



City of Winters Planning Commission
Teleconference Meeting
Tuesday, March 22, 2022, 6:30 PM

AGENDA

*Community Development Department
Contact Phone Number (530) 794-6714
Email: kirk.skierski@cityofwinters.org*

*Chairperson: Gregory Contreras
Vice Chair: Lisa Baker
Commissioners: Ramon Altamirano,
Judith Arce
Nancy Northrup
Chris Rose
Jessica Smith*

*Kathleen S. Trepa, City Manager
Senior Planner, Kirk Skierski
Ellena Branson, Deputy City Clerk/ Executive Assistant*

PLEASE NOTE – The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Planning Commission Chair, Commissioners, or City staff. Public comment is limited to 3 minutes, and speakers will be asked to state their name and address.

Zoom Instructions

Join Zoom Meeting

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pwd=WktNZXZEdHNuQIVXYkFETTBoVUtXQT09](https://us02web.zoom.us/j/88184650967?pwd=WktNZXZEdHNuQIVXYkFETTBoVUtXQT09)

Meeting ID: 881 8465 0967
Passcode: 892134

1. Call to Order: City of Winters Planning Commission Meeting
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. PUBLIC COMMENTS

At this time, any member of the public may address the Planning Commission on matters, which are not listed on this agenda. Citizens should reserve their comments for matters listed on this agenda at the time the item is considered by the Planning Commission. An exception is made for members of the public for whom it would create a hardship to stay until their item is heard. Those individuals may address the item after the public has spoken on issues that are not listed on the agenda. Presentations may be limited to accommodate all speakers within the time available. Public comments may also be continued to later in the meeting should the time

allotted for public comment expire.

5. APPROVAL OF AGENDA

6. CONSENT CALENDAR

6.1 Minutes of the Regular Meeting of the Planning Commission Held October 26, 2021, 6:30pm Via ZOOM

[Minutes10_26_2021.docx](#)

6.2 Minutes of the Regular Meeting of the Planning Commission Held February 22, 2022, 6:30pm Via ZOOM

[22222022Minutes.docx](#)

7. PUBLIC HEARINGS

7.1 LDS Subdivision Inclusionary Housing Plan

[PCStaff Report_ LDS_Affordable_Housing_Plan](#)

[Att1_PC_Resolution_2022_02_LDS_Inclusionary_Housing_Plan](#)

[Att2_LDS_Inclusionary_Housing_Agreement](#)

[Att3_LDS_IHP](#)

[Att4_2019_1217CityCouncilPacket](#)

7.2 Winters Healthcare Backup Generator Design Review (DR-2022-01)

[PCStaff_Report_Winters_Healthcare_Design_Review](#)

[Att1_PC_Resolution_2022_03](#)

[Att2_Plan_Set](#)

[Att3_Project_Narrative](#)

8. MISCELLANEOUS

9. PRESENTATIONS

10. STAFF COMMENTS/INFORMATION ITEMS

11. COMMISSION COMMENTS/REPORTS

Under Government Code Section 54952.2, may include: (1) a brief announcement; (2) a question for clarification; (3) a brief report on his or her own activities; (4) request staff to report back to the body at a subsequent meeting concerning any matter, or (5) take action to direct staff to place a matter of business (or issue) on a future agenda.

12. ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the regular meeting of the Planning Commission was posted on the City of Winters website at www.cityofwinters.org and Commission Members were notified via e-mail of its' availability. A copy of the foregoing agenda was also posted on the outside public bulletin board at City Hall, 318 First Street , and made available to the public during normal business hours.

Kirk Skierski, Community Development Department Senior 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 including payment of the applicable Appeal fee, 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, comments are limited to three minutes.

REVIEW OF TAPE RECORDING OF MEETING: Planning Commission Meetings are recorded. Recordings are available for public review on the City of Winters website.

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 Regular Meeting of the Planning Commission
Held October 26, 2021, 6:30pm Via ZOOM

Chairman Gregory Contreras called the meeting to order at 6:35pm.

Roll Call

Present: Commission Members Contreras, Baker, Rose, Altamirano, Smith

Absent: Commission Members Arce, and Northrup

Staff: City Manager Kathleen Salguero Trepá
City Planner Kirk Skierski
Contract Planner Dave Dowswell
Assistant City Attorney Joanna Gin

Approval of Agenda:

Motion by Commission Member Altamirano, second by Commission Member Baker. The motion carried with the following roll call vote:

AYES: Commission Members Contreras, Baker, Rose, Altamirano, Smith

NOES: None

ABSENT: Commission Members Arce, and Northrup

ABSTAIN: None

PLEDGE OF ALLEGIANCE:

Led by Commission Member Altamirano.

PUBLIC COMMENTS:

Lisa Dennis – Brought attention to the flooding that occurred due to Meritage project. Asked what studies were done to remove the Highlands canal and the elevation and grade of the homes behind them. Noted homes sit six feet higher than the existing homes. Experienced back yard flooding by 9 a.m. in the morning. Knows will be a wall 6' and then a fence. Asked what happens if something floods above them, where will the water go. Would like the Planning Commission to investigate this, and would like to see the reports and studies, asked where they are published online.

Caroline Nicholson – Also located behind Meritage project, 1015 Roosevelt, next to Lisa. Echoed concerns of Lisa. Experienced pretty significant flooding and mess as a result. Noted that this is just the first storm. Same questions. Never had flooding before. Being at a low point, husband is in soil stabilization, for 30 years, never seen this before. Really taken above and not sure what the long-term plan is.

City Manager Trepa closed the public comment section and noted she will follow up with the speakers.

CONSENT CALENDAR

A. Minutes of the July 27, 2021, meeting of the Planning Commission (*hold over to November meeting*)

Motion by Commission Member Baker, second by Commission Member Altamirano. The motion carried with the following roll call vote:

AYES: Commission Members Contreras, Baker, Rose, Altamirano, Smith

NOES: None

ABSENT: Commission Members Arce, and Northrup

ABSTAIN: None

STAFF/COMMISSION REPORTS

None

PRESENTATIONS

DISCUSSION ITEMS

Commission Member Baker recused herself out of an abundance of item, - read JG language into the minutes.

A. Public Hearing and Consideration of an application by Homes by Towne for Site Plan/Design Review 2021-04 for new model homes for Phases IV and V (52 lots) of the Winters Highlands/Stones Throw Subdivision located northwest corner of the city, off the extension of Main Street.

Presentation by Dave Dowswell. Commented many of the elevations still need side and rear treatments, comments re: visibility, universal design. Some effort to do that, partly due to grade differentials not always able to be done. Need proper signage to prohibit parking in the alleys. Lastly, looking at other alley loaded homes, there is an extension of the front sidewalk through the parkway to access street side parking – will require that improvement – developer intends to provide.

Did update planned development permit – some reductions in planned setbacks, small not significant reductions. On side setbacks, typically don't allow reduction; however,

additional parking space in the back, the PC can decide to allow 5' because of the parking pad. Consistent with what was done with the Heartland project.

Public hearing opened at 7:04pm.

Kate Laddish – universal design, highlight that incorporating universal design allows for aging in place and being able to visit within the community. Request that staff track prospective buyers ask for universal design features and whether that method is working. Do all the options have bedrooms on the first floor? Please clarify. Do all have options on first floor that large enough and configured so that they can be used with the door closed. Are the hallways wide enough – can't see the dimensions. Do all of the elevations have steps into the house and to cross into the garage. Really important for accessibility so that someone doesn't have to ask to pick you up. Likewise – some have wooden fence right up to the house, not currently recommended – request commission to direct applicant to use wrought iron within 5' of house and covered eaves and fine gauge grates for roof vents, check vegetation. Last question – don't see the solar panels that are required under state law.

Public hearing closed at 7:09pm.

Chris Dickenson – applicant land development manager, introduced a couple others. Re: universal design check list – offer to every home buyer. Able to accommodate to complete universal design, is up to the purchaser. Is it presented along with other information?

Greg- Yes, presented with other information and options.

Dave – re: solar, it is the law.

Brett Deschamps – new building code, didn't have it on the exhibits, but every house will have rooftop per Title 24.

Chris – haven't set up a tracking methodology, would have to discuss with management.

Brett – have not received a single request for universal design.

Chris – these are homes on small lots so 2 story, but designed for large open circulating floor plans, with first floor bedrooms and bath. Will incorporate those walkways with no step.

Brett – re: fire, currently specifying wood fence that abuts the house, does meet the building code, Stones Throw not in WUI zone, changing will be a cost consideration. Vegetation – trying to be as xeriscape as possible, so cautious about what do include, no Eucs. Fiber cement sided homes. Attic grates / vents – not in WUI zone so no mandate for ember resistant eave grates.

COMMISSION/STAFF COMMENTS

Commission Member Smith – if homebuyer requested universal design, are those additional cost?

Chris – depends on feature selected. If nominal cost, no added cost, but if significant, yes would be additional cost.

Commission Member Contreras – was there a pre-approved design? Was this part intentionally left without designs?

Dave – suspected these were going to be sold, but don't know. Didn't previously approve anything that would fit, so had to bring forward now.

Chris – want to be in Winters, so held on to these.

Commission Member Contreras – are all of the DRC comments incorporated into the COAs?

Dave – all of the design /façade will be incorporated. Dave added the requirement that missed, stone veneer. That has been added since DRC. Some other items, such as universal design, have not been mandated but the developer is trying to incorporate options upon request, also trying to include flush entry so no step, if can.

Chris – missing shutters on side elevation a mistake and will definitely incorporate.

Dave – will need to include the amendments he mentioned during the presentation.

Commission Member Contreras – if commissioner were to move, PLUS the amendments noted during the presentation.

Chris – noticed going through setbacks, requested a rear set back variance. Did Dave miss one? Not more than 1' at the corners at the throats.

Joanna questioned – LM has an exhibit.

Dave – this is reasonable given the taper, which the city requested for large vehicles in the alley.

Commission Member Contreras – lots of moving parts to this motion.

Motion by Commission Member Contreras to approve the design site plan review for Phs 4& 5, also approve the rear setbacks as modified as presented in this meeting, attachment 3 as amended to approve those changes. Second by Commission Member Altamirano

The motion carried with the following roll call vote:

AYES: Commission Members Contreras, Rose, Altamirano, Smith

NOES: None

ABSENT: Commission Members Arce, and Northrup

ABSTAIN: None

RECUSE: Commission Member Baker

ADJOURNMENT

Meeting end time 7:31pm

Kathleen Salguero Tropa, City Manager



Minutes of the Regular Meeting of the Planning Commission
Held February 22, 2022, 6:30pm Via ZOOM

Chairman Gregory Contreras called the meeting to order at 6:30pm.

Roll Call

Present: Commission Members Altamirano, Arce, Vice Chair Baker, Chair Contreras

Absent: Commission Members Northrup, Rose, Smith

Staff: City Manager Trepá, Senior Planner Kirk Skierski, Executive Assistant/Deputy City Clerk Ellena Branson

Commissioner Northrup joined the meeting at 6:33pm

PLEDGE OF ALLEGIANCE:

Led by City Manager Trepá

PUBLIC COMMENTS:

Vice Chair Baker commented that the Winters Fruit Tree sale supporting Library will be hosted Saturday March 5, 2022 starting at 9am in Downtown Winters.

Chair Contreras closed public comment at 6:33pm

APPROVAL OF AGENDA:

Motion by Commission Member Commissioner Baker to approve the agenda as is, second by Commission Member Altamirano. The motion carried with the following roll call vote:

AYES: Commission Members Altamirano, Arce, Northrup, Vice Chair Baker, Chair Contreras

NOES: None

ABSENT: Commission Member Rose, Smith

ABSTAIN: None

PUBLIC HEARINGS:

Vice Chair Baker recused herself from the item out of abundance of caution, due to previous work on the City of Winters housing element.

Senior Planner Kirk Skierski provided overview of the item.

Chair Contreras opened public hearing at 6:40pm

Chair Contreras closed public hearing at 6:42pm.

Motion by Commission Member Northrup that the Planning Commission conduct a public hearing on the revised Housing Element Update and adopt Resolution 2022-01 to: 1. Recommend the City Council determine the proposed Housing Element amendments to the Implementation Programs section of the Housing Element's "Housing Plan" to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines; and 2. Recommend the City Council approve the revised Housing Element Update, which includes amendments to the Implementation Programs section of the Housing Element's "Housing Plan" as outlined in Resolution 2022-01. Second by Commission Member Arce. The motion carried with the following roll call vote:

AYES: Commission Members Altamirano, Arce, Northrup, Chair Contreras

NOES: None

ABSENT: Commission Member Rose, Smith

RECUSED: Vice Chair Baker

MISCELLANEOUS

None

PRESENTATIONS

None

STAFF COMMENTS/INFORMATION ITEMS

City Manager noted the Planning Commissioner training lead by the League of California Cities.

Senior Commissioner Kirk Skierski noted that the October 2021 Minutes and February 2022 minutes to be brought to the commission in the March 2022

COMMISSION COMMENTS/ REPORTS

None

ADJOURNMENT

Meeting end time 6:46pm

Ellena Branson

Deputy City Clerk/Executive Assistant



**Planning Commission
Staff Report**

To: Chair and Planning Commissioners
Date: March 22, 2022
From: Kirk Skierski, Senior Planner
Subject: LDS Subdivision Inclusionary Housing Plan

Recommendation:

That the Planning Commission conduct a public hearing on the LDS Subdivision Inclusionary Housing Plan and adopt Resolution 2022-02 thereby taking the following actions:

1. Recommend the City Council determine the proposed LDS Subdivision's Inclusionary Housing Plan to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines;
2. Recommend the City Council approve the LDS Subdivision's Inclusionary Housing Plan as amended and described in the LDS Subdivision Inclusionary Housing Plan Planning Commission staff report dated March 22, 2022, referenced hereto and incorporated herein; and
3. Recommend the City Council execute an Inclusionary Housing Agreement consistent with the LDS Subdivision's Inclusionary Housing Plan.

Background:

The LDS Subdivision project was initially processed and approved back in 2019. The LDS Subdivision project proposed to subdivide a 3.29-acre parcel into 18 single-family lots. The project also received approval for Planned Development overlay to the existing Single-Family Residential (R-1) zoning district to allow for reduced lot sizes and reduced setbacks. The LDS Subdivision property is located on the west end of Anderson Avenue and wraps around the existing LDS Church located at 435 Anderson Avenue. The LDS Subdivision property is located at APN 030-220-069.

The LDS Subdivision project was reviewed by the Design Review Committee (DRC) on October 3, 2019, considered by the Planning Commission on November 12, 2019, and approved by the City Council on December 17, 2019. The previous project review and approval did not include an Inclusionary Housing Plan. Winters Municipal Code Section 17.200.030.C (Inclusionary Housing Requirements) requires residential subdivision projects consisting of five or more residential units to receive approval for an

Inclusionary Housing Plan and execute an Inclusionary Housing Agreement. During the previous project review and approval, the City Council included Condition of Approval #22 and Condition of Approval #23, which required the following:

- Condition of Approval #22: 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.
- Condition of Approval #23: Prior to recordation of the Final Map, an Inclusionary Housing Agreement shall be prepared and executed by the applicants.

As required by the above conditions, the applicants prepared an Inclusionary Housing Plan. The Inclusionary Housing Plan was reviewed by the City's Affordable Housing Steering Committee (AHSC) on September 1, 2021. The last remaining items required for the LDS Subdivision project is:

- Approval of an Inclusionary Housing Plan and Council approval of an Inclusionary Housing Agreement; and
- City Council approval of the LDS Subdivision Final Map, which is anticipated to be brought forward in April or May of this year (2022).

The LDS Subdivision Inclusionary Housing Plan is currently under consideration by the Planning Commission.

Project Description

The LDS Subdivision Project was approved to subdivide a 3.29-acre parcel into 18 single-family lots. Winters Municipal Code Section 17.200.030 (Inclusionary Housing Requirements) requires residential subdivision projects consisting of five or more residential units within the City of Winters include inclusionary housing units equal to 15 percent of the total number of residential units in the development project, which would require 2.7 affordable units for the 18-unit subdivision.

The LDS Subdivision project Inclusionary Housing Plan proposes to construct one moderate-income restricted unit and pay an affordable housing in-lieu fee of \$82,000.00 for the remaining affordable units required by Winters Municipal Code Section 17.200.030 (Inclusionary Housing Requirements). Under the proposed Inclusionary Housing Plan, the applicant requests to pay two equal payments of \$41,000.00 for the \$82,000.00 affordable housing in-lieu fee. The applicant would pay \$41,000.00 upon recordation of the Final Map and would pay the remaining \$41,000.00 at issuance of Certificate of Occupancy (building permit final).

Affordable Housing Steering Committee

As previously identified, the LDS Subdivision's Inclusionary Housing Plan proposes to construct one moderate-income restricted unit and pay an affordable housing in-lieu fee of \$82,000.00 for the remaining affordable units. The City's Affordable Housing Steering Committee considered the LDS Subdivision's Inclusionary Housing Plan on September 1, 2021, and forwarded a recommendation of approval, as proposed, to the Planning

Commission.

Affordable Housing Requirements

Winters Municipal Code Section 17.200.040 (Inclusionary Housing Plan) requires Inclusionary Housing Plans to include the following:

1. A detailed description of the method by which the developer will comply with the requirements of this chapter.
2. The location of the inclusionary units within the development project, if applicable, the size of the inclusionary units, and any incentives requested by the developer in accordance with Section 17.200.060.
3. Where an alternative to constructing inclusionary units on-site is intended, the developer shall provide detailed information regarding the alternative selected for meeting the inclusionary housing requirement, including a written statement that the proposed parcel(s), site, or existing market rate units, if applicable, are available and capable of being dedicated to the city by the developer and that the affordable units shall be restricted as affordable housing, by way of contractual restrictions, recorded covenants or other legal mechanisms to assure that the units remain affordable housing units, as determined by the city.
4. A phasing plan that provides a schedule for the timely development of the inclusionary units as the development project is built out.
5. Any other information deemed necessary by the community development director.

It should be noted that Municipal Code Section 17.200.050.G (Payment of In-Lieu Fees) allows for residential subdivision projects to pay an affordable housing in-lieu fee instead of constructing affordable units to meet the inclusionary housing requirements. The applicant agrees to pay an \$82,000.00 affordable housing in-lieu fee, in line with affordable housing in-lieu fees that other residential subdivision projects have paid in the past.

Inclusionary Housing Agreement

Winter's Municipal Code Section 17.200.030.C requires Inclusionary Housing Plans to be implemented through an Inclusionary Housing Agreement, in which the residential subdivision developer and the City would enter into an Inclusionary Housing Agreement that requires compliance with the inclusionary housing plan, and that will be recorded upon the property. A draft of the LDS Subdivision's Inclusionary Housing Agreement consistent with the Inclusionary Housing Plan is attached to the staff report.

Planning Commission Review

The focus and scope of the Planning Commission review of the LDS Subdivision's Inclusionary Housing Plan is to ensure the Inclusionary Housing Plan meets the City's Affordable Housing Requirements as outlined in Municipal Code Chapter 17.200 and forward a recommendation to the City Council. The City Council is the final review authority for Inclusionary Housing Plans.

The Planning Commission is considering the Inclusionary Housing Plan's proposal to construct one moderate-income restricted unit and payment of an affordable housing in-lieu fee of \$82,000.00 for the remaining affordable units required for the 18-unit subdivision. In addition, staff is recommending the Planning Commission consider a revised Inclusionary Housing Plan that would require a one-time payment of \$82,000.00 for the affordable housing in-lieu fee prior to the issuance of the first building permit. Staff's revised Inclusionary Housing Plan proposal is included in the draft Inclusionary Housing Agreement attached to the staff report. In addition, staff is recommending the Inclusionary Housing Plan and associated Inclusionary Housing Agreement require the construction of the moderate-income restricted unit to be built during the first phase of residential construction.

Staff Recommended Modifications

Staff is recommending a modification to the LDS Subdivision Inclusionary Housing Plan proposal as it relates to the payment of the affordable housing in-lieu fee. Staff is recommending payment of the affordable housing in-lieu of \$82,000.00 be submitted as a one-time payment of \$82,000.00 prior to the issuance of the first building permit. Previous practice has been to allow multiple payments of in-lieu fees over the course of a development project's duration. However, multiple payments are difficult and burdensome for City staff to track and manage. In addition, staff is recommending submittal of the affordable housing in-lieu fee prior to the issuance of the first building permit due to uncertainty relating to the sale of residential units. In addition, it is common for local governments require payment of in-lieu fees prior to the issuance of any grading or building permit. Staff is also recommending the Inclusionary Housing Plan and associated Inclusionary Housing Agreement require the construction of the moderate-income restricted unit to be built during the first phase of residential construction.

Environment Analysis:

Staff is recommending that the proposed LDS Subdivision Inclusionary Housing Plan to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility of a significant effect on the environment from the approval of the Inclusionary Housing Plan, which would require the construction of one moderate-income restricted unit and the payment of an affordable housing in-lieu fee. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

The Planning Commission must consider the proposed CEQA exemption together with any comments received during the public review process. Further, the exemption can only be approved if the Planning Commission and City Council find, based on the whole record before it, that there is not substantial evidence that there are unusual circumstances (including future activities), which might reasonably result in the project having a significant effect on the environment.

Public Communication:

The public hearing notice was published in the *Winters Express* on March 9, 2022. An affected property owner notice was mailed to properties within 300 feet of the project

site on March 9, 2022. No public comments have been received at the time this staff report was published.

Staff Summary and Recommendation:

Staff is recommending that the Planning Commission conduct a public hearing on the LDS Subdivision Inclusionary Housing Plan and adopt Resolution 2022-02 to:

1. Recommend the City Council determine the proposed LDS Subdivision's Inclusionary Housing Plan to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines;
2. Recommend the City Council approve the LDS Subdivision's Inclusionary Housing Plan as described in the LDS Subdivision Inclusionary Housing Plan Planning Commission staff report dated March 22, 2022, referenced hereto and incorporated herein; and
3. Recommend the City Council to execute an Inclusionary Housing Agreement consistent with the LDS Subdivision's Inclusionary Housing Plan.

Alternatives:

None recommended by staff.

Attachments:

1. Resolution No. 2022-02
2. Draft Inclusionary Housing Agreement
3. LDS Subdivision Inclusionary Housing Plan dated August 3, 2021
4. LDS Subdivision Project City Council staff report package dated December 17, 2019

Planning Commission Resolution No. 2022 – 02

A Resolution of the Planning Commission of the City of Winters Recommending that the City Council Approve the LDS Subdivision Inclusionary Housing Plan

Whereas, the City received an application from Crowne Communities (Developer) and the Church of Latter-Day Saints (Property Owner) requesting that the City consider a Tentative Map to subdivide a 3.29-acre parcel into 18 single-family lots and rezone that certain property located north of Anderson Avenue and east of West Main Street in the City of Winters, known as APN 030-220-069 (the "LDS Subdivision") to a Planned Development ("PD") Overlay Zone that would implement certain PD Overlay Permit Regulations that would apply to such property ("Zoning Amendment"); and

Whereas, the Winters Planning Commission held a duly noticed public hearing on October 22, 2019 and November 12, 2019 to review and consider the proposed Tentative Map and Zoning Amendment; and

Whereas, on December 3, 2019 and December 17, 2019, the City Council conducted a duly noticed public hearing on the Tentative Map and Zoning Amendment, at which time all persons wishing to testify in connection with the Tentative Map and Zoning Amendment were heard and the Tentative Map and Zoning Amendment was comprehensively reviewed; and

Whereas, on December 17, 2019, the City Council determined the Tentative Map and Zoning Amendment met the required findings to approve the LDS Subdivision Tentative Map and Zoning Amendment; and

Whereas, on December 17, 2019, the City Council approved the LDS Subdivision Tentative Map and Zoning Amendment, and Conditions of Approval #22 and #23 required the LDS Subdivision project to obtain approval of an Inclusionary Housing Plan to be reviewed by the City's Affordable Housing Steering Committee, Planning Commission, and City Council; and

Whereas, Winters Municipal Code Section 17.200.030 requires residential subdivision projects consisting of five or more residential units within the City include inclusionary housing units equal to 15 percent of the total number of residential units in the project, which would require 2.7 affordable units for the 18-unit subdivision; and

Whereas, on December 21, 2020, the LDS Subdivision applicant submitted an Inclusionary Housing Plan, which proposed to construct one moderate-income restricted unit and pay an affordable housing in-lieu fee of \$82,000 for the remaining two affordable units, for City review and processing; and

Whereas, on September 1, 2021, the City’s Affordable Housing Steering Committee reviewed the LDS Subdivision’s Inclusionary Housing Plan and forwarded a recommendation of approval to the City’s Planning Commission; and

Whereas, a notice of public hearing for the LDS Subdivision’s Inclusionary Housing Plan was published in the *Winters Express* on March 9, 2022; and

Whereas, in accordance with Municipal Code Sections 17.200.040.D and 16.01.090.A, an affected property owners notice was mailed to adjacent property owners within 300 feet of the project location on March 9, 2022; and

Whereas, the City of Winters Planning Commission held a duly noticed public hearing on March 22, 2022, to consider the proposed LDS Subdivision’s Inclusionary Housing Plan; and

Whereas, the Planning Division presented its oral and written staff report on the proposed LDS Subdivision’s Inclusionary Housing Plan at a regular meeting of the Planning Commission on March 22, 2022; and

Whereas, the Planning Division recommended approval of the proposed LDS Subdivision’s Inclusionary Housing Plan subject to the revisions described in the LDS Subdivision Inclusionary Housing Plan Planning Commission staff report dated March 22, 2022, referenced hereto and incorporated herein, and the LDS Subdivision Inclusionary Housing Agreement within Attachment #2, referenced hereto and incorporated herein; and

Now, Therefore Be It Resolved that the Planning Commission of the City of Winters hereby takes the following actions:

1. Recommends the City Council determine the proposed LDS Subdivision’s Inclusionary Housing Plan be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines (the “common sense” exception) that CEQA only applies to projects with the potential to result in a significant impact on the environment, and it can be seen with certainty, based on evidence in the record, that there is no possibility of a significant effect on the environment from the approval of the Inclusionary Housing Plan, which would require the construction of one moderate-income restricted unit.
2. Recommends the City Council approve the LDS Subdivision’s Inclusionary Housing Plan as described in the LDS Subdivision Inclusionary Housing Plan Planning Commission staff report dated March 22, 2022, referenced hereto and incorporated herein; and
3. Makes the following findings:

- a. The foregoing recitals are true and correct.
 - b. The Inclusionary Housing Plan complies with Section 17.200.040 of the Winters Municipal Code and:
 - i. Includes a detailed description of the method by which Developer will comply with Chapter 17.200 (Affordable Housing Requirements) of the Winters Municipal Code.
 - ii. Winters Municipal Code Section 17.200.030 requires 15% of the 18-unit subdivision, or 2.7 units, be affordable, and such requirement shall be satisfied by the construction of one moderate-income restricted unit to be built during the first phase of residential construction and the payment of \$82,000 in lieu of constructing the remaining 2 units in accordance with Section 17.200.050.G (Payment of In-Lieu Fees).
 - iii. The in-lieu fee will offset the demand for affordable housing created by new residential development, be placed in the City's Affordable Housing Fund to be used only for the provision of affordable housing and/or affordable housing services within the City.
 - iv. Every new residential development creates a further demand for affordable housing to the extent that such development offers market-rate-only housing. The inclusionary housing requirements and the in-lieu fee are reasonably related to the mitigation of negative impacts upon the City's affordable housing supply.
4. Recommends the City Council execute an Inclusionary Housing Agreement consistent with the LDS Subdivision's Inclusionary Housing Plan.

