

CITY OF WINTERS REGULAR PLANNING COMMISSION AGENDA

To Join Zoom Meeting on PC:  
<https://us02web.zoom.us/j/89221811923>  
**Meeting ID: 892 2181 1923**

-OR- Dial In by Phone  
1-669-900-6833 –  
**Meeting ID: 892 2181 1923**

Tuesday, September 8, 2020 @ 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](mailto:dave.dowswell@cityofwinters.org)

Chairperson: Paul Myer  
Vice Chair: Gregory Contreras  
Commissioners: Dave Adams, Nancy Northrup, Chris Rose, Daniel Schrupp, Ramon Altamirano  
Interim City Manager, Shelly Gunby  
Records Clerk II, Diana Tafolla  
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 July 28, 2020 meeting of Planning Commission (PP 3-6)

V DISCUSSION ITEMS:

A. Public Hearing for consideration of Site Plan/Design Review 2020-04 for a new 2,474 square foot, single-story, single-family home to be located on a vacant lot at 103 Orchard Lane (APN 030-491-003). (PP 7-16)

B. Public Hearing for consideration of request by the Preserve Restaurant for approval to add a parklet on Russell Street to expand their outdoor seating, located at 200 Railroad Avenue (APN 003-203-012). (PP 17-23)

C. Public Hearing for consideration of the proposed Tentative Map 5087 (Ogando) to subdivide 2.59 acre lot into seven (7) lots located at the northwest corner of Taylor Street and Kennedy Drive (APN 030-430-030). (PP 24-34)

## 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 SEPTEMBER 3, 2020

  
\_\_\_\_\_  
DAVID DOWSWELL, 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 VIA TELECONFERENCE (ZOOM) ON JUNE 28, 2020**

***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. through Zoom teleconference.

**PRESENT:** Planning Commissioners Dave Adams, Ramon Altamirano, Gregory Contreras, Nancy Northrup, Daniel Schrupp, Chairman Paul Myer

**ABSENT:** Commissioner Chris Rose

**STAFF:** City Manager John Donlevy, Contract Planner Dave Dowswell, Records Clerk II Diana Tafolla

City Manager John Donlevy led his final Pledge of Allegiance for the Planning Commission meeting via Zoom.

**CITIZEN INPUT:** None

**COMMISSIONER/STAFF COMMENTS:**

Chairman Myer took this time to express his gratitude towards John Donlevy's services to the City of Winters, as this is John Donlevy's last Planning Commission meeting as City Manager. Also expressed his appreciation towards Dagoberto Fierros, who is now working with the City of Davis, and Dave Dowswell who has decided to stay an additional year.

**CONSENT ITEM:**

- A. Approval of the Minutes of the June 23, 2020 Planning Commission meeting. Chairman Paul Myer reported no changes to the minutes. Motioned by Commissioner Adams, second by Commissioner Schrupp to approve the minutes with no changes. Motion carried with the following roll call vote:

**AYES:** Commissioners Adams, Northrup, Schrupp, Altamirano, Contreras, Chairman Myer

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Commissioner Chris Rose



**MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION MEETING HELD VIA TELECONFERENCE (ZOOM) ON JUNE 28, 2020**

**DISCUSSION ITEM:**

- A. Public Hearing for consideration by the Winters Planning Commission of the proposed Tentative Map, Conditional Use Permit, Site Plan/Design Review and Planned Development (PD) Overlay Zone for twenty-four (24) lot NeighborWorks Subdivision located on Parcel A of the Stones Throw Subdivision between Wyatt Lane and Taylor Street south of Moody Slough Road (APN 030-414-022)

Planner Dave Dowswell asked to include Martia Gibbs letter as part of the official record. Planner Dave Dowswell gave a brief introduction of the proposed project. The two (2) entitlements the Planning Commission will consider are the Conditional Use Permit and Site Plan and Design Review. City Council will consider the Tentative Map and the Planned Development Overlay Zone.

**CITIZEN INPUT:**

Chairman Paul Myer read Martia Gibbs letter in support of the NeighborWorks subdivision of 24 self-help sweat equity homes in Winters.

Kate Laddish, 400 Morgan Street #21, echoed Martia's comments in favor of inclusionary affordable housing. Laddish expressed excitement that the City of Winters is working on a project that will allow people the opportunity to afford a home in Winters. Laddish expressed concerns about the homes not being visitable by people who have access and functional needs, dark roofing, solar, light pollution, and how sweat equity works when deciding to sale this home in the future.

Sarah Ellis, Ellis Architecture, stated she believed solar is required but would need to check with their energy consultant to find out if there are any exceptions for this type of housing. She stated the entry way doors are the standard width of 36 inches and at the time of design they were not aware of the request of visitability of the design/request committee. They can work together with the client on addressing these needs.

City Manager Donlevy expressed the addition of solar to these homes sounded like an extremely expensive add on that would take away from affordability. Sarah Ellis would be looking more into the exceptions for these homes, if any.

Chairman Myer requested clarification as to how long a home would stay under affordable housing inventory when the homeowner decides to sale the home. City Manager Donlevy explained the home would need to be sold within the same income guidelines as it was purchased. These homes would be considered moderate.



**MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION MEETING HELD VIA TELECONFERENCE (ZOOM) ON JUNE 28, 2020**

**COMMISSIONER/STAFF COMMENTS:**

Commissioner Contreras expressed his excitement of when this project was first proposed. Contreras suggested considering having a dead space between cut out and neighbors' home.

Planner Dave Dowswell expressed Fire Department is supportive of the plan so long as it will not have any alley ways.

Commissioner Adams motioned if they would move the Plan Development Overlay and Tentative Map to City Council.

Commissioner Adams Moved, Schrupp Second.

**AYES:** Commissioners Adams, Altamirano, Contreras, Northrup, Schrupp, Chairman Myer

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Commissioner Chris Rose

**DISCUSSION ITEM:**

- A. Consideration of request by Preserve Restaurant for approval to add a parklet on Russell Street to expand their outdoor seating, located at 200 Railroad Avenue (APN 003-203-012).

City Manager John Donlevy gave a brief introduction of the proposed project.

**CITIZEN INPUT:**

Kate Laddish, 400 Morgan St #21, congratulated Cole Ogando and Preserve for coming up with some innovative ways to keep the business open during these times. Laddish had questions regarding how to maximize the accessibility of the sidewalks and to keep in mind when doing these parklets it does impact accessibility for people who have difficulty manipulating their device when the sidewalk has an angular barrier.

