

CITY OF WINTERS REGULAR PLANNING COMMISSION AGENDA

Tuesday, October 22, 2019 @ 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.
Management Analyst, Dago Fierros
Contract Planner, Dave Dowswell

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 September 24, 2019 meeting of Planning Commission.

V DISCUSSION ITEMS:

- A. Public Hearing and Consideration of recommendation by the Planning Commission on the following items:
1. Tentative Map to subdivide a 3.29 acre parcel into eighteen (18) single family lots between 4,400 and 5,200 square feet. The property is located off Anderson Avenue due north of the existing LDS Church (APN 030-220-034); and
 2. Adopt an ordinance rezoning the above-mentioned property by adding a Planned Development (PD) Overlay Zone to the existing R-1 Zoning. Adding the PD Zoning will allow reduction to various development standards including front, side and rear yard setbacks and an increase the allowable lot coverage of fifty (50) percent.

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 OCTOBER 17, 2019



DAVID DOWSWELL, COMMUNITY DEVELOPMENT DEPARTMENT CONTRACT 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.

GENERAL NOTES: MEETING FACILITIES ARE ACCESSIBLE TO PERSONS WITH DISABILITIES. TO ARRANGE AID OR SERVICES TO MODIFY OR ACCOMMODATE PERSONS WITH A DISABILITY TO PARTICIPATE IN A PUBLIC MEETING, CONTACT THE CITY CLERK.

**MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION MEETING HELD
SEPTEMBER 24, 2019**

***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, Schrupp, Chairman Myer

ABSENT: Vice Chair Baker

STAFF: City Manager John Donlevy, Contract Planner Dave Dowswell, City Clerk Tracy Jensen

Winters resident Benny Dippel led the Pledge of Allegiance.

CITIZEN INPUT: Chairman Myer opened the floor for citizen input at 6:31 p.m. and closed the floor at 6:31 p.m. with no input provided.

CONSENT ITEM:

- A. Minutes of the July 23, 2019 regular Planning Commission meeting.

Commissioner Contreras moved to approve, Commissioner Altamirano seconded. Motion carried unanimously with one absent.

DISCUSSION ITEMS:

- A. Public Hearing and Consideration of Recommendation by the Planning Commission on Proposed Amendments to Title 17 (Zoning Ordinance) of the Winters Municipal Code Regarding Regulation of Vacation Rentals Operating Within City Limits; and
- B. Recommend the City Council Adopt the Proposed Ordinance 2019-02, Amending Chapter 17.12, Planning Agency and Adding Chapter 17.54, Vacation Rentals to Title 17 (Zoning Ordinance) of the Winters Municipal Code. (Planning Commission has been directed by the City Council to re-review the proposed ordinance.)

Commissioner Adams recused himself due to a possible conflict of interest of having a web site that competes with vacation rental companies for places to stay in Winters.

Contract Planner Dowswell said a public hearing had been held by the Planning Commission on 6/25, where they voted to approve the ordinance 5-1. The ordinance then went before the City Council on 8/6 and 8/20, where it was referred back to the Planning Commission to discuss some remaining issues.

Chairman Myer opened the public hearing at 6:40 p.m.

Sandy Vickery, owner of 305 Main Street, asked the Planning Commission to consider adding in Accessory Dwelling Units (ADU) and to clarify language in Section 17.54.040, Permit Requirements, to address the number of guests for hosted and non-hosted rentals. She also thanked Dave Dowswell for working with them on this ordinance, and with the extra time spent, a good document will be produced.

Denny Dippel, owner of 726 Lupine Way, focused on the application process and requested the fees be lowered.

Chairman Myer closed the public hearing at 7:17 p.m.

**MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION MEETING HELD
SEPTEMBER 24, 2019**

COMMISSIONER/STAFF COMMENTS:

Commissioner Contreras stated ADU's should be allowed as a short-term vacation rental. He also stated he would support a fee reduction for a Conditional Use Permit (CUP), but said it likely wouldn't happen.

Chairman Myer doesn't want to limit the use of ADU's and recommended approving ADU's unless legislated against by the State in January, 2020. He also stressed the importance of a Conditional Use Permit (CUP) for non-hosted vacation rentals and confirmed the required fee attaches to the property.

Commissioner Contreras moved to adopt the proposed regulations with the following amendments:

1. Removal of Accessory Dwelling Unit (ADU) exclusion verbiage.
2. Define "Life Safety" to clarify that only items pertaining to life safety be looked at when an inspection is made of a vacation rental.

Commissioner Schrupp seconded the motion. Motion passed with the following vote:

AYES: Commissioners Altamirano, Contreras, Schrupp, Chairman Myer

NOES: Commissioner Riley

ABSENT: Commissioners Adams and Baker

ABSTAIN: None

ADJOURNMENT: Chairman Myer adjourned the meeting at 7:31 p.m.

ATTEST: _____

Dagoberto Fierros, Management Analyst

Paul Myer, Chairman



**PLANNING COMMISSION
STAFF REPORT**

TO: Chair and Planning Commissioners
DATE: October 22, 2019
FROM: David Dowswell, Contract Planner 
SUBJECT: LDS Subdivision – Public Hearing for consideration by the Winters Planning Commission of the proposed Tentative Map for the eighteen (18) lot LDS Subdivision and Planned Development Overlay Zone

RECOMMENDATION: Staff recommends the Planning Commission:

- 1) Receive a staff report on a proposed LDS Tentative Map; and
- 2) Conduct a Public Hearing to consider comments on proposed LDS Tentative Map; and
- 3) Continue the application until November 12, 2019 meeting and give the applicants direction as to those items that need to be addressed.

BACKGROUND

On October 3, 2019 the Design Review Committee (DRC) met to review the proposed tentative map (Attachment A) At the meeting Crowne Communities (applicants) presented preliminary floor plans for homes (Attachment B) ranging in size from 1,457 to 1,844 square feet. They indicated the homes would be simpler in design (Attachment D) than their current product being built in the Heartland development. They also indicated due to the property's unusual shape and their plan to build all single-story houses they would need to create lots which were substandard in size with non-conforming setbacks. The DRC was receptive to the idea of building more affordable smaller homes and recognized the need for smaller lots with reduced setbacks.

PROJECT DESCRIPTION: The applicants, on behalf of the Church of Christ Latter Day Saints (LDS), are requesting approval to subdivide a 3.29-acre parcel into eighteen (18) single-family lots. The subdivision includes an emergency vehicle access (EVA) through the LDS Church parking lot. The property is located on the west end of Anderson Street

and wraps around the existing LDS Church located at 435 Anderson Avenue. The applicants are also requesting the property be rezoned to add a Planned Development (PD) Overlay Zone to the existing Single-Family Residential (R-1) Zoning in order to create lots that are substandard in size, have reduced side and rear yard setbacks and exceed the allowable lot coverage (Attachment C).

ANALYSIS: The applicants believe the proposed subdivision with 18 lots, subject to obtaining approval a PD Overlay Zoning, will allow them to build single-story single-family homes which will be more affordable to persons/families looking to buy their first homes.

Tentative Map

The tentative map includes an EVA accessed through the LDS Church parking lot connecting to the cul-de-sac adjacent to Lot 18. The EVA provides a second way into the subdivision should the entrance to the subdivision off Anderson Street become blocked. The church will need to record an access easement through their parking lot for the EVA. The easement will need to be shown on the Final Map. The EVA will need to be fenced to prohibit vehicle access. Staff recommends on the sides of the EVA abutting Lots 14 and 18 a six-foot solid fence be installed beginning at the back edge of the sidewalk. On Lot 14 the fence would connect to the school's chain link fence. The portion of the EVA abutting the cul-de-sac, exclusive of the EVA entrance, should have a three-foot solid fence. Along the church side of the EVA a six-foot high chain link fence should be installed on exclusive of the EVA entrance. Across the two 20-foot wide EVA access points a simple gate with a knock box should be installed, subject to Fire Department approval. It is assumed children will use the EVA and church parking lot as a short cut to Anderson Street. Design of fencing to be approved by staff.

On the east side of the street abutting the LDS Church the applicants, at the city's request, eliminated the sidewalk. Eliminating the sidewalk allowed the depth of Lots 1-6 to be increased by five (5) feet.

The tentative map proposes "no parking" (shown with a red line) on a portion of the cul-de-sac which includes the EVA and a portion of the frontage of Lots 14 and 18. Requiring "no parking" will allow fire trucks to turnaround. The applicants' engineer has shown on the tentative map (Sheet TM-4) even with the "no parking" there will still be on-street parking available in front of Lots 14 and 18.

The proposed tentative map (Attachment A, Sheet TM-4) (shown with a red line) indicates there will "no parking" along the frontage of Lots 7 and 8 and on the corner of Lot 15 (numbered 19). The reason for the "no parking" in front of Lots 7 and 8 and the corner of Lot 15 is so fire trucks can make the 90 degree turn leading from Karnail Street to Durmit Court. To avoid having "no parking" in front of Lots 7 and 8 and on the corner of Lot 15 the applicants' engineer would need to modify the street in front of Lots 7 and 8 by providing an "elbow" as shown in the City's Improvement Standards and Standard Drawings (Attachment E). It is unrealistic to enforce "no parking" in front of the proposed driveways for Lots 7 and 8. Also, where will guests park who visit these homes?