Passed And Adopted by the Planning Commission of the City of Winters, on the 22nd day of March 2022 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Attest:

Gregory Contreras, Chairperson

Kathleen Salguero Trepa, Planning Secretary

**Planning Commission Resolution No. 2022 – 02
Attachment #2**

LDS Subdivision's Inclusionary Housing Agreement

(See attachment)

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of Winters
318 1st Street
Winters, CA 95694
Attn: City Clerk

To be recorded without fee.
(Gov. Code, §§ 6103 and 27383.)

(Space Above This Line For Recorder's Use Only)

INCLUSIONARY HOUSING AGREEMENT

THIS INCLUSIONARY HOUSING AGREEMENT (“Agreement”) is dated as of _____
_____, 20__, by and between the CITY OF WINTERS, a California municipal corporation
 (“City”), and Crowne Communities Shandalla LLC, a California limited liability company (“Developer”).
City and Developer are sometimes referred to in this Agreement, individually, as a “Party” and,
collectively, as the “Parties.”

RECITALS

A. The City Council (“City Council”) of the City of Winters (“City”) approved and adopted
an Affordable Housing Ordinance (“Ordinance”), which is codified in Chapter 17.200 of the City’s
Municipal Code.

B. Developer is fee owner of certain real property described as Parcel A, pursuant to a
Certificate of Compliance for Lot Line Adjustment No. LLA-2020-01, recorded December 4, 2020 as
Instrument No. 2020-0042070, Official Records, being a portion of real property situate in the City of
Winters, County of Yolo, State of California, being a portion of Section 21, Township 8 North, Range 1
West, Mount Diablo Base and Meridian, and being portions of Parcels 1 and 2, as shown on that Parcel
Map No. 4268, filed in Book 2000 of Maps at Page 34, Yolo County Records, Parcel 1 of Parcel Map No.
4268, in the City of Winters, County of Yolo, State of California, filed in the Office of the Recorder of the
County of Yolo, on June 12, 2000, in Book 2000 of Maps, pages 34 and 35, which is more specifically
described in Exhibit A attached to this Agreement and incorporated into this Agreement by this reference
 (“Property”).

C. Developer desires to, at Developer’s sole cost and expense, construct one moderate-
income restricted unit (referred to as a “Unit” or Project”) on the Property.

D. On December 17, 2019, the City Council approved Resolution No. 2019-48 approving
the LDS Subdivision Tentative Subdivision Map to subdivide a 3.29-acre parcel into 18 single-family lots
 (“City Approvals”) subject to certain conditions which require, among other things, that prior to issuance
of a building permit for the Project, the Developer must submit and the Community Development
Director must review an inclusionary housing plan (“Inclusionary Housing Plan”) pursuant to the
requirements of the Ordinance, and City and Developer shall enter into an Inclusionary Housing
Agreement as required by the Ordinance.

E. On December 21, 2020, the Community Development Director, acting on behalf of the
City, reviewed an inclusionary housing plan (“Inclusionary Housing Plan”), which was prepared by
Developer in accordance with the requirements of the Ordinance. The Inclusionary Housing Plan, which
is attached to this Agreement as Exhibit B and incorporated into this Agreement by this reference,
describes the manner in which the Developer shall comply with the requirements of the Ordinance and the

conditions placed on the City Approvals as amended by Article II Section 2.8 of this Inclusionary Housing Agreement.

F. This Agreement, when fully executed by City and Developer and recorded, is intended satisfy the requirement that Developer enter into an Inclusionary Housing Agreement, as set forth in the Ordinance and the conditions to the City Approvals.

NOW, THEREFORE, in consideration of the mutual promises set forth in this Agreement and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by City and Developer, the Parties agree as follows:

ARTICLE I
DEFINITIONS; PARTIES; REPRESENTATIONS AND WARRANTIES; EFFECTIVE DATE

1.1 Defined Terms. In addition to the usage of certain words, terms or phrases that are defined in the initial paragraph or Recitals of this Agreement, the following words, terms, and phrases are used in this Agreement, as follows, unless the particular context or usage of a word, term or phrase requires another interpretation:

1.1.1 Adjusted Household Income. The term “Adjusted Household Income” means the total annual income of each individual or household residing or treated as residing in the Inclusionary Unit as adjusted, based upon household size.

1.1.2 Affordable Housing Covenant. The term “Affordable Housing Covenant” means the Declaration of Resale Restrictions and Option to Purchase Agreement which the Eligible Purchaser must enter into with the City prior to the Delivery Date for each Inclusionary Unit, in the form attached hereto as Exhibit D.

1.1.3 Affordable Sales Price. The term “Affordable Sales Price” means the maximum price that can be charged for the Inclusionary Unit. The calculations of Affordable Sales Price for each Inclusionary Unit are shown in Exhibit F to this Agreement.

1.1.4 City Deed of Trust. The term “City Deed of Trust” means a deed of trust that secures Homeowner’s compliance with the terms and conditions of the Affordable Housing Covenant, in the form attached hereto as Exhibit E.

1.1.5 City Manager. The term “City Manager” means the City Manager of the City.

1.1.6 Community Development Director. The term “Community Development Director” means the Community Development Director of the City or designee.

1.1.7 Default. The term “Default” means the failure of a Party to perform any action or covenant required by this Agreement within the time period provided herein following notice and opportunity to cure, as set forth in Section 3.1 of this Agreement.

1.1.8 Delivery Date. The term “Delivery Date” means the date on which an Inclusionary Unit Escrow closes, and the Qualified Purchaser acquires a fee title interest in the completed Inclusionary Unit.

1.1.9 Effective Date. The term “Effective Date” shall have the meaning ascribed to the term in

Section 1.4.

1.1.10 Eligible Purchaser. The term “Eligible Purchaser” means each of the purchasers (i.e., all persons identified as having a property ownership interest vested in the Inclusionary Unit as of the close of the Inclusionary Unit Escrow) of an Inclusionary Unit that is subject to the Affordable Housing Covenant of Developer set forth in Section 2.2. At the close of the Inclusionary Unit Escrow, the Qualified Purchaser shall: (i) have an annual Adjusted Household Income which does not exceed the household income qualification limits of either a Very Low-Income Household, Low-Income Household, or a Moderate-Income Household, and (ii) pay no more than the Affordable Purchase Price for the Inclusionary Unit.

1.1.11 Exhibits. The term “Exhibits” shall have the meaning ascribed to the term in Section 1.6.

1.1.12 Inclusionary Housing Plan. The term “Inclusionary Housing Plan” has the meaning set forth in Recital E of this Agreement

1.1.13 Inclusionary Unit. The term “Inclusionary Unit” means the completed affordable owner-occupied housing Unit in the Project (including the land and landscape improvements thereon) as constructed and installed by Developer and made available for sale to an Eligible Purchaser in accordance with this Agreement. The location of each Inclusionary Unit in the Project is shown on Exhibit C to this Agreement.

1.1.14 Inclusionary Unit Escrow. The term “Inclusionary Unit Escrow” means the escrow transaction by and between Developer and each Eligible Purchaser, through which Developer shall transfer fee title in each completed Inclusionary Unit to an Eligible Purchaser.

1.1.15 Initial Eligible Purchaser. The term “Initial Eligible Purchaser” means the Eligible Purchaser that purchases the Affordable Unit directly from the Developer.

1.1.16 Yolo County Median Income. The term “Yolo County Median Income” is the median income in Yolo County, adjusted for household size, as calculated by the California Department of Housing and Community Development using non-aggregated census income data any applying trending factors for metropolitan statistical areas (MSA) throughout the country. The MSA for Winters is Yolo County.

1.1.17 Low-Income Household. The term “Low-Income Household” means a household whose income meets the standards defined in Title 25 of the California Code of Regulations Section 6932, and by Health and Safety Code section 50079.5. The maximum household income amount for Low Income Households shall be the amount published by the California Department of Housing and Community Development for a household of an appropriate size for the Inclusionary Unit and is set forth in Attachment I of the Regulations.

1.1.18 Market Value. The term “Market Value” means the fair market value of a Unit determined by an independent appraiser and subject to the approval of the Community Development Director, such approval not to be unreasonably withheld.

1.1.19 Market-Rate Unit. The term “Market-Rate Unit” means any Unit in the Project that is not restricted for ownership and occupancy by Eligible Purchasers.

1.1.20 Moderate-Income Household. The term “Moderate-Income Household” means a household whose income meets the standards defined in Title 25 of the California Code of Regulations

Section 6932, and by Health and Safety Code section 50093. The maximum household income amount for Moderate Income households shall be the amount published by the California Department of Housing and Community Development for a household of an appropriate size for the Inclusionary Unit and is set forth in Attachment I of the Regulations.

1.1.21 Owner. The term “Owner” means the fee title owner of the Inclusionary Unit. The term “Owner” includes the Developer and any person or entity acquiring fee title to the Affordable Unit, whether from the Developer or from another Owner.

1.1.22 Very Low-Income Household. The term “Very Low-Income Household” means a household whose income meets the standards defined in Title 25 of the California Code of Regulations Section 6932, and by Health and Safety Code section 50105. The maximum household income amount for Very Low-Income Households shall be the amount published by the California Department of Housing and Community Development for a household of an appropriate size for the Inclusionary Unit and is set forth in Attachment I of the Regulations.

1.2 Parties to Agreement.

1.2.1 City. City is a California municipal corporation. The mailing address of City, for the purposes of this Agreement, is City of Winters, 318 1st Street, Winters, California, 95694, Attention: City Manager.

1.2.2 Developer. Developer is a California limited liability company. The principal office and mailing address of Developer, for the purposes of this Agreement, is 319 Teegarden Avenue Yuba City, CA 95991. Attention: Kal Takhar.

1.3. Developer Representations and Warranties. The representations and warranties of Developer contained in this Section 1.3 shall be based upon the actual knowledge of Developer as of the Effective Date. All representations and warranties contained in this Section 1.3 are true and correct as of the Effective Date. Developer’s liability for misrepresentation or breach of warranty, representation, or covenant, wherever contained in this Agreement, shall survive the execution and delivery of this Agreement. Developer hereby makes the following representations, covenants and warranties and acknowledges that the execution of this Agreement by City has been made in material reliance by City on such covenants, representations, and warranties:

1.3.1 Developer is a California limited liability company lawfully entitled to do business in the State of California and the City. Developer has the legal right, power, and authority to enter into this Agreement and the instruments and documents referenced herein and to consummate the transaction contemplated hereby. The persons executing this Agreement and the instruments referenced herein on behalf of Developer hereby represent and warrant that such persons have the power, right and authority to bind Developer.

1.3.2 Developer has taken all requisite action and obtained all requisite consents in connection with entering into this Agreement and the instruments and documents referenced herein and the consummation of the transactions contemplated hereby, and no consent of any other party is required for Developer’s authorization to enter into this Agreement.

1.3.3 Neither the execution of this Agreement nor the consummation of the transactions contemplated hereby shall result in a breach of or constitute a default under any other agreement, document, instrument, or other obligation to which Developer is a party or by which Developer may be bound, or under any law, statute, ordinance, rule, governmental regulation or any writ, injunction, order or

decree of any court or governmental body applicable to Developer or to the Property.

1.3.4 This Agreement is, and all agreements, instruments, and documents to be executed by Developer pursuant to this Agreement shall be, duly executed by and are or shall be valid and legally binding upon Developer and enforceable in accordance with their respective terms.

1.4 Effective Date. This Agreement is dated _____, 202__ for reference purposes only. This Agreement shall not become effective until the date on which all of the following are true (“Effective Date”): (i) this Agreement is approved and executed by the appropriate authorities of Developer and delivered to City; and (ii) this Agreement is executed by the authorized representatives of City and delivered to Developer.

1.5 Incorporation of Recitals. The Recitals set forth above are true and correct and are incorporated into this Agreement in their entirety by this reference.

1.6 Exhibit List. The following is a list of the exhibits attached to this Agreement (“Exhibits”). Each of the Exhibits is incorporated by this reference into the text of this Agreement.

<u>Exhibit A</u>	Legal Description of Property
<u>Exhibit B</u>	Inclusionary Housing Plan
<u>Exhibit C</u>	Site Map Depicting Location of Inclusionary Units
<u>Exhibit D</u>	Affordable Housing Covenant
<u>Exhibit E</u>	City Deed of Trust
<u>Exhibit F</u>	Calculations of Affordable Purchase Price

ARTICLE II AFFORDABLE HOUSING COVENANT

2.1 Developer Compliance with the Inclusionary Housing Ordinance. Developer acknowledges that the City has provided the Developer with copies of the Ordinance and Inclusionary Housing Plan. Developer is familiar with the requirements of all of the foregoing documents and shall ensure that the Project complies with this Agreement and the requirements set forth in all of the foregoing documents.

2.2 Affordable Housing Covenant. Developer covenants and agrees that one moderate-income restricted Unit to be developed on the Property shall be Inclusionary Units that are reserved for sale at the Affordable Purchase Price and occupied by Eligible Purchasers whose Adjusted Household Income at the time of initial occupancy of each Unit does not exceed the household income qualification limits of a Moderate-Income Household. This covenant and agreement shall be binding on the successors and assigns of Developer, as set forth herein and in the Affordable Housing Covenant and City Deed of Trust attached hereto as Exhibit D and Exhibit E, respectively.

2.2.1 Location of Inclusionary Units. The Inclusionary Units to be developed on the Property shall be located within the Project as depicted on Exhibit C. Developer may change the location of any Inclusionary Unit to another area within the Project upon approval of the Community Development Director. Changes in the location of Inclusionary Units as approved on the Tentative Subdivision Map in which the Project is included shall be made consistent with all requirements of the Ordinance and shall be subject to the approval of the Community Development Director, such approval not to be unreasonably withheld.

2.2.2 Size and Appearance of Inclusionary Units. The Inclusionary Units to be developed on the Property shall be proportional, in number of bedrooms, to the Market Rate Units. The Inclusionary Units shall, at a minimum, be identical with the base-plan in terms of design, appearance, materials, finished quality and interior amenities, as the Market Rate Units. The Inclusionary Units shall be visually indistinguishable from the Market-Rate Units within the Project, except that if multiple floor plans with the same number of bedrooms are proposed, the Inclusionary Units may be the units with the smaller floor plans, and the Inclusionary Units may have non-garage parking or garages smaller than the Market Rate Units.

2.2.3 Schedule for Construction of the Inclusionary Units. The Inclusionary Units to be developed on the Property shall be constructed concurrently with, or prior to, the Market-Rate Units in the Project. If the Project is phased, the Inclusionary Units shall be constructed in the first phase of residential construction. If the Project is phased, a Phasing Plan shall be submitted and included as an exhibit to the Inclusionary Housing Plan; provided, however, that if the Developer determines to change the timing and/or phasing of the construction of the Project, the City agrees to amend said schedule in a manner consistent with such change, so long as the schedule, as revised, continues to ensure that the Inclusionary Units will be constructed concurrently with, or prior to, the Market-Rate Units.

2.2.4 Affirmative Marketing of Inclusionary Units. Developer shall affirmatively market the Inclusionary Units to Very Low-Income, Low-Income, and Moderate-Income Households, as applicable. Developer's affirmative marketing efforts for any such Inclusionary Units shall include, but not be limited to undertaking affirmative marketing efforts at major employers within the City and to prominently advertise the Inclusionary Units in local newspapers.

2.3 Initial Sale of Inclusionary Units. Each of the Inclusionary Units shall be sold to a Very Low-Income Household, Low Income Household, or a Moderate-Income Household, as applicable, as set forth in the Affordable Housing Plan and as amended by Article II Section 2.8 of this Inclusionary Housing Agreement. The purchaser of each Inclusionary Unit shall qualify as an Eligible Purchaser.

2.4 Selection of Eligible Purchaser. Developer shall, at its sole cost and expense, conduct all procedures and comply with all requirements as set forth in the Ordinance in selecting the Eligible Purchasers for each of the Inclusionary Units. Developer shall seek and obtain all approvals required from City and shall provide the City with all documentation required.

2.5 Execution of Affordable Housing Covenant and City Deed of Trust. Developer shall not sell an Inclusionary Unit unless and until the City has reviewed and approved the Eligible Purchaser for purchase of the Inclusionary Unit, and the Eligible Purchase has executed and submitted to the Community Development Director, in recordable form, the Affordable Housing Covenant and the City Deed of Trust in the form attached hereto as Exhibits E and F, respectively.

2.6 Enforcement of Affordable Housing Covenant. Developer irrevocably stipulates and agrees that breach of the Affordable Housing Covenant set forth in Section 2.2 will result in great and irreparable damage to City and will result in damages to City which are either impracticable or extremely difficult to quantify. Accordingly, upon the breach of the covenant set forth in Section 2.2 City may institute an action for injunctive relief and/or for damages attributable to such breach.

2.7 Recordation of Affordable Housing Covenant and City Deed of Trust. Prior to the close of each Inclusionary Unit Escrow (i.e., prior to the Delivery Date), each Eligible Purchaser shall sign, and City shall cause to be recorded the Affordable Housing Covenant and City Deed of Trust.

2.8 In-Lieu Fee. In lieu of providing the fractional Inclusionary Unit specified in the Inclusionary Housing Plan, the Developer shall pay to the City the sum of eighty-two thousand dollars (\$82,000.00) prior to obtaining the first building permit related to the Project.

ARTICLE III DEFAULTS AND REMEDIES

3.1 Default. If either Party defaults with regard to any provision of this Agreement, the non-defaulting Party shall serve written notice of such default upon the defaulting Party. If the defaulting Party does not cure such default within thirty (30) calendar days after service of the notice of default (or, if such cure reasonably takes longer than thirty (30) days, if such cure has not been commenced within a reasonable time), after the service of written notice of such default, the defaulting Party shall be in “Default” of the terms of this Agreement and shall be liable to the other Party for damages caused by such Default. Alternatively, the non-defaulting Party, at its option, may institute an action for specific performance of the terms of this Agreement.

3.2 Legal Actions.

3.2.1 In addition to any other rights or remedies, either Party may institute legal action to cure, correct or remedy any Default, to recover damages for any Default, or to obtain any other remedy consistent with the purposes of this Agreement. Further, in the event that Developer sells or rents any of the Inclusionary Units in violation of this Agreement, Developer shall forfeit, and the City shall have the right to recover all monetary amounts obtained by Developer through the sale or rental of the Inclusionary Units as restitution. Developer acknowledges and agrees that it shall be unjustly enriched by such sale or rental at the expense of City, which has imposed restrictions on the Inclusionary Units to ensure the availability of such Units to Very Low-, Low-, and Moderate-Income Households. All such restitution recovered by City from Developer shall be placed in the Affordable Housing Fund of the City.

3.2.1.1 The laws of the State of California shall govern the interpretation and enforcement of this Agreement.

3.2.1.2 In the event that any legal action is commenced by Developer against City, service of process on City shall be made by personal service upon the City Manager of City, or in such other manner as may be provided by law.

3.2.1.3 In the event that any legal action is commenced by City against Developer, service of process on Developer shall be made by personal service on the Executive Director or the Chairman of the Board (or such other agent for service of process and at such address as may be specified in written notice to City), or in such other manner as may be provided by law and shall be valid whether made within or without the State of California.

3.3 Rights and Remedies are Cumulative. The rights and remedies of the Parties are cumulative and the exercise by either Party of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same Default or any other Default by the other Party.

ARTICLE IV

GENERAL PROVISIONS

4.1 Notices, Demands and Communications Between the Parties. Any and all notices, demands or communications submitted by any Party to another Party pursuant to or as required by this Agreement shall be proper if in writing and dispatched by messenger for immediate personal delivery, or by registered or certified United States mail, postage prepaid, return receipt requested, to the address of City and Developer, as applicable, as designated in Section 1.2. Such written notices, demands and communications may be sent in the same manner to such other addresses as either Party may from time to time designate as provided in this Section. Any such notice, demand or communication shall be deemed to be received by the addressee, regardless of whether or when any return receipt is received by the sender or the date set forth on such return receipt, on the day that it is personally delivered, if dispatched by messenger, or two (2) calendar days after it is placed in the United States mail as heretofore provided. In addition to the submission of notices, demands or communications to the Parties via United States Mail, copies of all notices shall also be delivered by email to the email addresses designated in Section 1.2.

4.2 Conflict of Interest. No Council member, official, contractor, consultant, attorney, or employee of City having any conflict of interest, direct or indirect, related to this Agreement, or in the development of the Property, shall participate in any decision relating to the Agreement. The Parties represent and warrant that they do not have knowledge of any such conflict of interest.

4.3 Non-liability of City or City Officials and Employees. No Council member, official, contractor, consultant, attorney, or employee of City shall be personally liable to Developer, any voluntary or involuntary successors or assignees, or any lender or other party holding an interest in the Property, in the event of any default or breach by City, or for any amount which may become due to Developer or to its successors or assignees, or on any obligations arising under this Agreement.

4.4 Indemnification. Developer agrees to indemnify and hold the City, and their officers, employees, and agents, harmless from and against all damages, judgments, costs, expenses, and fees arising from or related to any act or omission of Developer in performing its obligations hereunder. City agrees to indemnify and hold Developer and its officers, employees, and agents, harmless from and against all damages, judgments, costs, expenses, and fees arising from or related to any act or omission of City in performing its obligations hereunder.

4.5 No Waiver. Failure to insist on any one occasion upon strict compliance with any of the terms, covenants or conditions hereof shall not be deemed a waiver of such term, covenant, or condition, nor shall any waiver or relinquishment of any rights or powers hereunder at any one time or more times be deemed a waiver or relinquishment of such other right or power at any other time or times.

4.6 Attorneys' Fees. If either Party hereto files any action or brings any action or proceeding against the other arising out of this Agreement, the prevailing Party shall be entitled to recover as an element of its costs of suit, and not as damages, its reasonable attorneys' fees as fixed by the court in such action or proceeding or in a separate action or proceeding brought to recover such attorneys' fees. For the purposes hereof the words "reasonable attorneys' fees" mean and include, in the case of City, salaries and expenses of the lawyers employed by City (allocated on an hourly basis) who may provide legal services to City in connection with the representation of City in any such matter.

4.7 Jurisdiction and Venue. Any legal action or proceeding concerning this Agreement shall be filed and prosecuted in the appropriate State of California court in Yolo County, California. Each Party hereto irrevocably consents to the personal jurisdiction of that court. City and Developer each hereby expressly waive the benefit of any provision of federal or state law or judicial decision providing for the filing, removal, or change of venue to any other court or jurisdiction, including, without implied limitation,

federal district court, due to any diversity of citizenship between City and Developer, due to the fact that either the City is a party to such action or proceeding or due to the fact that a federal question or federal right is involved or alleged to be involved. Without limiting the generality of the foregoing, Developer and City specifically waive any rights provided to it pursuant to California Code of Civil Procedure Section 394. Developer acknowledges that the provisions of this Section 4.7 are material consideration to City for its entry into this Agreement, in that City will avoid the potential cost, expense and inconvenience of litigating in a distant forum.

4.8 Inspection of Books and Records. City shall have the right at all reasonable times at City's cost and expense to inspect the books and records of Developer pertaining to the Property, as necessary for City, in its reasonable discretion, to enforce its rights under this Agreement. Matters discovered by City shall not be disclosed to third parties unless required by law or unless otherwise resulting from or related to the pursuit of any remedies or the assertion of any rights of City hereunder.

4.9 Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the Parties hereto and their respective heirs, executors, administrators, legal representatives, successors, and assigns.

4.10 No Third Party Beneficiaries. The performance of City's and Developer's respective obligations under this Agreement are not intended to benefit any party other than City or Developer, except as expressly provided otherwise herein. No person or entity not a signatory to this Agreement shall have any rights or causes of action against any Party to this Agreement as a result of that Party's performance or non-performance under this Agreement, except as expressly provided otherwise herein.

4.11 Entire Agreement. This Agreement integrates all of the terms and conditions mentioned herein or incidental hereto and supersedes all negotiations or previous agreements between the Parties with respect to all or any portion of the Property and the development thereof.

4.12 Recordation. Developer and City agree to permit recordation of this Agreement or a memorandum of this Agreement against the Property in the Office of the County Recorder of Yolo County, California.

4.13 Termination. This Agreement shall be effective until all of the Inclusionary Units have been constructed and sold by the Developer to Eligible Purchasers and the Affordable Housing Covenant and City Deed of Trust in the form attached hereto as Exhibit E and Exhibit F, respectively, has been recorded against each Inclusionary Unit. Upon satisfaction of these requirements, Developer shall have no further obligations under this Agreement. Notwithstanding the foregoing, the provisions of Section 4.4 shall survive the termination of this Agreement.

IN WITNESS WHEREOF, the Parties hereto have duly executed this Agreement as of the dates set forth below.

[Signatures on Following Pages]

SIGNATURE PAGE
TO
INCLUSIONARY HOUSING AGREEMENT

CITY:

CITY OF WINTERS
a California municipal corporation

By: _____
Kathleen Salguero Trepá, City Manager

Date: _____

APPROVED AS TO LEGAL FORM:

By: _____
Ethan Walsh, City Attorney

SIGNATURE PAGE
TO
INCLUSIONARY HOUSING AGREEMENT

DEVELOPER:

a _____

By: _____

Its: _____

Date: _____

By: _____

Its: _____

Date: _____

Exhibit A
Legal Description of Property

Exhibit B
Inclusionary Housing Plan

Exhibit C

Site Map Depicting Location of Inclusionary Units

Exhibit D
Affordable Housing Covenant

Exhibit E
City Deed of Trust

Exhibit F
Calculations of Affordable Purchase Price



August 3, 2021

SENT VIA EMAIL TO daniel.maguire@cityofwinters.org

To: Dan Maguire

From: Kal S. Takhar

Re: LDS property approved tentative map 18 lots REVISED LETTER

After reviewing information from our meeting last year, please accept this as our submittal to the steering committee for consideration and approval for the affordable housing component.

During our meeting we discussed the requirement that a total of 3 affordable units shall apply to this 18-lot project, one each for very low-, low- and moderate-income homebuyers, respectively.

As suggested, we can construct one of the homes and sell to a qualified moderate-income household and meet all requirements of the City of Winters Inclusionary Housing Ordinance. This home will remain affordable for a minimum period of 10 years. The other two affordable units we propose to pay an in-lieu fee to satisfy the low and very low component of Winters Municipal Code Section 17.200. We will pay a fee equal to \$41,000 x 2 units or a total fee of \$82,000 Dollars to be divided over all 18 units at a rate of \$4,555.55 per unit.

We propose paying this fee in two equal payments: 50% payable upon recordation of the final map equal to the number of lots included within the map and the remaining 50% payable at issuance of certificate of Occupancy by the city of Winters..