City Manager Donlevy assured there will be accessibility.

Cole Ogando assured the tree located on Russell Street would not be a problem and there would be accessibility.



**MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION MEETING HELD VIA  
TELECONFERENCE (ZOOM) ON JUNE 28, 2020  
COMMISSIONER/STAFF COMMENTS:**

Chairman Myer was concerned with what would happen if after the 18 months review the Planning Commission was not happy with the plans.

City Manager Donlevy stated changes could be made.

Commissioner Altamirano moved, Adams seconded.

**AYES:** Commissioners Adams, Altamirano, Contreras, Northrup, Schrupp, Chairman Myer

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Commissioner Chris Rose

**ADJOURNMENT:** Chairman Myer adjourned the meeting at 7:29 p.m.

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

Diana Tafolla, Records Clerk II

\_\_\_\_\_

Paul Myer, Chairman



**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Chair and Planning Commissioners  
**DATE:** September 8, 2020  
**FROM:** David Dowswell, Contract Planner   
**SUBJECT:** Public Hearing and Consideration of Site Plan/Design Review 2020-04 for a new single-family home at 103 Orchard Lane.

**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) Approve Site Plan/Design Review for a new 2,474 square foot single-family home.

**GENERAL PLAN LAND USE DESIGNATION:** The General Plan land use designation for the site is Medium Density Residential (MR).

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

North: Single Family – Single Family Residential (R-1)  
South: Single Family – Single Family Residential (R-2)  
East: Multiple Family – Single Family Residential (R-1)  
West: Single Family – Single Family Residential (R-1)

The existing lot is vacant except for several fruit trees and a storage shed. There is a short block retaining wall at the front of the property. The property is surrounded on three sides by wood fencing.

**BACKGROUND:** The property is part of Almond Orchard Subdivision. The lot has never been developed. It was owned by a Mr. Gutierrez, who also owns the house at 107 Orchard Lane.

**PROJECT DESCRIPTION:** The applicants, Mark and LuAnn Chambers, are requesting approval to construct a 2,474 square foot, one-story, three-bedroom house on a 7,505 square foot lot located at 103 Orchard Lane. The house design is a somewhat modern/contemporary look with combination of board and batten siding and stucco finish. The roof will be finished with composition shingles. There will be a two-car garage. The garage entrance will be side-loaded. The garage door will "carriage style". There will be windows across the top of the garage door. The existing shed located to the rear of the property will remain.

**ANALYSIS:** According to Section 17.56.020B3, Setback Exceptions/Modifications, "Where a garage is side-loaded (oriented away from the street) in an R-1 or R-2 district, the twenty (20) foot front yard setback of the garage may be reduced by five (5) feet." The property is located on a cul-de-sac with a curved front property line. The site plan shows the closest point of the garage will 11 feet 2 inches from the property line and the farthest point will be 19 feet 8 inches from the property line. The two setbacks combined average 15 feet, which staff believes complies with the intent of the language in Section 17.56.020B-3. Other than the garage setback, the project meets all the R-2 regulations as to setbacks and lot coverage.

There is a mixture of different home designs in the neighborhood. The exterior design of will be compatible with the design of the homes in the area (Attachment B).

The lot is an infill lot. One of the items the Planning Commission must consider when reviewing the design of a new home is the use of landscaping and decorative paving which provides effective screening or softening of the development. The applicants will need to provide a landscaping and irrigation plan for the front yard. The plan shall include a minimum of one 15-gallon, double-staked street tree from the City's approved street tree list and a mix of shrubs and ground cover.

As mentioned above, the property is surrounded by wood fencing on three sides. The fencing appears to be in good shape and does not need to be repaired or replaced.

The applicants do intend to try and relocate some of the exiting fruit trees to another site

**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 Low Density Residential and this designation provides for single-family detached and attached homes. The project will facilitate a new single-family residence.
2. The project is consistent with the provisions of the Zoning Ordinance in that it meets of the applicable zoning regulations. The principal uses of the R-1 Zone are single-family homes and duplexes. The project will facilitate a new single-family residence.

**ENVIRONMENTAL ASSESSMENT:** The project is Categorically Exempt from CEQA, Section 15303 Class 3 Exemption, one single-family residence, or a second dwelling unit in a residential zone.

**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 8/28/20 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 9/3/20.

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

**PLANNING COMMISSION ACTION:** Staff recommends the City of Winters Planning Commission take the following actions:

1. Confirmation of exemption from the provisions of CEQA.
2. Approve Site Plan/Design Review 2020-04 for a new single-family dwelling as depicted on the plans submitted and subject to the conditions of approval attached hereto.

**ATTACHMENTS:**

- A. Site plan and elevations
- B. Conditions of Approval











**103 Orchard Lane  
Site Plan/Design Review 2020-04**

**DRAFT CONDITIONS OF APPROVAL  
September 8, 2020**

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 Applicant shall defend, indemnify, and hold harmless the City or its agents, officers and employees, from liability, damages, penalties, costs or expenses in any such claim, action or proceeding to attach set aside, void, or annul an approval of the City of Winters, the Winters Planning Commission, 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 employee, the Winters Planning Commission, any advisory agency to the City, local district and the City Council.
2. 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 Planning Commission approval or request and receives an extension from the Community Development Director.
3. The applicant shall pay all applicable taxes, fees, and charges at the rate and amount in effect at the time of such taxes, fees, and charges become due and payable.
4. All work within the public right-of-way or easement shall comply with the specifications of the City of Winters' Engineering Design and Construction Standards. An encroachment permit shall be required for all work performed in the public right-of-way.
5. The address number for the property shall be clearly visible from the street fronting the property. The address numbering shall be either four (4) inch illuminated numbers or six (6) inch non-illuminated numbers on contrasting background.