Staff recommends the tentative map be modified to include the elbow feature in front of Lots 7 and 8. Adding the elbow feature will reduce the lot sizes which may make it difficult to build single-story homes on these lots. The applicants could build two-story homes on

these lots (see discussion in Design Review section). Adding the elbow will also eliminate the need to prohibit parking on the corner of Lot 15.

Design Review

The applicants stated they plan on building all single-story homes in an effort to create homes that will be more affordable to first time home buyers. They believe having the homes of the same type and a simpler design will help lower costs (Attachment D). Staff supports the idea of having smaller homes that will cost less to buy, staff is, however, concerned with having homes that are too similar with very plain exteriors. Staff recommends including possibly two (2) or three (3) smaller two-story homes would help break up the sameness of all one-story houses. Lots 1, 7, 8 and 14 are large enough to accommodate a two-story house. The footprint of the two-story homes would be smaller which may allow the applicants to provide 10-foot side yards with the potential for a homeowner to add future off-street parking. Staff recommends having more architectural diversity that shown on the preliminary plans. Roof pitches and roof styles should differ, any veneers should be carried around to the side yard fences and the windows should be trimmed the same on all four sides. Staff recognizes these changes may add cost but believes they will create homes which are visually more attractive.

The commission should advise the applicants which of above-mentioned recommendations should be addressed before the commission formally considers the design of the proposed homes.

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."

The decision by the City to approve lots of varying sizes as part of the Winters Ranch and Stones Throw subdivisions was done to provide housing diversity and indirectly, based on the smaller lot sizes and reduced setbacks, more affordable housing. The applicants are requesting approval to create lots as small as 4,428 square feet, which is less than the required 6,000 square feet for interior lots and 7,000 square feet for corner lots due to the irregular shape of the property and to achieve their objective to provide smaller and more affordable homes. The applicants are also requesting a reduction to the side and rear yard setbacks. They are requesting the garage side yard setback be reduced from ten (10) to five (5) feet for all 18 lots. On three lots (1, 15 and 18) the "other side" side yard setback will be more than ten (10) feet. Reducing the side yard setback from ten (10) to five (5) feet on the garage side will eliminate the possibility of the homeowner in the future paving the side yard to park another vehicle off-street. Staff recommends, where possible, the applicants provide a ten (10) foot side yard adjacent to the garage.

The applicants are also requesting approval to reduce the required 25-foot rear yard setback to as little as 12 feet. On most of the lots the rear yard setback would 14 or 17 feet. When the Planning Commission approved the design of the homes for the Heartland and Stones Throw subdivisions included with the approvals was a reduction in the rear

yard setback to allow for future trellis or patio covers. Based on the preliminary site/floor plans presented at the DRC meeting, specifically the Plan 1 (Attachment B), it is not clear why the rear yard setbacks need to be reduced to 14 feet. Staff recommends the houses be sited to provide the maximum rear yard setback. Staff further recommends the planning commission include in their recommendation to the city council the PD overlay allow a reduced rear yard setback that provides the ability for a homeowner to add a trellis or patio cover which is setback at last five (5) feet from the rear yard property line and is limited to a maximum size of 120 square feet.

PROJECT NOTIFICATION: A notice advertising for the public hearing on this application was prepared by the Community Development Department in accordance with notification procedures set forth in the City of Winters' Municipal Code and State Planning Law and was published in the Winters Express on 10/10/19 ten days prior to the 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 10/17/19.

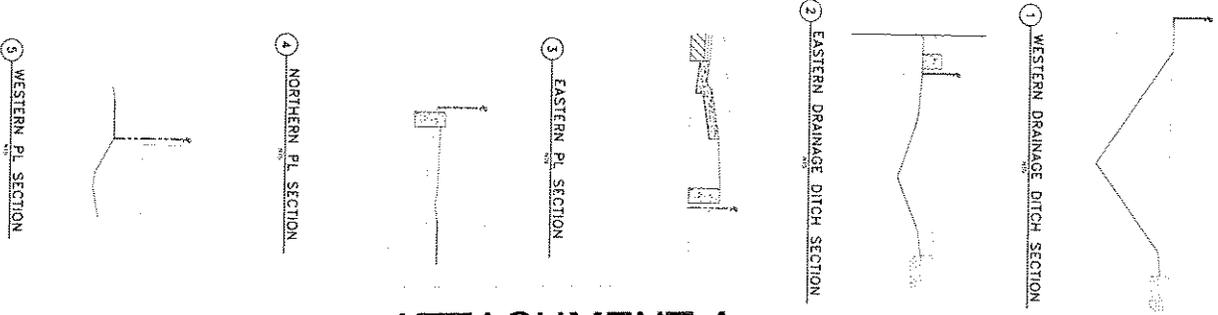
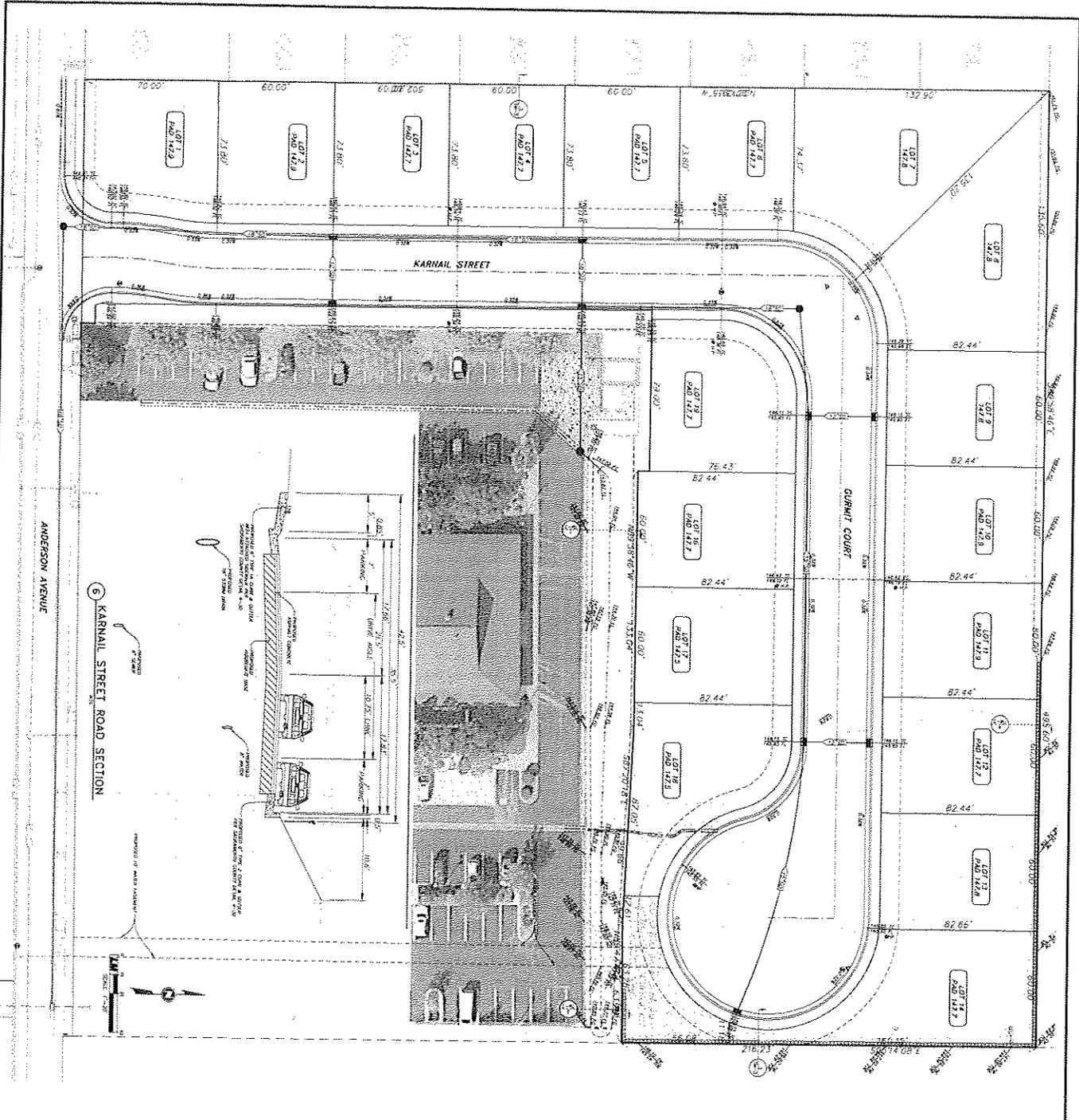
ENVIRONMENTAL ASSESSMENT: Per Section 15332, Class 32 of the CEQA Guidelines, the proposed subdivision is considered and "In-Fill Development Project" and meets all the following:

- (a) The proposed 18 lot subdivision is consistent with the general plan designation of Low Density Residential (LR), which allows up to 24 lots, and is consistent with all applicable general plan policies as well as with the Single-Family Residential (R-1) zoning.
- (b) The proposed development occurs within the city limits on a project site of 3.29 acres, which is less than five acres permitted for in-fill development.
- (c) The project site 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 or water quality.
- (e) The site is adequately served by all the required utilities, which are located in Anderson Street and can be served by public services.

