BY CARTER GARCIA</p> <p>WINTELAR, CALIFORNIA</p>	<p>Project: PLAN TYPE IB MIRRORED ELEVATIONS & SECTION</p> <p>Sheet Title: IB MIRRORED ELEVATIONS & SECTION</p> <p>Drawn By: AK</p> <p>Checked By: AK</p> <p>Date: 07/20/2017</p> <p>Scale: 1/4" = 1'-0"</p> <p>Production Set: A1.7</p>						



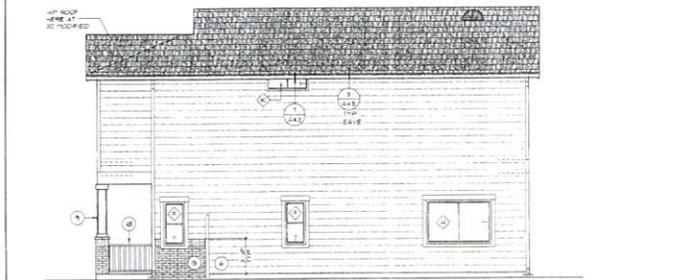
RIGHT ELEVATION - 2A

1/4" = 1'-0"



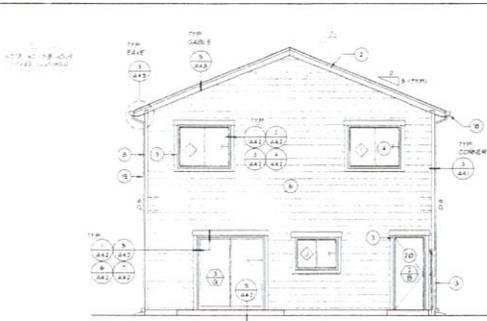
RIGHT ELEVATION - 2B

1/4" = 1'-0"



RIGHT ELEVATION - 2C

1/4" = 1'-0"



REAR ELEVATION - 2

1/4" = 1'-0"



SECTION - PLAN 2

1/4" = 1'-0"



FRONT ELEVATION - 2C MODIFIED

1/4" = 1'-0"

ELEVATION NOTES

1. ROOFING: ELK PRESTIGE 24" COPPER ON COLOR WEATHERED WOOD ON EQUAL
2. 2x6 BARRIS ACENT COLOR
3. PAINTED UNDERDOOR TRIM (TRIM COLOR)
4. WINDOW: DUAL GLAZED W/ WHITE INTL. FRAMES TYP.
5. HAND-RAILED GLAZING (ACCENT COLOR)
6. HAND-PLANK LAP SONG (BODY COLOR)
7. DECORATIVE TRIM BANDS (TRIM COLOR)
8. PAINTED CEDAR CORNER TRIM (BODY COLOR)
9. PORCH COLUMN (TRIM COLOR) SEE SHEET 232 FOR ADDITIONAL INFORMATION
10. 2x4 HIGH PORCH RAILING (TRIM COLOR) SEE DETAIL 21/441
11. BROWN COLOR WED. GRABBLE ON BLUE TRIM SCHEDULE (BODY COLOR)
12. GARAGE DOOR FACENT (BODY COLOR) SEE DETAILS 12 AND 13 ON 241
13. TYPICAL 8" TALL REDWOOD FINISH (TRIM COLOR) SEE DETAIL 18 ON 243
14. TRIMMOLE SABLE END-VENT SEE ROOF PLAN TYP. COLOR
15. BRICK VENER JANBOOT TO 3/4" HEIGHT SEE DETAILS 16 AND 17 ON SHEET 244
16. ADDRESS OF 4 JOH. NUMBERS (ACCENT COLOR) 718 AREA
17. TRIM: DUNBAR 1/2" x 1/2" SEE ROOF PLAN FOR INFORMATION. PAINT TO MATCH ROOFING
18. WHITE OUTLINE TRIM OVER BRICK VENER TALLS SEE DETAIL 19 ON SHEET 244
19. WHITE DOOR SPOUT TYP. SEE ROOF PLAN SEE 19 ON 243
20. 1/2" x 1/2" HAND-DOOR (BODY COLOR)
21. DECORATIVE OUTDRIVER (ACCENT COLOR) SEE DETAIL 20 ON 243 AND 18 AND 19 ON SHEET 241