6. If not already installed, the applicant shall install a sewer lateral and cleanout that comply with the specifications of the City of Winters' Engineering Design and Construction Standards acceptable to the Public Works Director, and pay applicable connect fee.
7. If not already installed, the applicant shall install a water lateral and meter that comply with the specifications of the City of Winters' Engineering Design and Construction Standards and in locations acceptable to the Public Works Director, and pay applicable connect fee.
8. The applicant shall obtain all required City permits and shall pay all applicable fees (building, impact, encroachment, etc.).
9. The applicant shall provide the City with a proof of payment for Winters Joint Unified School District facility fees at building permit issuance.
10. Water used in the course of construction shall be metered and shall be at the cost adopted annually by the City Council.
11. The applicant needs to work with an arborist prior to grading of the site to insure the trees being saved will be protected from damage during construction.
12. The applicant shall provide for City review a plan to landscape the front yard of the proposed single-family residence, which includes a 15-gallon street tree, type of tree to be taken from the City's approved street tree list. A final inspection for the single-family residence shall not be scheduled nor occupancy authorized until the front yard is landscaped and an approved street tree planted in the front yard.
13. The applicant shall install side yard fencing and/or gates. Fencing/gates shall attach to the house directly behind the board and batt siding on the side elevations. New fencing shall be wood and constructed metal posts.
14. A final inspection for the single-family residence shall not be scheduled nor occupancy authorized until the public improvements required for this project have been installed, inspected, and accepted by the Public Works Director.
15. Payment of City of Winters' monthly utility billing charges shall commence once the single-family residence has passed final inspection.
16. Applicant shall repair any public improvements damaged during the course of constructing the house.
17. Applicant shall submit a FEMA Elevation Certificate as required for building within the Floodplain.



**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Chairman and Planning Commissioners  
**DATE:** September 8, 2020  
**FROM:** David Dowswell – Contract Planner   
**SUBJECT:** Public Hearing for consideration of the proposed amendment to the sidewalk café/encroachment permit for the Preserve Restaurant and Depot Building to convert the on-street parking spaces on Railroad Avenue and Russell Street into outdoor dining.

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**RECOMMENDATION:** Staff recommends the Planning Commission approve the proposed amendment to the sidewalk café/encroachment permit for the Preserve Restaurant and Depot Building.

**PROJECT DESCRIPTION:** The applicants, Cole and Karen Ogando, are requesting approval to amend their sidewalk café/encroachment permit to allow them to eliminate the on-street parking on Railroad Avenue and Russell Street, in front of the Preserve Restaurant and Depot Building, in order to extend the sidewalk onto the parking spaces and expand the seating area on the existing sidewalk. The expanded outdoor seating will be available for use during good weather.

**BACKGROUND:** On March 28, 2016 the city received an application for a sidewalk café permit for the Preserve Restaurant located at 200 Railroad Avenue. On May 16, 2016 the permit was approved. The permit allowed the Preserve Restaurant to place a limited amount of seating on the sidewalk in front along Railroad Avenue. No seating was allowed on Russell Street.

On July 28, 2020 the Planning Commission considered a request by the applicants to amend their sidewalk café permit. At the conclusion of the discussion the Planning Commission approved amending the sidewalk café/encroachment permit to allow expanded outdoor seating. The permit was granted subject to it being reviewed in 18 months (Attachment B).

At the August 18 City Council meeting, Ken Lewis, who lives at 7 Russell Street next door Preserve Restaurant, asked why he had not received a notice about the amendment to the sidewalk café/encroachment permit for the Preserve and Depot Building. The Mayor directed staff to research the matter and contact Mr. Lewis and Mr. Mickel to let them know what staff finds out.

The City Attorney reviewed the city's sidewalk café ordinance and found, per Section 17.116.060 of the Municipal Code, a sidewalk café permit may be issued only after holding a public hearing and making four specific findings. As a result of there not being proper noticing, the decision of the Planning Commission approving the amendment to the sidewalk café/encroachment permit was invalid. Staff advised Mr. Lewis and Mr. Mickel of this situation and notified the Ogando's that there would be a properly noticed public hearing on this matter at the September 8, 2020 Planning Commission meeting.

**ANALYSIS:** Covid-19 pandemic has had an adverse effect on local businesses, especially restaurants. With almost no indoor seating restaurants have been forced to moved to outdoor seating. Part of Main Street was closed off and tables were added to allow to increase outdoor seating. Staff worked with the applicants to develop a plan to allow the Preserve and Chuy's to expand their outdoor seating beyond what they currently have. Eliminating the parking in front on both Railroad Avenue and Russell Street will allow the seating to be increased.

The Police and Fire Chiefs expressed concern that by eliminating the parking along Railroad Avenue and moving pedestrians onto a relocated sidewalk (where parking spaces are located) there will be an increased risk of a pedestrian being hit by a motorist. They are recommending a barrier be installed on the outer edge of relocated sidewalk to protect pedestrians. The applicants have proposed installing a rock wall (Attachment B) like they have installed on the south side of the restaurant. The wall will be installed along the outer edge of the expanded sidewalk on both Railroad Avenue and Russell Street. Both chiefs believe the wall will provide adequate protection. Staff has included a condition requiring the walls be installed with the outer edge of the walls being a maximum of 8 feet from the original curb face.

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

**RECOMMENDATION:** Staff recommends approval of the amendment to the Preserve Restaurant and Depot sidewalk café/encroachment permit by making an affirmative motion and making the following findings:

1. Establishment of a sidewalk café at the proposed location will not create a nuisance by causing excessive noise or light; interfering with the use and enjoyment of adjacent properties; unduly restricting pedestrian use of the sidewalk; or in other ways that are adverse to public health and safety or general welfare.

Adequate protection in the form of a one (1) foot thick, thirty-six (36) inch high rock wall is being provided to protect pedestrians from accidentally being hit by motorists. The relocated sidewalk will be ADA accessible.

2. Establishment of a sidewalk café at the proposed location will enhance the character of the surrounding area as there will be an attractive decorative wall installed along the outer edge of the relocated sidewalk.
3. The sidewalk café, as proposed, adequately protects the convenience and safety of pedestrians, property owners, occupants, customers, residents or tenants of offices, stores, shops or dwellings in the vicinity. See Finding #1 above.
4. The amended sidewalk café permit will not cause a negative cumulative effect when considered in conjunction with the cumulative effect of other sidewalk cafes in the immediate neighborhood. The requested amendment to the sidewalk café permit is similar to the sidewalk permit granted to the Putah Creek Café and Turkovich Wines also located on Railroad Avenue.

**I MOVE THAT THE CITY OF WINTERS PLANNING COMMISSION APPROVE THE APPLICATION FOR AN AMENDMENT TO THE SIDEWALK CAFÉ/ENCROACHMENT PERMIT FOR THE PRESERVE RESTAURANT AND DEPOT BUILDING 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 amendment to the sidewalk café/encroachment permit, subject to the conditions of approval (Attachment C) attached hereto.