PLANNING COMMISSION ACTION: Staff recommends the Planning Commission continue the application until November 12, 2019 meeting and give the applicants direction as to those items that need to be addressed before the next meeting.

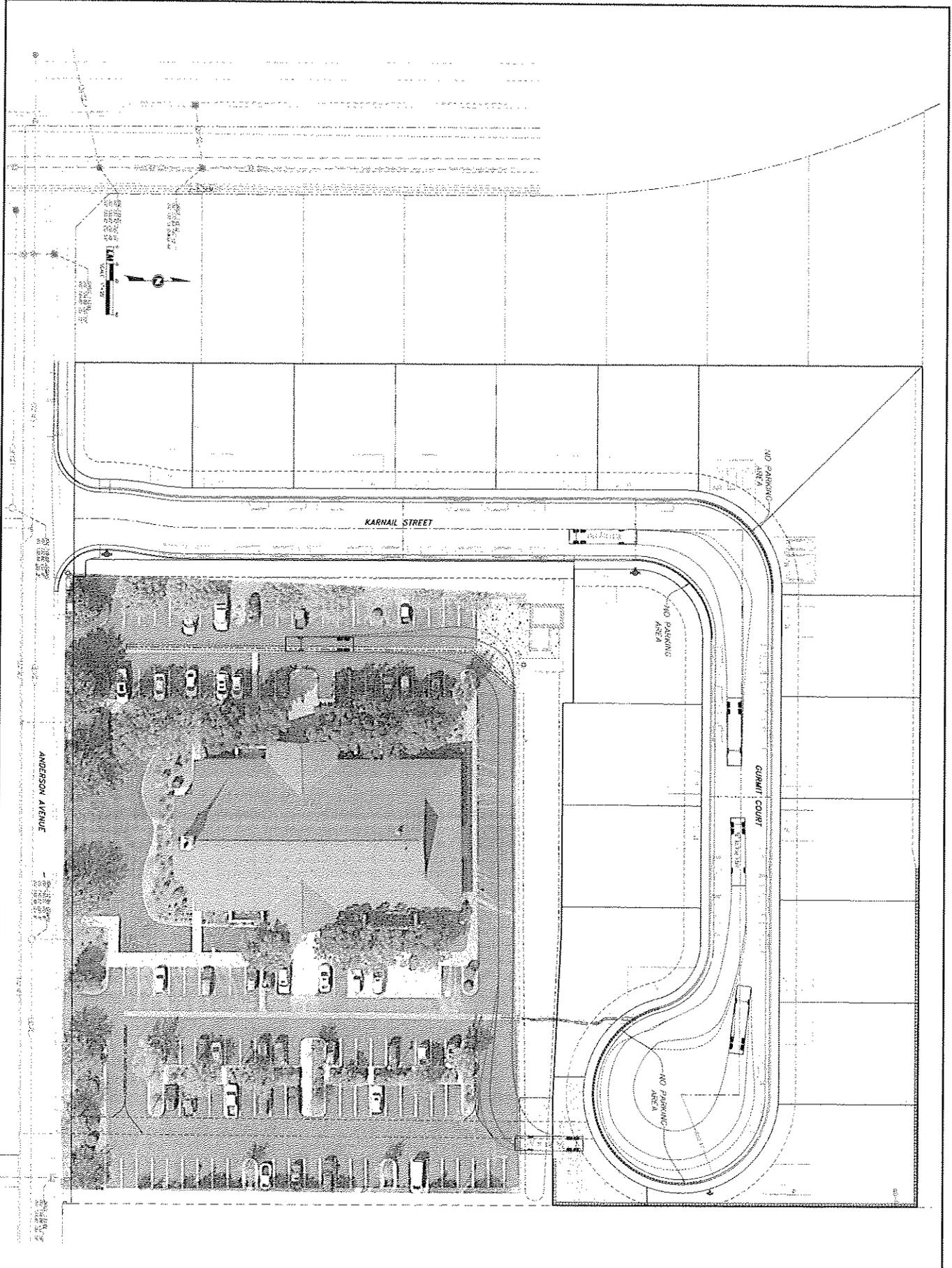
ATTACHMENTS:

- A. Tentative map
- B. Preliminary floor and site plans
- C. Requested R-1 Zoning standards modifications
- D. Preliminary elevations
- E. Elbow standard drawing
- F. Conditions of approval



ATTACHMENT A

SHEET 3 OF 4 T.M.-3	PRELIMINARY GRADING PLAN TOPOGRAPHIC SURVEY FOR TENTATIVE MAP LDS PROPERTY	LM LAUGENOUR AND MEIKLE CIVIL ENGINEERS 1111 WEST 10TH AVENUE, SUITE 100 DENVER, COLORADO 80202 DATE: 10.07.2010 P.L.E. AREA	CITY OF MINTERS CALIFORNIA
	PREPARED BY: JAMES R. BROWN CHECKED BY: JAMES R. BROWN DATE: 02.07.2010	DATE: 10.07.2010 P.L.E. AREA	REV. DATE DESCRIPTION BY APP'D



<p>DATE: 10-07-2009 TIME: 10:00 AM DRAWN: [Name] CHECKED: [Name] SCALE: 1" = 40'</p>	<p>VEHICLE TURNING MOVEMENTS TOPOGRAPHIC SURVEY FOR TENTATIVE MAP FOR LDS PROPERTY</p>	<p>LM LAUGENOUR AND MEIKLE CIVIL ENGINEERING, LAND SURVEYING, PLANNING 1100 S. 1000 E. SUITE 200 WINTERS, CALIFORNIA 95986 PHONE: (530) 938-2200 FAX: (530) 938-2201 WWW: WWW.LMENGINEERS.COM</p>		<p>DATE: 10-22-2009, P. 2 OF 2</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>REV.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> <th>APP'D.</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	REV.	DATE	DESCRIPTION	BY	APP'D.					
REV.	DATE	DESCRIPTION	BY	APP'D.											

600.00'

PLAN ONE

SCALE: 1" = 8'

AREAS: LIVING 1457
GARAGE 394

21.8'

74.80'

40'-0"

5'-0"

BEDROOM 2

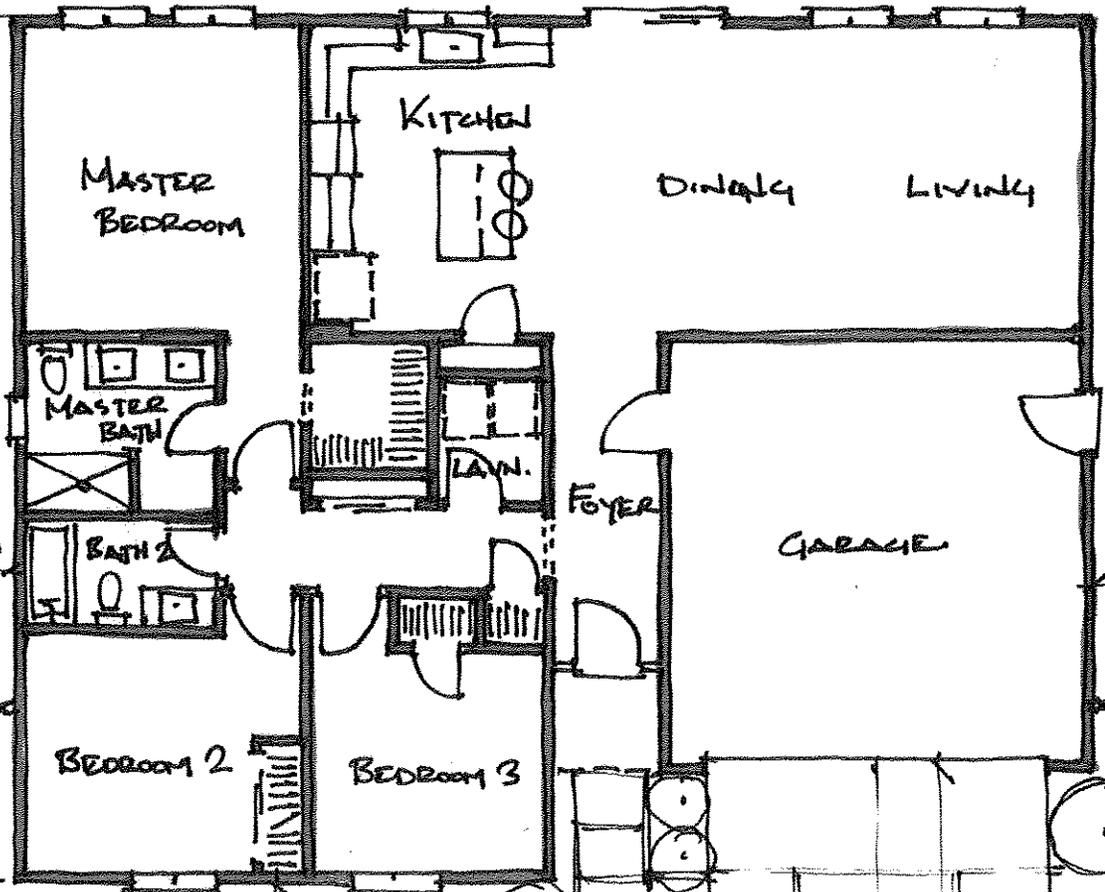
BEDROOM 3

13'-0"

13'-0"

18'-0"