MATERIALS & COLORS

- ROOFING
ELK WEATHERWOOD COMPOSITION
COLORS (KELLEY 'COCKE')
- SCHEME A
BODY: KH 1014 'SUNLEY'
ACCENT: KH 11 'WOOD TONES'
TRIM: KH 148 'ACCENT C WHITE'
- SCHEME B
BODY: KH 1014 'SUNLEY'
ACCENT: KH 1014 'NORTHERN WAVE'
TRIM: KH 148 'ACCENT C WHITE'
- SCHEME C
BODY: KH 11 'SAND PERLETT'
ACCENT: KH 148 'D. THURSON AVENUE'
TRIM: KH 148 'ACCENT C WHITE'
- DOORS
1: KH 1014 'SUNLEY'
2: KH 1014 'SUNLEY' (GREEN)
3: KH 1014 'SUNLEY' (BLUE)

REVISIONS	DATE	BY	DESCRIPTION
1			ISSUE FOR PERMIT
2			ISSUE FOR PERMIT
3			ISSUE FOR PERMIT

THE COTTAGES
48 CARTER RANCH
WINSTON-SALEM, NC



THE COTTAGES
48 CARTER RANCH
WINSTON-SALEM, NC

PLAN TYPE 2
ELEVATIONS & SECTION

PRODUCTION SET
A2.4

RESOLUTION NO. 2018- 04

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WINTERS
RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE COTTAGES AT
CARTER RANCH PHASE II SUBDIVISION MAP**

WHEREAS, the Winters Planning Commission held a duly noticed public hearing on November 13, 2018 to review and consider recommending to the City Council approval of the proposed Tentative Map Subdivision Map for the Cottages at Carter Ranch Phase II (Tentative Map) Subdivision; and

WHEREAS, the Planning Commission found the Tentative Map qualifies for an exemption from the provisions of CEQA, Class 32 – In-Fill Development Projects; and

WHEREAS, proper notice of this public hearing was given in all respects required by law; and

WHEREAS, the Planning Commission has reviewed all written evidence and all oral testimony presented to date.

NOW, THEREFORE, BE IS RESOLVED, that the Planning Commission of the City of Winters, based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, recommends the City Council approve the Tentative Map for the Cottages at Carter Ranch Phase II, attached hereto as Exhibit A.

PASSED AND ADOPTED, by the Planning Commission of the City of Winters at a special meeting on the 13th day of November, 2018 by the following vote:

AYES:

NOES:

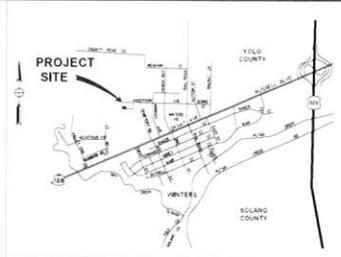
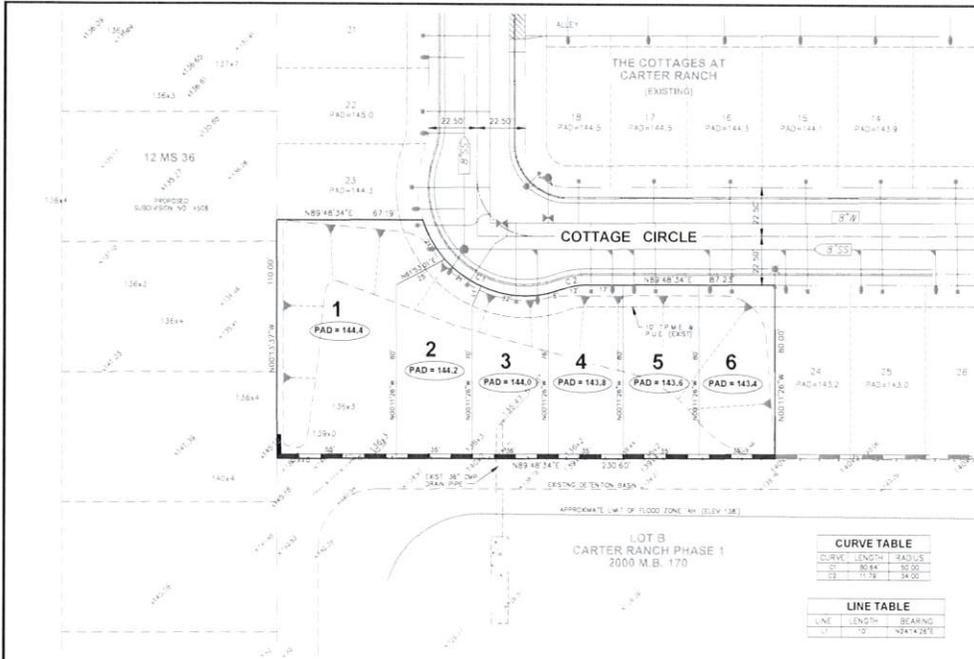
ABSTAIN:

ABSENT:

Chairperson

ATTEST:

Planning Commission Secretary



LEGEND:

- SUBDIVISION BOUNDARY
- LOT LINE
- EXISTING LINE
- EXISTING WATER LINE
- EXISTING SEWER LINE
- EXISTING STORM DRAIN LINE
- PROPOSED STORM DRAIN LINE WITH EXISTING RETAINING WALL
- EXISTING CURB, GUTTER & SIDEWALK
- FIRE LINE
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE
- EXISTING WATER SERVICE
- EXISTING SEWER MANHOLE
- EXISTING SEWER SERVICE
- EXISTING STREET LIGHT

CURVE TABLE

CURVE LENGTH	RADIUS
17	80.14
22	11.78

LINE TABLE

LINE	LENGTH	BEARING
1-2	10	N24°42'28"E

LEGAL DESCRIPTION:

ALL THAT CERTAIN REAL PROPERTY SITUATED, LYING AND BEING IN THE CITY OF WINTERS, COUNTY OF YOLO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:
 LOT 21, AS SHOWN ON THE "THE COTTAGES AT CARTER RANCH" MAP NO. 4478, FILED IN BOOK 2004 OF MAPS AT PAGE 42 IN THE OFFICE OF YOLO COUNTY RECORDS, YOLO COUNTY, CALIFORNIA.

ABBREVIATIONS:

- 2W BACK OF WALK
- E EAST
- EXM EXISTING
- FL FLOOD LINE
- GB GRADE BREAK
- HR HIGH POINT
- IRV IRREGULAR MANHOLE INVERT
- JW JUNCTION OF CURVE
- N NORTH
- PE PUBLIC UTILITY EASEMENT
- RW RIGHT OF WAY
- SS SANITARY SEWER
- SD STORM DRAIN LINE
- SH SHEET
- SO SOUTH
- STD STANDARD
- W WATER LINE, WEST

APPLICANT/OWNER:

WALKER, KAUFMAN & BUTLER
 C/O JAMES M. BUTLER
 2405 SHERBEE BLVD., SUITE 200
 GOLD RIVER, CA 95870
 (916) 930-4900

CIVIL ENGINEER:

DUNNAGHAM ENGINEERING
 2542 SPATFORD STREET, SUITE 200
 2476 CALIFORNIA, 95618
 (530) 358-3028

ASSESSOR'S PARCEL NUMBER:

APN: 033-192-006

FLOOD ZONE:

ZONE: "C"

ZONING:

EXISTING: R-2
 PROPOSED: NO CHANGE REQUESTED

LAND USE:

EXISTING: VACANT
 PROPOSED: RESIDENTIAL

TOTAL ACREAGE:

0.473 ACRES GROSS

SERVICE PROVIDERS:

- GAS: PACIFIC GAS AND ELECTRIC (PG&E) PHONE: (916) 386-5009
- ELECTRICITY: PACIFIC GAS AND ELECTRIC (PG&E) PHONE: (916) 386-5009
- CABLE TELEVISION: CHARTER COMMUNICATIONS (888) 997-6642
- WATER: CITY OF WINTERS (530) 795-4910
- SEWER: CITY OF WINTERS (530) 795-4910
- STORM DRAINAGE: CITY OF WINTERS (530) 795-4910
- TELEPHONE: SBC (916) 453-7112
- FIRE DEPARTMENT: WINTERS FIRE DISTRICT (530) 795-4131
- USA (800) 227-2500

