

RESOLUTION NO. 2022-22

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS
UPDATING/ADOPTING NEW STORM DRAINAGE MASTER PLAN FOR
NORTHEAST AREA (SDMP – NE AREA), ADOPTING THE FINDINGS OF THE
STORM DRAINAGE COST ALLOCATION REPORT – NORTH AREA, ADOPTING
THE FINDINGS OF THE SDMP – NE AREA DEVELOPMENT IMPACT FEE NEXUS
STUDY, AND ADOPTING THE SCHEDULE OF IMPACT FEES**

WHEREAS, in 2005, Wood Rodgers prepared the City of Winters' ("City's") drainage master plans, which included the Moody Slough sub-basin report and an assessment of the flooding in the northeast portion of the City; and

WHEREAS, the flood area consists of the flood overlay area from the City's General Plan plus some additional areas later determined through the 2005 Master Plan Study to be in the floodplain; and

WHEREAS, General Plan Land Use Policy I.A.9 requires that before new development occurs in the flood overlay zone, the City shall prepare and adopt a fee schedule or financing program for the implementation of the flood protection plan; and

WHEREAS, on January 21, 2014, the City Council adopted Ordinance 2014-01, adding Chapter 15.90 of Title 15 to the Winters Municipal Code to establish a Drainage Impact Fee; and

WHEREAS, the City has identified the need for new and/or expanded facilities to accommodate expected population growth and new development; and,

WHEREAS, it is the City's policy that future new development should pay its fair share of public facilities and services in accordance with good fiscal management as determined by the City Council, including the current costs for providing the facilities in direct proportion to the demand for these facilities generated by new development; and

WHEREAS, as of 2016, changes in topography mapping capabilities, County of Yolo rainfall parameters, and land modifications/improvements in the vicinity had occurred; and

WHEREAS, Wood Rodgers re-evaluated the existing flooding within the northeast area of the city's General Plan boundary and prepared the Storm Drainage Master Plan – Northeast Area ("SDMP – NE Area") and Cost Allocation Report – North Area; and

WHEREAS, Hansford Economic Consulting LLC prepared the Drainage Master Plan Update - North Area Impact Fee and Nexus Study ("Study"), to support an updated drainage impact fee in accordance with California Government Code §§ 66000 et seq.; and

WHEREAS, the Study provided the City with information and data regarding the nexus between the planned public improvements and the benefiting land uses that would pay the impact fees at time of issuance of a building permit; and

WHEREAS, the Study provides the City with the findings necessary to establish the City's proposed impact fees in accordance with Government Code § 66001; and,

WHEREAS, on March 15, 2022, the City Council held a duly noticed public hearing on the proposed development impact fees with an opportunity for the public to be heard, pursuant to the provisions of Government Code §§ 66016-66018; and

WHEREAS, the Study prepared by Hansford Economic Consulting LLC, an independent consultant, has been available for public review and comment pursuant to the provisions of Government Code § 66016 and § 6062a; and

WHEREAS, adoption of this Resolution will authorize the update and adoption of the Storm Drainage Master Plan – Northeast Area, adopt the findings of the Storm Drainage Cost Allocation Report – North Area, adopt the findings of the Impact Fee and Nexus Study, and adopts the new schedule of drainage impact fees attached hereto as Exhibit "A-1" and the zones attached hereto as Exhibit "A-2".

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Winters as follows:

SECTION 1: That the City Council of the City of Winters hereby adopts the Storm Drainage Master Plan – Northeast Area (March 2020) prepared by Wood Rodgers and adopts the findings of the Storm Drainage Cost Allocation Report – North Area (March 2020) prepared by Wood Rodgers.

SECTION 2: That the City Council of the City of Winters finds and determines that the SDMP – North Area Impact Fee and Nexus Study (January 2021) prepared by Hansford Economic Consulting LLC complies with California Government Code § 66001 by establishing the basis for the imposition of the impact fees on new development. The City Council hereby adopts the findings set forth in the Study as the findings of the City Council, which contain the following findings with respect to each development impact fee. The findings set forth in the Study are by this reference incorporated herein as if fully stated herein.