5'-0"

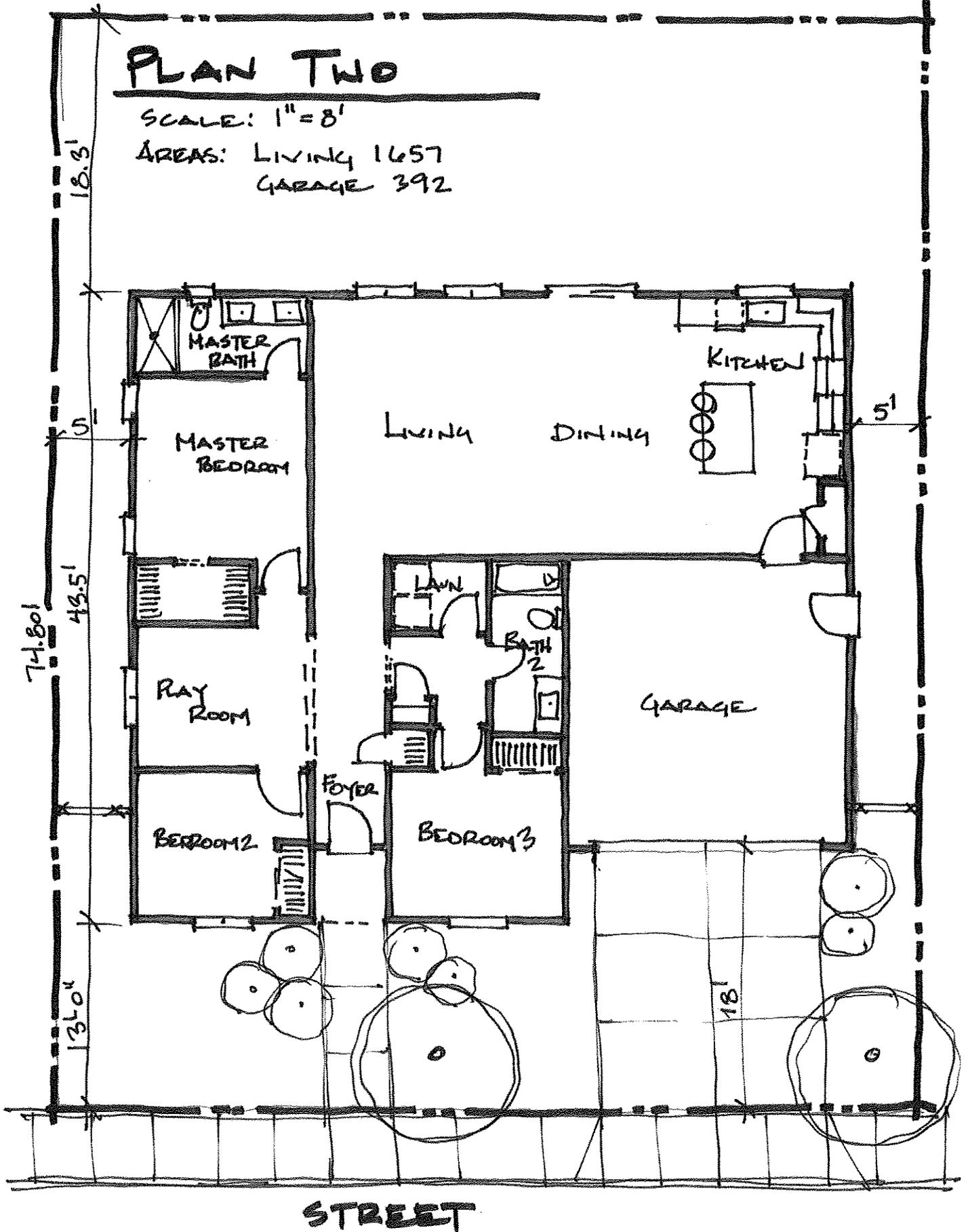


STREET

PLAN TWO

SCALE: 1" = 8'

AREAS: LIVING 1657
GARAGE 392

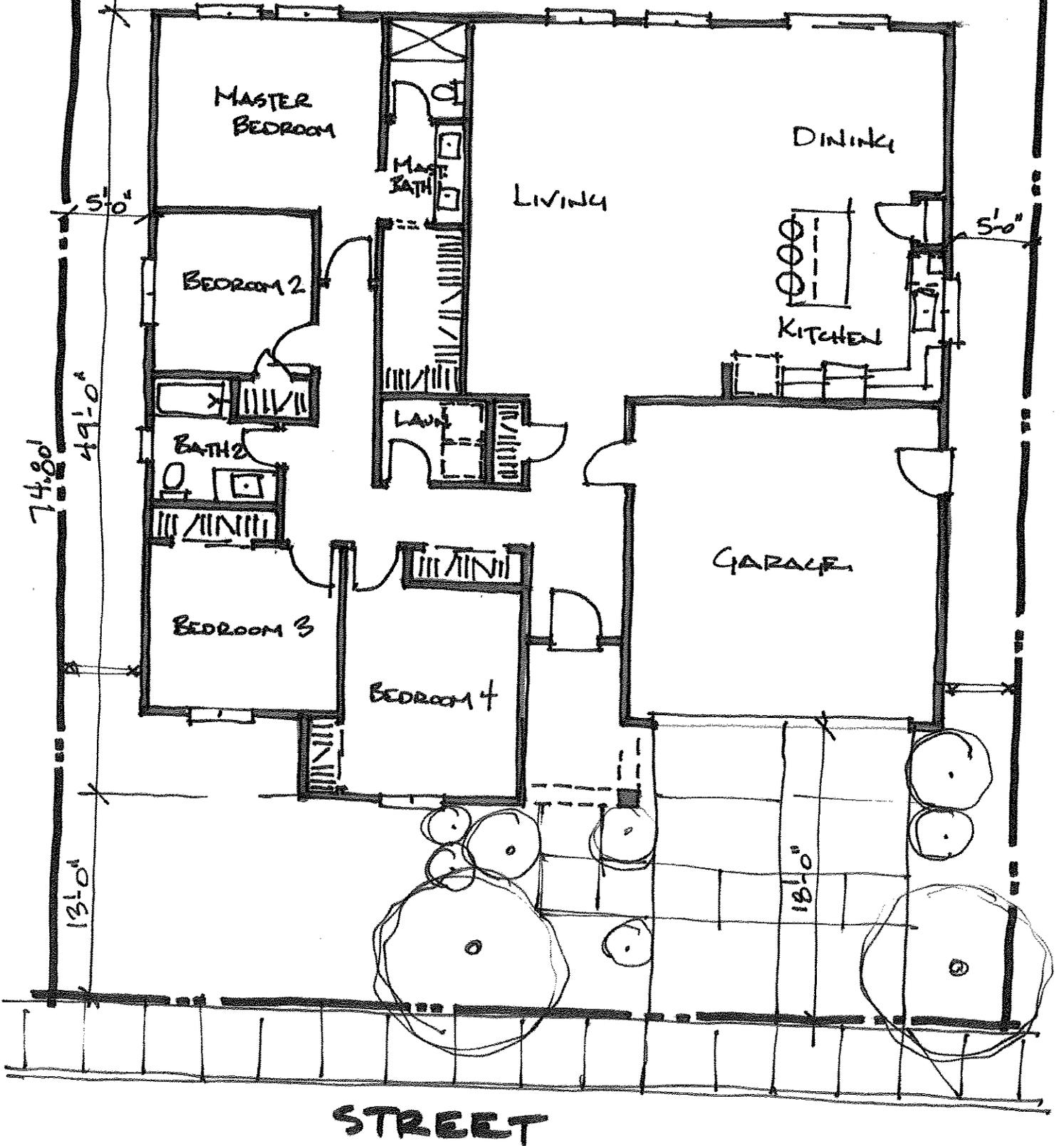


PLAN THREE

SCALE: 1" = 8'