NOTES:

1. EXISTING TOPOGRAPHY IS BASED ON A TOPOGRAPHIC AND BOUNDARY SURVEY PREPARED BY WOPKOR SURVEYING, FEBRUARY 2003.
2. ALL INFORMATION ON THIS MAP IS DEEMED TO BE OF A PRELIMINARY NATURE AND IS NOT TO BE RELIED ON FOR SURVEY OF PROPERTY OR FOR CONSTRUCTION.
3. THIS TENTATIVE PARCEL MAP WAS PREPARED UNDER THE DIRECTION OF CHARLES W. DUNNAGHAM, P.E. (LICENSE NUMBER 030338).
4. LOT SIZES: MIN = 27441 SQ. FT. MAX = 84845 SQ. FT.



APPROVED BY: _____ DATE: _____
 CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT

PROJECT NO. 177-35-D
 SHEET 1 OF 1
 DATE: 03/12/2018

THE COTTAGES AT CARTER RANCH - PHASE 2
TENTATIVE SUBDIVISION MAP NO. 4723

WALKER, KAUFMAN & BUTLER
 CIVIL ENGINEERS
 YOLO COUNTY, CALIFORNIA



**PLANNING COMMISSION
STAFF REPORT**

TO: Chairman and Planning Commissioners
DATE: November 13, 2018
FROM: David Dowswell, Contract Planner 
Dan Maguire, Economic Development & Housing Manager
SUBJECT: Public Hearing and Consideration of proposed amendment to the Health and Safety Element of the General Plan by adopting the 2018 Yolo County Operational Area Multi-Jurisdictional Hazard Mitigation Plan Update

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

- 1) Receive the staff report; and
- 2) Conduct the Public Hearing to solicit public comment; and
- 3) Recommend the City Council find the proposed amendments Categorical Exempt from CEQA through the use of the "General Rule", Section 15061(b)3; and
- 4) Adopt Resolution 2018-03 recommending the City Council amend the Health and Safety Element of the General Plan by adopting 2018 Yolo County Operational Area Multi-Jurisdictional Hazard Mitigation Plan Update

BACKGROUND: The Federal Emergency Management Agency (FEMA) and the Disaster Mitigation Act of 2000 (DMA) require that local jurisdictions have plans in place to mitigate all reasonably known hazards, both natural and man-made. Future hazard mitigation grant funding is contingent upon having FEMA approved hazard mitigation plans in place.

In order to comply with FEMA and DMA and to better prepare our community and region to deal with natural and man-made hazards the Yolo Operational Area Group developed the Yolo Operational Area Multi-Jurisdictional Hazard Mitigation Plan Update. The Yolo

Operational Area Group is comprised of all the cities within the county, the Yocha DeHe tribe, unincorporated regions of the county and special districts.

The current plan which was adopted by the Winters City Council in October of 2012, is several years old and as required by FEMA is due to be updated. A Hazard Mitigation Steering Committee with representatives from each of the local agencies, including the City of Winters, was organized to tackle the job of revising the current plan. Outreach was conducted to ensure the public and non-governmental entities also had a voice in the plan's development.

This document is, in concept, a revision of the previous Local Hazard Mitigation Plan, composed and approved in 2005 and most recently updated and approved in 2012. As part of the process it was then necessary for the plan to be submitted to Cal EMA and FEMA for review before it could come back to the Planning Commission and City Council for formal approval. Yolo County OES staff received a letter dated August 22, 2018 from FEMA determining the plan is eligible for final approval pending its adoption by Yolo County and all participating jurisdictions.

In addition to the FEMA requirements, California AB 2140 allows a local jurisdiction to incorporate their current FEMA-approved local hazard mitigation plan into the Safety Element of the General Plan.