I look forward to discussing with you and the Affordable Housing Steering Committee as needed for the LDS property. Let me know if you have any questions or comments. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "KST", is written over a light blue horizontal line.

Kal S. Takhar

President

Crowne Development, Inc.

www.crownecommunities.com

kal@crownecommunities.com

(530)870-3172



December 21, 2020

SENT VIA EMAIL TO daniel.maguire@cityofwinters.org

To: Dan Maguire

From: Kal S. Takhar

Re: LDS property approved tentative map 18 lots

After reviewing information from our meeting last year, please accept this as our submittal to the steering committee for consideration and approval for the affordable housing component.

During our meeting we discussed the requirement that a total of 3 affordable units shall apply to this 18-lot project, one each for very low-, low- and moderate-income homebuyers, respectively.

As suggested, we can construct one of the homes and sell to a qualified moderate-income household and meet all requirements of the City of Winters Inclusionary Housing Ordinance. This home will remain affordable for a minimum period of 10 years. The other two affordable units we propose to pay an in-lieu fee to satisfy the low and very low component of Winters Municipal Code Section 17.200. We will pay a fee equal to \$41,000 x 2 units or a total fee of \$82,000 Dollars to be divided over all 18 units at a rate of \$4,555.55 per unit.

We propose paying this fee in two equal payments: 50% payable upon recordation of the final map equal to the number of lots included within the map and the remaining 50% payable at Close of Escrow to the home buying public through sales proceeds.

I look forward to discussing with you and the Affordable Housing Steering Committee as needed for the LDS property. Let me know if you have any questions or comments. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "KST", is written over a light blue horizontal line.

Kal S. Takhar

President

Crowne Development, Inc.

www.crownecommunities.com

kal@crownecommunities.com

(530)870-3172



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE: December 17, 2019
FROM: David Dowswell, Contract Planner, Community Development Department 
THROUGH: John W. Donlevy, Jr., City Manager 
SUBJECT: LDS Subdivision – Public Hearing for consideration by the Winters City Council of the proposed Tentative Map for the eighteen (18) lot LDS Subdivision and Planned Development Overlay Zone

This item was continued from the December 3, 2019 City Council meeting. At that meeting the Council declined approved the proposed Tentative Subdivision Map. The item was continued so that City staff could prepare a resolution denying the application for the Tentative Subdivision Map with appropriate findings, in the event that the City Council decides to deny the map application. The resolution denying the Tentative Subdivision Map application is included with this staff report. This updated staff report also addresses issues that were raised by Council at the December 3, 2019 Council meeting related to fire access and parking.

RECOMMENDATION:

That the City Council:

- 1) Receive the Staff Report on a proposed Tentative Subdivision Map and adoption of a Planned Development Overlay Zone, and
- 2) Conduct the Public Hearing to consider comments on the Tentative Subdivision Map and Zoning Map Amendment, and
- 3) Find per Section 15332, Class 32 of the CEQA Guidelines that the proposed LDS Tentative Map is categorically exempt from CEQA because it meets the criteria for an in-fill development; and

- 4) Adopt Resolution 2019-48 approving the 18-lot tentative map for the property commonly known as the LDS Subdivision, and
- 5) Introduce and waive first reading of Ordinance 2019-05 adding a Planned Development Overlay Zoning to the existing Single-Family Residential (R-1) Zoning permitting certain modifications to the R-1 Zoning standards.

PROJECT DESCRIPTION:

The Applicant Crowne Communities, on behalf of the Church of Christ Latter Day Saints (LDS) (the current owner of the subject property), are requesting approval to subdivide a 3.29-acre parcel into eighteen (18) single-family lots. The tentative map (Attachment A) includes an emergency vehicle access (EVA) easement through the LDS Church parking lot. The property is located on the west end of Anderson Avenue and wraps around the existing LDS Church located at 435 Anderson Avenue. The applicants are requesting that zoning for the property be amended 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 and have reduced front, side and rear yard setbacks (Attachment B). Other than these modifications that would be permitted in this Overlay Zone, the 18 lots would be consistent with the R-1 zoning for this site.

BACKGROUND:

On October 3, 2019 the Design Review Committee (DRC) met to review the proposed tentative map. At the meeting, Crowne Communities (applicants) presented preliminary floor plans and elevations for homes ranging in size from 1,457 to 1,844 square feet. They indicated the homes would be simpler in design 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 homes 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 due to the unusual shape of the property.

On November 12, 2019 the planning commission considered the proposed tentative map, planned development (PD) zoning overlay and the site plan/design review. At the meeting there was considerable discussion about the emergency vehicle access (EVA) through the LDS Church parking lot and with the design of the model homes. At the conclusion of the hearing the planning commission voted to recommend the city council approve the tentative map and add the PD overlay zoning to allow for the lots less than the required minimum size with reduced rear, front and side yard setbacks. The planning commission continued the site plan/design review approval until the December 10 meeting.

On December 3, 2019 the City Council considered the proposed tentative map and PD overlay zoning request. At the hearing the discussion focused on the fire access through the subdivision, especially where the street makes a 90 degree turn onto the court, and the emergency vehicle access through the church connecting to the subdivision. Council expressed concern as to whether the fire access was adequate for fire trucks to

maneuver. Drainage was also a concern. The Council voted to approve the tentative subdivision map, but that vote failed by a 2-3 vote. At the conclusion of the hearing the Council continued the public hearing until their December 17, 2019 meeting.

On December 10, 2019 the Planning Commission held the continued public hearing on the applicants site plan/design review application and considered revised drawings for the proposed model homes. At the conclusion of the hearing the Commission approved the revised elevations subject to the applicants meeting the conditions of approval.

Since the December 3, 2019 City Council meeting, City staff (fire chief, fire marshal, city engineer and contract planner) met to discuss the fire access. At the meeting staff agreed the proposed street design with a modified knuckle where the street makes a 90 degree turn onto the court was wide enough for a fire truck to maneuver with the condition that on Lot 15 (corner lot) "no parking" would be allowed from the driveway around the corner to just before Lot 16. A condition has been added to require this change (#24 highlighted in red). Staff agreed the emergency access route through the church parking lot was acceptable.

DISCUSSION:

The applicants believe the proposed subdivision with 18 lots, subject to obtaining approval for a PD Overlay Zoning and site plan/design review, 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 access 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 abutting the cul-de-sac will need to be blocked off with removable bollards to prohibit vehicle access. The portion of the EVA abutting the Church parking could be fenced off with a gate. However, the conditions of approval require if a gate is installed the Developer must establish a homeowners' association that will be responsible for maintenance and repair of the gate in perpetuity. The applicants will need to work with the Fire Department in designing a gate that will provide the necessary access. The design of the gate will also need to be approved by staff, and an agreement will have to be in place pursuant to which the homeowners' association agrees to maintain and repair the gate as needed. Staff recommends on the side of the EVA abutting Lot 18 a six-foot solid wood fence be installed beginning 10 feet from the back edge of the sidewalk and connecting to the rear yard fence. On Lot 14 a three-foot solid wood fence should be installed beginning at the back of the sidewalk and connecting to the school's chain link fence.

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. Staff noted when inspecting the project site there is a chain-link fence along the western edge of the church's property where the sidewalk is proposed to be eliminated. The chain-link fence will need removed from the church's property in this area or moved so it is 4 feet from the face of curb so persons parking on the street will be able to open the doors and exit their cars.

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

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> Their request is mainly due to the irregular shape of the property and to achieve their objective of providing smaller and more affordable homes. The applicants are also requesting a reduction to the side, rear and front 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 of the 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 for each of the homes to as little as 12 feet (Lot 18). On most of the lots the rear yard setback would either 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. Section 17.56.030C4 allows patio covers to be located within 10 feet of the rear lot line. The applicants submitted plot plans showing a typical patio cover in which they are requesting a minimum of a five (5) foot rear yard setback (Attachment C). For the Plan 1 lots that will be located on the court they show a 400 square foot patio cover with a ten (10) foot rear yard setback. Staff believes allowing as little as a five (5) foot setback for trellis or patio cover is acceptable as these homes, except for those on Lots 1 through 7, back up to schools which will not be adversely affected or to the LDS Church drainage

ditch/parking lot. Staff recommends on lots with Plan 1 or 2 homes located on the court the minimum rear yard setback for a patio cover should not be less than 10 feet.

As noted above, City staff has prepared an alternative resolution, denying the application for the 18-lot tentative subdivision map and making the appropriate findings. In the event that the City Council desires to deny the application for the tentative subdivision map, it should adopt the resolution attached as Exhibit G.

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 11/20/19 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 11/27/19.

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:

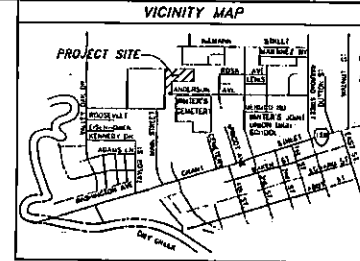
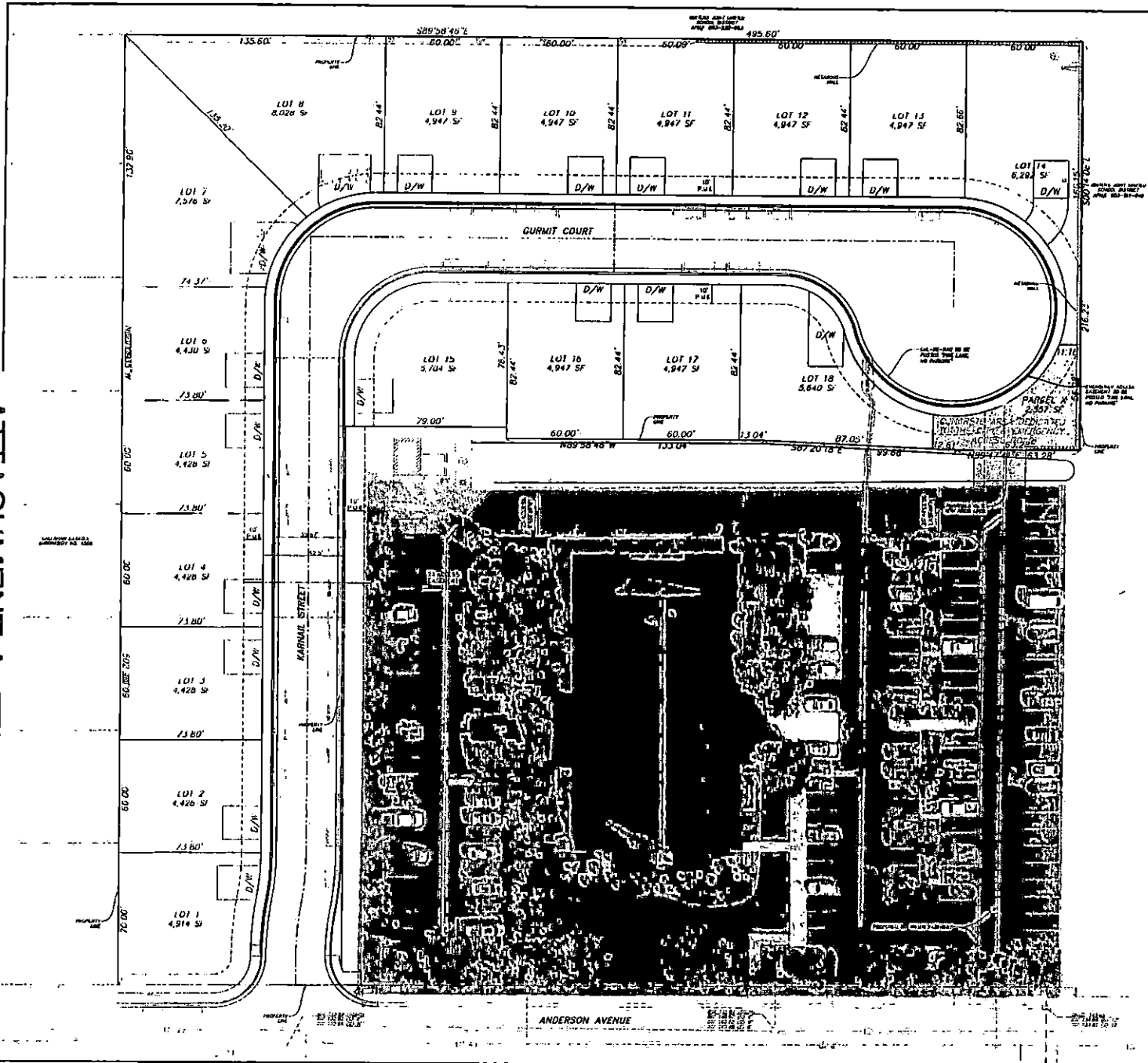
- (a) The proposed subdivision with 18 lots is consistent with the general plan designation of Low Density Residential (LR), which allows up to 24 lots, and is consistent with all applicable general plan policies as well as with the Single-Family Residential (R-1) zoning.
- (b) The proposed development occurs within the city limits on a project site of 3.17 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.

RECOMMENDED CITY COUNCIL ACTIONS

1. Find per Section 15332, Class 32 of the CEQA Guidelines that the proposed tentative map for the 18-lot LDS Subdivision is categorically exempt from CEQA because it meets the criteria for an in-fill development.
2. Adopt a resolution (Attachment E) approving the tentative map for the 18-lot LDS Subdivision subject to the Conditions of Approval (Attachment D).
3. Adopt an ordinance (Attachment F) amending the official Zoning Map of the city of Winters by adding Planned Development (PD) Overlay Zoning to the existing Single-Family Residential (R-1) Zoning to APN 030-220-034 and approving the Planned Development Permit.

ATTACHMENTS:

- A. Tentative map
- A.1 Tentative Map showing "No Parking" area for Lot 15
- B. Proposed R-1 Zoning standards modifications for lot sizes and setbacks for the homes
- C. Proposed R-1 Zoning standards modifications for the patio covers
- D. Conditions of approval
- E. City Council Resolution 2019-48 approving the 18-lot tentative map
- F. City Council Ordinance 2019-05 amending the official zoning map by adding a Planned Development Overlay Zone to the existing R-1 Zoning and approving the planned development permit
- G. City Council Resolution 2019-~~XX~~XX denying the 18-lot tentative map



NOTES:

COMP. OF THE FOREGOING DESIGN FOR THE COUNCIL OF PLANNING DESIGN FOR THE 415 ALBERSON AVE. WINTER, CA 95691

APPLICANT: M&J LANDMARK INVESTMENTS ANHWA 1635 GATEWAY CENTER DRIVE WINTER, CA 95691 PHONE: (916) 870-3112

LANDMARK/OWNER: LANDMARK AND MEIKLE ONE COURTESY ROAD COURT 28411 WINTER, CA 95691 PHONE: (916) 842-1733

MLS ADDRESS: 4151 ALBERSON AVENUE WINTER, CA 95691

PROPOSED USE: 18 - SINGLE FAMILY LOTS (18-1)

EXISTING ZONING: R-1

PROPOSED ZONING: R-1

CITY OF WINTER: CITY OF WINTER

ENGINEER: CITY OF WINTER

ARCHITECT: CITY OF WINTER

GAS & ELECTRIC SERVICE: PACIFIC GAS & ELECTRIC

TELEPHONE SERVICE: AT&T

PLUMBING: P (PHONE NUMBER 0811200030)

APR: 030-800-011-000

Lot	Sq. Ft.	Width
1	4,914	72.10'
2	4,426	63.00'
3	4,426	63.00'
4	4,426	63.00'
5	4,426	63.00'
6	4,430	63.00'
7	7,576	63.00'
8	8,026	63.00'
9	4,947	63.00'
10	4,947	63.00'
11	4,947	63.00'
12	4,947	63.00'
13	4,947	63.00'
14	8,292	72.50'
15	5,704	74.30'
16	4,947	63.00'
17	4,947	63.00'
18	5,640	63.00'
19	5,640	63.00'

NOTES: * CORNER LOTS WIDTH TAKEN FROM 30' SETBACKS

TOTAL RESIDENTIAL LOTS	18
AVERAGE LOT AREA (SQ. FT.)	4,971
PROPOSED DENSITY	23.9%
TOTAL AREA	23.9%
RESIDENTIAL DENSITY	67 UNITS/AC

CITY OF WINTER RESIDENTIAL DENSITY RANGES	RESIDENTIAL DENSITY RANGE
LOW DENSITY RESIDENTIAL	5.1 to 7.3 units/acre
MEDIUM DENSITY RESIDENTIAL	8.4 to 14.8 units/acre
MEDIUM HIGH DENSITY RESIDENTIAL	15.1 to 20.8 units/acre
HIGH DENSITY RESIDENTIAL	21.1 to 25.8 units/acre

DATE: 10-04-2018
SCALE: 1"=20'

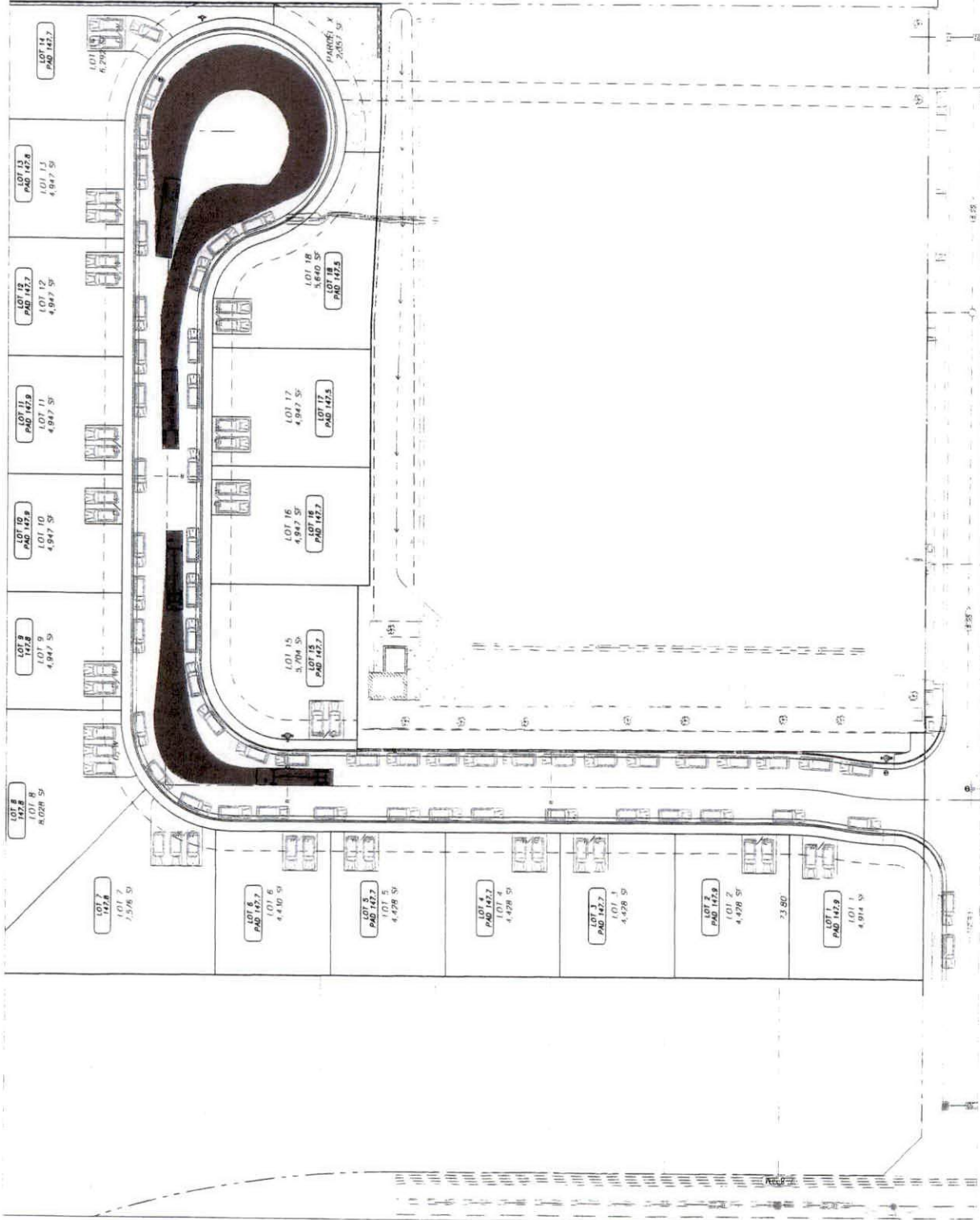
TM-1

SHEET 1 OF 4

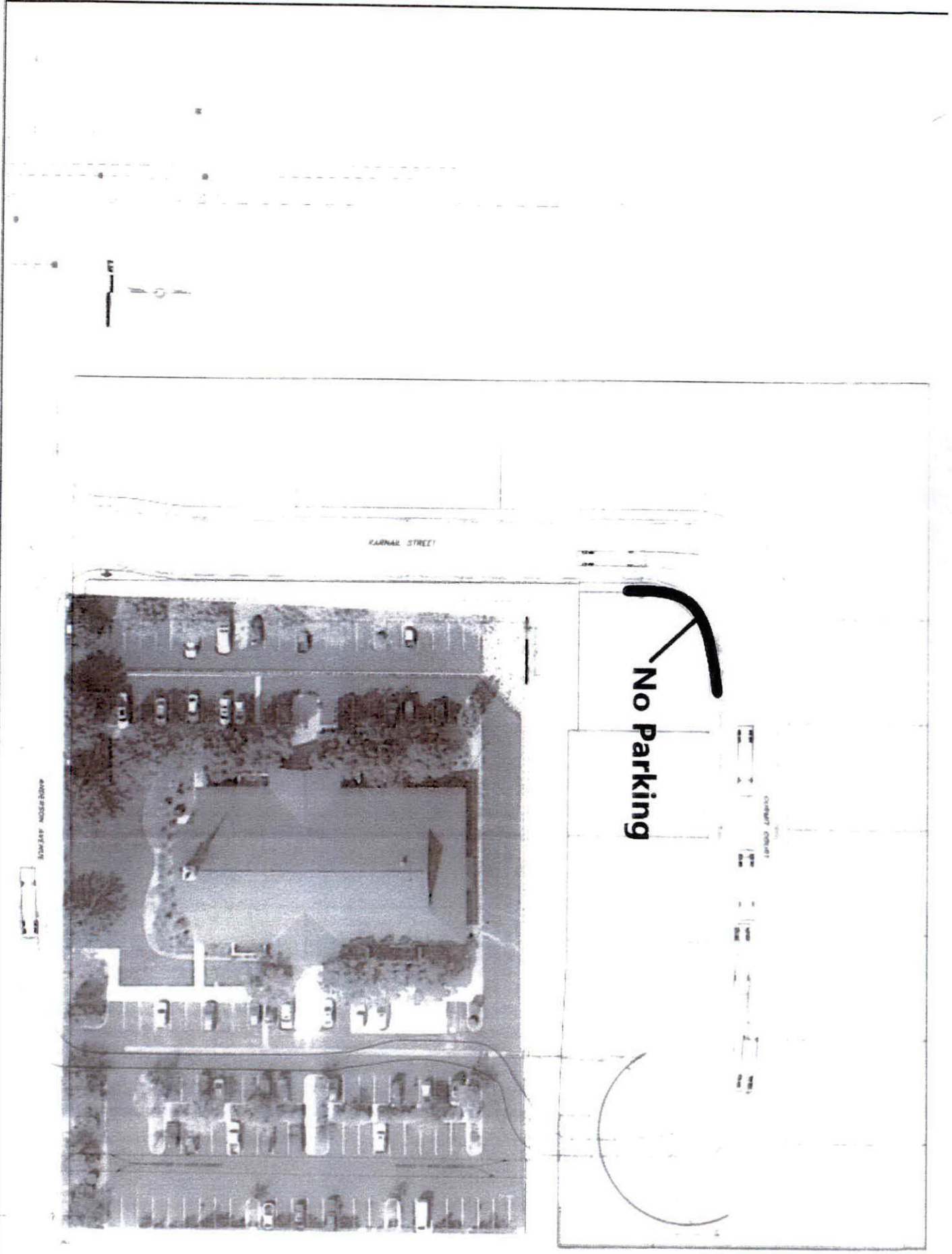
TENTATIVE MAP
TOPOGRAPHIC SURVEY FOR TENTATIVE MAP
LDS PROPERTY
CITY OF WINTER

DATE: 10-04-2018
SCALE: 1"=20'

DATE: 10-04-2018
SCALE: 1"=20'



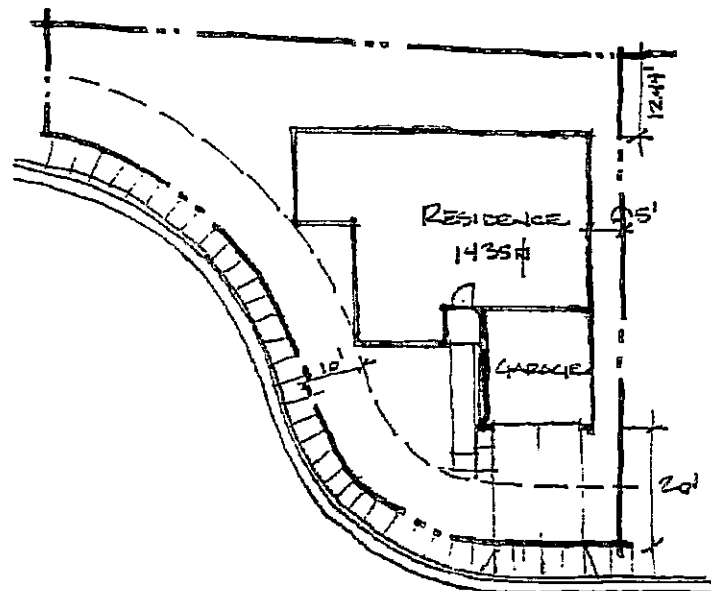
Lots	Driveway Parking	Street Parking	Parking Totals
1	2	3.5	5.5
2	2	5	7
3	2	4.5	6.5
4	2	5	7
5	2	4	6
6	2	2.5	4.5
7	3	0.5	3.5
8	3	0.5	3.5
9	2	1.5	3.5
10	2	2	4
11	2	2	4
12	2	2	4
13	2	2	4
14	3	1.5	4.5
15	2	6	8
16	2	2	4
17	2	2	4
18	2	3.5	5.5
SUM	37	46.5	83.5
Average Parking Stalls per Lot:			4.6



ATTACHMENT A1

PD OVERLAY SETBACKS REQUESTED (per lot)