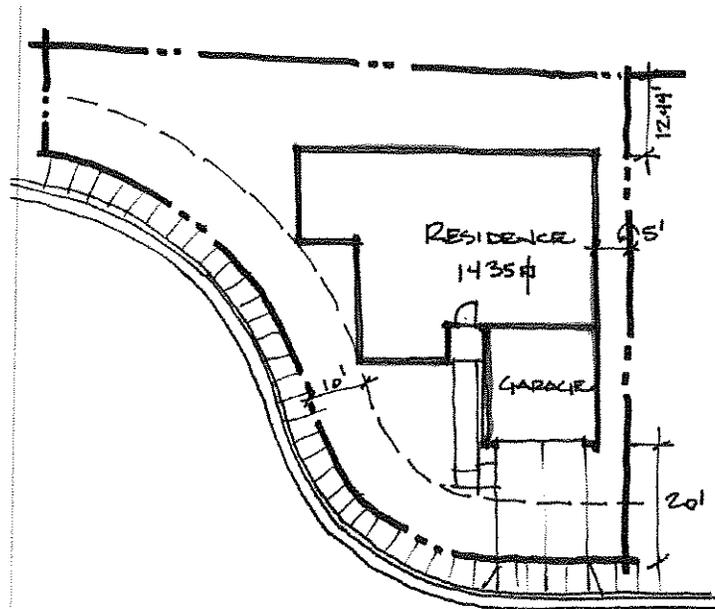
AREAS: LIVING 1844

GARAGE 394

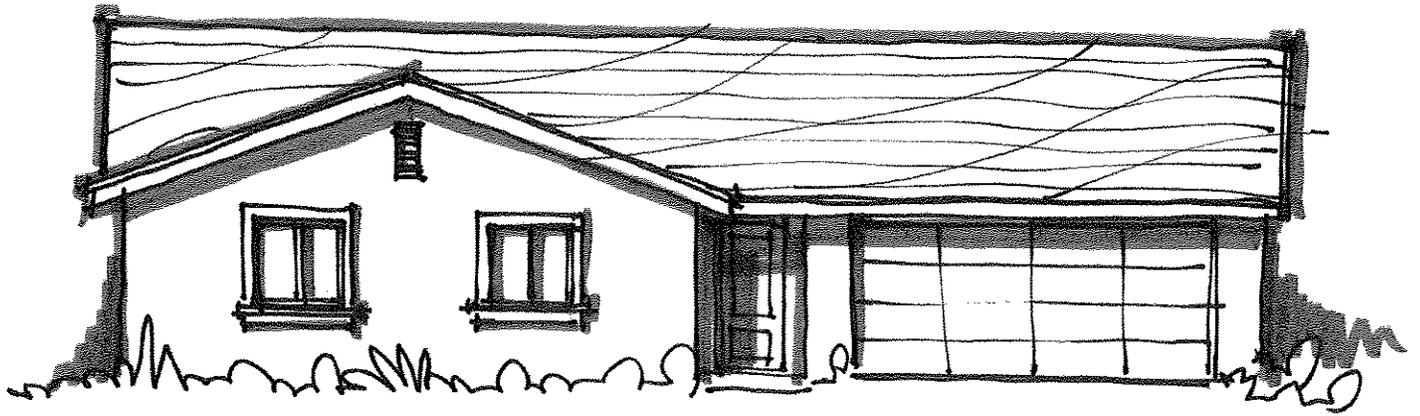


PD OVERLAY SETBACKS REQUESTED (per lot)

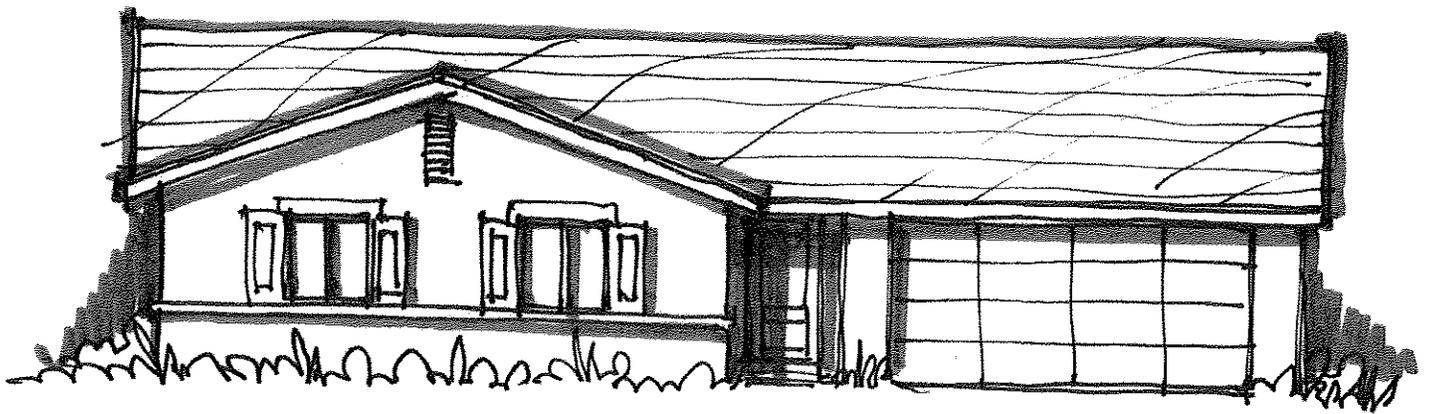
LOT NUMBER	LOT FOOTAGE	LOT TYPE	MIN FRONT SETBACK (to garage)	MIN FRONT SETBACK (to Living Area)	SIDEYARD SETBACK (Garage Side)	SIDEYARD SETBACK (Other Side)	REAR YARD SETBACK
Lot 01	4914	corner	20 Feet	13 Feet	5 Feet	14 Feet	14 Feet
Lot 02	4428	interior	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 03	4428	interior	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 04	4428	interior	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 05	4428	interior	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 06	4430	interior	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 07	7576	knuckle	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 08	8028	knuckle	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 09	4947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 10	4947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 11	4947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 12	4947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 13	4947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 14	6292	culdesac	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 15	5704	corner	20 Feet	13 Feet	5 Feet	13 Feet	14 Feet
Lot 16	4947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 17	4947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 18	5640	culdesac	20 Feet	10 Feet	5 Feet	10 Feet	12 Feet