**ATTACHMENTS:**

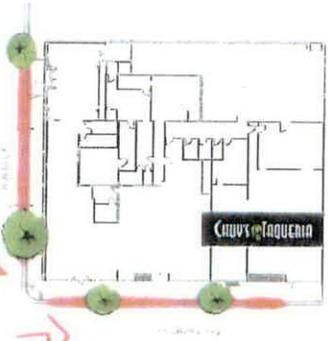
- A. Site Plan and elevations
- B. Photo of existing rock wall barrier
- C. Conditions of approval



# EXTERIOR COVID SEATING REQUEST

CONCEPT DRAWINGS FOR APPROVAL SUBMITTED JULY 20TH 2020

ATTACHMENT A



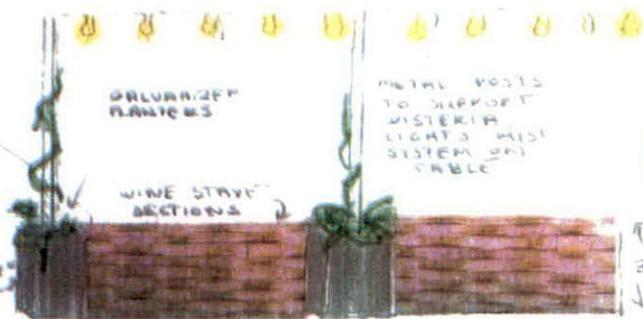
PLANNED AREAS TO BE EFFECTED ADJACENT TO DEPOT BUILDING

SPACE BEHIND INTERIOR SIDEWALL TO BE USED FOR OUTDOOR SEATING

EXTERIOR SIDEWALK WRAP

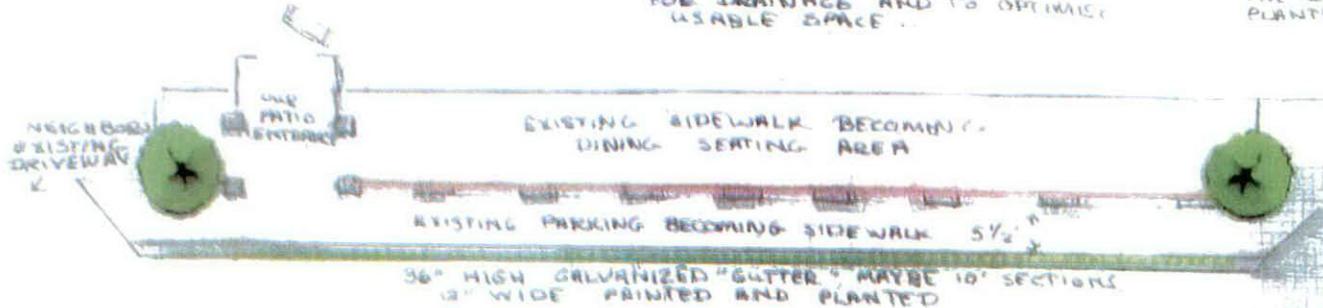


INTERIOR SIDEWALK WRAP



BOTH OF THESE SITUATE IN ON CURRENT PARKING AREA FOR DRAINAGE AND TO OPTIMIZE USABLE SPACE.

I WOULD TRY TO MIMIC AS MUCH AS POSSIBLE LOW RAILROAD TO THE END OF CHUY'S PLANTER - IN FRONT OF CHUY'S SHOULD HAVE A DIFFERENT INTERIOR LOOK THOUGH



## Dave Dowswell

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**From:** Dave Dowswell <cddjdowswell@juno.com>  
**Sent:** Wednesday, September 2, 2020 2:20 PM  
**To:** Dave Dowswell  
**Subject:** [EXTERNAL]Preserve

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Moderators Announced for 3 Presidential Debates

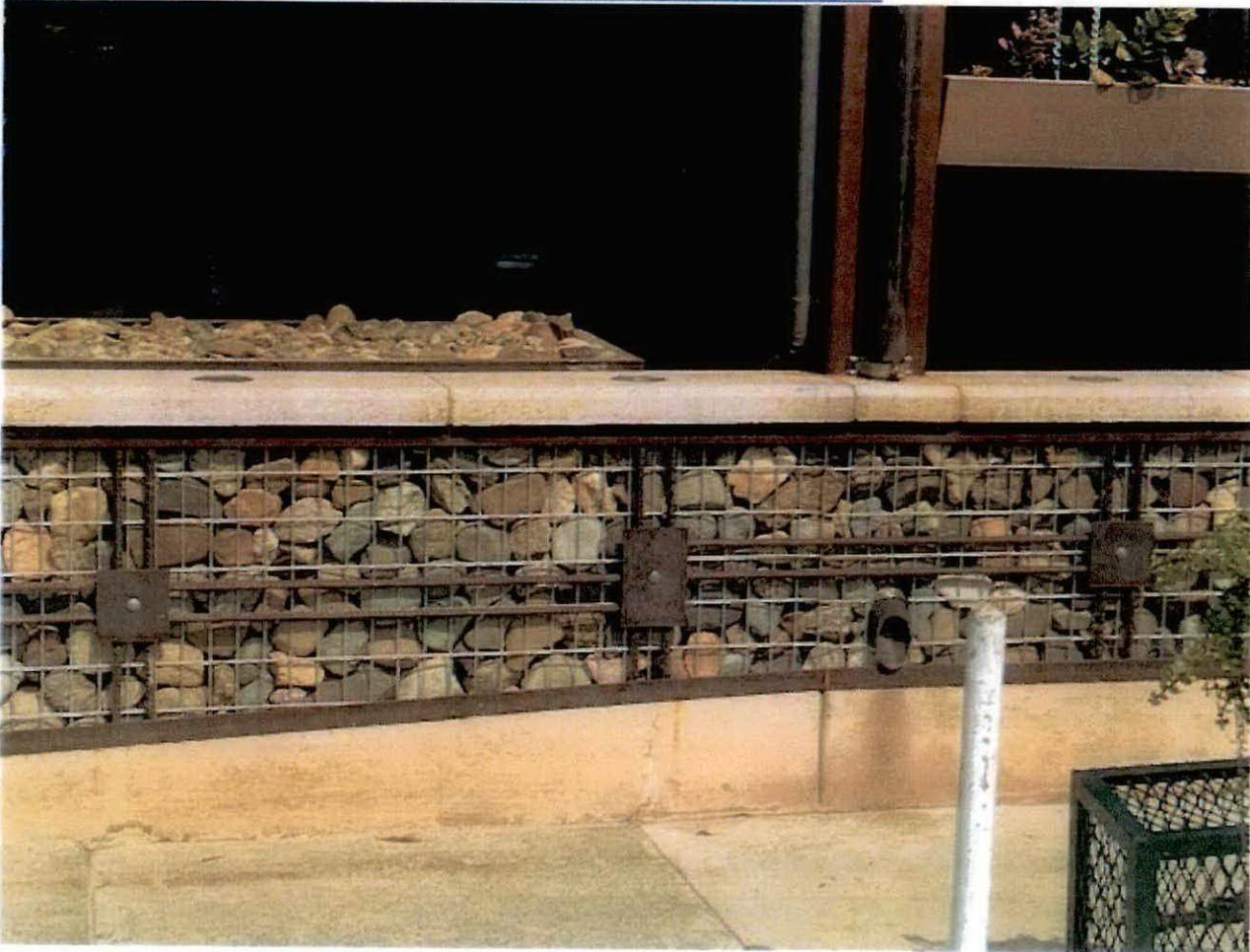
<http://thirdpartyoffers.juno.com/TGL3141/5f500c838817cc825ac4st01vuc1>