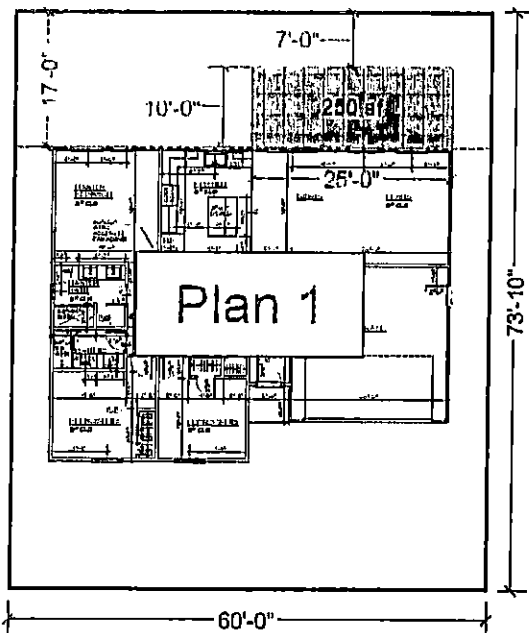
LOT NUMBER	LOT FOOTAGE	LOT TYPE	MIN FRONT SETBACK (to Garage)	MIN FRONT SETBACK (to Living Area)	SIDEYARD SETBACK (Garage Side)	SIDEYARD SETBACK (Other Side)	MIN REAR YARD SETBACK
Lot 01	4,914	corner	20 Feet	13 Feet	5 Feet	14 Feet	14 Feet
Lot 02	4,428	interior	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 03	4,428	interior	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 04	4,428	interior	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 05	4,428	interior	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 06	4,430	interior	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 07	7,576	knuckle	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 08	8,028	knuckle	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 09	4,947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 10	4,947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 11	4,947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 12	4,947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 13	4,947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 14	6,292	culdesac	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 15	5,704	corner	20 Feet	13 Feet	5 Feet	13 Feet	14 Feet
Lot 16	4,947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 17	4,947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 18	5,640	culdesac	20 Feet	10 Feet	5 Feet	10 Feet	12 Feet



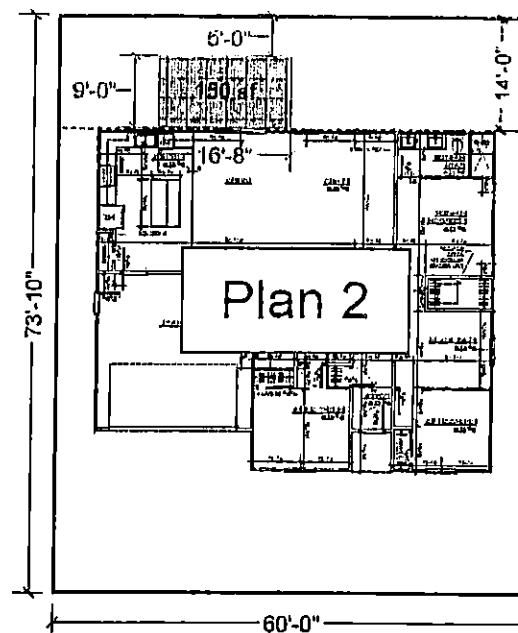
Lot 16

Shandala Estates - PD OVERLAY SETBACKS (for patio covers)

LOT #	LOT FOOTAGE	PLAN OPTIONS	Lot Coverage			Max Patio Cover Ftg	Total Coverage	COVERAGE PERCENTAGE	Patio Cover Min Setbacks	
			Living Area	Garage	Porch				Rear	Side
1	4914	Plan 1	1457	395	24	250	2126	43.26%	7	5
		Plan 2	1657	392	25	150	2224	45.26%	5	
2, 3, 4, & 5	4428	Plan 1	1457	395	24	250	2126	48.01%	7	5
		Plan 2	1657	392	25	150	2224	50.23%	5	
6	4430	Plan 1	1457	395	24	250	2126	47.99%	7	5
		Plan 2	1657	392	25	150	2224	50.20%	5	



Karnail Street

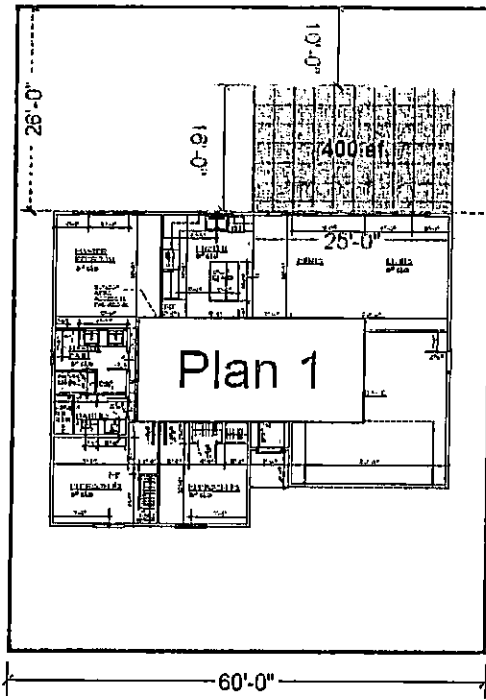


Karnail Street

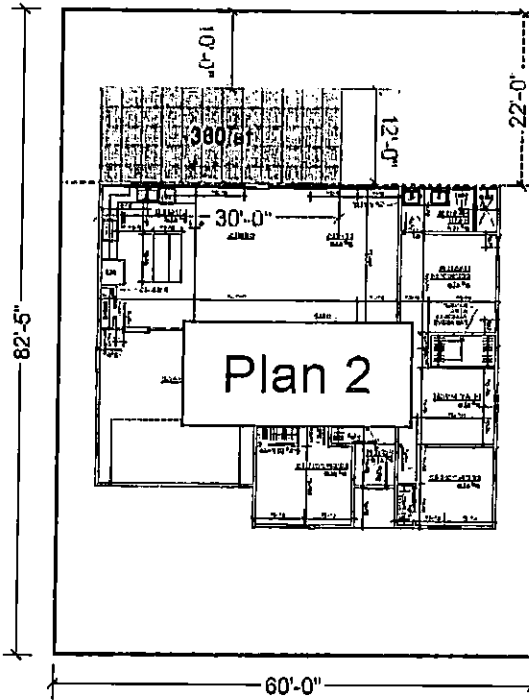
ATTACHMENT C

Shandala Estates - PD OVERLAY SETBACKS (for patio covers)

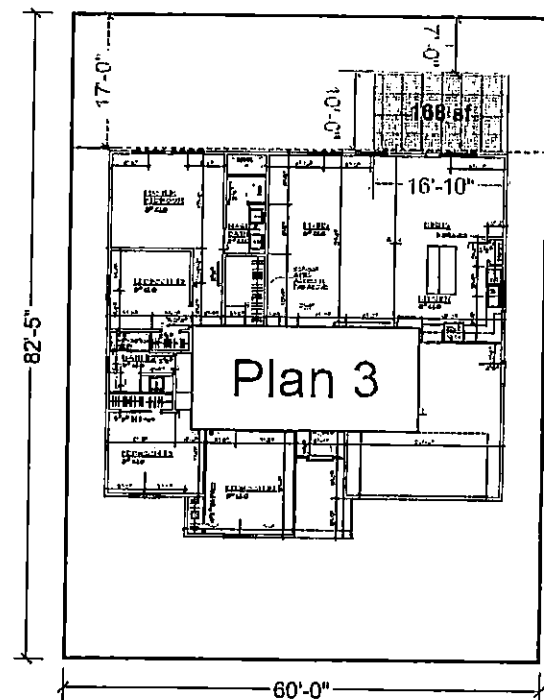
LOT #	LOT FOOTAGE	PLAN OPTIONS	Lot Coverage			Max Patio Cover Ftg	Total Coverage	COVERAGE PERCENTAGE	Patio Cover Min Setbacks	
			Living Area	Garage	Porch				Rear	Side
9, 10, 11, 12, 13, 16, & 17	4947	Plan 1	1457	395	24	400	2276	46.01%	10	5
		Plan 2	1657	392	25	360	2434	49.20%	10	
		Plan 3	1845	395	65	168	2473	49.99%	7	
14	6292	Plan 1	1457	395	24	400	2276	36.17%	10	5
		Plan 2	1657	392	25	360	2434	38.68%	10	
		Plan 3	1845	395	65	168	2473	39.30%	7	



Gurmit Court



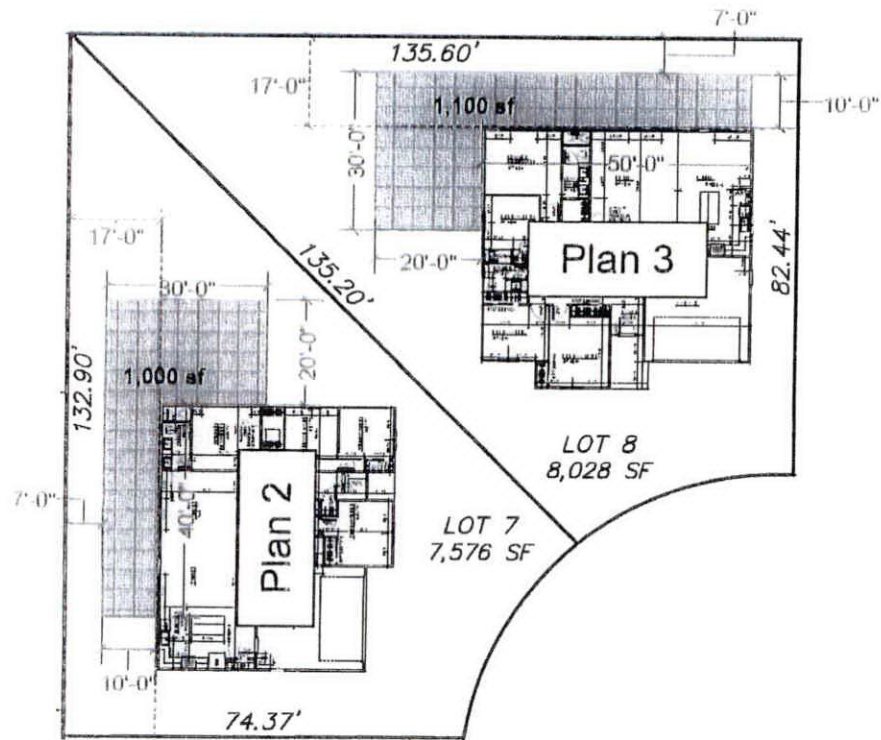
Gurmit Court



Gurmit Court

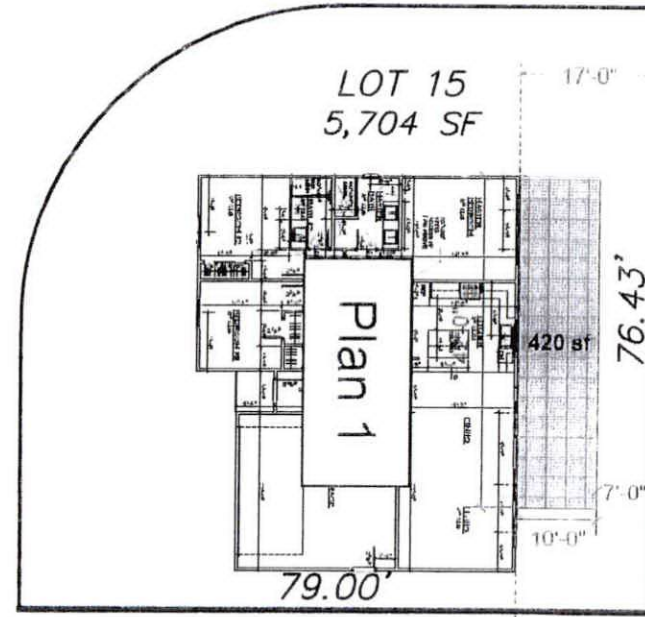
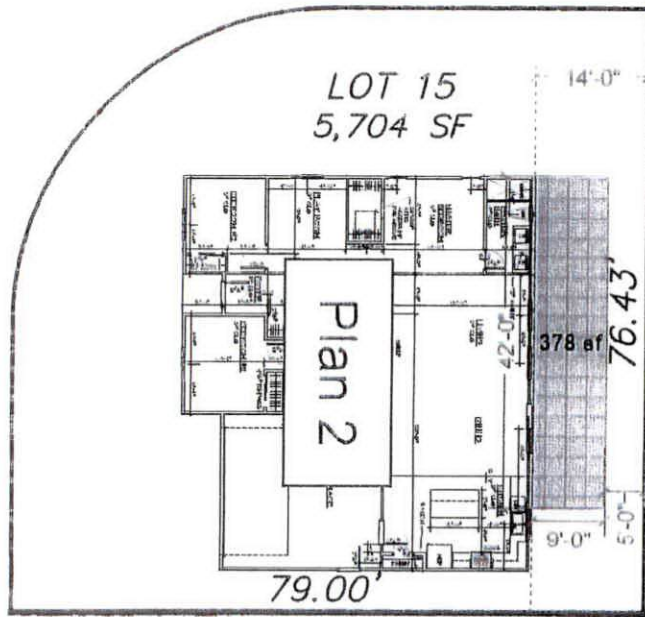
Shandala Estates - PD OVERLAY SETBACKS (for patio covers)

LOT #	LOT FOOTAGE	PLAN OPTIONS	Lot Coverage			Max Patio Cover Ftg	Total Coverage	COVERAGE PERCENTAGE	Patio Cover Min Setbacks	
			Living Area	Garage	Porch				Rear	Side
7	7576	Plan 2	1657	392	25	1,000	3074	40.58%	7	5
8	8028	Plan 3	1845	395	65	1,100	3405	42.41%	7	5



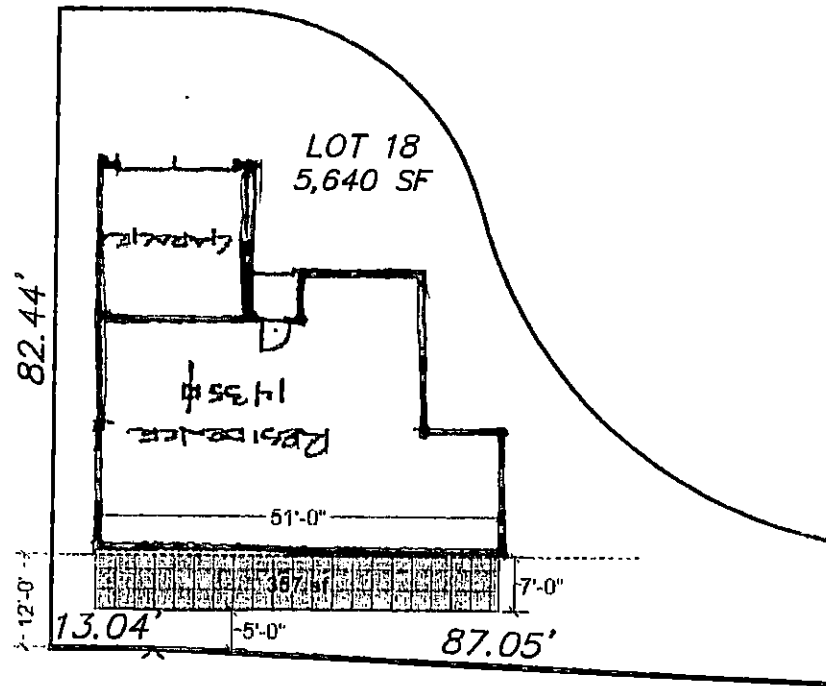
Shandala Estates - PD OVERLAY SETBACKS (for patio covers)

LOT #	LOT FOOTAGE	PLAN OPTIONS	Lot Coverage			Max Patio Cover Ftg	Total Coverage	COVERAGE PERCENTAGE	Patio Cover Min Setbacks	
			Living Area	Garage	Porch				Rear	Side
15	5704	Plan 1	1457	395	24	420	2296	40.25%	7	5
		Plan 2	1657	392	25	378	2452	42.99%	5	5



Shandala Estates - PD OVERLAY SETBACKS (for patio covers)

LOT #	LOT FOOTAGE	PLAN OPTIONS	Lot Coverage			Max Patio Cover Ftg	TOTAL Coverage	COVERAGE PERCENTAGE	Patio Cover Min Setbacks	
			LIVING Area	Garage	Porch				Rear	Side
18	5640	Pending	1435	400	30	357	2222	39.40%	5	5



**CITY COUNCIL
CONDITIONS OF APPROVAL FOR LDS TENTATIVE MAP
December 3, 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 November 12, 2019 Planning Commission staff report. The project shall be constructed as depicted on the maps and exhibits included in the November 12, 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 AND BUILDING

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. Staff recommends, where possible, the applicants provide a ten (10) foot side yard adjacent to the garage.
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61. 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

62. 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.
63. Any "No Parking" limits shall be included on the Improvement Plans, for City approval.
64. Pedestrian circulation shall be provided as shown on the Tentative Map.
65. Each residence in the cul-de-sac must be able to accommodate parking for 3 vehicles: either three (3) on-site parking spaces or two (2) on-site spaces and one (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

66. 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.
67. 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.
68. 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.
69. The Developer shall enter into a subdivision improvement agreement with the City prior to recordation of final map.
70. Developer shall pay all development impact fees adopted by the City Council and shall pay fees required by other entities.
71. 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

72. 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.
73. U.S. Postal Service mailbox locations shall be coordinated with the Postmaster and shown on the as-built improvement plans.
74. 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 plans, 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.

75. 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.
76. 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.
77. Occupancy of residential units shall not occur until necessary public improvements (water, sewer, streets, etc.) have been accepted by the City.
78. 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.).
79. Applicant shall be responsible to comply with all permitting requirements from federal, state, or other local agencies.
80. 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.
81. All construction shall follow the requirements outlined by City Ordinances and the Building Codes.

RESOLUTION NO. 2019-48

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS APPROVING AN EIGHTEEN (18) LOT TENTATIVE SUBDIVISION MAP FOR THE CHURCH OF LATTER-DAY SAINTS (LDS) SUBDIVISION

WHEREAS, the Winters Planning Commission held a duly noticed public hearing on October 22, 2019 and November 12, 2019 to review and consider recommending to the City Council approval of the proposed Tentative Map Subdivision Map for the LDS Subdivision (APN 030-220-034) (the "Tentative Map"); 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, following said public hearing, the Planning Commission recommended on a 6 to 0 vote that the City Council approve the Tentative Map; and

WHEREAS, on December 3, 2019, the City Council conducted a duly noticed public hearing on the Tentative Map at which time all persons wishing to testify in connection with the Tentative Map were heard and the Tentative Map was comprehensively reviewed; and

WHEREAS, the City Council has reviewed all written evidence and all oral testimony presented to date, and all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Winters, based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, approves the Tentative Map for the LDS Subdivision, attached hereto as Exhibit 1, subject to the Conditions of Approval attached hereto as Exhibit 2.

PASSED AND ADOPTED, by the City Council of the City of Winters at a regular meeting on the ___ day of _____ 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

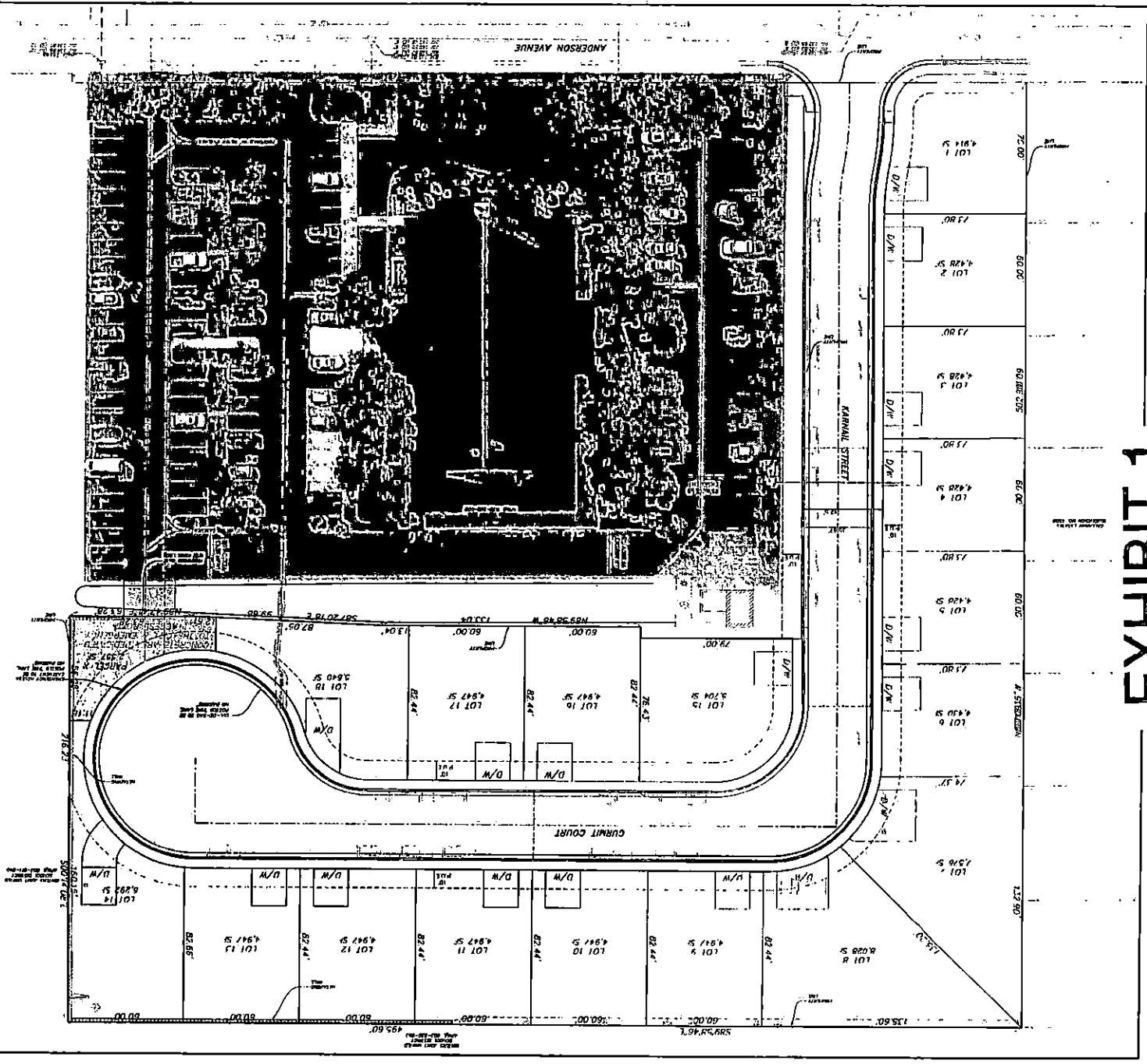
ABSENT:

Bill Biasi, Mayor
City of Winters

ATTEST:

Tracy S. Jensen, City Clerk
City of Winters

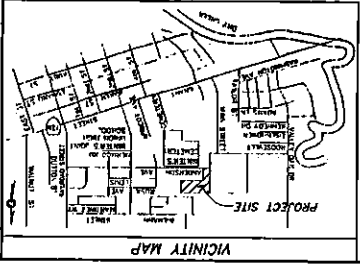
EXHIBIT 1



GENERAL PLANNING DESIGNATION	MINIMUM LOT AREA
CITY OF WHITTIER RESIDENTIAL DEVELOPMENT	10,000
LOW DENSITY RESIDENTIAL	15,000
MEDIUM DENSITY RESIDENTIAL	20,000
HIGH DENSITY RESIDENTIAL	25,000
INDUSTRIAL	50,000

LOT	AREA	SETBACKS
1	4,914	10, 10, 10, 10
2	4,428	10, 10, 10, 10
3	4,428	10, 10, 10, 10
4	4,428	10, 10, 10, 10
5	4,428	10, 10, 10, 10
6	4,428	10, 10, 10, 10
7	4,526	10, 10, 10, 10
8	4,914	10, 10, 10, 10
9	4,914	10, 10, 10, 10
10	4,914	10, 10, 10, 10
11	4,914	10, 10, 10, 10
12	4,914	10, 10, 10, 10
13	4,914	10, 10, 10, 10
14	4,993	10, 10, 10, 10

- NOTES:
 - 1. CHECK FOR ALL RECORDS FOR THE PROJECT.
 - 2. ALL DIMENSIONS ARE IN FEET AND INCHES.
 - 3. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT.
 - 4. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT.
 - 5. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT.
 - 6. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT.
 - 7. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT.
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 - 15. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT.
 - 16. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT.
 - 17. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT.
 - 18. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT.
 - 19. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT.
 - 20. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT.



TENTATIVE MAP
 TONGUE POINT SUBDIVISION
 LDS PROPERTY

LAUGENDOR AND MENKLE
 CIVIL ENGINEERS AND ARCHITECTS
 1000 S. GARDEN STREET, SUITE 100
 ANAHEIM, CALIFORNIA 92805
 TEL: (714) 771-1111
 FAX: (714) 771-1112

DATE: 10/15/2014
SCALE: 1" = 20'

SHEET 1 OF 4

**CITY COUNCIL
CONDITIONS OF APPROVAL FOR LDS TENTATIVE MAP
December 3, 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 November 12, 2019 Planning Commission staff report. The project shall be constructed as depicted on the maps and exhibits included in the November 12, 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 AND BUILDING

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.

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61. 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

62. 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.
63. Any "No Parking" limits shall be included on the Improvement Plans, for City approval.
64. Pedestrian circulation shall be provided as shown on the Tentative Map.
65. Each residence in the cul-de-sac must be able to accommodate parking for 3 vehicles: either three (3) on-site parking spaces or two (2) on-site spaces and one (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

66. 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.
67. 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.
68. 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.
69. The Developer shall enter into a subdivision improvement agreement with the City prior to recordation of final map.
70. Developer shall pay all development impact fees adopted by the City Council and shall pay fees required by other entities.
71. 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

72. 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.
73. U.S. Postal Service mailbox locations shall be coordinated with the Postmaster and shown on the as-built improvement plans.
74. 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 plans, 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.

75. 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.
76. 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.
77. Occupancy of residential units shall not occur until necessary public improvements (water, sewer, streets, etc.) have been accepted by the City.
78. 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.).
79. Applicant shall be responsible to comply with all permitting requirements from federal, state, or other local agencies.
80. 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.
81. All construction shall follow the requirements outlined by City Ordinances and the Building Codes.

ORDINANCE NO. 2019-05

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINTERS
REZONING LDS SUBDIVISION (APN 030-220-034) TO ADD A PLANNED
DEVELOPMENT (PD) OVERLAY ZONE AND ADOPTING PD OVERLAY ZONE
REGULATIONS**

WHEREAS, the City received an application from Crowne Communities (Developer) and the Church of Latter-Day Saints (Property Owner) requesting that the City consider a rezoning of that certain property located north of Anderson Avenue and east of West Main Street in the City of Winters, known as APN No. 030-220-034 (the "LDS Subdivision") to adopt a PD Overlay Zone on the LDS Subdivision that would implement certain PD Overlay Permit Regulations that would apply to such property (the "Zoning Amendment"); and

WHEREAS, the Winters Planning Commission held a duly noticed public hearing on October 22, 2019 and November 12, 2019 to review and consider recommendation to the City Council of the proposed zoning amendment; and

WHEREAS, following said public hearing, the Planning Commission recommended on a 6 to 0 vote that the City Council approve the Zoning Amendment; and

WHEREAS, on December 3, 2019, the City Council conducted a duly noticed public hearing on the Zoning Amendment at which time all persons wishing to testify in connection with the Zoning Amendment were heard and the Zoning Amendment was comprehensively reviewed; and

WHEREAS, the City Council has reviewed all written evidence and all oral testimony presented to date, and all other legal prerequisites to the adoption of this Ordinance have occurred;

NOW, THEREFORE, The City Council of the City of Winters, State of California, does hereby ordain as follows:

1. Purpose. The purpose of this ordinance is to rezone the property known as the LDS Subdivision (APN 030-220-034) by adding a Planned Development Overlay Zone to the existing R-1 Single Family Residential Zoning.