It is now necessary for each jurisdiction in the Operational Area to approve the plan by resolution in order to receive full FEMA approval. The resolution includes language granting authority to the Winters City Manager to amend and update the plan as required by any last minute local changes or due to recommendations from Cal EMA/FEMA. It is however necessary to move forward with the plan as it was approved by Cal EMA in order to not jeopardize our community rating. If the plan is not formally adopted FEMA will not consider the jurisdiction as eligible for any Hazard Mitigation Grant Funds. This agenda item was publicly noticed in the November 8, 2018 edition of the Winters Express.

RECOMMENDED ACTION: That the Planning Commission adopt Resolution 2018-03, recommending the City Council approve amending the Health and Safety Element of the General Plan by adopting the 2018 Yolo County Operational Area Multi-Jurisdictional Hazard Mitigation Plan.

ATTACHMENTS:

- A. Resolution 2018-03 – Amending General Plan by adopting the 2018 Yolo County Operational Area Multi-Jurisdictional Hazard Mitigation Plan
- B. Link to Yolo County Operational Area Multi-Jurisdictional Hazard Mitigation Plan: <https://www.dropbox.com/s/93ac24rrh1k53no/2018%20Yolo%20County%20HMP%20-%20Draft%203.pdf?dl=0>
- C. August 22, 2018 FEMA letter
- D. AB 2140 Background Documents



FEMA

August 22, 2018

David M. Block
Emergency Services Planner
Yolo County Office of Emergency Services
625 Court Street, Room 202
Woodland, CA 95695

Dear Mr. Block:

We have completed our review of the *Yolo County Hazard Mitigation Plan*, and have determined that this plan is eligible for final approval pending its adoption by Yolo County and all participating jurisdictions. Please see the enclosed list of approvable pending adoption jurisdictions.

Formal adoption documentation must be submitted to the FEMA Region IX office by the lead jurisdiction within one calendar year of the date of this letter, or the entire plan must be updated and resubmitted for review. We will approve the plan upon receipt of the documentation of formal adoption.

If you have any questions regarding the planning or review processes, please contact Alison Kearns, Senior Community Planner, at (510) 627-7125 or by email at alison.kearns@fema.dhs.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alison Kearns".

fw

Juliette Hayes
Director
Mitigation Division
FEMA, Region IX

Enclosure

cc: Julie Norris, Mitigation and Dam Safety Branch Chief, California Governor's Office of
Emergency Services
Jennifer Hogan, State Hazard Mitigation Officer, California Governor's Office of
Emergency Services

Assembly Bill No. 2140

CHAPTER 739

An act to add Sections 8685.9 and 65302.6 to the Government Code, relating to local planning.

[Approved by Governor September 29, 2006. Filed with Secretary of State September 29, 2006.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2140, Hancock. General plans: safety element.

(1) The California Disaster Assistance Act limits the state share for any eligible project to no more than 75% of total state eligible costs, except that the state share shall be up to 100% of total state eligible costs connected with certain events.

This bill would prohibit the state share for any eligible project from exceeding 75% of total state eligible costs unless the local agency is located within a city, county, or city and county that has adopted a local hazard mitigation plan in accordance with the federal Disaster Mitigation Act of 2000 as part of the safety element of its general plan, in which case the Legislature may provide for a state share of local costs that exceeds 75% of total state eligible costs.

(2) The Planning and Zoning Law requires that a city, county, or city and county general plan contain specified elements, including a safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides, subsidence, liquefaction, and other seismic, geologic, and fire hazards.

This bill would authorize a city, county, or a city and county to adopt with its safety element a federally specified local hazard mitigation plan that includes specified elements, and require the Office of Emergency Services to give preference to local jurisdictions that have not adopted a local hazard mitigation plan with respect to specified federal programs for assistance in developing and adopting a plan.

The people of the State of California do enact as follows:

SECTION 1. Section 8685.9 is added to the Government Code, to read:

8685.9. Notwithstanding any other provision of law, including Section 8686, for any eligible project, the state share shall not exceed 75 percent of total state eligible costs unless the local agency is located within a city,

county, or city and county that has adopted a local hazard mitigation plan in accordance with the federal Disaster Mitigation Act of 2000 (P.L. 106-390) as part of the safety element of its general plan adopted pursuant to subdivision (g) of Section 65302. In that situation, the Legislature may provide for a state share of local costs that exceeds 75 percent of total state eligible costs.

