

Planning Commission Conditions of Approval
October 26, 2021)

Design Review (DR 2021-04) Homes by Towne new model homes - Phases IV and V of the Stone's Throw Subdivision (formerly Winters Highlands)

1. The project is described in the October 26, 2021, Planning Commission staff report. The project shall be constructed as depicted on the exhibits dated September 28, 2021, and included in the October 26, 2021, Planning Commission Staff report, except as modified by these conditions of approval. Substantive modifications require public hearing(s) and Planning Commission action.
2. The Design Review/Site Plan approval shall expire in one year (November 5, 2022) from its date of approval unless the applicant begins construction of the project or requests and receives an extension from the Community Development Department. The applicant shall bear all expenses for any extension request submitted to the Community Development Department.
3. Prior to recording of the final map for the Phases IV and V Homes by Town and/or Meritage Homes shall pay an in-lieu fee. Actual fee to be determined prior to recording,
4. Prior to issuance of a building permit the applicant shall comply with all relevant conditions of approval in the Development Agreement.
5. Prior to issuance of a building permit the applicant shall submit for approval by the Community Development Department the following:
 - a. Information provided to a potential homebuyer the availability of having a home built to comply with "Universal Design".
 - b. A map showing what house/model/elevation is proposed for each lot.
 - c. Add shutters to one window on the left elevation of the Plan 3 Spanish and Craftsman elevations and to the left and right elevations, including the right enhanced elevation, of the Plan 2 Spanish model.
 - d. Add shutters to the left, right and rear elevations, including the right enhanced elevation, of the Plan 3 Farmhouse and Traditional elevations.
 - e. Add windows to the top row of panels of the garage doors to allow in natural light. It is not clear in looking at the plans if this has been done.
 - f. Plan 3 Farmhouse and Traditional Plan, add outriggers shown on the front elevation lower floor double window to the to the triple window on the lower floor right elevation.
 - g. Provide a stone veneer on 6 of the 12 elevations. Veneer shall be added to Optional Bedroom #5 on the Plan 1, living room on Plan 2, and kitchen on Plan 3. Veneer shall wrap around the side to a point where it intersects the wall where the front door is located and to the corresponding side yard fence.

- h. Provide an all-weather sidewalk leading from the existing side through the streetside landscaping similar to what was done for the Aspire project.
6. Applicant shall submit for approval of the Community Development Department any off-site and on-site directional signage plan.
7. The applicant/owner shall pay all applicable impact fees and charges at the rate and amount in effect at the time such fees and charges become due and payable.
8. The applicant shall comply with requirements of all other agencies of jurisdiction.
9. 48-hours prior to commencement of construction activity, Applicant shall notify residents within 300 feet of the work.
10. Light standards and building attached fixtures need to be a decorative and of a superior design quality.
11. The 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.).
12. The applicant shall provide the City with proof of payment receipts for Winters Joint Unified School District mitigation and Yolo County facilities and services authorization fees at building permit issuance.
13. The applicant shall report to the City building materials diverted from land filling during the course of their project, pursuant to the provisions of City of Winters Ordinance No. 2002-03.
14. Final inspection for the buildings shall not be scheduled nor occupancy authorized until the public improvements (sewer laterals, sewer cleanouts, water laterals, water meters, driveway aprons, fire hydrants installation, etc.) have been installed, inspected, and accepted by the City.
15. The payment of City of Winters' monthly utility billing charges shall commence after the buildings have passed final inspection. The applicant shall pay the City of Winters monthly utility charges at the metered rate for water and sewer.
16. 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 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 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.