- (a) Identifies the purpose of the fee;
- (b) Identifies the use to which the fee will be put;
- (c) Shows a reasonable relationship between the use of the fee and the type of development project on which the fee is imposed;

- (d) Demonstrates a reasonable relationship between the need for the public facilities and the type of development projects on which the fee is imposed; and
- (e) Demonstrates a reasonable relationship between the amount of the fee and the cost of the public facilities or portion of the public facilities attributable to the development on which the fee is imposed.

SECTION 3. That the City Council hereby determines that the development impact fees collected pursuant to this Resolution shall be used to finance the public improvements described or identified in the Study or such Storm Drainage Master Plan – Northeast Area or capital improvement program as may from time to time be adopted by the City Council.

SECTION 4. The City Council has considered the specific project descriptions and the cost estimates identified in the Study and hereby approves such project descriptions and cost estimates and finds them reasonable as the basis for calculating and imposing the development impact fees.

SECTION 5. That the City Council finds that the projects and fee methodology identified in the Study are consistent with the City's General Plan.

SECTION 6. That the City Council approves the schedule of Development Impact Fees contained in and attached hereto as Exhibit "A-1" and the zones attached hereto as Exhibit "A-2". The development impact fees shall be imposed upon property owners or developers when applying for a building permit, and shall be due at final inspection or issuance of a certificate of occupancy, whichever comes first. The Development Impact Fees shall be annually adjusted each July 1 to reflect the March to March change in the Engineering News Record San Francisco Construction Cost Index.

SECTION 7. Within 180 days after the close of the fiscal year during which the first deposit of fees into the drainage facilities fund has occurred and every year thereafter as required by Government Code § 66006, the City shall make available to the public and the City Council shall review:

1. The amount of the fee;
2. The beginning and ending balance of the account or fund;
3. The amount of the fees collected, and interest earned;
4. Identification of each public improvement on which fee revenues were expended and the amount of the expenditures on each improvement, including the percentage of the cost of the public improvement that was funded with fee revenues;

5. Identification of the approximate date by which the construction of a public improvement will commence, if the City determines sufficient funds have been collected financing of an incomplete public improvement;

6. A description of each inter-fund transfer or loan made from the account or fund, including interest rates, repayment dates, and a description of the improvements on which the transfer or loan will be expended.

Section 7. At least once every five years as required by Government Code § 66001(d), the Council shall review the basis for the impact fees to determine whether the fees are still reasonably related to the needs of new development and make the following findings for any fee revenues that remain unexpended:

1. Identify the purpose to which the fee will be put.
2. Demonstrate the reasonable relationship between the fee and the purpose for which it is charged.
3. Identify all sources and amounts of funding anticipated to complete financing of incomplete improvements for which the impact fees are to be used.
4. Designate the approximate dates on which the funding necessary to complete financing of those improvements will be deposited in to the appropriate account of fund.

SECTION 8. The City Council finds that the impact fees are not subject to environmental review under CEQA. First, the impact fees, in and of themselves, do not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and therefore are not considered a "project" under CEQA. (Pub. Resources Code, § 21065, 14 CCR § 15378(a).) Second, the impact fees are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment; here, there is no possibility that the impact fees, in and of themselves, may have a significant effect on the environment. (14 CCR § 15061(b)(3).) And third, the impact fees are considered a government funding mechanism that do not involve any commitment on behalf of the City to any specific project which may result in a potentially significant physical impact on the environment. (14 CCR § 15378(b)(4).) The documents and materials that constitute the record of proceedings on which these findings have been based are located at 318 1st Street, Winters, California 95694. The custodian for these records is the City Clerk.

SECTION 9. That the new fees attached hereto shall become effective sixty (60) days following the adoption of this Resolution by the City Council.