Man Allegedly Broke Bike Rule, Was Shot '20+ Times'

<http://thirdpartyoffers.juno.com/TGL3141/5f500c83a85c2c825ac4st01vuc2>

John Boyega to Disney: 'Nah, Nah, Nah'

<http://thirdpartyoffers.juno.com/TGL3141/5f500c83c8f63c825ac4st01vuc3>



Sent from my iPhone

ATTACHMENT B

## **SIDEWALK CAFÉ/ENCROACHMENT PERMIT**

**PLANNING COMMISSION  
SEPTEMBER 8, 2020**

### **CONDITIONS OF APPROVAL FOR THE SIDEWALK CAFÉ/ENCROACHMENT PERMIT FOR THE PERSERVE RESTAURANT AND DEPOT BUILDING AT 200 RAILROAD AVENUE, WINTERS CA 95694**

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 September 8, 2020 Planning Commission staff report. The project shall be constructed as depicted on the exhibits included in the September 8, 2020 Planning Commission Staff report, except as modified by these conditions of approval. Substantive modifications may require additional public hearing(s) and Planning Commission action.
4. The applicants shall install a rock wall barrier along the outer edge of the extended asphalt sidewalk, both on Railroad Avenue and Russell Street. Outer edge of rock wall barrier shall be a maximum of eight (8) feet from the original face of curb and shall be a minimum of twelve (12) feet from the center of the streets. Barrier shall be installed prior to expanding the outdoor seating. Plans to be reviewed by the City before the rock wall is installed.
5. The extended sidewalk was shown on the proposed plans (Attachment A) extending to the corner of Railroad Avenue and Russell Street. As installed, there

**ATTACHMENT C**

6. is a red curbed area south of the extended sidewalk which the applicants state is for delivery vehicles to use. The curb needs to be repainted yellow and signed as a commercial vehicle loading zone.
7. The applicants shall obtain a building permit and pay the applicable building permit fees for the proposed expansion.
8. The amendment to the sidewalk café/encroachment permit shall be reviewed in 18 months (March 18, 2022).



**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Chairman and Planning Commissioners  
**DATE:** September 8, 2020  
**FROM:** David Dowswell – Contract Planner   
**SUBJECT:** Public Hearing for consideration of the proposed Tentative Map 5087 (Ogando) to subdivide a 2.59 acre lot into seven (7) lots located at the northwest corner of Taylor Street and Kennedy Drive (APN 030-430-030). The lots range in size from 12,425 to 25,040 square feet.

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

- 1) Receive the staff report;
- 2) Conduct the Public Hearing to solicit public comment; and
- 3) Recommend to the Winters City Council Approval of the Ogando Tentative Map 5087 for 7 parcels/lots 003-430-030 located off Taylor Street and Kennedy Drive.

**GENERAL PLAN DESIGNATION AND ZONING:** The General Plan land use designation for the property is Low Density Residential (LR).

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

North: Single Family – Zoned R-1 PD (Single Family Residential-Planned Development)  
East: Single Family– Zoned R-2 PD (Single Family Residential-Planned Development)  
South: Single Family – Zoned R-2 (Single Family Residential)  
West: Single Family – Zoned R-2 (Single Family Residential)

**BACKGROUND:** The applicants, Joseph Ogando, Sr. and Karen Ogando, purchased the property in 1971. The property (future Lot 1) is developed with a single-family home and garage. It is the remainder of a much larger piece of land own by the applicants. The majority of the land was sold to Jim Hildebrand, who sold it Clyde Miles the developer of Winters Ranch.

**PROJECT DESCRIPTION:** The applicants are seeking approval of a tentative subdivision map dividing the existing 2.59 acre parcel into seven (7) residential lots ranging in size from 12,425 to 25,040 square feet (Attachment A). All but Lot 1 are undeveloped. Lot 1 is developed with an existing single-family home with a detached garage.

**ANALYSIS:** The configuration of the proposed lots as shown on Attachment A is consistent with the City's General Plan and Zoning. No affordable housing is required for subdivisions containing less than 15 lots.

The applicants' engineer is proposing Lots 6 and 7 be parallel to Taylor Street. A previous version of the map (2015) had these two lots perpendicular to Taylor Street. The current layout includes a shared private driveway to access both lots. Having a shared private driveway access has the potential to create problems between the future property owners, for access, parking, and maintenance. It creates a lot (Lot 6) with limited street frontage and no on-street parking. Also; the Winters Ranch subdivision installed water and sewer services according to the Lot layout in 2015. The current layout includes a utility easement across Lot 7 for water and sewer services for Lot 6. This has the potential to create problems between future property owners, for maintenance of the services. Staff recommends that Lots 6 and 7 be laid out as they were in 2015; perpendicular to Taylor.

There is a small triangular shaped remainder parcel abutting Lot 7 that is left over from the Hudson-Ogando Subdivision. This remainder parcel needs to be acquired by the applicants so it can be merged with Lot 7. Acquiring this remainder parcel and incorporating it into Lot 7 will allow Lots 6 and 7 to be subdivided where each lot has direct frontage onto Taylor Street, like Lots 2 through 5. Leaving this remainder parcel is not acceptable and would create a future public nuisance.

The project site is surrounded by single family homes. Division of the property as proposed would allow for the construction of one single-family residence on each lot. No conflict with easements acquired by the public at large, for access through or use of, property within the proposed project have been identified. Water and sewer services would be provided by the City of Winters. Other services, such as gas and electricity, will be provided by PG&E, AT&T, Wave, etc.