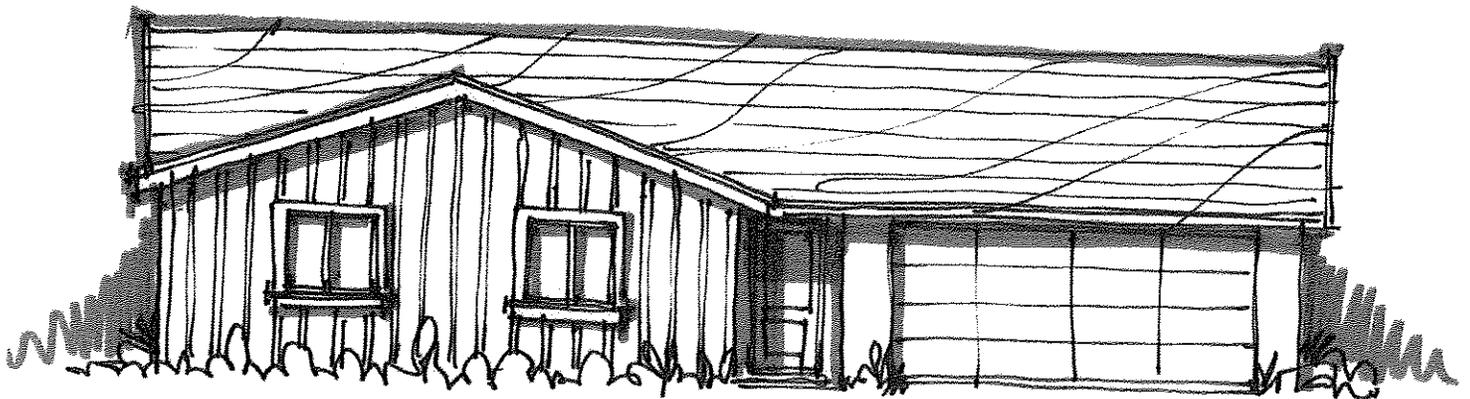
Lot 18



ELEVATION A



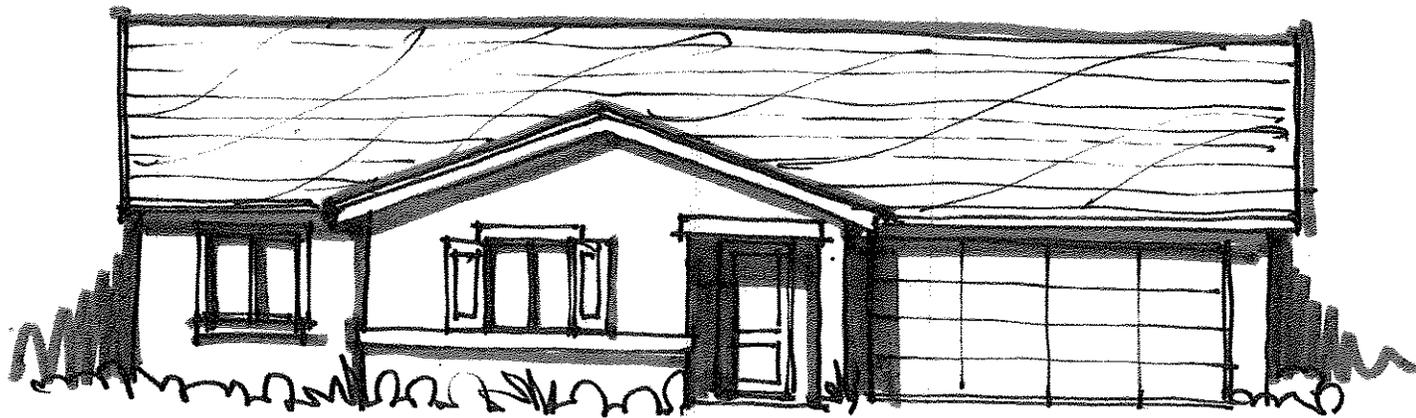
ELEVATION B



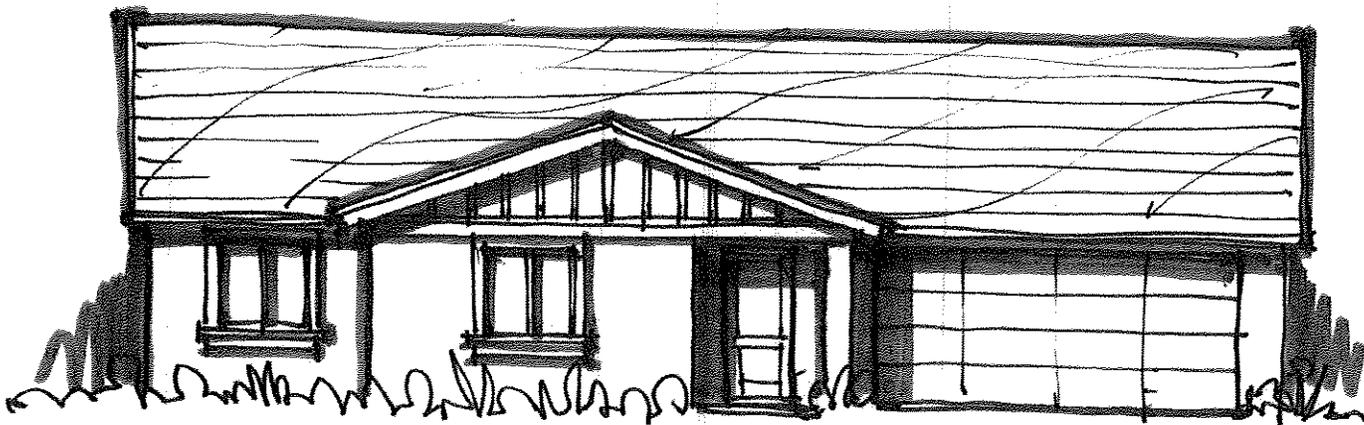
ELEVATION C

PLAN ONE

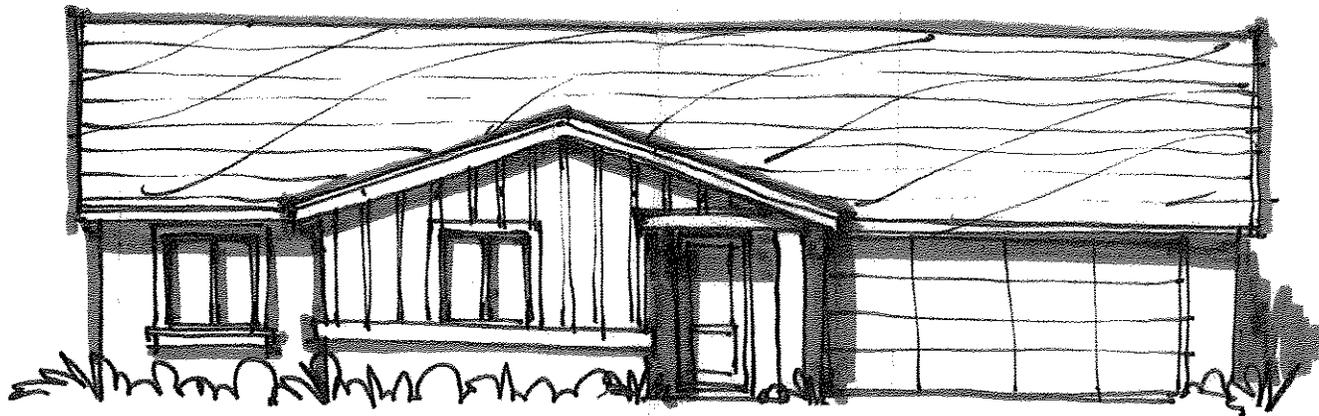
ATTACHMENT D



ELEVATION A

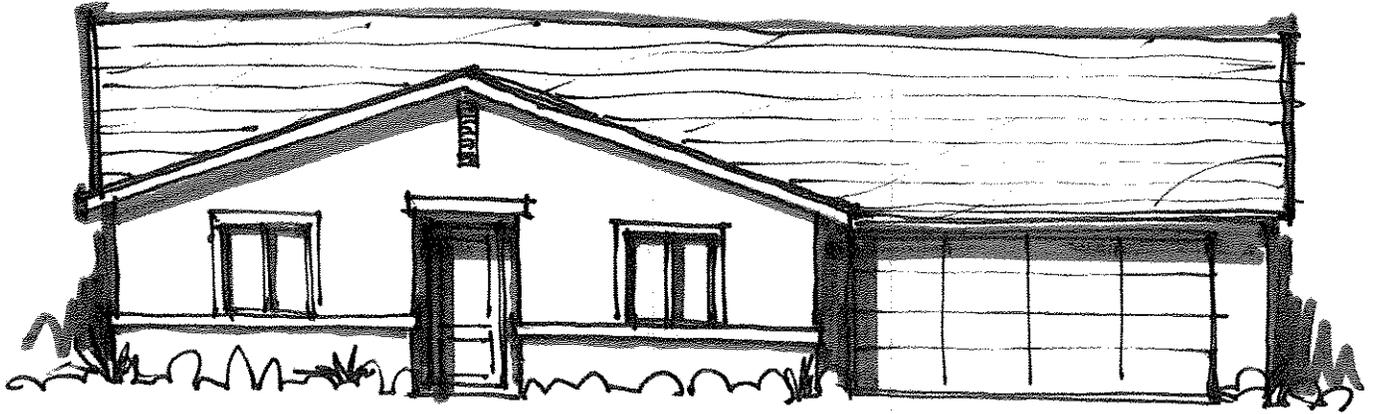


ELEVATION B

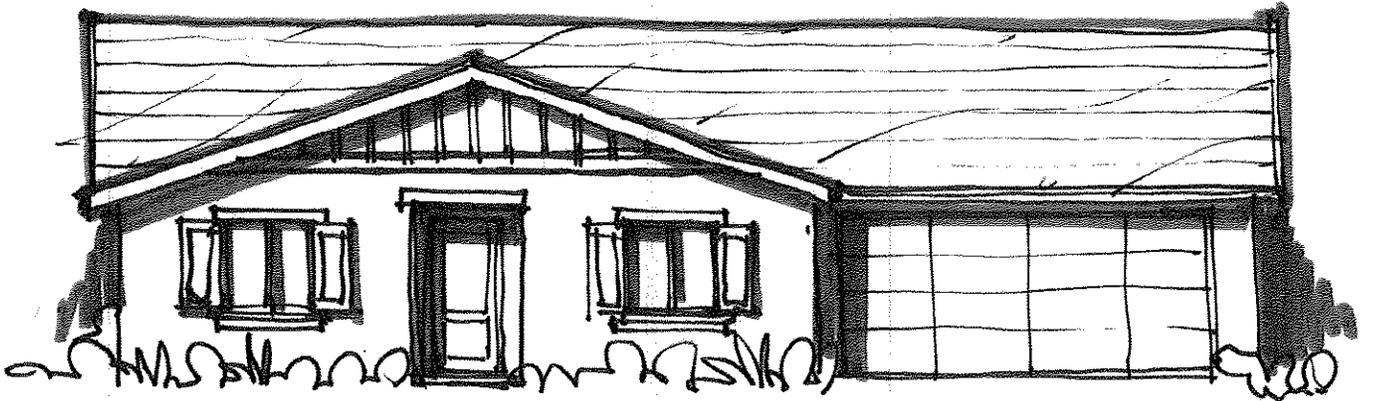


ELEVATION C

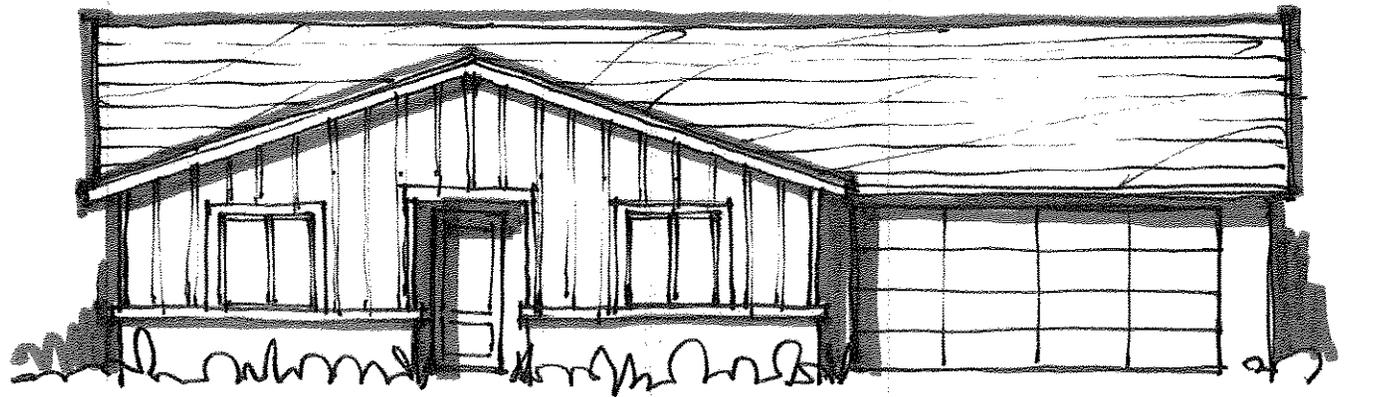
PLAN THREE



ELEVATION A

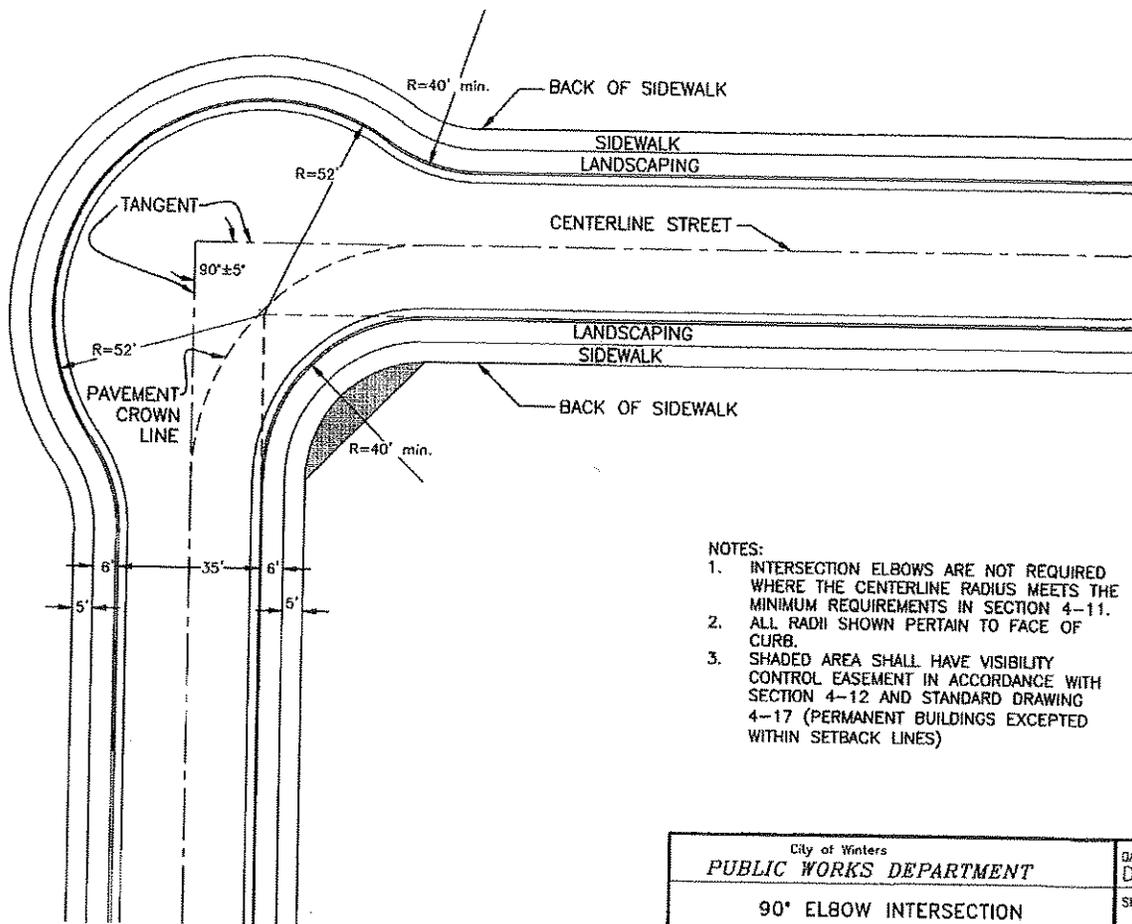


ELEVATION B



ELEVATION C

PLAN TWO



NOTES:

1. INTERSECTION ELBOWS ARE NOT REQUIRED WHERE THE CENTERLINE RADIUS MEETS THE MINIMUM REQUIREMENTS IN SECTION 4-11.
2. ALL RADII SHOWN PERTAIN TO FACE OF CURB.
3. SHADED AREA SHALL HAVE VISIBILITY CONTROL EASEMENT IN ACCORDANCE WITH SECTION 4-12 AND STANDARD DRAWING 4-17 (PERMANENT BUILDINGS EXCEPTED WITHIN SETBACK LINES)

City of Winters PUBLIC WORKS DEPARTMENT	DATE: DEC 2015
90° ELBOW INTERSECTION	SHEET # 1 OF 1
CITY ENGINEER APPROVED <i>Nicholas J. Portello</i> P.E. NO. 49584	DRAWING #: 4-15

PLANNING COMMISSION
DRAFT CONDITIONS OF APPROVAL FOR LDS Property (Final Map No. 5179)
October 22, 2019

The following conditions of approval are required to be satisfied by the applicants/developers prior to final map, unless otherwise stated.

GENERAL

1. In the event any claim, action or proceeding is commenced naming the City or its agents, officers, and employees as defendant, respondent or cross defendant arising or alleged to arise from the City's approval of this project, the project Applicants 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 applicants shall defend such action at applicants' sole cost and expense which includes court costs and attorney fees. The City shall promptly notify the applicants 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. Applicants shall not be required to pay or perform any settlement unless the subdivider in good faith approves the settlement, and the settlement imposes not direct or indirect cost on the City of Winters, or its agents, officers, and employees, the Winters Planning commission, any advisory agency to the City, local district and the City Council.
2. All conditions identified herein shall be fully satisfied prior to acceptance of the Final Map unless otherwise stated.
3. The project is as described in the October 22, 2019 Planning Commission staff report. The project shall be constructed as depicted on the maps and exhibits included in the October 22, 2019 Planning Commission staff report, except as modified by these conditions of approval. Substantive modifications require a public hearing and Council action.

GENERAL PLAN REQUIREMENTS

4. Pursuant to General Plan Policy II.D.4 and IV.A.1 necessary public facilities and services shall be available prior to the first occupancy of the project.
5. Pursuant to General Plan Policy IV.A.4 (second sentence), the developer shall pay in-lieu fees for the increment of parkland not provided on site, or at the City's discretion may construct needed improvements according to City specification in lieu of paying the fees.

6. Pursuant to General Plan Policy IV.B.14, there shall be a water meter on each new hook-up.
7. Pursuant to General Plan Policy IV.C.2, adequate sewer service shall be provided prior to the issuance of any individual building permit.
8. Pursuant to General Plan Policy IV.J.2, all new electrical and communication lines shall be installed underground.
9. Pursuant to General Plan Policy VI.A.6, grading shall be carried out during dry months, when possible. Areas not graded shall be disturbed as little as possible. Construction and grading areas, as well as soil stockpiles, should be covered or temporarily revegetated when left for long periods. Revegetation of slopes shall be carried out immediately upon completion of grading. Temporary drainage structures and sedimentation basins must be installed to prevent sediment from entering and thereby degrading the quality of downstream surface waters, particularly Putah Creek. The full cost of any necessary mitigation measures shall be borne by the project creating the potential impacts. Pursuant to General Plan Policy VII.B.3, should the City allow any grading to occur during the rainy season, conditions shall be implemented to ensure that silt is not conveyed to the storm drainage system.