2. Findings. Based on the evidence presented to the City Council on or before the public hearing on the Zoning Amendment, the City Council hereby makes the following findings in conformance with Section 17.48.060 of the Winters Municipal Code:

a. The Zoning Amendment and the development of the LDS Subdivision is consistent with the general plan and the purposes of Chapter 17.48 of the Winters Municipal Code.

b. The Zoning Amendment and the proposed development of the LDS Subdivision as contemplated herein complies with the applicable provisions of the R-1 zoning districts, except for certain reductions to the setbacks, which will allow for the development of smaller units that are more affordable by design and meet a need for housing that in the City of Winters that is more affordable to working families and first time homebuyers.

c. The proposed development is desirable to the public comfort and convenience as it provides new housing consistent with the City's General Plan, that will accommodate a need for smaller, affordable by design units in the City, and will be built on an in-fill site that will accommodate housing within the City limits and help to limit future outward expansion to meet the City's housing needs.

d. The requested development plan will not impair the integrity or character of the neighborhood nor be detrimental to the public health, safety or general welfare in that it will allow for development of 18 residential units on property designated and zoned for residential use consistent with the allowable density for the site, with only minor reductions in the setbacks for certain lots within the proposed development.

e. Adequate utilities, access roads, sanitation and/or necessary facilities and services will be provided, or available, and such requirements are conditions of approval for the tentative subdivision map being considered for such development.

f. The development will not create an adverse fiscal impact for the City in providing necessary services as the development is consistent with the contemplates zoning and land use designations for such site, with the City anticipating that residential units would be prepared for such site.

3. Authority. The City of Winters has authority to adopt this ordinance pursuant to the general police power granted to cities by Article 11, Section 7 of the California Constitution and Chapter 17.48 of the Winters Municipal Code.

3. Rezoning. The subject property is hereby rezoned as shown on Exhibit A, attached hereto and incorporated herein by this reference to rezone APN 030-220-034 by adding a PD Overlay Zone to said property.

4. Adoption of PD Overlay Permit. A PD Overlay Permit is hereby approved which permits the setbacks as set forth in Exhibit B, attached hereto and incorporated herein. All other zoning requirements within this PD Overlay Zone shall be as set forth in the underlying R-1 zoning for this site.

5. Effective Date and Notice. This ordinance shall take effect thirty (30) days after its adoption and, within fifteen (15) days after its passage, shall be published at least once in a newspaper of general circulation published and circulated within the City of Winters.

INTRODUCED at a regular meeting on the 3rd day of December 2019 and **PASSED AND ADOPTED** at a regular meeting of the Winters City Council, County of Yolo, State of California, on the 17th day of December 2019, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Bill Biasi, Mayor

Tracy S. Jensen, City Clerk

APPROVED AS TO FORM:

Ethan Walsh, City Attorney

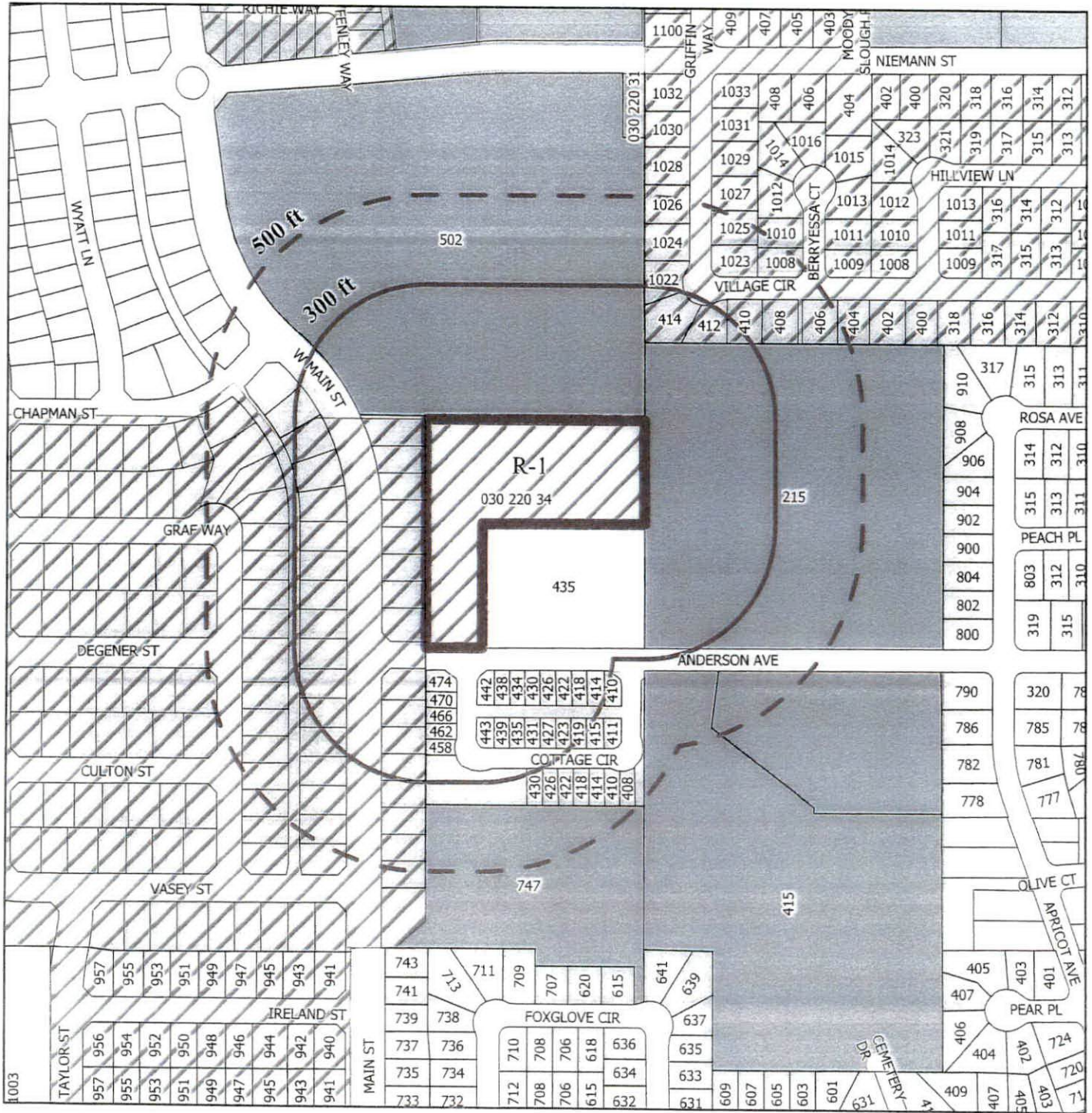
LDS PROPERTY

APN: 030 220 034

WINTERS, CA 95694

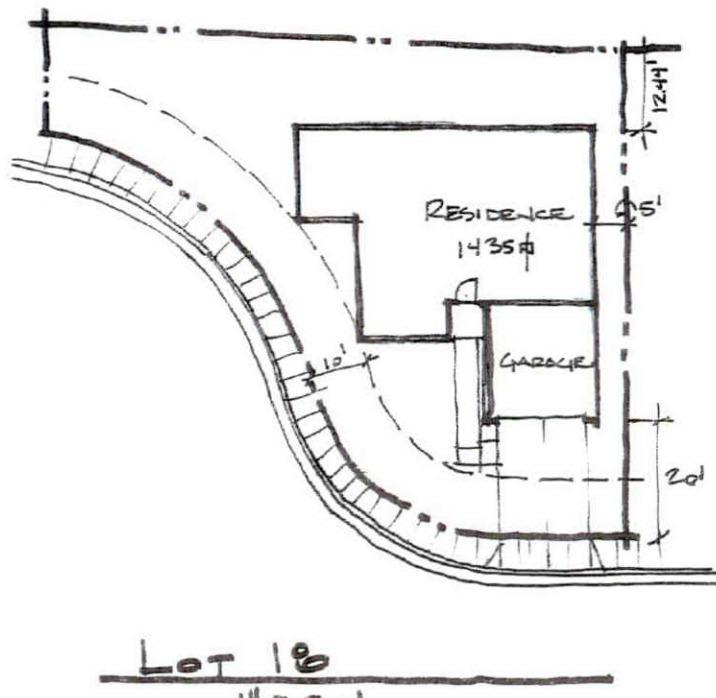
Planned Development Overlay

R-1 Single Family Residential (7,000 sf avg)



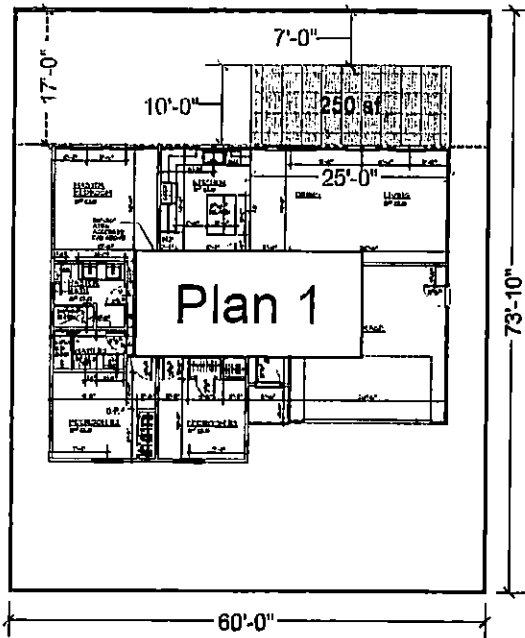
PD OVERLAY SETTBCKS REQUESTED (per lot)

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)	MIN REAR YARD SETBACK
Lot 01	4,914	corner	20 Feet	13 Feet	5 Feet	14 Feet	14 Feet
Lot 02	4,428	interior	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 03	4,428	interior	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 04	4,428	interior	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 05	4,428	interior	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 06	4,430	interior	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 07	7,576	knuckle	20 Feet	15 Feet	5 Feet	5 Feet	14 Feet
Lot 08	8,028	knuckle	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 09	4,947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 10	4,947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 11	4,947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 12	4,947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 13	4,947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 14	6,292	culdesac	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 15	5,704	corner	20 Feet	13 Feet	5 Feet	13 Feet	14 Feet
Lot 16	4,947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 17	4,947	interior	20 Feet	15 Feet	5 Feet	5 Feet	17 Feet
Lot 18	5,640	culdesac	20 Feet	10 Feet	5 Feet	10 Feet	12 Feet

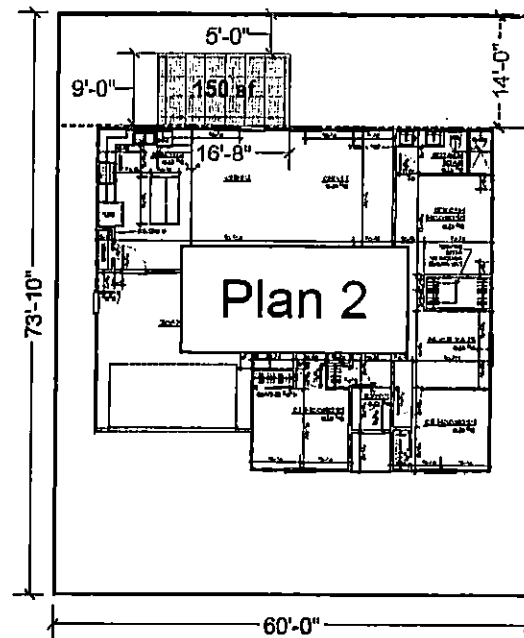


Shandala Estates - PD OVERLAY SETBACKS (for patio covers)

LOT #	LOT FOOTAGE	PLAN OPTIONS	Lot Coverage			Max Patio Cover Flg	Total Coverage	COVERAGE PERCENTAGE	Patio Cover Min Setbacks	
			Living Area	Garage	Porch				Rear	Side
1	4914	Plan 1	1457	395	24	250	2126	43.26%	7	5
		Plan 2	1657	392	25	150	2224	45.26%	5	
2, 3, 4, & 5	4428	Plan 1	1457	395	24	250	2126	48.01%	7	5
		Plan 2	1657	392	25	150	2224	50.23%	5	
6	4430	Plan 1	1457	395	24	250	2126	47.99%	7	5
		Plan 2	1657	392	25	150	2224	50.20%	5	



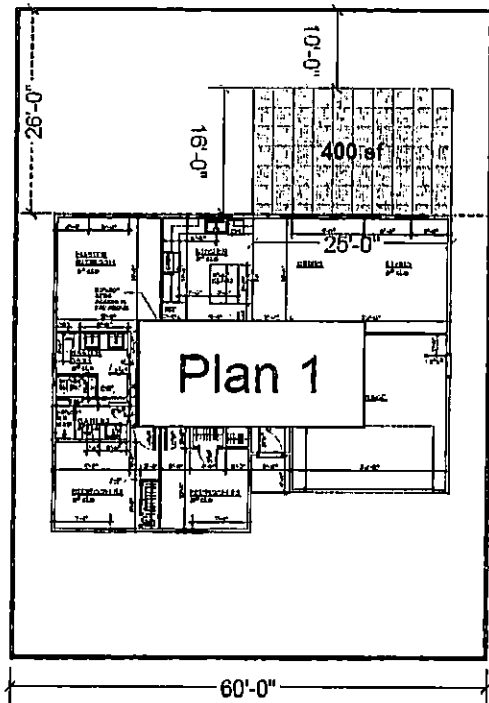
Karnail Street



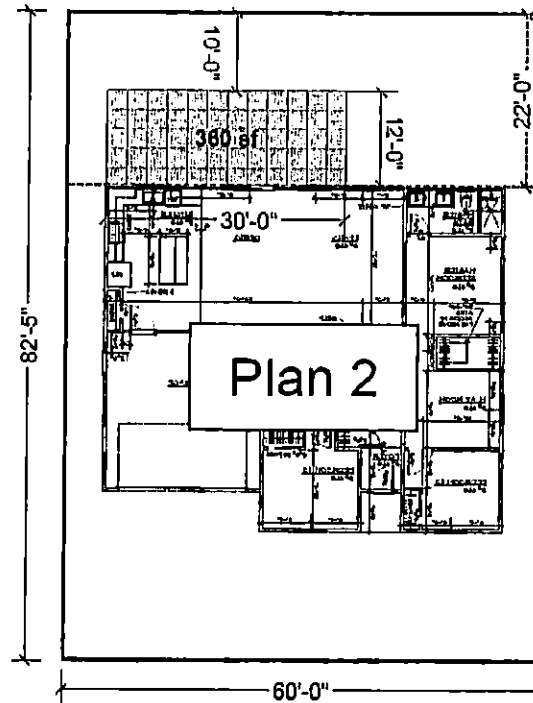
Karnail Street

Shandala Estates - PD OVERLAY SETBACKS (for patio covers)

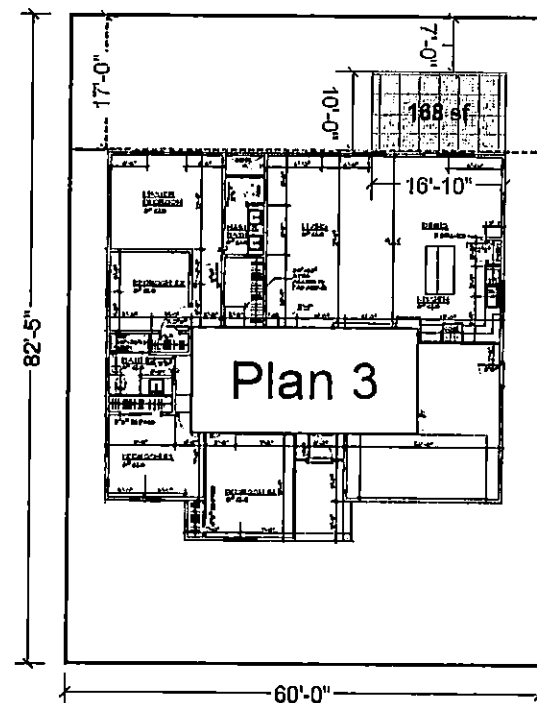
LOT #	LOT FOOTAGE	PLAN OPTIONS	Lot Coverage			Max Patio Cover Ftg	Total Coverage	COVERAGE PERCENTAGE	Patio Cover Min Setbacks	
			Living Area	Garage	Porch				Rear	Side
9, 10, 11, 12, 13, 16, & 17	4947	Plan 1	1457	395	24	400	2276	46.01%	10	5
		Plan 2	1657	392	25	360	2434	49.20%	10	
		Plan 3	1845	395	65	168	2473	49.99%	7	
14	6292	Plan 1	1457	395	24	400	2276	36.17%	10	5
		Plan 2	1657	392	25	360	2434	38.68%	10	
		Plan 3	1845	395	65	168	2473	39.30%	7	



Gurmit Court



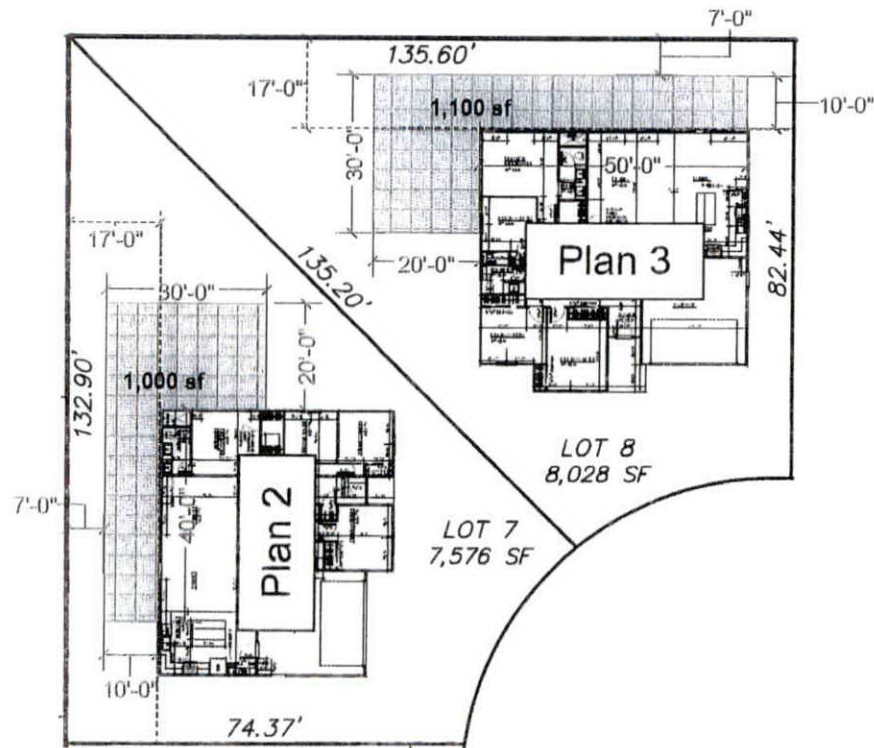
Gurmit Court



Gurmit Court

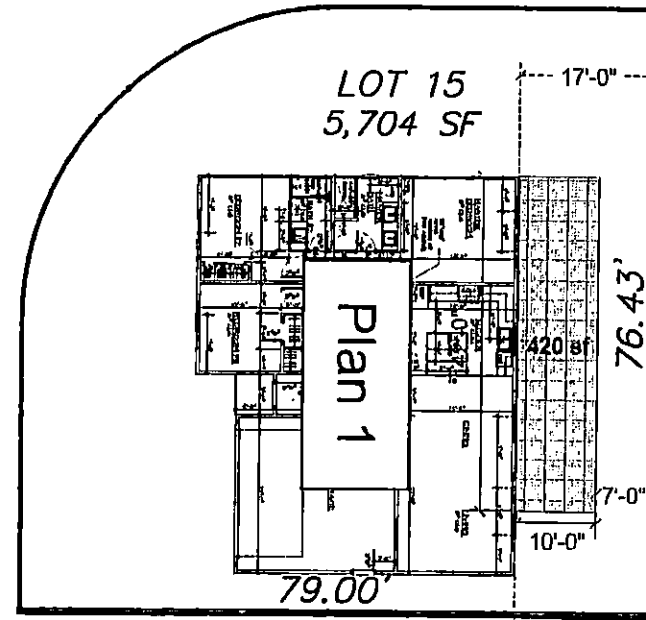
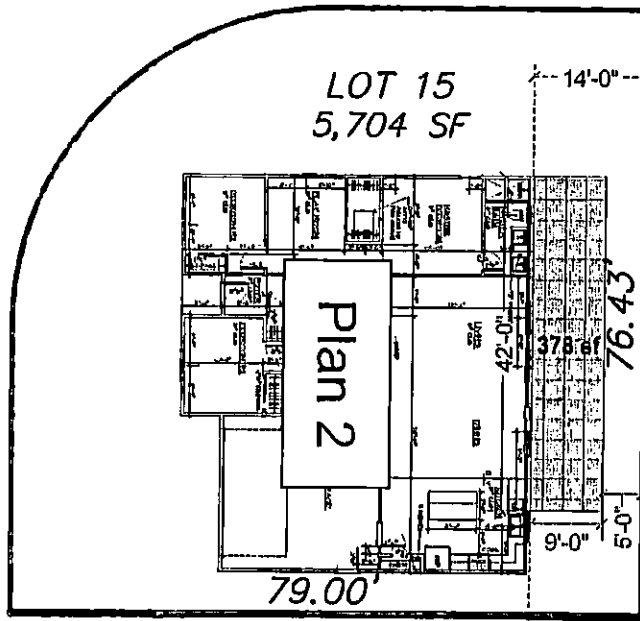
Shandala Estates - PD OVERLAY SETBACKS (for patio covers)

LOT #	LOT FOOTAGE	PLAN OPTIONS	Lot Coverage			Max Patio Cover Ftg	Total Coverage	COVERAGE PERCENTAGE	Patio Cover Min Setbacks	
			Living Area	Garage	Porch				Rear	Side
7	7576	Plan 2	1657	392	25	1,000	3074	40.58%	7	5
8	8028	Plan 3	1845	395	65	1,100	3405	42.41%	7	5



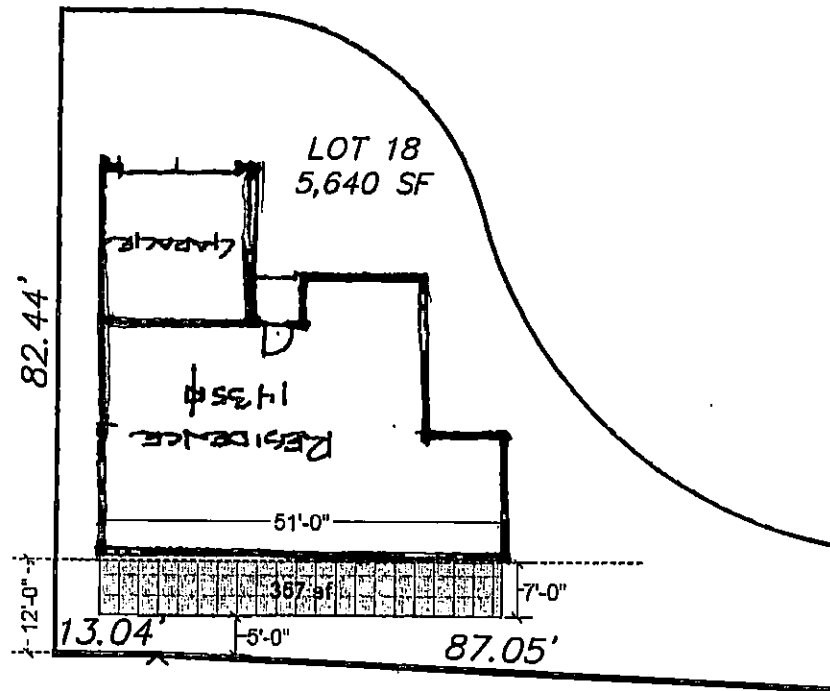
Shandala Estates - PD OVERLAY SETBACKS (for patio covers)

LOT #	LOT FOOTAGE	PLAN OPTIONS	Lot Coverage			Max Patio Cover Ftg	Total Coverage	COVERAGE PERCENTAGE	Patio Cover Min Setbacks	
			Living Area	Garage	Porch				Rear	Side
15	5704	Plan 1	1457	395	24	420	2296	40.25%	7	5
		Plan 2	1657	392	25	378	2452	42.99%	5	5



Shandala Estates - PD OVERLAY SETBACKS (for patio covers)

LOT #	LOT FOOTAGE	PLAN. OPTIONS	Lot Coverage:			Max Patio Cover Flg	Total Coverage	COVERAGE PERCENTAGE	Patio Cover Min Setbacks	
			Living Area	Garage	Porch				Rear	Side
18	5640	Pending	1435	400	30	357	2222	39.40%	5	5



RESOLUTION NO. 2019-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WINTERS DENYING AN EIGHTEEN (18) LOT TENTATIVE SUBDIVISION MAP FOR THE CHURCH OF LATTER-DAY SAINTS (LDS) SUBDIVISION

WHEREAS, the Winters Planning Commission held a duly noticed public hearing on November 12, 2019 to review and consider recommending to the City Council approval of a proposed Tentative Subdivision Map for the LDS Subdivision (APN 030-220-034) (the "Tentative Map"); and

WHEREAS, due to the property's unusual shape, the Tentative Map proposed smaller lots with non-conforming setbacks that do not conform to the City's current zoning requirements, and thus the Tentative Map was considered alongside a proposed planned development (PD) zoning overlay; and

WHEREAS, the Winters City Council received the Planning Commission's recommendation on the proposed Tentative Map and PD zoning overlay and held a duly noticed public hearing on December 3, 2019; and

WHEREAS, after significant discussion, the City Council did not approve the PD zoning overlay and Tentative Map and instead continued the matter to December 17, 2019 to allow for further discussion of the applicant's proposal, and for purposes of preparing the appropriate findings for denial of the tentative subdivision map, consistent with discussion and concerns raised during the public hearing; and

WHEREAS, absent the requested PD zoning overlay, the Tentative Map and the design or improvement of the proposed subdivision is not consistent with the City's zoning requirements, as the garage side yard setbacks for all 18 lots, the "other side" side yard set back for lots 1, 15 and 18, and the rear yard setbacks for all 18 lots are all inconsistent with the City's Zoning Code as applied to the Site; and

WHEREAS, the City Council did not believe that the proposed PD zoning overlay would provide a clear benefit for the City, nor did the City Council believe that the proposed PD zoning overlay would ensure adequate standards relating to the public health, safety, welfare, comfort and convenience; and

WHEREAS, the City Council therefore did not adopt the PD zoning overlay; and

WHEREAS, the City Council therefore denies the Tentative Map pursuant to the reasons set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Winters, denies the Tentative Map for the LDS Subdivision as follows:

1. The Tentative Map proposes creating small lots that are substandard in size and contain non-conforming and inconsistent setbacks, including reduced side, and rear

setbacks. Accordingly, the Tentative Map and its proposed design is not consistent with the City's zoning requirements and applicable general and specific plans.

2. The Tentative Map as proposed shall be denied pursuant to Government Code section 66474, subdivisions (a) and (b), and Winters Municipal Code section 16.01.090(D)(1). This Resolution is effective immediately.