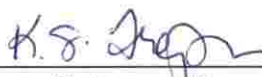
PASSED AND ADOPTED by the City Council of the City of Winters, on this 15th day of March, 2022, by the following vote:

AYES: Council Members Anderson, Loren, Neu, Mayor Pro Tem Biasi,
Mayor Cowan
NOES: None
ABSENT: None
ABSTAIN: None



Wade Cowan, Mayor

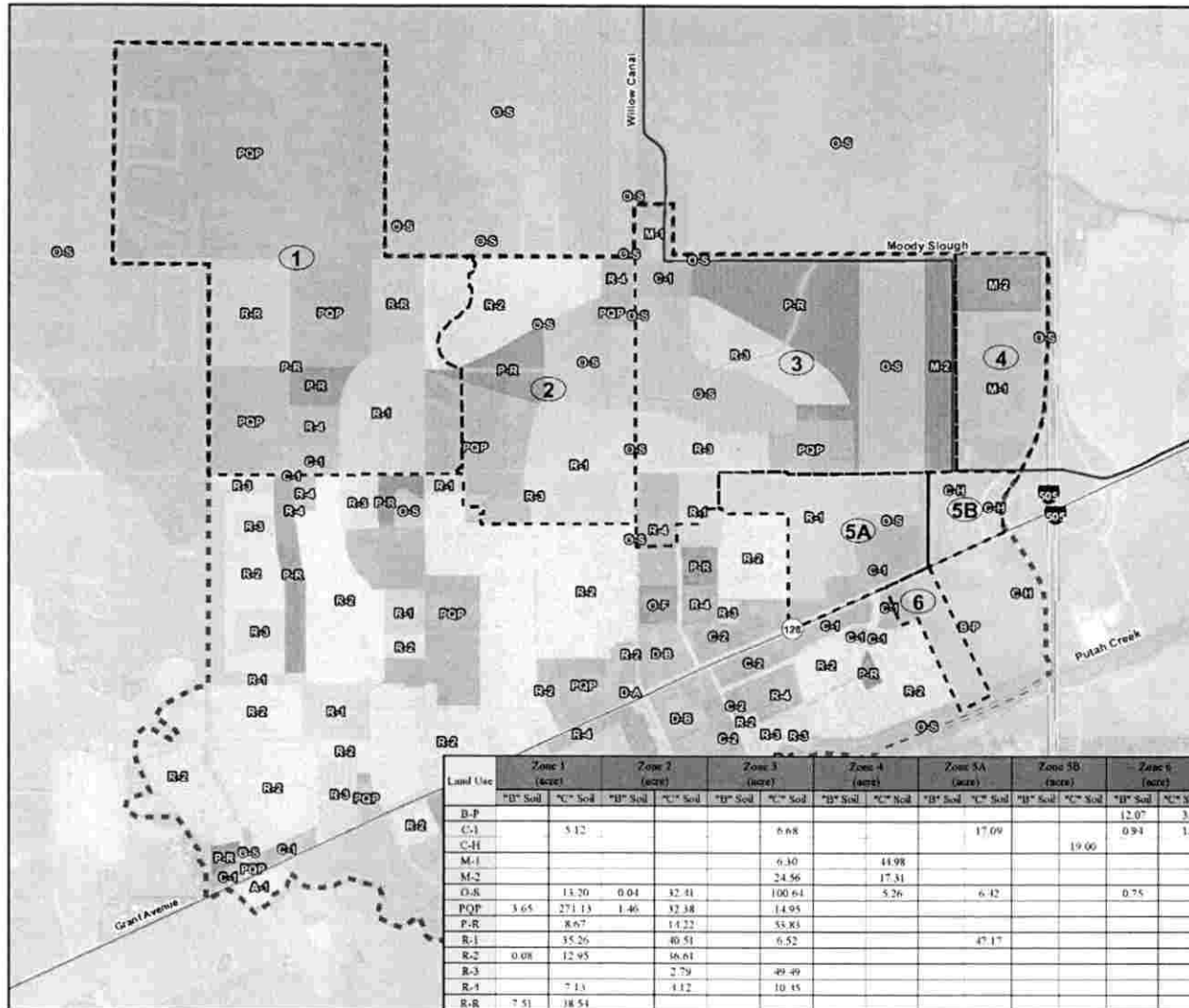
ATTEST:



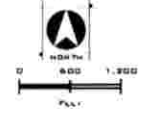
Kathleen Salguero Tropa, City Clerk

EXHIBIT A-1
IMPACT FEE SCHEDULE

Land Use Designation	Drainage Zone [1]							
	1	2	3	4	5A	5B	6	
Residential		per net acre				per net acre		
Rural	\$50,741	\$0	\$0	\$0	\$0	\$0	\$0	
Single-Family Low Density	\$55,680	\$56,924	\$67,373	\$0	\$44,646	\$0	\$0	
Single-Family Medium Density	\$65,352	\$66,811	\$0	\$0	\$0	\$0	\$0	
Multi-Family	\$0	\$66,823	\$79,090	\$0	\$0	\$0	\$0	
High Density Multi-Family	\$65,363	\$66,823	\$79,090	\$0	\$0	\$0	\$0	
Non-Residential								
Business Park	\$0	\$0	\$0	\$0	\$0	\$0	\$41,693	
Neighborhood Commercial	\$70,915	\$0	\$85,807	\$0	\$56,861	\$0	\$43,195	
Highway Service Commercial	\$0	\$0	\$0	\$0	\$0	\$60,118	\$0	
Light Industrial	\$0	\$0	\$80,066	\$86,830	\$0	\$0	\$0	
Heavy Industrial	\$0	\$0	\$80,066	\$0	\$0	\$0	\$0	



DRAINAGE ZONES MAP
CITY OF WINTERS NORTHEAST AREA
DRAINAGE MASTER PLAN
WINTERS, YOLO COUNTY, CALIFORNIA
MAY, 2019



- Major Creeks and Sloughs
 - Willow Canal
 - - - City General Plan Boundary
 - - - Drainage Zones
- Land Use**
- A-1 General Agriculture
 - B-P Business Park
 - C-1 Neighborhood Commercial
 - C-2 Central Business District
 - C-3 Highway Service Commercial
 - D-A Downtown A
 - D-R Downtown R
 - M-1 Light Industrial
 - M-2 Heavy Industrial
 - O-F Office
 - O-S Open Space
 - P-R Parks and Recreation
 - POP Public/Quasi Public
 - R-1 Single Family Residential (Low Density)
 - R-2 Single Family Residential (Medium Density)
 - R-3 Multi-Family Residential
 - R-4 High Density Multi-Family Residential
 - R-R Rural Residential

Note: Land use data in this map was provided by the City of Winters.

Land Use	Zone 1 (acre)		Zone 2 (acre)		Zone 3 (acre)		Zone 4 (acre)		Zone 5A (acre)		Zone 5B (acre)		Zone 6 (acre)	
	B Soil	*C* Soil	*B* Soil	*C* Soil	*B* Soil	*C* Soil	*B* Soil	*C* Soil	*B* Soil	*C* Soil	*B* Soil	*C* Soil	*B* Soil	*C* Soil
B-P													12.07	3.13
C-1		5.12				6.68				17.09			0.94	1.45
C-2														
C-3														
M-1						6.30		44.98						
M-2						24.56		17.31						
O-S		13.20	0.04	32.41		100.64		5.26		6.42			0.75	
POP	3.65	271.13	1.46	32.38		14.95								
P-R		8.67		14.22		53.83								
R-1		35.26		40.51		6.52				47.17				
R-2	0.08	12.95		16.61										
R-3				2.79		49.49								
R-4		7.13		4.12		10.45								
R-R	7.51	18.54												

PRELIMINARY

WOOD RODGERS

EXHIBIT A-2
DRAINAGE ZONES MAP

FIGURE 2