SEC. 2. Section 65302.6 is added to the Government Code, to read:

65302.6. (a) A city, county, or a city and county may adopt with its safety element pursuant to subdivision (g) of Section 65302 a local hazard mitigation plan (HMP) specified in the federal Disaster Mitigation Act of 2000 (P. L. 106-390). The hazard mitigation plan shall include all of the following elements called for in the federal act requirements:

(1) An initial earthquake performance evaluation of public facilities that provide essential services, shelter, and critical governmental functions.

(2) An inventory of private facilities that are potentially hazardous, including, but not limited to, multiunit, soft story, concrete tilt-up, and concrete frame buildings.

(3) A plan to reduce the potential risk from private and governmental facilities in the event of a disaster.

(b) Local jurisdictions that have not adopted a local hazard mitigation plan shall be given preference by the Office of Emergency Services in recommending actions to be funded from the Pre-Disaster Mitigation Program, the Hazard Mitigation Grant Program, and the Flood Mitigation Assistance Program to assist the local jurisdiction in developing and adopting a local hazard mitigation plan, subject to available funding from the Federal Emergency Management Agency.



Assembly Bill 2140 (AB 2140) Fact Sheet

Cal OES Policy for AB 2140 Eligibility

To follow is a summary of the eligibility requirements policy. To be eligible for AB 2140 approval, the local agency must:

- Include specific hazard elements as described in the AB 2140 legislation in the LHMP. If any of these hazards do not apply to the jurisdiction, the LHMP must state this in the hazard assessment.
- Adopt the current LHMP into the Safety Element of the General Plan after the LHMP has received final approval from FEMA.
- Submit proof of their adoption to the California Governor's Office of Emergency Services (Cal OES), Mitigation Planning Division.
- State specifically in the resolution that the LHMP is adopted into the Safety Element of the General Plan.
- If the LHMP is a multiple-jurisdiction plan, each jurisdiction involved must adopt the plan into the Safety Element of its General Plan.
- The date of the AB 2140 adoption resolution must be on or before the Legislature approves CDAA funding after a specific disaster.
- Renew the adoption into the Safety Element of the General Plan each time an LHMP is updated.

For more detailed information, refer to the official Cal OES Policy Requirements to Adopt Local Hazard Mitigation Plans (LHMPs) to Be Eligible for AB 2140

Authorities

Assembly Bill 2140, Hancock, General Plans Safety Element, September 2006

California Disaster Assistance Act (CDAA) Section 8685.9

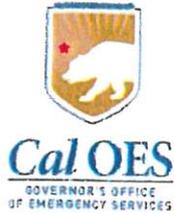
Governor's Office of Planning and Research General Plan Guidelines, chapter 4, page 90, Safety Element

Robert T. Stafford Disaster Relief and Emergency Assistance Act, Section 404, Hazard Mitigation (42 U.S.C. 5170c)*21 (a)

Disaster Mitigation Act of 2000 - 42 USC 5165, Section 333. Mitigation Planning

- (a) Requirement of Mitigation Plan
 - (d)(2) Maximum Federal Contribution.
 - (e)(1) Increased Federal Share for Hazard Mitigation Measures.
-

Continued



Assembly Bill 2140 (AB 2140) Fact Sheet

Authorities,
continued

44 Code of Federal Regulations – Subchapter D, Part 201 Mitigation Planning

- Section 201.3(c)(2)
- Section 201.5(a) Enhanced State Mitigation Plans
- Section 201.5(b)(1)

California Code of Regulations, Title 19, 2900 (m), 2900(q), 2910, 2940, 2945, 2955, and 2970(e)

FEMA Hazard Mitigation Assistance (HMA) Unified Guidance, 2013, Part IV. Eligibility Information, Section D.5 Hazard Mitigation Plan Requirement.