PASSED AND ADOPTED, by the City Council of the City of Winters at a regular meeting of the Council on the 17th Day of December 2019, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Bill Biasi, Mayor
City of Winters

ATTEST:

Tracy S. Jensen, City Clerk
City of Winters



Planning Commission Staff Report

To: Chair and Planning Commissioners
Date: March 22, 2022
From: Kirk Skierski, Senior Planner
Subject: Winters Healthcare Backup Generator Design Review (DR-2022-01)

Recommendation:

That the Planning Commission conduct a public hearing on the Winters Healthcare Backup Generator project (DR-2022-01) and adopt Resolution 2022-03 thereby taking the following actions:

1. Determine the proposed Winters Healthcare Backup Generator project (DR-2022-01) to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303(e) of the CEQA Guidelines; and
2. Approve the Winters Healthcare Backup Generator project (DR-2022-01) based on the recommended findings and subject to the draft conditions of approval.

Background:

On November 8, 2016, the Planning Commission approved a Design Review application for the construction of the Winters Healthcare facility located at 172 E. Grant Avenue (APN 003-370-046). The Winters Healthcare facility is a two-story 14,750 square foot health care center with 6,000 square feet of medical services, 2,000 square feet of dental services and 5,000 square feet of office and meeting space. The project site is 1.22 acres zoned C-2, located on the south side of Grant Avenue at East Street, due east of the new Yolo Federal Credit Union (YFCU). Access to the site is through the Walnut Lane round-about on E. Grant Avenue (State Route 128).

The Winters Healthcare facility's building features include brick, stucco, glass, and metal façade, which compliments the design of the nearby YFCU. The overall design is modern with brick and metal elements, which reflect the façade of other buildings located elsewhere in town. Pictures of the existing Winters Healthcare facility are provided in Figures 1-2 below. The Winters Healthcare facility is currently in operation and has complied with the 2016 Design Review project requirements.

Figure-1 Winters Healthcare Facility



Figure-2 Winters Healthcare Facility



Project Description

The applicant is requesting Design Review approval in order to construct an approximately 260 square foot enclosure (20'3" x 13'10") for a 200kW diesel backup generator for the Winters Healthcare facility located at 172 E. Grant Avenue (APN 003-370-046). The generator enclosure would be located adjacent to E. Grant Avenue on the eastern side of the project site within the existing parking lot. The enclosure would be designed to match the existing Winters Healthcare building and consist of cement plaster painted weathered coral with a desert grey border, which are the same colors and material of the existing building. The proposed site plan is shown in Figure-3 above, and the proposed backup generator enclosure elevations is shown in Figure-4 below. Further details relating to the proposed backup generator enclosure, including the proposed building materials, is located within Attachment #2 (Winters Healthcare Backup Generator Plan Set).

The Winters Healthcare medical clinic building is in need of an emergency backup generator as it is a facility providing essential services and will be a critical high-priority facility during any natural or human caused disasters and other incidents of mass trauma. The backup generator would be essential in maintaining the facility's services in the event of an emergency.

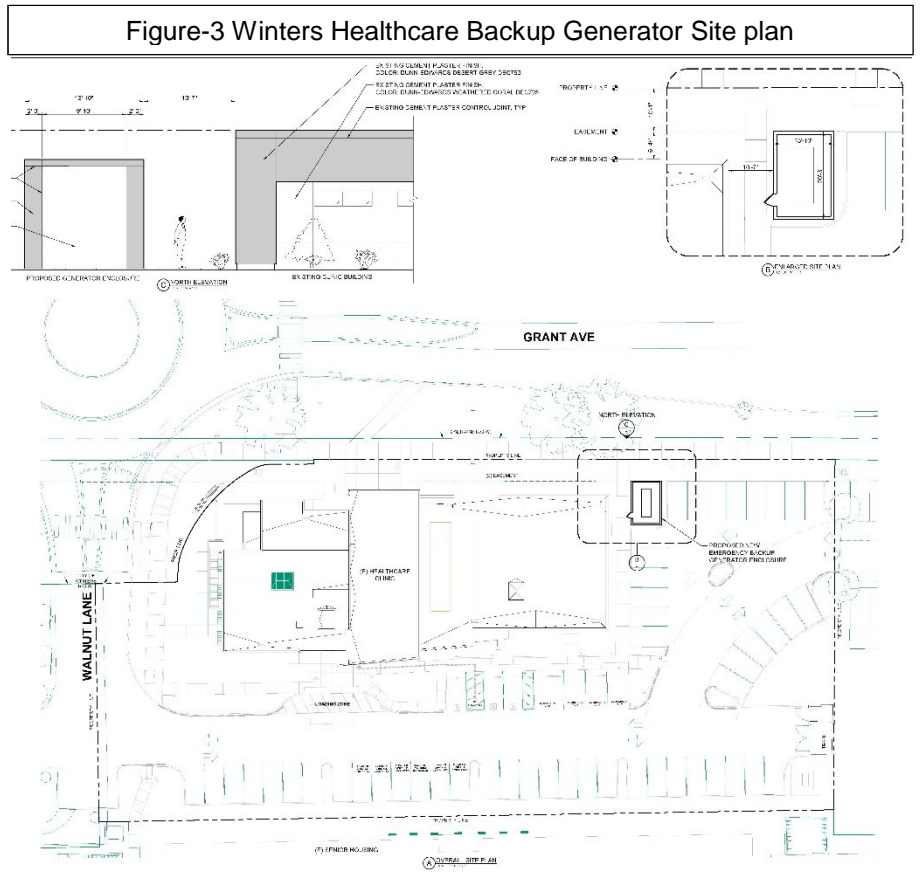
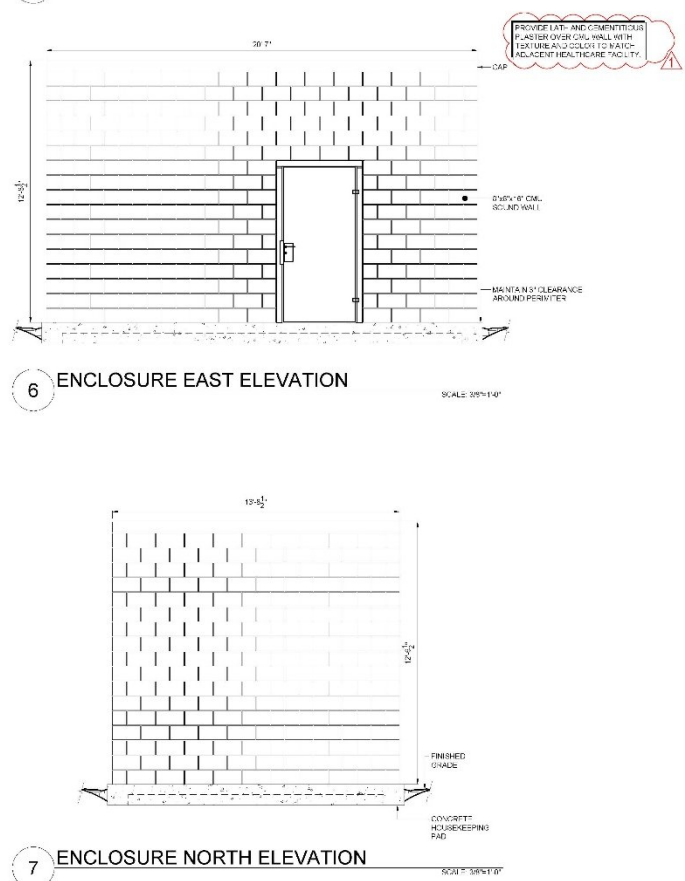


Figure-2 Winters Healthcare Backup Generator Elevations



Design Review Requirements

Winters Municipal Code Chapter 17.36 (Design Review) requires design review approval by the Planning Commission for the following, among others:

- Construction of nonresidential buildings or structures of five hundred (500) square feet or more.
- Modifications to existing buildings involving collectively significant exterior changes, which may include changes of building materials, addition/deletion of doors, windows and awnings, changes to rooflines or parapet walls, etc., as determined by the Community Development Director. In making a determination as to the significance of a proposed exterior building change, the director shall be guided by the potential for the proposed project to result in substantial visual alteration of the building in question as viewed from the street including the secondary frontage and its relative overall importance to the visual quality of the surrounding area. The review shall be at the discretion of the community development director

The project location, 172 E. Grant Avenue, is subject to the Winters Design Guidelines and the Grant Avenue Design Guidelines. It should be noted that the project proposal for the backup generator enclosure of 260 square feet is under the Municipal Code's design review standard that requires design review approval for the construction of nonresidential buildings or structures of 500 square feet or more. However, the Winters Design Guidelines and Grant Avenue Design Guidelines encourage accessory structures such as the backup generator enclosure to be located away from and screened from Grant Avenue. Due to the proposed backup generator enclosure's location directly adjacent to E. Grant Avenue, the Community Development Director has determined that the project is subject to Planning Commission review and approval rather than approving a minor modification to an existing building at the staff level. Further information relating to the Winters Design Guidelines and Grant Avenue Design Guidelines is provided below.

Design Guidelines and Grant Avenue Design Guidelines

The City's Design Guidelines are intended to provide direction for future development to retain Winters small-town character and enhance the overall visual aesthetic of the community. The design guidelines are intended to encourage high-quality architectural and development design. The guidelines encourage small-scale buildings with a strong architectural orientation. In addition, the Grant Avenue Design Guidelines places an emphasis on quality design along Grant Avenue because it is the gateway into Winters, essentially setting the standard of visual aesthetic for Winters. The guidelines are not intended to be a rigid set of regulations; rather, they are intended to help interpret current policy documents and to provide an overview of the small-town character the community wished to maintain, and which makes Winters a wonderful place to live.

The "Outdoor Service and Storage Areas" section of the Grant Avenue Design Guidelines states that service areas, garbage receptacles, utility meters, and mechanical and electrical equipment shall, to the maximum extent possible, be screen from public view. Generally, accessory storage and service structures, such as trash

enclosures and similar structures, for new development is encouraged to be set back from Grant Avenue to maintain the gateway's visual aesthetic. The proposed Winters Healthcare backup generator would be located adjacent to Grant Avenue and would directly abut the existing sidewalk. This location would generally be discouraged.

As outlined in the Winters Healthcare Backup Generator Project Narrative included as Attachment #3, the applicant team has identified that a backup generator was initially intended to be located near the facility's trash enclosure, which would be the most ideal location for such an enclosure. However, during the current design of the backup generator system and enclosure, the applicant team came across several building and fire code issues that would prevent the backup generator enclosure from being constructed adjacent to the existing trash enclosure. The two major issues were code required setbacks for storage of combustible fuels and placement of the backup generator enclosure adjacent to the existing trash enclosure would impact the project site and surrounding properties stormwater drainage requirements. Essentially, placement of the backup generator adjacent to the existing trash enclosure would significantly reduce the existing bio retention swale needed for the site and surrounding properties stormwater runoff.

In addition, during the applicant team's current design review for the project, the applicant team entertained several potential locations for the new backup generator, one of which, would be a roof mounted generator on top of the existing Healthcare building. This location had several issues that deemed it an unacceptable location, such as the building was not designed to support the weight of a backup generator installation. The required structural support installations would be cost prohibitive, extremely disruptive to the facility operations and nearly impossible to achieve. The applicant team determined that the proposed location for the backup generator enclosure to be the most suitable and feasible, which would be located in the planter area east of to the building near the property frontage adjacent to Grant Avenue. This location conforms to all applicable building and fire codes. The proposed generator would be installed within a CMU enclosure that would have a stucco finish to match the existing Healthcare building's finishes and colors. The enclosure would consist of cement plaster CMU painted weathered coral with a desert grey border.

Due to the reasoning provided above and within the Winters Healthcare Backup Generator Project Narrative, it is staff's opinion that the proposed Winters Healthcare backup generator meets the intentions of the City's design guidelines and would maintain the existing visual character of the Grant Avenue gateway.

Planning Commission Review

In evaluating a Design Review request, the primary focus is the overall design including location, screening, quality of building materials, compliance with the City's design guidelines, and compatibility of the proposed project with the site and surroundings to maintain and enhance the visual character of the area. The Planning Commission may approve a Design Review application, with or without conditions, only if all of the required findings can be made, which are outlined in Section 17.36.040 of the Winters Code. These findings are as follows:

- The overall visible mass of the structure, which includes height, roofline

profiles and overall scale of a building;

- The proposed use and quality of exterior construction materials striving for long-term compatibility with the general setting of the subject property and visual character of the general neighborhood;
- Avoidance of buildings which are characterized by large, blank or unbroken wall planes, as well as buildings which exhibit general lack of architectural detailing, shadow lines, etc. which generally lack interest;
- Effective screening of ground – and – roof mounted equipment;
- The use of landscaping decorative site paving, etc. which provides effective visual screening or softening of the development, as necessary; and
- Achieve conformity with the Winters Design Guidelines, Form-Based Code for Downtown (Chapter 17.58), and the Grant Avenue Design Guidelines, as applicable.

It is staff's opinion that the proposed project would maintain the existing visual character of the area, meets the intentions of the City's design guidelines, and would be built in the most feasible location given the existing site conditions. In addition, it is staff's opinion that the Planning Commission can make of the required design review findings in order to approve the project as outlined in Exhibit A (Recommended Findings) of Planning Commission Resolution 2022-03. Therefore, staff is recommending the Planning Commission approve the Winters Healthcare Backup Generator Design Review project (DR-2022-01) subject to the draft conditions of approval included as Exhibit B of Planning Commission Resolution 2022-03.

Environment Analysis:

Staff is recommending that the proposed Winters Healthcare Backup Generator Design Review project (DR-2022-01) to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303(e) (New Construction or Conversion of Small Structures) of the CEQA Guidelines due to the minor size of the proposed 260 square foot backup generator enclosure located at the developed Winters Healthcare facility project site.

The Planning Commission must consider the proposed CEQA exemption together with any comments received during the public review process. Further, the exemption can only be approved if the Planning Commission finds, based on the whole record before it, that there is not substantial evidence that there are unusual circumstances (including future activities), which might reasonably result in the project having a significant effect on the environment.

Public Communication:

The public hearing notice was published in the *Winters Express* on March 9, 2022. An affected property owner notice was mailed to properties within 300 feet of the project

site on March 9, 2022. No public comments have been received at the time this staff report was published.

Staff Recommendation:

Staff is recommending that the Planning Commission conduct a public hearing on the Winters Healthcare Backup Generator Design Review project (DR-2022-01) and adopt Resolution 2022-03 thereby taking the following actions:

1. Determine the proposed Winters Healthcare Backup Generator project (DR-2022-01) to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the CEQA Guidelines; and
2. Approve the Winters Healthcare Backup Generator project (DR-2022-01) based on the recommended findings and subject to the draft conditions of approval.

Alternatives:

None recommended by staff.

Attachments:

1. Resolution No. 2022-03
 - a. Exhibit A: Recommended Findings
 - b. Exhibit B: Draft Conditions of Approval
2. Winters Healthcare Backup Generator Plan Set
3. Winters Healthcare Backup Generator Project Narrative

Planning Commission Resolution No. 2022 – 03

A Resolution of the Planning Commission of the City of Winters Approving the Winters Healthcare Backup Generator Design Review Project (DR-2022-01)

Whereas, on February 7, 2022, the City received an application on behalf of Winters Healthcare requesting design review approval to construct an approximately 260 square foot enclosure (20'3" x 13'10") for a 200kW diesel backup generator for the Winters Healthcare facility located at 172 E. Grant Avenue (APN 003-370-046); and

Whereas, Winters Municipal Code Section 17.36.020.E grants the City of Winters Community Development Director discretion in reviewing and approving design review applications for minor modifications to existing buildings at the staff level; and

Whereas, after the Community Development Director's review of the Winters Healthcare Backup Generator Design Review application, the Director determined the proposed project would be subject to the City's Planning Commission review; and

Whereas, a notice of public hearing for the Winters Healthcare Backup Generator Design Review project (DR-2022-01) was published in the *Winters Express* on March 9, 2022; and

Whereas, in accordance with Municipal Code Section 17.36.030.B and Section 17.16.040, an affected property owners notice was mailed to adjacent property owners within 300 feet of the project location on March 9, 2022; and

Whereas, the City of Winters Planning Commission held a duly noticed public hearing on March 22, 2022, to consider the proposed Winters Healthcare Backup Generator Design Review project (DR-2022-01); and

Whereas, the Planning Division presented its oral and written staff report on the proposed Winters Healthcare Backup Generator Design Review project (DR-2022-01) at a regular meeting of the Planning Commission on March 22, 2022; and

Whereas, the Planning Division recommended approval of the proposed Winters Healthcare Backup Generator Design Review project (DR-2022-01) based on the findings provided in Exhibit A attached hereto and incorporated herein, and subject to the conditions of approval provided in Exhibit B to this resolution attached hereto and incorporated herein; and

Whereas, on March 22, 2022, the Planning Commission held a public hearing on the Winters Healthcare Backup Generator Design Review project (DR-2022-01) to receive oral and written testimony and written prior to reaching its decision.

Now, Therefore Be It Resolved that the Planning Commission adopts the recommended findings set forth in Exhibit A and approves the Winters Healthcare

Backup Generator Design Review project (DR-2022-01) subject to the draft conditions of approval contained in Exhibit B; and

Be it Further Resolved that the Planning Commission, based on the evidence in the record and findings set forth in Exhibit A, determines the project to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303(e) (New Construction or Conversion of Small Structures) of the CEQA Guidelines.

It is hereby certified that the foregoing Planning Commission Resolution 2022-03 was duly adopted on a motion by Commissioner _____ and seconded by Commissioner _____, at a regular meeting of the City of Winters Planning Commission held on the 22nd day of March 2022, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Gregory Contreras, Chairperson

Attest:

Kathleen Salguero Trepa, Planning Commission Secretary

**Planning Commission Resolution No. 2022 – 03
Exhibit “A”**

Recommended Findings

Design Review Findings

In order to approve or deny a Design Review permit, the review authority shall first make the findings required by Winters Municipal Code Section 17.36.040 (Criteria for Review):

1. The overall visible mass of the structure, which includes height, roofline profiles and overall scale of a building;

The project is proposing to construct an approximately 260 square foot enclosure (20’3” x 13’10”) for a 200kW diesel backup generator. The backup generator enclosure has been designed to reduce the overall mass and size of the enclosure, and it the minimum size required by building and fire standards for such an enclosure. The enclosure and backup generator are required to comply with all applicable California Building Code, Fire Code, and regional air quality requirements as part of the building permit process. standards relating to minimum size requirements, setbacks from combustible fuels, and air quality requirements, which will be verified as part of the building permit process. This finding is supported by the discussion contained in the “Design Review Requirements” section of the Planning Commission staff report dated March 22, 2022.

2. The proposed use and quality of exterior construction materials striving for long-term compatibility with the general setting of the subject property and visual character of the general neighborhood;

The proposed generator would be installed within a CMU enclosure that would have a stucco finish to match the existing Healthcare building’s finishes and colors. The enclosure would consist of cement plaster CMU painted weathered coral with a desert grey border, which matches the materials and colors of the existing Winters Healthcare facility building. This finding is supported by the discussion contained in the “Design Review Requirements” section of the Planning Commission staff report dated March 22, 2022.

3. Avoidance of buildings which are characterized by large, blank, or unbroken wall planes, as well as buildings which exhibit general lack of architectural detailing, shadow lines, etc. which generally lack interest;

The project is proposing to construct an approximately 260 square foot enclosure (20’3” x 13’10”) for a 200kW diesel backup generator. The backup generator enclosure has been designed to reduce the overall mass and size of the enclosure, and it the minimum size required by building and fire standards for such an enclosure. This finding is supported by the discussion contained in the “Design Review Requirements” section of the Planning Commission staff report dated March 22, 2022.

4. Effective screening of ground – and – roof mounted equipment;

The proposed generator would be installed within a CMU enclosure, which would match the building materials and colors of the existing Healthcare facility and be screened from public view. This finding is supported by the discussion contained in the “Design Review Requirements” section of the Planning Commission staff report dated March 22, 2022.

5. The use of landscaping decorative site paving, etc., which provides effective visual screening or softening of the development, as necessary; and

The backup generator enclosure would be located within an existing landscaping area, reducing the project site’s total landscaping area by approximately 260 square feet. However, the existing landscaping and adjacent trees near the sidewalk are sufficient to maintain the existing visual character of the project site and surroundings. This finding is supported by the discussion contained in the “Design Review Requirements” section of the Planning Commission staff report dated March 22, 2022.

6. Achieve conformity with the Winters Design Guidelines, Form-Based Code for Downtown (Chapter 17.58), and the Grant Avenue Design Guidelines, as applicable.

The proposed backup generator enclosure would maintain the existing visual character of the area, meets the intentions of the City’s design guidelines, and would be built in the most feasible location given the existing site conditions. The enclosure has been designed to match the existing building materials and colors of the Winters Healthcare facility. This finding is supported by the discussion contained in the “Design Review Requirements” section of the Planning Commission staff report dated March 22, 2022.

California Environmental Quality Act Findings

1. Pursuant to CEQA Guidelines, Section 15303(e), Class 3, consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Because of proposed backup generator, which would be located within an approximately 260 square foot enclosure, minor’s size and there is no substantial evidence demonstrating that there are unusual circumstances which would result in significant impacts that threaten the environment, the project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15303(e).
2. The Planning Commission has reviewed and considered the proposed project and all comments submitted and has determined that the record, as a whole, demonstrates that there is no evidence that the proposed project will have an individually or cumulatively significant effect.

3. The Planning Commission has determined that the custodian of all documents and material which constitute the record of proceedings shall rest with the City of Winters Community Development Department.

**Planning Commission Resolution No. 2022 – 03
Exhibit “B”**

Draft Conditions of Approval

General Conditions of Approval

1. Design Review permit for the construction of an approximately 260 square foot enclosure (20’3” x 13’10”) for a 200kW diesel backup generator as shown on the site plans, elevations, and floor plans as approved by the Planning Commission on March 22, 2022, on file in the Community Development Department. The applicant is responsible for complying with all conditions of approval and providing evidence to the Community Development Director of compliance with each condition.
2. The effective date of approval shall be April 2, 2022, unless the approval is appealed to the City Council by 5:00pm on April 1, 2022. Design Review approval shall be valid for one year after its effective date. At the end of that time, the approval shall expire and become null and void unless the time limits of the Design Review permit is extended per Municipal Code Section 17.20.060.
3. The Community Development Director may authorize minor alterations to the approved plans and conditions of approval in accordance with Municipal Code Section 17.36.020.E only if the Director finds such changes and alterations to be in substantial compliance with the approved project. For minor project modifications and design elements not addressed by the Planning Commission in their design approval of the project, the Community Development Director may impose additional requirements on the site to ensure consistency with the Winters Design Guidelines and Municipal Code. Major changes and alterations to the approved plans and conditions of approval shall be reviewed and approved by the Planning Commission.
4. The project shall comply with all applicable provisions and standards of the Municipal Code in effect on February 24, 2022, except where specifically modified by these conditions of approval. It is the applicant's responsibility to demonstrate compliance to the Planning Division prior to issuance of any grading or building permits.
5. The backup generator enclosure shall be designed and constructed of similar material as the Winters Healthcare facility. The enclosure shall be constructed as shown on the approved plans, including cement plaster painted weathered coral with a desert grey border. The generator and enclosure shall be properly maintained at all times.
6. The applicant shall comply with all adopted rules and regulations of the Building Division, Fire Department, Engineering Division, and all other local and state

agencies including obtaining all necessary permits and/or approvals for the installation and operation of a backup generator.

7. 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.



STANDBY POWER PLANT FOR WINTERS HEALTHCARE

ELECTRICAL SYMBOL LEGEND

1. EVERY SYMBOL SHOWN ON LEGEND MAY NOT APPEAR ON DRAWINGS.
2. DASHED ELECTRICAL EQUIPMENT GENERALLY INDICATES EXISTING EQUIPMENT.
3. LONG-SHORT-SHORT-LONG DASHING GENERALLY INDICATES MATCH LINE OR DEFINES AREA FOR SPECIAL NOTE.