10. Pursuant to General Plan Policy VI.E.6, construction-related dust shall be minimized. Dust control measures shall be specified and included as requirements of the contractor(s) during all phases of construction of this project and shall be included as a part of the required construction mitigation plan for the project.
11. Pursuant to General Plan Policy VII.A.1, VII.A.2, and VII.C.4 all site work and construction activities shall be in accordance with the requirements of the City, and other applicable local, regional, state, and federal regulations.
12. Pursuant to General Plan Policy VII.C.1, necessary water service, fire hydrants, and access roads shall be provided to the satisfaction of the Fire Chief and Fire Protection District standards.
13. Pursuant to General Plan Policy VII.C.2, a minimum fire-flow rate of 1,500 gallons per minute is required for all residential uses.
14. Pursuant to General Plan Policy VIII.D.2, street trees shall be planted along all streets, in accordance with the City's Street Tree Plan and Standards. There shall be a minimum of one street tree in the center front of each single-family lot, and on both frontages for corner lots. 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.

15. Pursuant to General Plan Policy VIII.D.7, all lighting including street lighting, shall be designed, installed, and maintained to minimize excess light spillage, unnecessary brightness and glare, and degradation of night sky clarity.

COMMUNITY DEVELOPMENT

16. Construction activities shall be limited to 7:00 am to 7:00 pm, Monday through Friday only (holidays excluded) in compliance with the City's Noise Ordinance and Standard Specifications.
17. Foundations shall be poured in place, onsite. No pre-cast foundations will be permitted. This shall be stipulated in all construction contracts.
18. Address numbering shall be plainly visible from public view using lettering that is a minimum of four inches in high with contrasting colors. Naming of streets and address numbering shall be completed by a committee comprised of the Community Development Department, the Fire District, the Police Department, and the Postal Service.
19. The applicants shall pay all development impact fees, fees required by other entities, and permit fees.
20. The applicants shall be responsible for any additional costs associated with the processing of this project including but not limited to: plan check, inspections, materials testing, construction monitoring, and other staff review and/or oversight including staff time necessary to ensure completion/satisfaction of all conditions of approval and mitigation measures. The applicants shall reimburse the City for all such costs. Project applicants shall pay all development impact fees adopted by the City Council and shall pay fees required by other entities.
21. Prior to issuing a certificate of occupancy for the homes on Lots 14 and 18 the applicants shall install a six-foot high wooden fence on the sides of the EVA that abuts Lots 14 and 18. Fence shall be installed beginning at the back edge of the sidewalk. On Lot 14 the fence should connect to the school's chain link fence. A three-foot high wooden fence shall be installed on the sides of the portion of the EVA, excluding the entrance to the EVA, abutting the cul-de-sac. Along the church side of the EVA a six-foot high chain link fence shall be installed on the sides of the EVA entrance. Across the two 20-foot wide EVA access points there would be a simple gate with a knock box. Design of fire gates to be approved by the Fire Department. Design of other fencing to be approved by the Community Development Department.
22. The applicants shall revise the Tentative Map to include a "elbow" in front of Lots 7 and 8 and eliminate the "no parking" in front of these lots and the corner of Lot 15.