- Pre-Disaster Mitigation (PDM) Program and Flood Mitigation Assistance (FMA)
 - Hazard Mitigation Grant Program (HMGP)
-

Updated 8/27/15



Hazard Mitigation Planning Division Requirements to Adopt Local Hazard Mitigation Plans (LHMPs) to Be Compliant for AB 2140

To be compliant for AB 2140 approval, the local agency must:

- Adopt the current LHMP into the Safety Element of the General Plan. The local jurisdiction can either cross reference the LHMP and AB 2140 Eligibility resolution, or they can actually include the LHMP language specific to AB 2140 as part of their safety element. If the jurisdiction chooses to adopt “by reference,” they must state that in the AB 2140 Eligibility resolution.
- Submit proof of their adoption to the California Governor’s Office of Emergency Services (Cal OES), Mitigation Planning Division. This proof must be submitted as a certified hard copy of a Governing Body Resolution (Resolution of Adoption) with original signatures and certification stamp. Scanned documents will not be accepted.
- If the LHMP is a multiple-jurisdiction plan, each city or county jurisdiction involved must adopt the plan into the Safety Element of its own General Plan. It is not sufficient for only the lead plan to adopt because the annexes will not be covered. There are two exceptions as follows:
 - If a jurisdiction does not have a general plan (as in the case of a special district, small township, unincorporated area, etc.) and is an annex within a multiple-jurisdiction plan, the jurisdiction is covered by the lead jurisdiction’s general plan if the lead jurisdiction is AB 2140 compliant.
 - If a special district covers two or more counties, it may reach out to the county, if applicable, that is AB 2140 compliant in the event of a disaster declaration.
- Adopt the LHMP into the Safety Element of the General Plan after the LHMP has received final approval from FEMA. Adoptions before plan approval will not be accepted.
- Adoption into the Safety Element of the General Plan after the plan has expired will be not accepted, nor will it apply to the next LHMP.
- Renew the adoption into the Safety Element of the General Plan each time an LHMP is updated. The adoption expires when the LHMP expires, and must be renewed once the LHMP update has received final approval from FEMA.
- The date of the AB 2140 adoption resolution must be on or before the Legislature approves CDAA funding after a specific disaster.
- In determining AB 2140 compliance, the local hazard mitigation plan shall incorporate, at a minimum, all elements required under federal guidance, regulation, and statute for local hazard mitigation plans. (Section 65302.6(a))



Assembly Bill 2140 (AB 2140) Fact Sheet

What is AB 2140?

Passed in October 2006, AB 2140 allows a local jurisdiction to adopt their current, FEMA-approved local hazard mitigation plan into the Safety Element of their General Plan. This adoption makes the jurisdiction eligible for consideration for part or all of its local costs on eligible Public Assistance to be provided by state share funding through the California Disaster Assistance Act (CDAA).

The CDAA allows the state to pay a portion of the non-federal share that would otherwise fall upon the local agency to pay for Public Assistance and Hazard Mitigation projects. The usual federal share amount is up to 75% of the project cost.

When the legislature approves a particular federally-declared disaster to fall under CDAA, the state will pay 75% of the non-federal share, leaving the other 25% of the non-federal share for the local agency to pay.

If the legislature passes a bill to allow the state to pay 100% of the non-federal share, AB 2140 legislation requires that it is on condition that the local agency has a current, FEMA-approved LHMP that has been adopted into the Safety Element of their General Plan (Safety Element).

The Safety Element of the General Plan states that “the safety element must identify hazards and hazard abatement provisions to guide local decisions related to zoning, subdivisions, and entitlement permits. The element should contain general hazard and risk reduction strategies and policies supporting hazard mitigation measures. Policies should address the identification of hazards and emergency response, as well as mitigation through avoidance of hazards by new projects and reduction of risk in developed areas.”

Adoption of the FEMA-approved Local Hazard Mitigation Plan helps to fulfill these General Plan Safety Element requirements.

Why is AB 2140 Eligibility Important?

It reduces or eliminates the burden of paying a portion of Public Assistance projects on local jurisdictions. In some cases, local jurisdictions do not have the means to pay the local share for Public Assistance projects, and are therefore unable to perform these important activities. This keeps communities at risk of death and injuries, damages to structures and infrastructure, economic hardships, and damage to the environment resulting from hazard events.

Continued