**PARK IN-LIEU FEE:** Discussion occurred between City staff and the applicant on ways to address their park requirement. Three Oaks Park, which will be constructed as part of the Stone's Throw Subdivision, is located nearby. The applicants will be required to pay a park in-lieu fee.

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

**PROJECT NOTIFICATION:** Two methods of public notice were used in compliance with State law and the Winters Municipal Code: a legal notice was published in the Winters Express on 08/27/20 and notices were mailed to all property owners who own real property within three hundred feet of the project boundaries at least ten days prior to the hearing. Copies of the staff report and all attachments for the proposed project have been on file, available for public review at City Hall since 09/3/20.

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

- (a) The proposed subdivision with seven (7) lots is consistent with the general plan designation of Low Density Residential (LR), which allows as few as one (1) lot and a maximum of eighteen (18) 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 2.59 acres, which is less than five (5) 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 Taylor Street and can be served by public services.

**PLANNING COMMISSION ACTION:** Staff recommends the City of Winters Planning Commission make take the following actions:

1. The planning commission finds that based on their review the Tentative Map ("the project") is considered categorically exempt from CEQA, Class 32 In-Fill Development Project.
2. The planning commission has considered comments received on the project during the public review process.
3. The decision not to prepare a subsequent environmental document reflects the independent judgment and analysis of the City of Winters.
4. Adopt Resolution 20-01 recommending (Attachment B) the City Council approve the tentative map for a seven (7) lot subdivision known as the Ogando Subdivision subject to the Conditions of Approval (Attachment C). R

**RECOMMENDATION:** Staff recommends the City of Winters Planning Commission make an affirmative motion as follows:

**MOVE THAT THE CITY OF WINTERS PLANNING COMMISSION ADOPTS RESOLUTION 2020-02 RECOMMENDING THE CITY COUNCIL APPROVE THE**

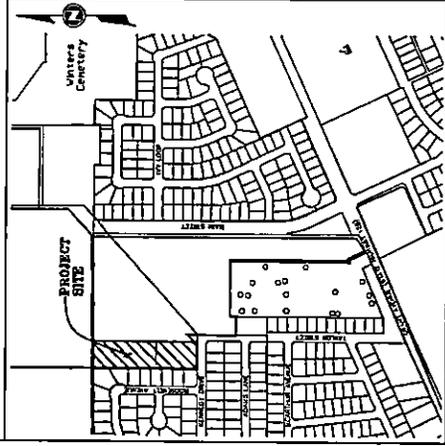
**“OGANDO” TENTATIVE SUBDIVISION MAP (7 LOTS) FOR PARCEL 003-430-030  
LOOCATED ON TAYLOR STREET AND KENNEDY DRIVE.**

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

**ATTACHMENTS:**

- A. Tentative Subdivision Map
- B. Planning Commission Resolution 2020-02
- C. Conditions of Approval

VICINITY MAP



OWNER:  
 JAC & BARBARA O'CONNOR  
 1000 W. 10TH STREET  
 WOODLAND, CA 95694  
 PHONE: (916) 858-3164

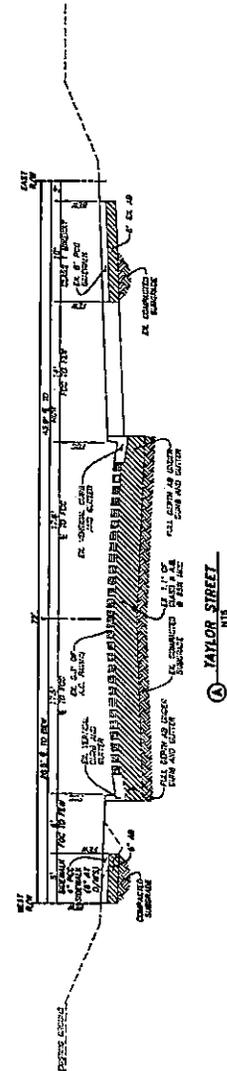
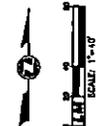
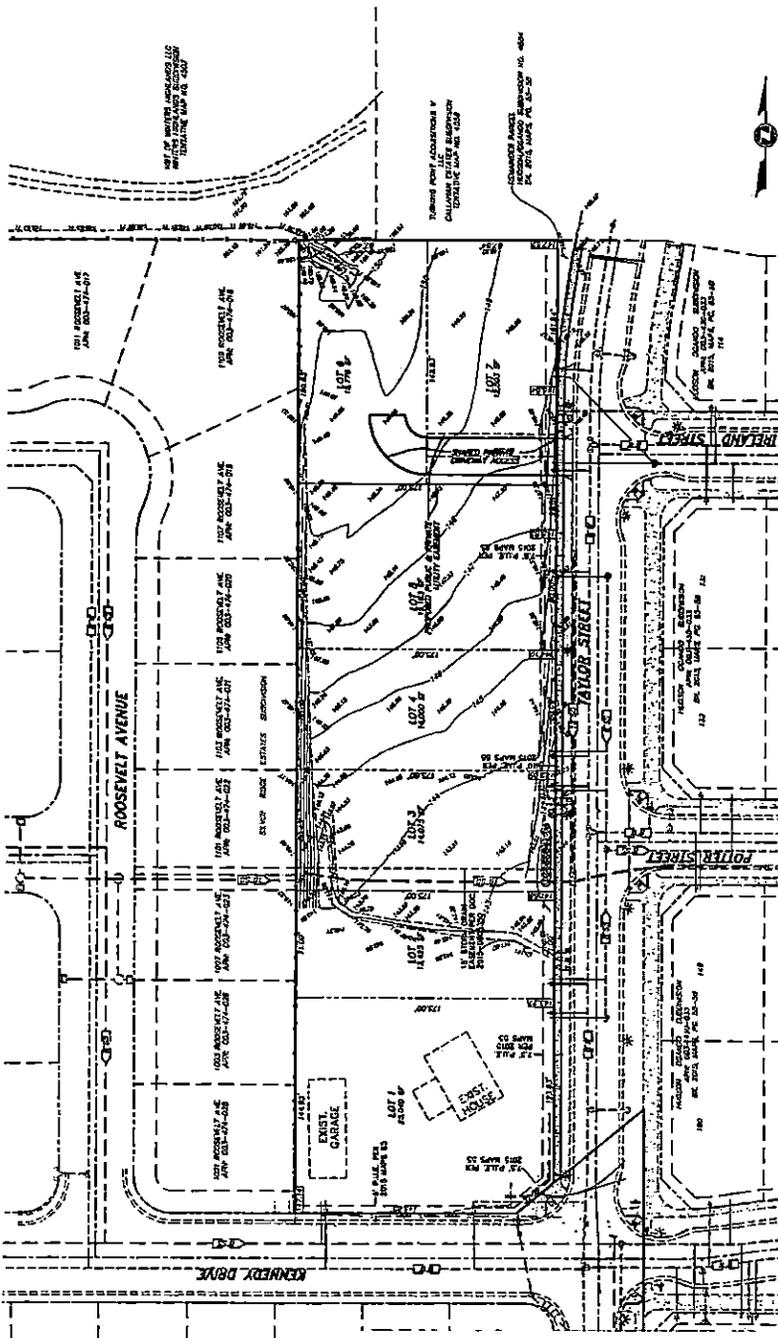
DESIGNER:  
 LAUGENOUR AND WEIKLE  
 1000 W. 10TH STREET  
 WOODLAND, CA 95694  
 PHONE: (916) 858-3164