CIRCUIT RELATED:	
	LIGHTING OR POWER CIRCUIT(S). ARROW INDICATES HOME RUN. LONGER TICK(S) INDICATE NEUTRAL WIRES(S). SHORTER STRAIGHT TICK(S) INDICATE PHASE WIRES(S). SLANTED SHORTER TICK(S) INDICATE SWITCH LEG(S). DOTS INDICATE GROUNDING CONDUCTOR(S). DASHED WIRING (LONG-SHORT-LONG DASHES) INDICATES WIRING BELOW SLAB OR GRADE. DASHED WIRING (SERIES OF SHORT DASHES) INDICATES EXISTING WIRING. SLASH THROUGH ARROW INDICATES PARTIAL CIRCUIT. "TY" ON HOMERUN ARROW INDICATES DEDICATED CIRCUIT. PROVIDE A SEPARATE NEUTRAL FOR EACH PHASE CONDUCTOR. FOR ENTIRE LENGTH OF CIRCUIT FROM PANEL TO OUTLET. COUNT EACH NEUTRAL AS CURRENT-CARRYING AND GROUP A MAXIMUM OF SIX THIRTYTHWV CONDUCTORS IN A SINGLE RACEWAY. GROUNDING CONDUCTOR IS NOT COUNTED.
	TELEPHONE CONDUIT SYSTEM. DASHED WIRING (LONG-SHORT-LONG DASHES) INDICATES WIRING IN OR BELOW SLAB OR GRADE. DASHED WIRING (SERIES OF SHORT DASHES) INDICATES EXISTING WIRING.
	JUNCTION BOX. "1" MAY BE OMITTED IF BOX IS WITHIN OR ATTACHED TO FLUORESCENT LIGHT FIXTURE SYMBOL ON PLANS.
	POINT OF BRANCH CIRCUIT TAP FOR SEPARATELY SWITCHED FIXTURE GROUP. REFERENCE CATEGORY "B" LIGHTING SYMBOLS FOR FURTHER INFORMATION.
	GROUNDING ELECTRODE.
POWER OUTLETS:	
	20A-125V DUPLEX RECEPTACLE. "GF" INDICATES GROUND FAULT CIRCUIT INTERRUPTER RECEPTACLE.
	20A-125V DUPLEX RECEPTACLE. OCCUPANCY CONTROLLED RECEPTACLE.
	20A-125V FOURPLEX RECEPTACLE.
	20A-125V FOURPLEX RECEPTACLE. OCCUPANCY CONTROLLED RECEPTACLE.
	SPECIAL PURPOSE SINGLE POWER RECEPTACLE. RATED AS INDICATED IF NO RATING INDICATED. RECEPTACLE RATING SHALL MATCH BRANCH CIRCUIT OVERCURRENT PROTECTIVE DEVICE SIZE AND SHALL MEET REQUIREMENTS OF EQUIPMENT BEING CONNECTED. "C" INDICATES CLOCK OUTLET.
	20A-125V FLUSH FLOOR DUPLEX RECEPTACLE. "20A" WHEN INDICATED OR IF BRANCH CIRCUIT SERVES ONLY SINGLE DUPLEX. PROVIDE CARPET FLANGE WHERE APPLICABLE.
	20A-125V DUPLEX TAMPER RESISTANT RECEPTACLE WITH (2) USB CHARGING PORTS.
	SAME AS DUPLEX RECEPTACLE EXCEPT ISOLATED GROUND TYPE RECEPTACLE.
	SAME AS FOURPLEX RECEPTACLE EXCEPT ISOLATED GROUND TYPE RECEPTACLE.
	INDICATES RECEPTACLE SHALL BE MOUNTED ABOVE COUNTER TOP. REFER TO ARCHITECT FOR EXACT HEIGHT ABOVE COUNTER.
	CIRCUIT DESIGNATION NEXT TO RECEPTACLE DEVICES INDICATES BRANCH CIRCUIT NUMBER. RE. PANEL SCHEDULES FOR INFORMATION.
	"WP" INDICATES WEATHER PROOF DEVICE.
TELEPHONE DATA:	
	WALL TELEPHONE OUTLET. "T" INDICATES PAY TYPE. "W" INDICATES WALL MOUNTED PHONE. PROVIDE NEMA 5-15R OUTLET FOR EACH TTY, TDD OR OTHER SCREEN OR CARD-ACCESS TELEPHONE.
	FLUSH FLOOR TELEPHONE OUTLET WITH CARPET FLANGE WHERE APPLICABLE.
	SURFACE FLOOR TELEPHONE OUTLET. "T" INDICATES TWO OUTLETS IN ONE BOX. PROVIDE CARPET FLANGE WHERE APPLICABLE.
	TWO PORT WALL COMMUNICATIONS OR DATA OUTLET. REFER TO 'TS' SERIES SHEETS FOR EXACT BOX CONDUIT REQUIREMENTS.
	FLUSH FLOOR COMMUNICATIONS OR DATA OUTLET. REFER TO 'TS' SERIES SHEETS FOR EXACT BOX/CONDUIT REQUIREMENTS. PROVIDE CARPET FLANGE WHERE APPLICABLE.
	SURFACE FLOOR COMMUNICATIONS OR DATA OUTLET. REFER TO 'TS' SERIES SHEETS FOR EXACT BOX/CONDUIT REQUIREMENTS. PROVIDE CARPET FLANGE WHERE APPLICABLE.
EQUIPMENT:	
	+42" A NOTATION INDICATING THE MOUNTING HEIGHT OF A DEVICE AS MEASURED FROM FINISHED FLOOR OR GRADE TO CENTER LINE OF DEVICE.
	MOTOR.
	DISCONNECT SWITCH. FRAME SIZE/FUSE SIZE/POLES AS INDICATED. "NF" INDICATES NON-FUSIBLE. NEMA 1 ENCLOSURE UNLESS OTHERWISE NOTED. PROVIDE FUSED BUSWAY FLUSH WHEN SWITCH IS INDICATED ON BUSWAY. ALL DISCONNECT SWITCHES SHALL BE 30NF-3 UNLESS OTHERWISE NOTED.
	SINGLE CIRCUIT BREAKER IN INDIVIDUAL ENCLOSURE.
	MAGNETIC MOTOR CONTROLLER. NUMBER INDICATES NEMA SIZE. STARTER NEMA SIZE SHALL BE "NEMA 1" UNLESS OTHERWISE NOTED.
	COMBINATION DISCONNECT SWITCH/MOTOR CONTROLLER.
	CONTACTOR.

PROJECT DESCRIPTION

THE INSTALLATION OF A NEW 200 KW DIESEL-FIRED STANDBY GENERATOR, AUTOMATIC TRANSFER SWITCH AND DISTRIBUTION PANEL FOR WINTERS HEALTHCARE.

CONTACTS

CONTRACTOR: JOSE DIAZ, OWNER
AMPLE ELECTRIC, INC.
1000 RAILROAD AVE
WINTERS, CALIFORNIA 95694
209.266.9913 OFFICE
JDIAZ@AMPLEELECTRIC.COM

ENGINEER: LEAF ENGINEERS
LAWRENCE W. MYERS, PE
2520 VENTURE OAKS WAY
SACRAMENTO, CALIFORNIA 95833
916.862.9494 OFFICE
707.256.0553 CELL
Larry.Myers@leafengineers.com

CODE ANALYSIS

ASSESSOR'S PARCEL NUMBER: 003-370-046-000
OCCUPANCY TYPE: B
TOTAL AREA: 16,753 SF
ALLOWABLE SF: 27,000 SF
ALLOWABLE HEIGHT: 60 FT.

BUILDING CONSTRUCTION: VB (STEEL FRAME)

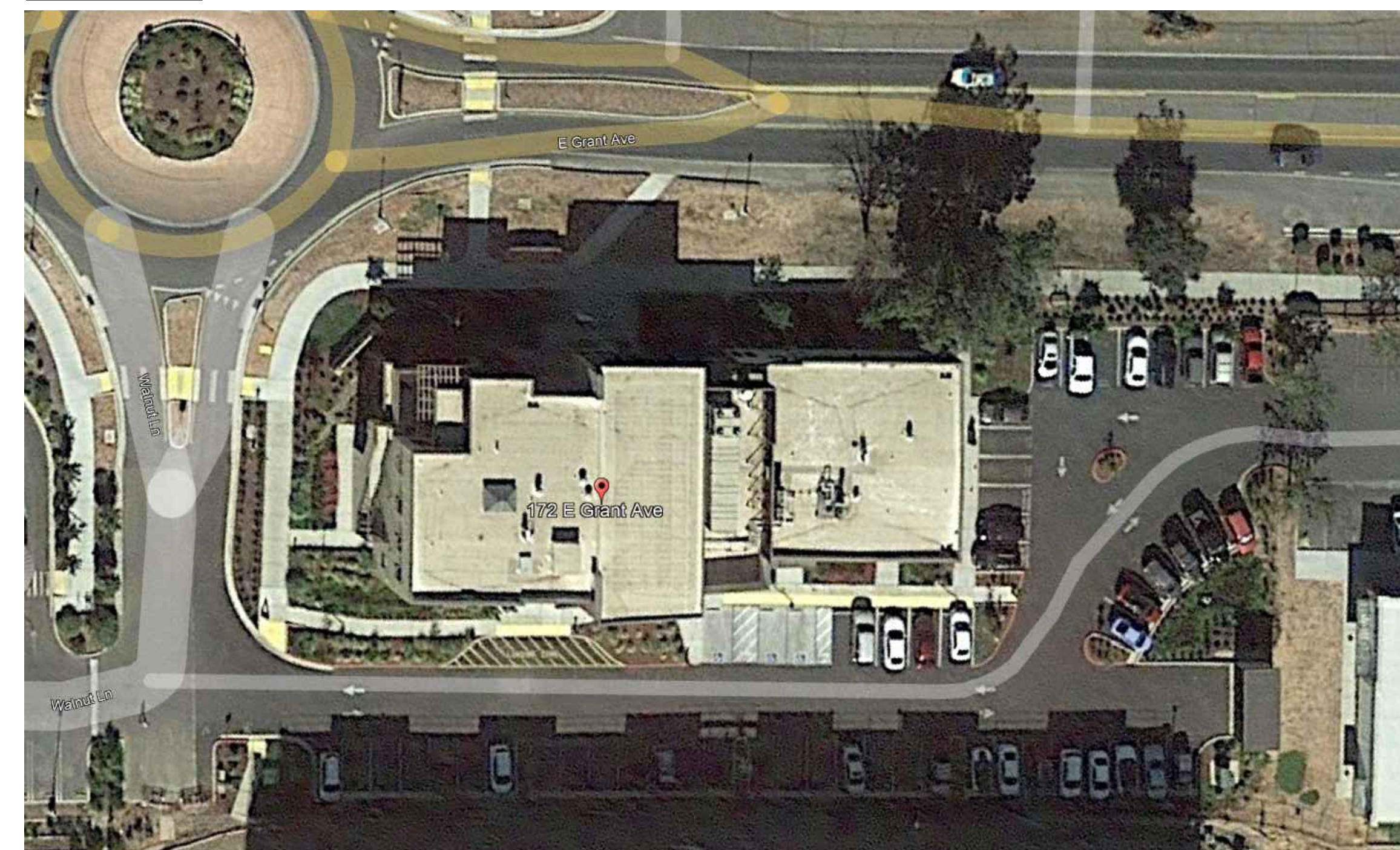
BUILDING HEIGHT: 30 FT.
SPRINKLERED: YES
NO. OF FLOORS: 3 STORIES
ALLOWABLE STORIES: 3 STORIES
2019 CALIFORNIA BUILDING CODE
2019 CALIFORNIA ELECTRICAL CODE
2019 CALIFORNIA FIRE CODE

2016 NFPA 110 STANDARD FOR EMERGENCY & STANDBY POWER SYSTEMS
2021 NFPA 30 FLAMMABLE AND COMBUSTIBLE LIQUIDS CODE

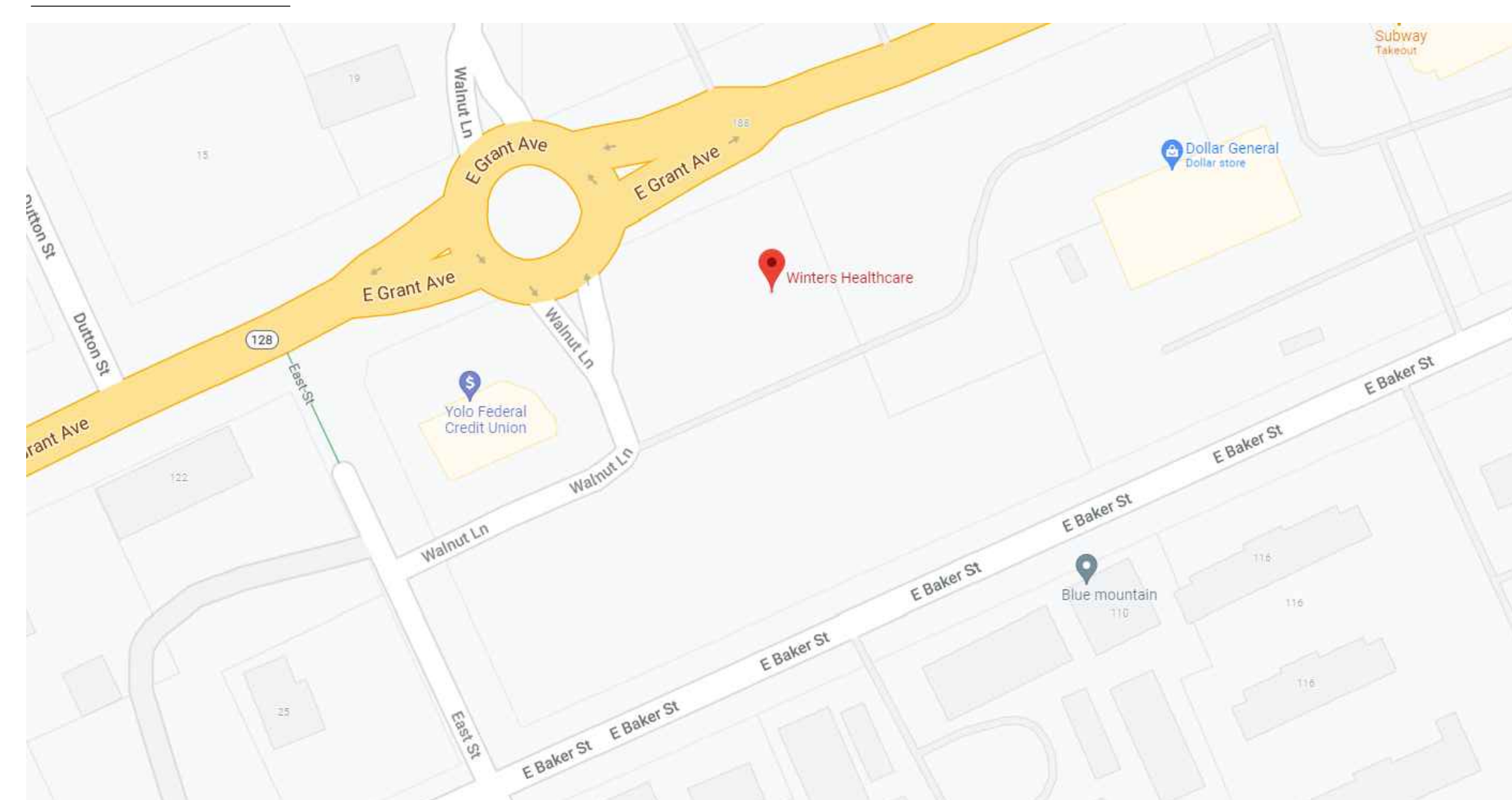
SHEET INDEX

E0.1 ELEC. SHEET INDEX, LEGEND, NOTES & SCHEDULES
E1.0 ELECTRICAL SITE PLAN
E2.0 ELECTRICAL ROOM REVISIONS
E3.0 ELECTRICAL ONE LINE DIAGRAM
E4.0 ELECTRICAL GENSET & CONCRETE PAD DETAILS

KEY PLAN

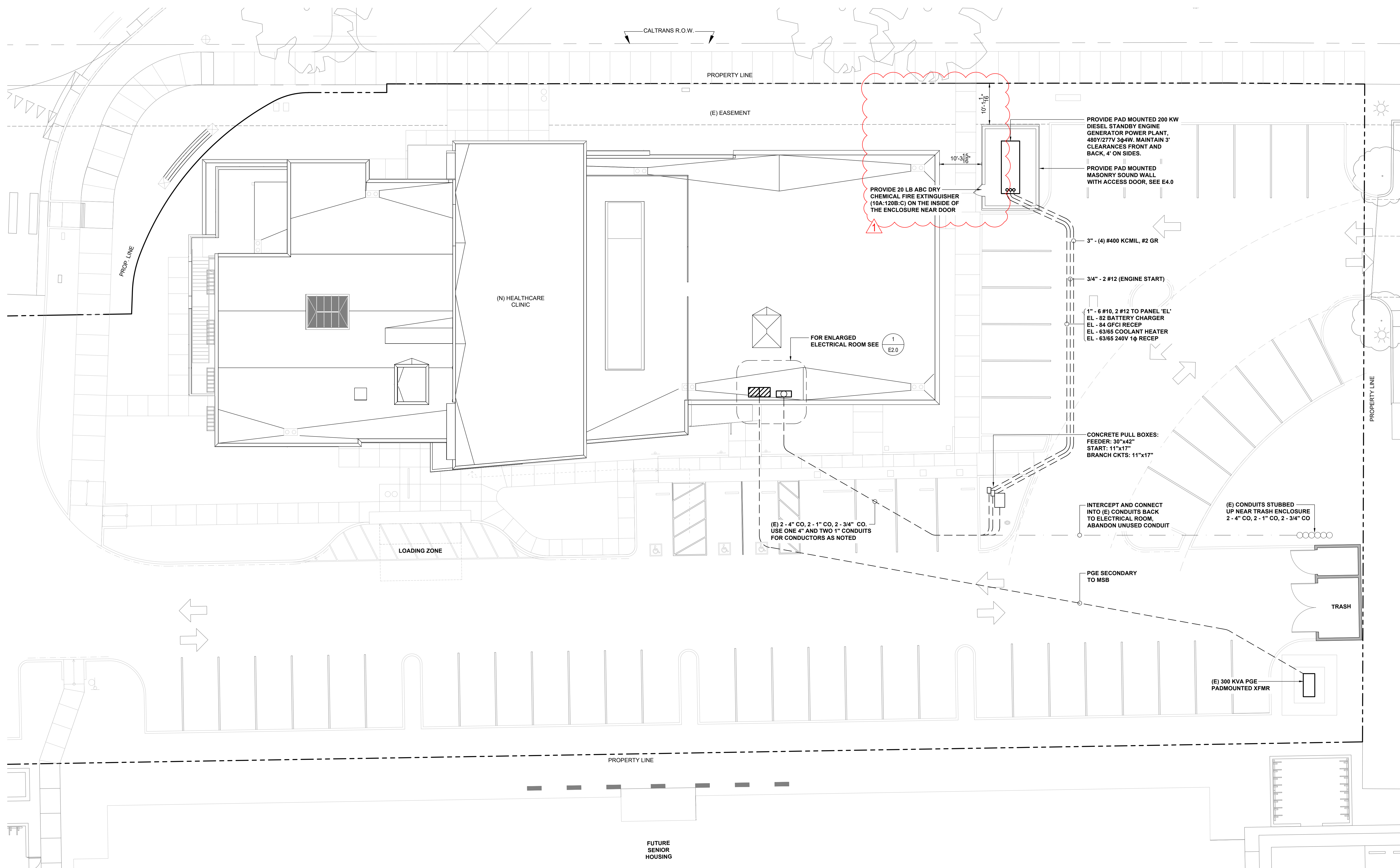


VICINITY MAP



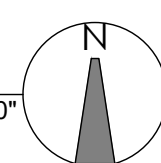
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ELEC. SHEET INDEX, LEGEND, NOTES & SCHEDULES	
PROJECT ARCHITECT DRAWN BY CHECKED BY	PROJECT NUMBER SCALE DATE
SL LM	P2126600ME NO SCALE 06 AUG. 2021
E0.1	

	<p>LEAF ENGINEERS A P2126600ME COMPANY</p> <p>2520 Venture Oaks Way, #440 Sacramento, CA 95833 p 916-862-9494 www.LEAFengineers.com job #: P2126600ME</p>
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ELECTRICAL SITE PLAN

SCALE: 3/32"=1'-0"



<p>PROJECT NAME: STANDBY POWER PLANT FOR WINTERS HEALTHCARE 172 EAST GRANT AVENUE, WINTERS, CALIFORNIA 95694</p>			
No.	DATE	DESCRIPTION	REVISIONS
1	12/8/21	PLANNING REVISION	
<p>ELECTRICAL SITE PLAN</p>			
PROJECT ARCHITECT	PROJECT NUMBER	SCALE	SHEET NUMBER
LM	P212600ME	3/32" = 1'-0"	E1.0
DRAWN BY	DATE		
LM	06 AUG. 2021		

PROFESSIONAL ENGINEER
ELECTRICAL
STATE OF CALIFORNIA
No. 12345
Exp. 12/31/22

LEAF ENGINEERS
A PDK COMPANY

2520 Venture Oaks Wy, #440 Sacramento, CA 95833
p 916-662-9494 www.LEAFengineers.com
job # P212600ME

PROJECT TITLE

WINTERS HEALTHCARE NEW BACKUP GENERATOR

STAMP



REVISIONS

NO.	DATE	CHANGE
1	--/--	-

DRAWING TITLE

SITE PLAN

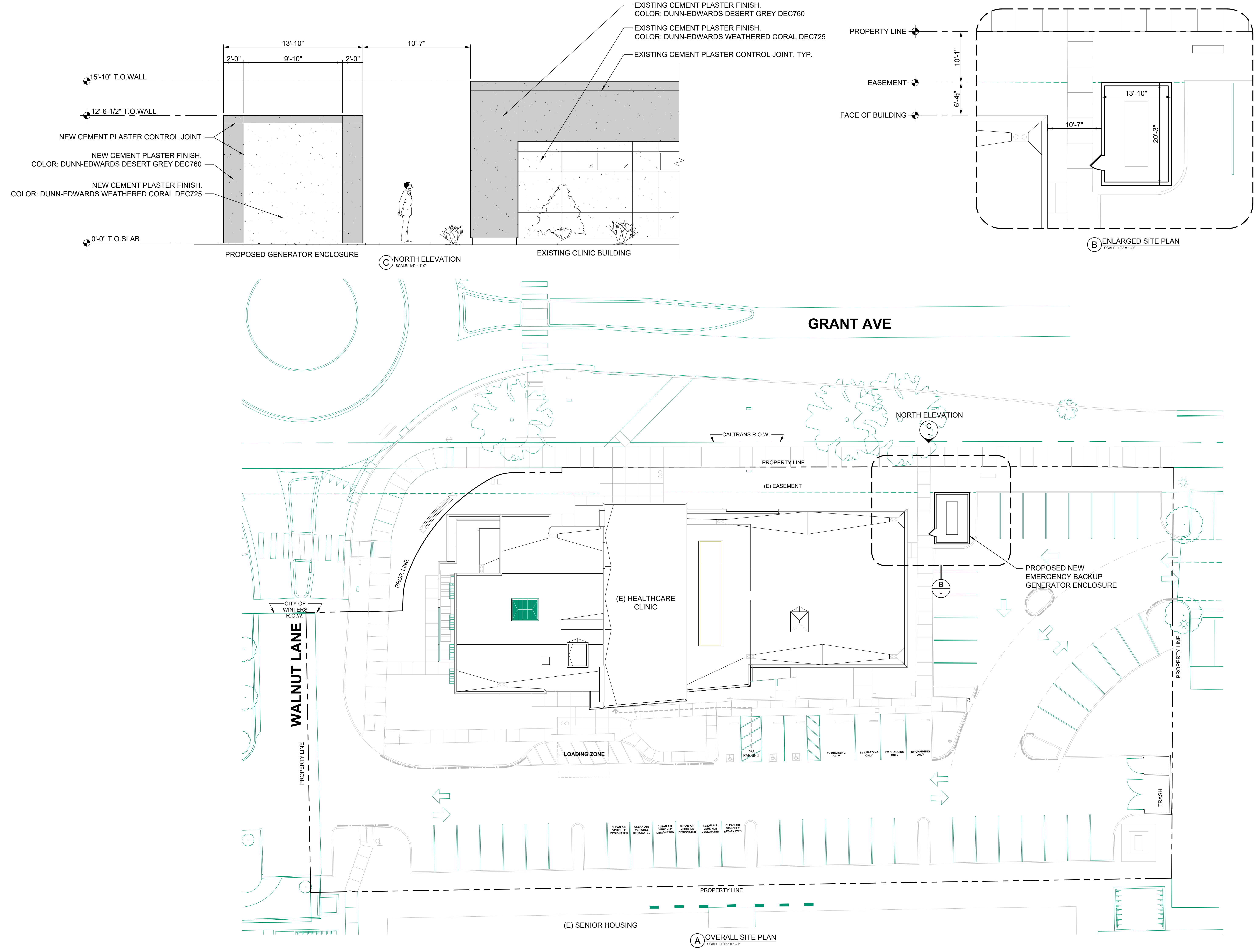
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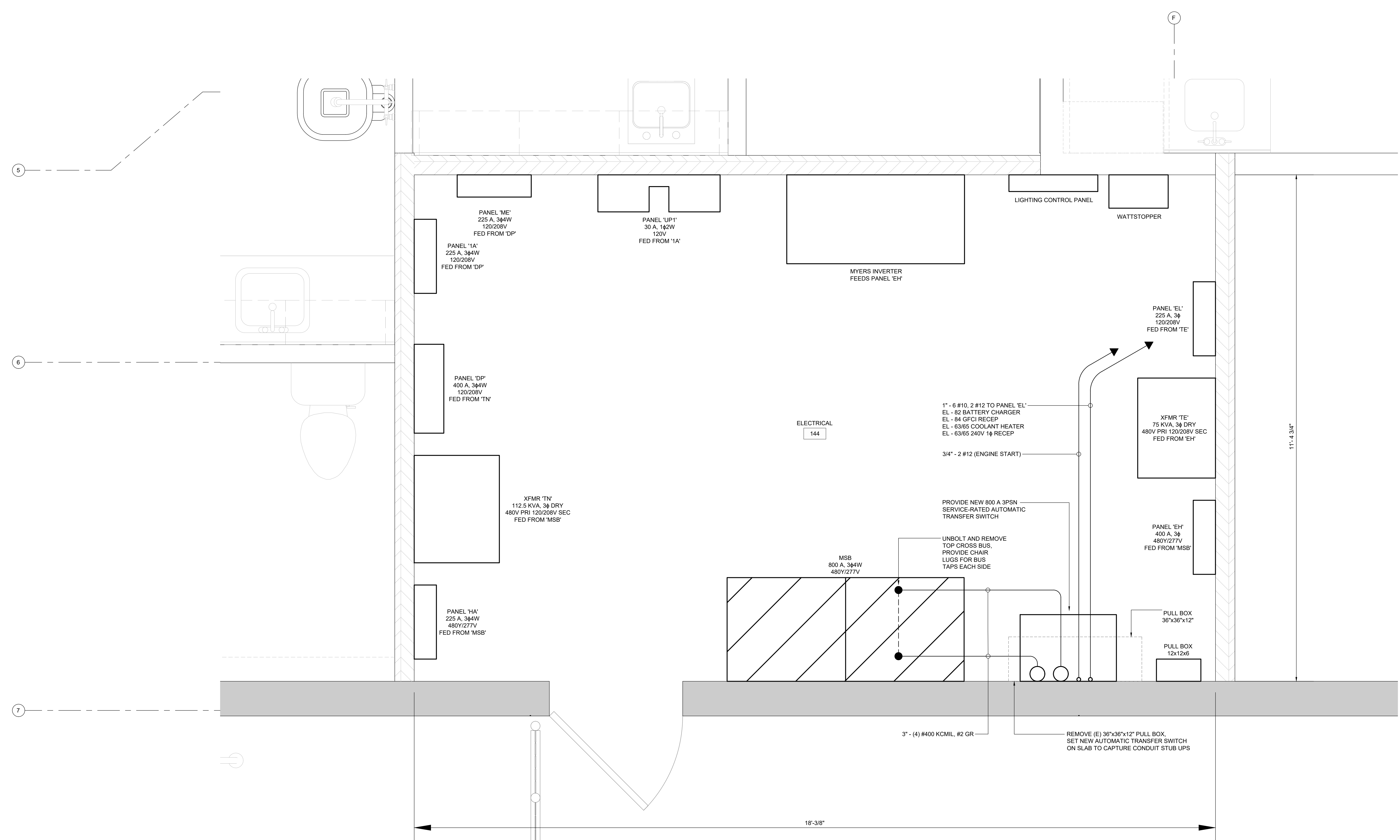
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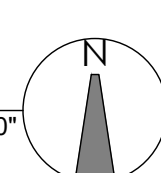
DWG. NO.