23. Staff recommends, where possible, the applicants provide a ten (10) foot side yard adjacent to the garage.

DESIGN REVIEW

24. In order to achieve architectural diversity, the developer shall offer three (3) floor plans and nine (9) elevations (three per plan). A minimum of half of the required elevations shall include brick or stone veneer installed to a minimum height three feet from grade, with no more than a four-inch opening at the base. The veneer shall wrap around all sides of the structure visible from the front and sides so that it terminates at a point where the yard fencing begins.
25. The same (or substantially similar) elevation may appear no more than twice on one side of a block, or three times on either side of facing blocks, and may not be opposite or kitty-corner from the same elevation on the opposite side of the block.
26. Units on opposing sides of a street shall be compatible in terms of design and color.
27. Entry walks to individual residences shall be separated from the driveway by a landscaped area.
28. Exterior colors on residential units shall not be restricted.
29. Universal design features shall be incorporated as an option in residential units. These features shall include first floor passage doors and hallways, a handicap accessible path of travel from either the driveway or sidewalk to the entrance of the residential units, and other features determined by the Community Development Department.

AFFORDABLE HOUSING

30. An affordable housing plan/inclusionary housing agreement shall be reviewed by the Planning Commission and Affordable Housing Steering Committee and approved by the City Council.
31. Prior to recordation of the Final Map, an inclusionary housing agreement shall be prepared and executed by the applicants.

UTILITIES AND PUBLIC WORKS

32. The Developer shall comply with all aspects of the latest City of Winters Public Works Improvement Standards.
33. A signage and striping plan are required and shall be approved by the City Engineer. All striping shall be thermoplastic.

34. All perimeter parcels and lots shall be protected against surface runoff from adjacent properties in a manner acceptable to the City Engineer.
35. The Developer 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.
36. Grading shall be done in accordance with a grading plan prepared by the Developer'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 approved grading plan shall be included in the subdivision improvement plans. In addition to grading information, the approved grading plan shall indicate all existing trees and trees to be removed as a result of the proposed development, if any.
37. The Developer shall conform to County Health regulations and requirements for the abandonment of septic tanks and water wells, if any.
38. 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.
39. Joint trench/utility/composite plans shall be submitted to the City Engineer for review, prior to approval of improvement plans. Applicant shall provide design and construction for conduit and boxes suitable for broadband internet service within the joint trench. The conduit shall be coordinated with all other utilities and shown on the joint trench composite plans. The conduit and boxes are to be constructed with the joint trench and completed before certificate of occupancy is issued.
40. Water, Sewer and Storm Drainage systems shall be designed and installed to the satisfaction of the Public Works Department.

GEOLOGY

41. Upon submittal of the initial improvement plans package, the Developer shall submit a soils and geotechnical report prepared by a geotechnical engineer that fully assesses the existing site conditions, and addresses all issues regarding excavation and grading, foundations and their construction, drainage, retaining wall systems, periodic on-site observations, and other related items involving the Project. All recommendations of the geotechnical engineer shall be incorporated into all final design and construction including foundations, grading, sewage disposal, and drainage. Final plans shall be reviewed and approved by the City Engineer prior to the issuance of a grading permit.

EASEMENTS

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

43. The Developer shall agree to grant all public easements as determined by the City for public purposes.
44. A 10-foot Public Utility Easement (PUE) behind right-of-way shall be dedicated along all frontages.
45. The Developer shall obtain off-site easements from the LDS Church - PUE, Water, Landscaping, and EVA, as shown on the Tentative Map.

LANDSCAPING AND LIGHTING

46. The Property shall be annexed into the City of Winters City-Wide Maintenance Assessment District in order to maintain and provide for the future needs of street lighting and landscaping and other related aspects of development. The Property is subject to an assessment for lighting and landscape maintenance based on the assessment methodology described in the annual Engineer's Report. The assessment shall be the per parcel annual amount as established at the time of voting by the City Council.
47. Landscaping on the berm along the east side of the N-S roadway is on LDS property. The Developer shall obtain a right of entry to construct landscaping and enter into an agreement with LDS for future maintenance of the landscaping.
48. The Improvement Plans shall include a street lighting plan for approval to the City Engineer. Streetlights shall be decorative to match what was installed with Stone's Throw subdivision.
49. Streetlight power shall be coordinated with PG&E and appropriate numbers placed on each pole, prior to final acceptance of public improvements.
50. Entry walks to individual residences shall be separated from the driveway by a landscaped area.
51. Landscaping and irrigation shall be consistent with the applicable requirements of Chapter 17.76 of the Zoning Ordinance.

REIMBURSEMENTS FOR DEVELOPER INSTALLED IMPROVEMENTS

52. Developer shall pay appropriate reimbursements for benefiting improvements installed by others in the amount and at the time specified by existing reimbursement agreements. This applies to the W Main SS Pump Station and Force Main, and Rancho Arroyo SD Pump Station.

CONSTRUCTION CONDITIONS

53. Grading shall not occur when wind speed 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.

54. Potentially windblown materials shall be watered or covered.
55. Construction areas and streets shall be wet swept.
56. All inactive portions of the construction site that have been graded shall be seeded and watered until vegetation is grown.
57. Tarpaulins or other effective covers shall be used for haul trucks.
58. Construction practices shall minimize vehicle idling.
59. All projects shall include implementation of post-construction best management practices (BMP). Post construction BMPs shall be identified on improvements plans and approved by the City Engineer.
60. A hydrant use permit shall be obtained from the Public Works Department for the use of hydrant water during the construction.
61. Existing public and private facilities damaged during the course of construction shall be repaired by the Developer, at his sole expense, to the satisfaction of Public Works and the City Engineer.

EROSION AND SEDIMENTATION

62. The project shall require a National Pollution Discharge Elimination System (NPDES) construction permit. Post construction Best Management Practices (BMPs) shall be identified on improvement plans.
63. A SWPPP shall be included with the improvement plans for all projects regulated by the construction general permit, to be approved by the City. The WDID# shall be included on the plans, prior to City Engineer approval.
64. 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.
65. 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.

ROADS AND STREETS

66. All proposed roads within the subdivision shall comply with the City's Public Works Improvement Standards and Construction Specifications, dated December 2015 or as amended. If not, then a Design Exception must be approved by the City Engineer.
67. Any "No Parking" limits shall be included on the Improvement Plans, for City approval.
68. Pedestrian circulation shall be provided as shown on the Tentative Map.
69. Each residence in the cul-de-sac must be able to accommodate parking for 3 vehicles: either (3) on-site parking spaces or two (2) on-site spaces and (1) on-street

space. The on-street space shall be along the frontage of the subject property with no more than a 10-foot overlap across the frontage of adjacent parcels.

FINAL MAP

70. Prior to final acceptance 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. All monuments necessary to establish the exterior boundaries of the subdivision shall be set or referenced prior to recordation of the final map.
71. Closure calculations shall be provided at the time of initial Final 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.
72. The Developer shall provide the City Engineer with an electronic copy and two print copies of the recorded final map from the County, prior to issuance of the first building permit.
73. Prior to recordation of the Final Map, the Developer shall enter into a subdivision improvement agreement with the City prior to recordation of final map.
74. Developer shall pay all development impact fees adopted by the City Council and shall pay fees required by other entities.
75. A current title report shall be submitted with the Final Map. The title report shall include the entire legal boundary of property being divided.

MISCELLANEOUS

76. 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 that plans shall be revised, as needed, at the discretion of the City Engineer.
77. U.S. Postal Service mailbox locations shall be coordinated with the Postmaster and shown on the as-built improvement plans.
78. 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 Developer shall provide two sets of each

improvement plan submittal for review. Upon City Engineer approval, the Developer shall provide 2 wet-stamped sets of approved improvement plan, two wet-stamped sets of approved grading plans, and two print sets of the grading plans. The Developer shall submit the one electronic media file (PDF) of the entire set of plans.

79. The conditions as set forth in this document are not all inclusive. The Developer shall thoroughly review all city, state, and federal planning documents associated with this map and comply with all regulations, mitigations, and conditions set forth.
80. The public improvements on the improvement plans shall be constructed and accepted prior to issuance of any building permit, or as otherwise approved by the City.
81. Occupancy of residential units shall not occur until necessary public improvements (water, sewer, streets, etc.) have been accepted by the City.
82. Applicant shall obtain all required City permits (building, encroachment (City and State) for work within the public right-of-way, etc.) and pay all applicable fees (building, impact, encroachment, etc.).
83. Applicant shall be responsible to comply with all permitting requirements from federal, state, or other local agencies.
84. The Engineer shall provide two print sets and a PDF of each improvement plan submittal for review. Upon City Engineer approval, the Engineer shall provide 2 prints and a PDF of the approved plans.
85. All construction shall follow the requirements outlined by City Ordinances and the Building Codes.