PROJECT TO BE DEVELOPED IN TWO PHASES:  
 PHASE 1 - SINGLE FAMILY LOTS (4-1)  
 PHASE 2 -

EXISTING USE:  
 PROPOSED USE:  
 ZONING:  
 EXISTING ZONING:  
 CITY OF WOODRIDGE  
 CITY OF WOODRIDGE  
 R1  
 R1

UTILITIES:  
 WATER SERVICE:  
 GAS & ELECTRIC:  
 TELEPHONE SERVICE:  
 FLOOD ZONE:  
 GROSS AREA:  
 ACRES:  
 603-43-030

NOTES:  
 1. THIS PROJECT PER DEC 1989-084841 AFFECTS PROPERTY, BUT  
 IS NOT PLATABLE.



TAYLOR STREET

TOPOGRAPHIC SURVEY  
 TENTATIVE MAP  
 FOR  
 SUBDIVISION NO. 3087

LOCATED IN A PORTION OF SECTION 18,  
 TOWNSHIP 4 NORTH, RANGE 1 WEST, COUNTY OF  
 MARIANA, CITY OF WOODRIDGE, CALIFORNIA  
**LAUGENOUR AND WEIKLE**  
 CIVIL ENGINEERS, LAND SURVEYORS, PLANNERS  
 1000 W. 10TH STREET, WOODLAND, CALIFORNIA 95694  
 PHONE: (916) 858-3164  
 MARCH 4, 2020



ATTACHMENT A

**RESOLUTION NO. 20-02**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WINTERS  
RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE SEVEN (7) LOT  
TENTATIVE MAP FOR THE OGANDO SUBDIVISION**

**WHEREAS**, the Winters Planning Commission held a duly noticed public hearing on September 8, 2020 to review and consider recommending to the City Council approval of the proposed Tentative Map Subdivision Map for the Ogando Subdivision (APN 003-430-030); and

**WHEREAS**, the Planning Commission reviewed and considered a proposed tentative map for the Ogando Subdivision; and

**WHEREAS**, the Planning Commission found the proposed tentative map was categorically exempt from CEQA, Section 15332, Class 32, Infill-Development Project on less than five (5) acres; 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 Ogando Subdivision, attached hereto as Exhibit 1.

**PASSED AND ADOPTED**, by the Planning Commission of the City of Winters at a special meeting on the \_\_\_ day of \_\_\_\_\_ 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Paul Meyer, Chairperson

ATTEST:

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Planning Commission Secretary

**ATTACHMENT B**

**Ogando Subdivision No. 5087  
Tentative Map**

**CONDITIONS OF APPROVAL  
September 8, 2020**

1. The conditions as set forth in this document are not all inclusive. Applicant shall thoroughly review all City, state, and federal planning documents associated with this tentative map and comply with all regulations, mitigations and conditions set forth.
2. The applicant agrees to adhere to the terms of the ordinance (Ordinance No. 96-02) adopted by the City Council to address impact fees to be paid for development of property within the Rancho Arroyo Drainage District, to offset costs associated with drainage improvements.
3. Water and sewer services were previously extended to proposed lots. All new lots to align in accordance with the original map (2015) that services were based on. All lot frontages shall be off Taylor. Shared driveway and sewer and water services shall not cross adjacent parcels as shown on current map (2020).
4. Applicant shall obtain remainder parcel adjacent to Lot 7 and incorporate it into Lot 7. Lots 6 and 7 shall be subdivided in the same manner as lots 2 through 5 with property line separating two lots perpendicular to Taylor Street.
5. 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 acreage shall be shown and verifiable from information shown on the closure calculation print out. Additionally, the square footage of each lot shall be shown on the subdivision map. Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
6. A Final Map shall be processed and shall be recorded prior to issuance of a Building Permit. The Developer shall provide, to the City Engineer, one recorded Mylar copy and four print copies of the final map from the County, prior to issuance of the first building permit.
7. U.S. Post Office mailbox locations shall be shown on the improvement plans subject to approval by the City Engineer and Postmaster.
8. In the event any claim, action or proceeding is commenced naming the City or its agents, officers, and employees as defendant, respondent or cross defendant arising or alleged to arise from the City's approval of this project, the project applicant shall defend, indemnify, and hold harmless the City or its agents, officers, and employees, from liability, damages, penalties, costs, or expenses in any such claim, action, or proceeding to attach, set aside, void, or annul an approval of the City of Winters, the Winters Planning Commission, any advisory agency to the City and local district, or the Winters City Council. Project applicant shall defend such action at applicant's sole cost and expense, which include court costs and attorney fees. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense. Nothing in this condition shall be construed to prohibit the City of Winters from participating in the defense of any claim, action, or proceeding, if City bears its own attorney fees and cost, and defends the action in good faith. Applicant shall not be

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**ATTACHMENT C**

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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.