E1.0





ELECTRICAL ROOM REVISIONS
SCALE: 1"=1'-0"



ample electric inc. wintershealthcare
winters lic#807298

STANDBY POWER PLANT FOR WINTERS HEALTHCARE
172 EAST GRANT AVENUE, WINTERS, CALIFORNIA 95694

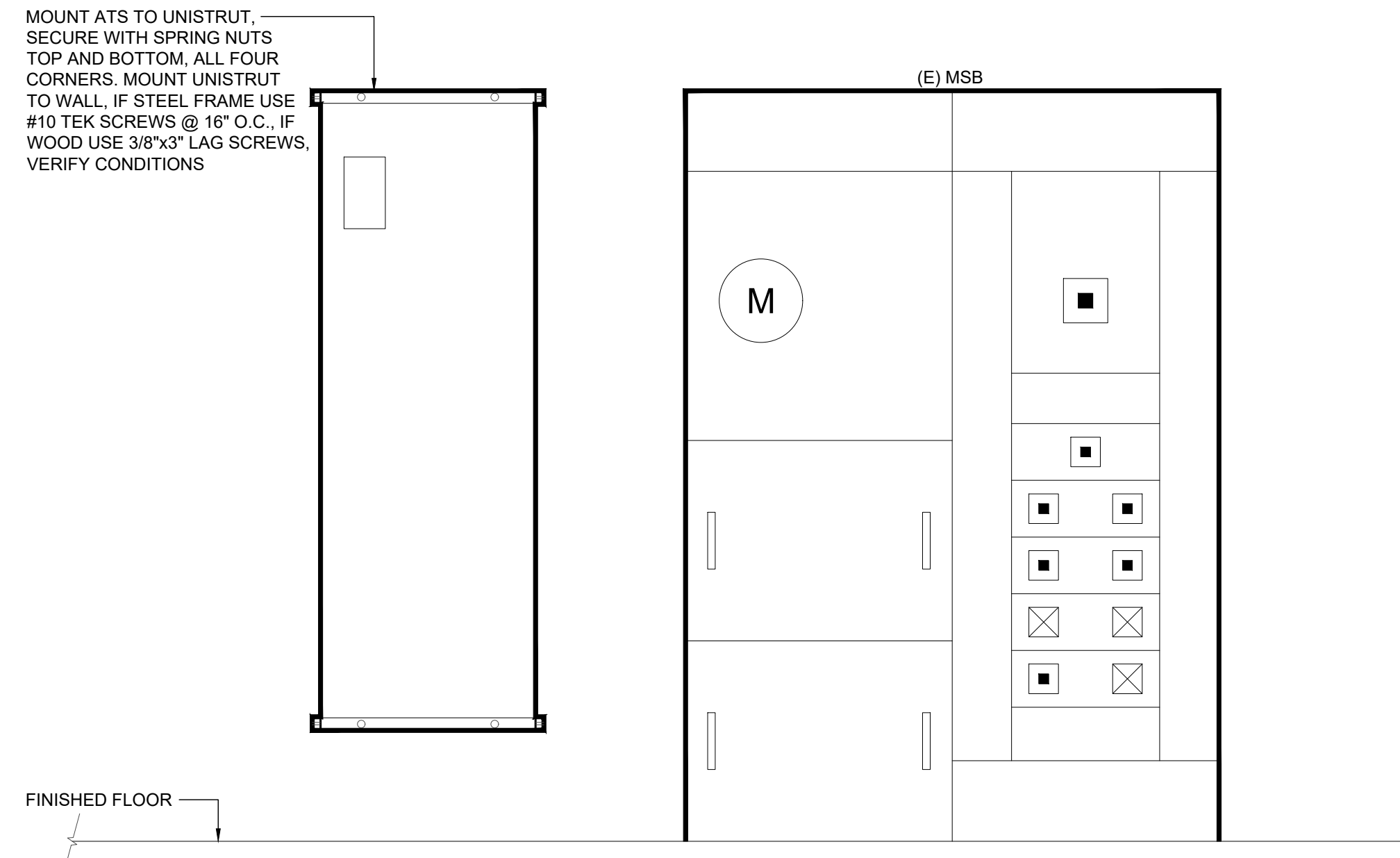
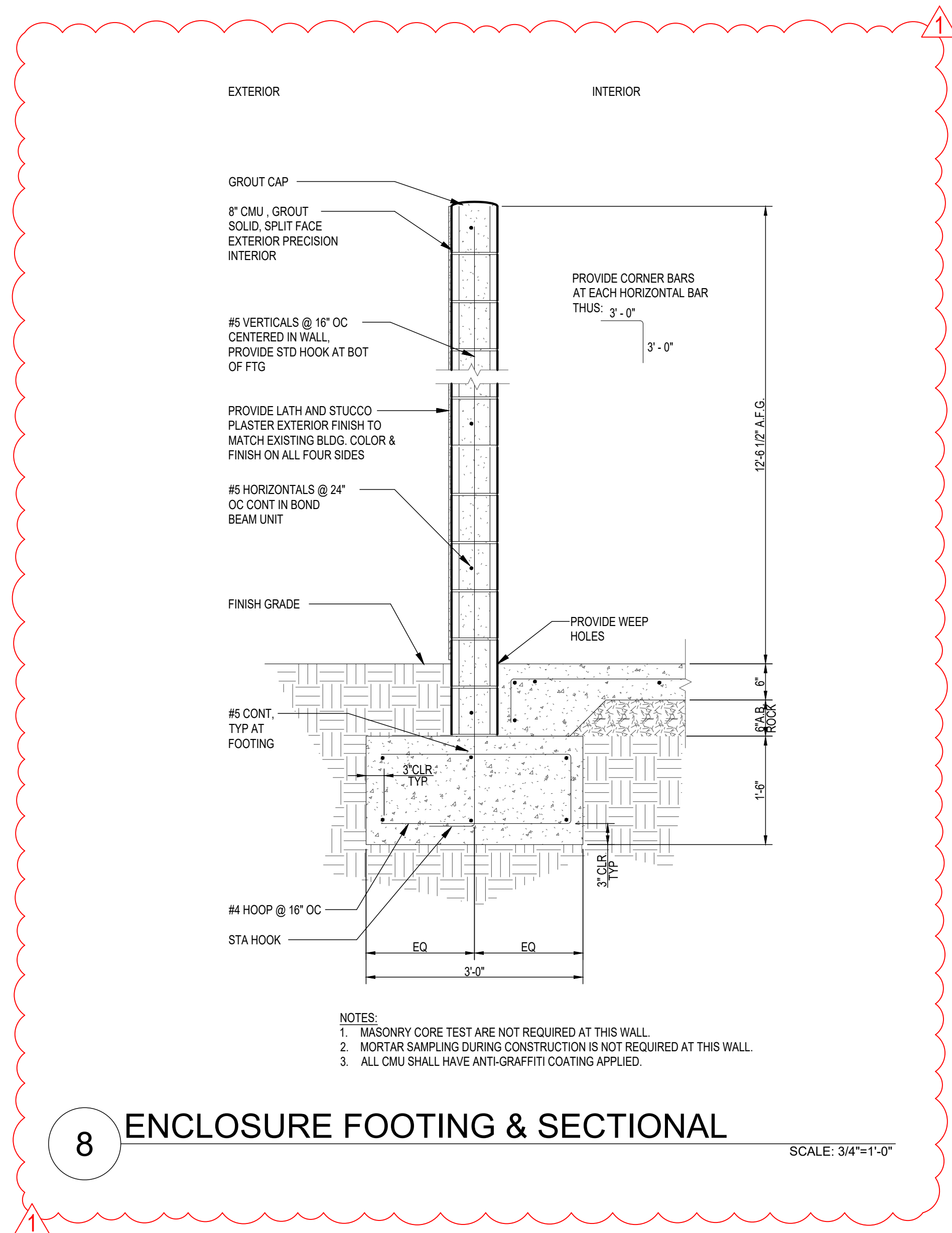
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ELECTRICAL ROOM REVISIONS

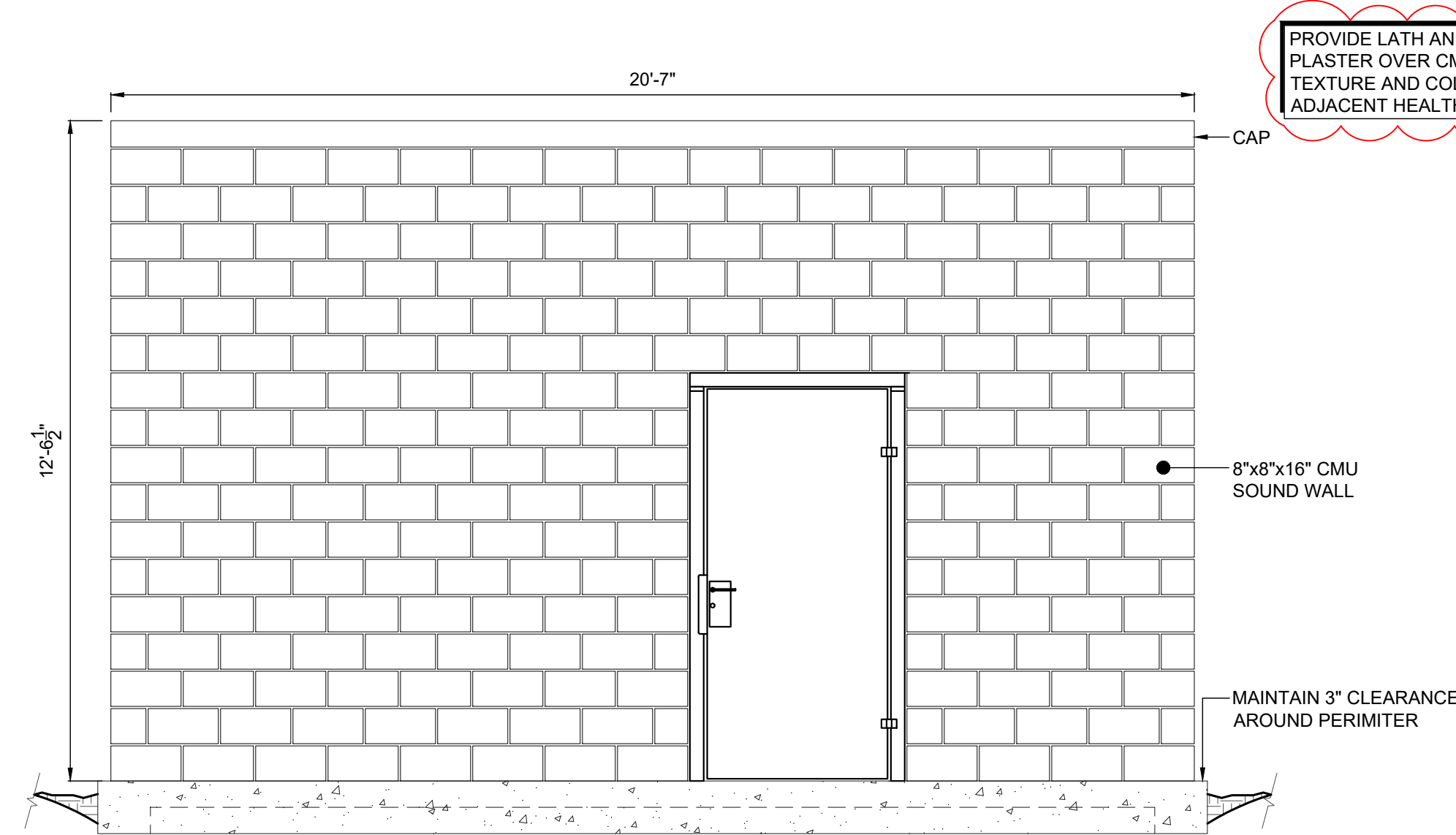
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SCALE	DATE	
DRAWN BY	DATE	
CHECKED BY	DATE	

E2.0

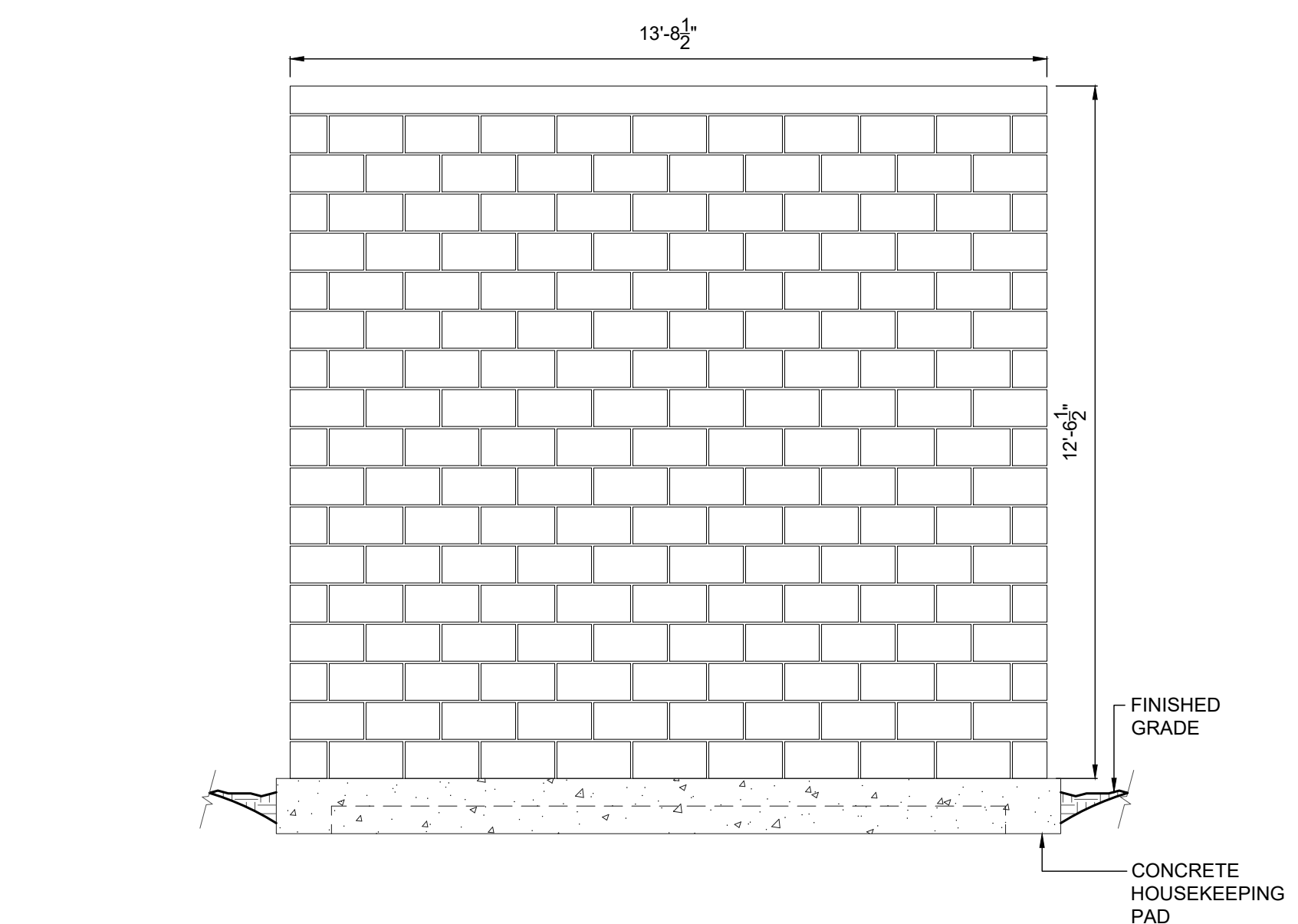




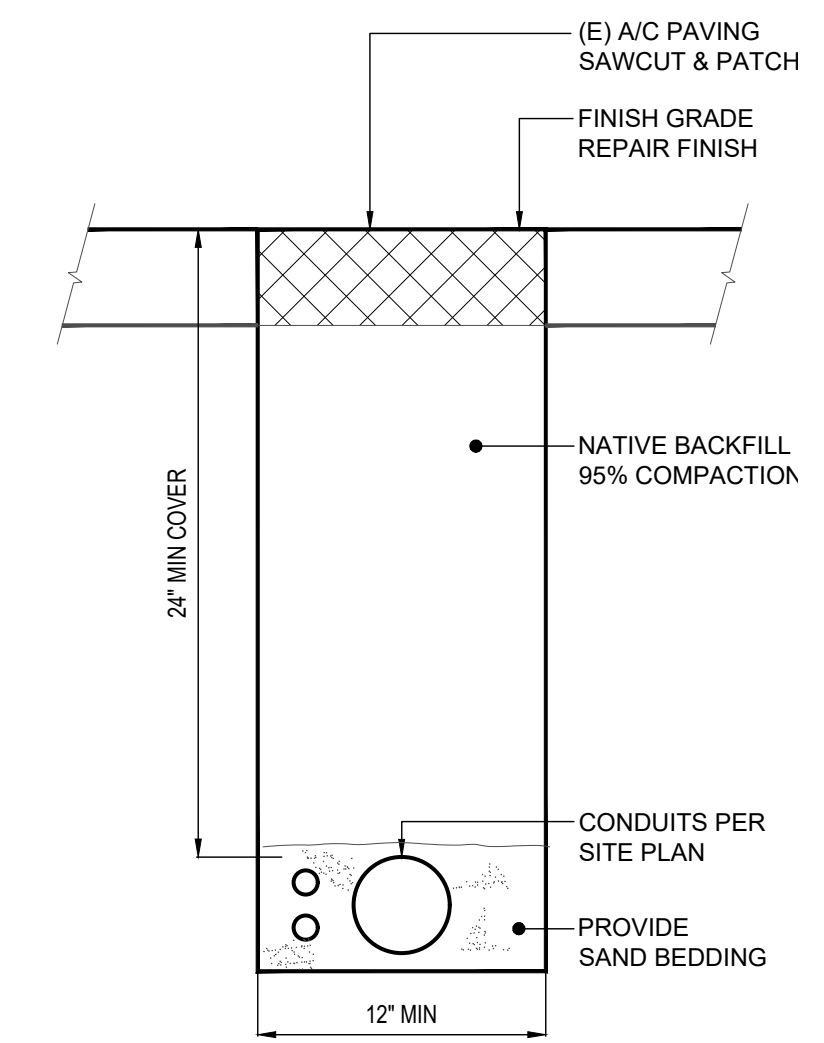
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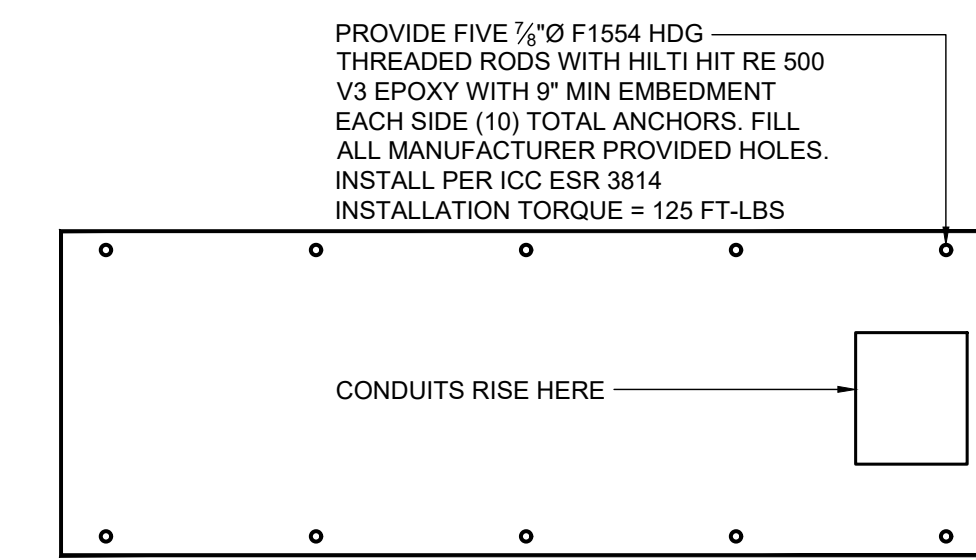
6 ENCLOSURE EAST ELEVATION SCALE: 3/8"=1'-0"



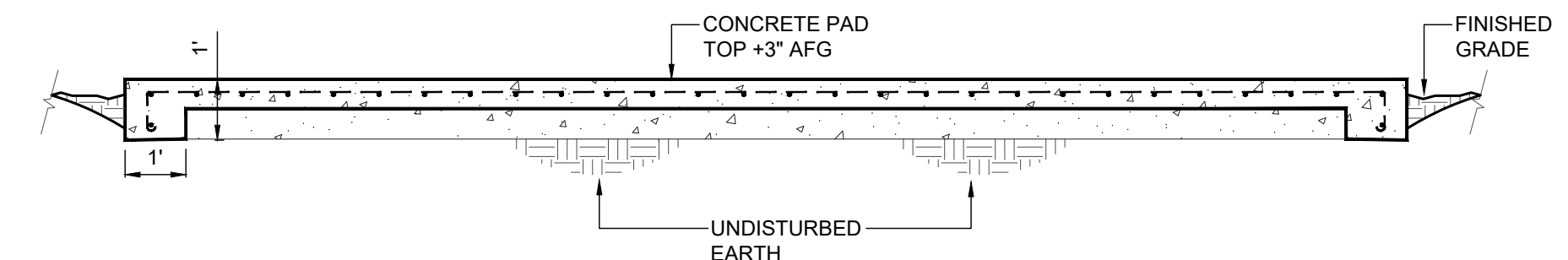
7 ENCLOSURE NORTH ELEVATION SCALE: 3/8"=1'-0"



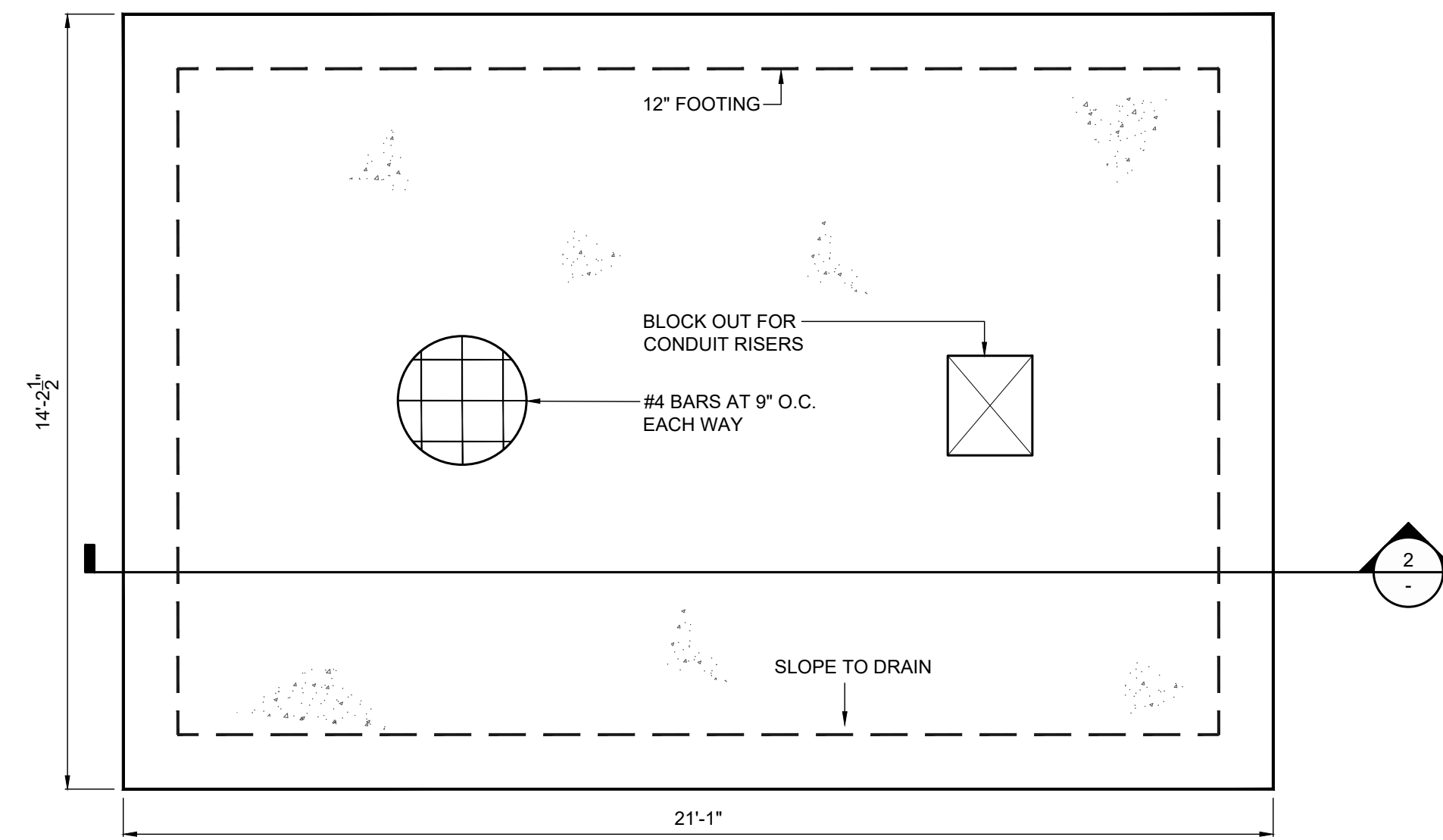
4 TRENCHING DETAIL SCALE: 1-1/2"=1'-0"



3 GENERATOR SEISMIC ANCHORAGE SCALE: 3/8"=1'-0"



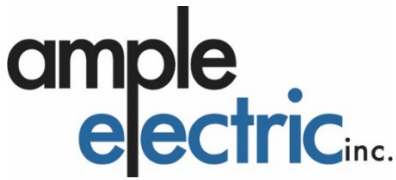
2 CONCRETE PAD LONGITUDINAL SECTION SCALE: 3/8"=1'-0"



1 CONCRETE PAD LAYOUT & STEEL SCALE: 3/8"=1'-0"



PROJECT NAME STANDBY POWER PLANT FOR WINTERS HEALTHCARE 172 EAST GRANT AVENUE, WINTERS, CALIFORNIA 95694					
No.	DATE	DESCRIPTION	No.	DATE	DESCRIPTION
1	12/28/21	PLANNING - REVISION			
ELECTRICAL GENSET & CONCRETE PAD DETAILS					
PROJECT ARCHITECT		PROJECT NUMBER		SHEET NUMBER	
SL		P2126600ME		E4.0	
DRAWN BY		SCALE			
LM		NO SCALE			
CHECKED BY		DATE			
LM		06 AUG 2021			



Planning Department Justification Narrative Statement

PLAN CHECK #: Winters Healthcare Center 200 KW Generator project

OWNER/APPLICANT Stacey McCall | Phil Hamilton

PROJECT ADDRESS: 172 East Grant Ave Winters Ca 95694

PROJECT SCOPE: Install Emergency backup power plant System

DATE: 2/10/2022

Project Design Timeline Narrative

We have requested this planning review for our project at 172 East Grant Ave in Winters California because the Winters Healthcare medical clinic building is in need of an emergency backup generator as it is a facility providing essential services and will be a critical high priority facility during any natural or human caused disasters and other incidents of mass trauma.

When this facility was originally designed it was the intention of the planner to install a future backup generator near the trash enclosure. During our current design of the backup generator system, we have identified several building and fire code issues that prevent us from being able to locate the generator where originally designed. The two major issues were code required setbacks for storage of combustible fuels and the other was the loss or required bio retention of storm water runoff.

During our design phase of this project, we had entertained several potential locations for the new backup generator one of which was the roof of the existing structure. This location had several issues that deemed it an unacceptable location, such as the building was not designed to support the weight of a backup generator installation. The required structural support installations would be cost prohibitive, extremely disruptive to the facility operations and nearly impossible to achieve. The other was the storage of combustible fuels on the roof and the difficulties of refueling the generator at that location.

The proposed location that we have determined to be the most suitable and feasible was in the planter area next to the building near the front of the property by Grant Avenue. This location conforms to all applicable building and fire codes. The proposed generator would be installed within a CMU enclosure that would have a stucco finish to match the existing buildings finishes and colors.

Thank you for your consideration of our proposed project.

Phil Hamilton

Ample Electric Inc.