9. The applicant shall submit a current title report to the City prior to approval of public improvement plans.
10. The City of Winters Plan Review Fee applies and is due upon submittal of plans for review.
11. All street and other required public improvements shall be constructed concurrently, in a single phase operation.
12. A Soils/Geotechnical Report shall be prepared by a qualified engineer to confirm onsite soil capabilities and geological conditions and make recommendations to be followed for development. Grading of the site, design of foundations for proposed structures and construction of other related facilities on the property shall follow the criteria identified in the report. The applicant shall submit the report with the initial improvement plans package. The improvement plans shall be approved and signed by the soils engineer prior to approval by the City.
13. Applicant shall construct public roadway improvements, to include sidewalk and driveways per the City of Winters Public Improvements Standards and Construction Standards.
14. An erosion and sedimentation control plan shall be included as part of the improvement plan package. The plan shall be prepared by the applicant's civil engineer and approved by the City Engineer. The plan shall include but not be limited to interim protection measures such as benching, sedimentation basins, storm water retention basins, energy dissipation structures, and check dams. The erosion control plan shall also include all necessary permanent erosion control measures, and shall include scheduling of work to coordinate closely with grading operations. Replanting of graded areas and cut and fill slopes is required and shall be indicated accordingly on plans, for approval by City Engineer.
15. A topographic survey of the entire site and a comprehensive grading plan prepared by a registered civil engineer, shall be required for the development. The plan shall include topographic information on adjacent parcels. In addition to grading information, the grading plan shall indicate all existing trees, and trees to be removed as a result of the proposed development, if any. A statement shall appear on the site grading plan, which shall be signed by a registered civil engineer or land surveyor and shall read, "I hereby state that all improvements have been substantially constructed as presented on these plans". Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
16. The differential in elevation between rear and side abutting lot lines shall not exceed twelve inches (12") without construction of concrete or masonry block retaining walls.
17. The grade on Lot 1 is higher than grade of future sidewalk along Taylor, which will necessitate a concrete or block retaining wall.
18. All projects shall include implementation of post-construction best management practices (BMPs). Post construction BMPs shall be identified on improvement plans and approved by

the City Engineer. Construction of projects disturbing more than one acre of soil shall require a National Pollution Discharge Elimination System (NPDES) construction permit, or a WPCP.

19. Landscaped slopes along streets shall not exceed 5:1; exceptions shall require approval of the City Engineer. Level areas having a minimum width of two (2) feet shall be required at the toe and top of said slopes.
20. Sewer and Water services shall be extended to each Lot, if not completed previously with the Hudson Ogando Subdivision, per City Standards.
21. A hydrant use permit shall be obtained from the Public Works Department, for water used in the course of construction.
22. A 10 foot ped/bike path was constructed along Vasey frontage. The landscape strip between curb and path is public landscaping, for city to maintain, which is consistent with other development projects in the area. The applicant shall install irrigation and landscaping in this public area. Landscaping and irrigation plans shall be prepared by a registered landscape architect, and included as part of the improvement plans shall be submitted for Public Works approval.
23. Landscaping shall be installed between curb and sidewalk, along Taylor. This landscaping shall be maintained by each property owner.
24. Landscaping plans shall be per City Standards and the Water Conservation in Landscaping Act of 2006 (AB 1881) and shall be subject to review and approval by the City. The improvement plans shall include landscaping and automatic irrigation for the public right-of-way. Drip irrigation systems shall be used. No substantial change to an approved landscaping or irrigation plan may be made without written approval by the original approving person or body.
25. All public landscape areas shall include water laterals with meters and PG&E power service points for automatic controllers. The landscape water meter shall be installed to the satisfaction of the Public Works Department.
26. Occupancy shall not occur until on-site and off-site improvements have been accepted by the City Council and the City has approved as-built drawings. Applicants, and/or owners shall be responsible to so inform prospective buyers, lessees, or renters of this condition.
27. If relocation of existing infrastructure is deemed necessary, the applicant shall perform the relocation, at the applicant's expense unless otherwise provided for through a reimbursement agreement. All public utility standards for public easements shall apply.
28. A Subdivision Improvement and Maintenance Agreement shall be entered into and recorded prior to construction of improvements and/or issuance of any building permits.
29. Appropriate easements shall be required for City maintained facilities located outside of City owned property or the public right-of-way.
30. The applicant shall facilitate, with City cooperation, the abandonment of all City easements and dedications currently held but no longer necessary as determined by the Public Works Department.

31. Applicant shall submit joint trench/utility/composite plans for review, prior to approval of the final map and/or improvement plans. Construction will not be allowed to proceed prior to submittal of the joint trench/utility/composite plans for City review.
32. All existing and proposed utilities (electric, phone/data, and cable) within 100 feet of the project boundary shall be installed underground per the subdivision ordinance and shall meet the policies, ordinances, and programs of the City of Winters and the utility providers.
33. Project proponents shall enter into the Citywide Landscape and Lighting Maintenance District, in order to maintain and provide for the future needs of street lighting and landscaping, and other related aspects of development. The project proponent is responsible for all costs associated with this condition. The project proponent shall fulfill this condition prior to issuance of a building permit.
34. Prepare improvement plans for any work within the public right-of-way and submit them to the City Engineer for review and approval. The improvement plan sheets shall include the title block as outlined in the City of Winters Public Improvements Standards and Construction Standards. This submittal is separate from the building permit submittal. The Applicant shall provide, to the City Engineer, two sets of the improvement plans and electronic media (AutoCAD .DWG or DXF on Zip Disk or Compact Disk), for approval of plans by the City Engineer. Final Record Drawings shall be provided in electronic media.
35. Conform to County Health regulations and requirements for the abandonment of any septic tanks and water wells.
36. Existing public and private facilities damaged during the course of construction shall be repaired by the Applicant at his/her sole expense, to the satisfaction of the City Engineer.
37. All conditions identified herein shall be fully satisfied prior to occupancy, unless otherwise stated.
38. The project shall operate within all applicable requirements of the City Code at all times
39. Landscape material may not be located such that, at maturity it interferes with safe distances for vehicular, bicycle or pedestrian traffic; conflicts with overhead utility lines, overhead lights, or walkway light; or blocks pedestrian or bicycle ways.
40. A 5-foot separated concrete sidewalk shall be constructed along Taylor frontage, from the existing sidewalk at Kennedy to the north property line.
41. All sidewalks at driveway locations shall be 6-inch thick Portland Cement Concrete (PCC).
42. All inactive portions of the construction site, which have been graded will be seeded and watered until vegetation is grown.
43. Grading shall not occur when wind speeds exceeds 20 MPH over a one hour period.
44. Construction vehicle speed on unpaved roads shall not exceed 15 MPH.
45. Construction equipment and engines shall be properly maintained.

46. 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.
47. Construction practices will minimize vehicle idling.
48. Potentially windblown materials will be watered or covered.
49. Construction areas and streets will be wet swept.
50. At the time of final acceptance of 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.
51. The area of each lot, in square feet, shall be calculated and shown on the Final Map.